



PUBLIC HEARING MINUTES

MARCH 12, 2024

A Public Hearing of the City of Vancouver was held on Tuesday, March 12, 2024, at 6:03 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened by electronic means as authorized under Section 566 of the *Vancouver Charter*.

PRESENT: Councillor Mike Klassen, Acting Mayor
Councillor Adriane Carr
Councillor Sarah Kirby-Yung
Councillor Peter Meiszner
Councillor Brian Montague
Councillor Lenny Zhou

ABSENT: Mayor Ken Sim (Leave of Absence – Civic Business)
Councillor Rebecca Bligh (Leave of Absence – Civic Business)
Councillor Christine Boyle (Leave of Absence – Civic Business)
Councillor Lisa Dominato (Leave of Absence – Civic Business)
Councillor Pete Fry (Leave of Absence – Personal Reasons)

CITY MANAGER'S OFFICE: Armin Amrolia, Deputy City Manager

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
Cassia Nasralla, Meeting Coordinator

WELCOME

The Acting Mayor acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People. We thank them for having cared for this land and look forward to working with them in partnership as we continue to build this great city together.

The Acting Mayor also recognized the immense contributions of the City of Vancouver's staff who work hard every day to help make our city an incredible place to live, work, and play.

1. Miscellaneous Amendments Concerning Various CD-1 By-laws

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To make miscellaneous amendments to by-laws for the following: CD-1 (531) for 105-167 West 2nd Avenue and CD-1 (522) for 104-150 East 1st Avenue to improve clarity, update references, correct inadvertent errors or omissions, and/or improve the administration of the by-laws.

The Acting General Manager of Planning, Urban Design and Sustainability.

Summary of Correspondence

No correspondence was received since referral to the Public Hearing and before the close of the speakers list and receipt of public comments.

Speakers

The Acting Mayor called for speakers for and against the application and none were present.

The speakers list and receipt of public comments closed at 6:21 pm.

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Kirby-Yung

- A. THAT Council approve the application to:
 - (i) amend CD-1 (531) By-law No. 10492 for 105-167 West 2nd Avenue to permit a wider range of commercial uses, generally as presented in Appendix A of the Referral Report dated February 6, 2024, entitled "Miscellaneous Amendments Concerning Various CD-1 By-laws"; and
 - (ii) amend CD-1 (522) By-law No. 10425 for 104-150 East 1st Avenue to permit a wider range of commercial uses, generally as presented in Appendix B of the Referral Report dated February 6, 2024, entitled "Miscellaneous Amendments Concerning Various CD-1 By-laws".

- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09852)

2. CD-1 Rezoning: 1065 Pacific Street

An application by Buttjes Architecture Inc. was considered as follows:

Summary: To rezone 1065 Pacific Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 32-storey residential building, with 180 secured rental units of which 20% of the residential floor area will be secured as below-market rental units. A floor space ratio (FSR) of 11.2 and a height of 91.4 m (300 ft.) are proposed.

The Acting General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in the summary and recommendation.

Summary of Correspondence

The following correspondence was received since referral to the Public Hearing and before the close of the speakers list and receipt of public comments:

- one piece of correspondence in support of the application;
- four pieces of correspondence in opposition to the application; and
- one piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation and responded to questions.

Applicant Comments

The applicant responded to questions.

Speakers

The Acting Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Bill Stovin
- Sanjiv Sandhu
- Vaughan Evenson
- Gint Austrins

The speakers list and receipt of public comments closed at 7:16 pm.

Applicant Closing Comments

The applicant provided closing comments.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability provided closing comments and responded to additional questions.

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Carr

- A. THAT the application by Buttjes Architecture Inc., on behalf of W.F.C. Properties (Pacific) Inc., the registered owner of the lands located at 1065 Pacific Street [PID 031-982-956; Lot 1 Block 13 District Lot 185 Group 1 New Westminster District Plan EPP125144], to rezone the lands from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 2.2 to 11.2 and the maximum building height from 18.3 m (60 ft.) to 91.4 m (300 ft.) to permit the development of a 32-storey residential building containing 180 secured-rental units of which 20% of the residential floor area will be secured as below-market rental units, generally as presented in the Referral Report dated February 6, 2024, entitled "CD-1 Rezoning: 1065 Pacific Street", be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Buttjes Architecture Inc., received December 13, 2022, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated February 6, 2024, entitled "CD-1 Rezoning: 1065 Pacific Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT A and B above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED (Vote No. 09853)
(Councillor Meiszner opposed)

3. CD-1 Rezoning: 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace)

An application by Perkins & Will Architects Canada was considered as follows:

Summary: To rezone 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace) from CD-1 (Comprehensive Development) District to a new CD-1 (Comprehensive Development) District, to permit a multi-phased, mixed-use development for Skeena Terrace, with a total gross floor area of 148,749 sq. m (1,601,119 sq. ft.) contained in buildings ranging in height from four to 36 storeys. The proposal includes 1,928 social housing units, commercial uses, a 74-space childcare facility and community space.

The Acting General Manager of Planning, Urban Design and Sustainability recommended approval subject to conditions set out in the summary and recommendation.

Summary of Correspondence

The following correspondence was received since referral to the Public Hearing and before the close of the speakers list and receipt of public comments:

- two pieces of correspondence in support of the application;
- two pieces of correspondence in opposition to the application; and
- one piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation and responded to questions.

Applicant Comments

The applicant provided a presentation and responded to questions.

Speakers

The Acting Mayor called for speakers for and against the application.

The following provided general comments on the application:

- Nathan Davidowicz
- David Lavallee
- Douglas Chidley

The speakers list and receipt of public comments closed at 8:20 pm.

Applicant Closing Comments

The applicant provided closing comments.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability responded to additional questions.

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At 8:26 pm, Acting Mayor Klassen relinquished the Chair to Duty Councillor Meiszner in order to participate in debate and resumed the Chair at 8:28 pm.

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Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Perkins & Will Architects Canada, on behalf of Provincial Rental Housing Corporation ("PRHC"), the registered owner of the lands located at 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street [Lots A and B Block 2 North East ¼ of Section 38 Town of Hastings Suburban Lands Plan 11095; PIDs 009-161-031 and 009-161-074 respectively] to rezone the lands from CD-1(11B) to a new CD-

1 (Comprehensive Development) District to permit a multi-phased mixed-use development with a total gross floor area of 148,749 sq. m (1,601,119 sq. ft.), building heights ranging from four to 36 storeys and commercial, residential and community uses, generally as presented in the Referral Report dated February 6, 2024, entitled "CD-1 Rezoning: 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace)", be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Perkins & Will Architects Canada, received April 24, 2023 with revisions submitted on November 8, 2023, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated February 6, 2024, entitled "CD-1 Rezoning: 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT subject to the approval of the new CD-1 By-law, CD-1(11B) 3476 East 5th Avenue By-law No. 3900 be repealed, generally as set out in Appendix C of the Referral Report dated February 6, 2024, entitled "CD-1 Rezoning: 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace)";

FURTHER THAT the Director of Legal Services be instructed to bring forward the by-law to repeal CD-1(11B) 3476 East 5th Avenue By-law No. 3900 District at the time of enactment of the new CD-1 By-law.

- D. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C of the Referral Report dated February 6, 2024, entitled "CD-1 Rezoning: 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace)", be approved.
- E. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1, generally as set out in Appendix C of the Referral Report dated February 6, 2024, entitled "CD-1 Rezoning: 2108-2476 Cassiar

Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace)”;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

- F. THAT subject to approval in principle of the rezoning, the General Manager of Planning, Urban Design and Sustainability be instructed to prepare the Skeena Terrace Design Guidelines, generally as presented in Appendix D of the Referral Report dated February 6, 2024, entitled “CD-1 Rezoning: 2108-2476 Cassiar Street, 2105-2394 Hermon Drive, 3426-3476 East 5th Avenue and 2105-2291 Skeena Street (Skeena Terrace)”, for adoption, at the time of enactment of the zoning by-law.
- G. THAT A to F above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09854)

4. Shared Electric Kick Scooter Pilot By-Law Amendments

An application by the General Manager of Engineering Services was considered as follows:

Summary: To amend various By-laws to license and regulate the operation of shared e-scooters and the implementation of a shared e-scooter system. These changes seek to amend:

- Street and Traffic By-law
- Zoning and Development By-law, including various District Schedules
- CD-1 By-laws (site-specific)
- Sign By-law
- City Land Regulation By-law
- Building By-law
- License By-law

- Street Vending By-law
- Vehicles for Hire By-law
- Granville Mall By-law

The General Manager of Engineering Services recommended approval.

Council also had before it a yellow memorandum from the General Manager of Engineering Services dated March 11, 2024, entitled “Shared Electric Kick Scooter Pilot By-law Amendments”, which identified minor errors in the draft Zoning and Development By-law & CD-1 By-law, and Sign By-law. Changes were made to the draft by-laws to correct minor wording, omitted section references, and formatting.

Summary of Correspondence

No correspondence was received since referral to the Public Hearing and before the close of the speakers list and receipt of public comments.

Speakers

The Acting Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Jay Buchanan
- Mehi

The speakers list and receipt of public comments closed at 8:45 pm.

Staff Closing Comments

Staff from Engineering Services provided closing comments and responded to additional questions.

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At 8:42 pm, Acting Mayor Klassen relinquished the Chair to Duty Councillor Meiszner in order to participate in debate and resumed the Chair at 8:46 pm.

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Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Carr

- A. THAT Council approve, in principle, an application to amend the Zoning and Development By-law and the CD-1 (46) By-law along with the changes noted in the yellow memorandum from the General Manager of Engineering Services

dated March 11, 2024, entitled “Shared Electric Kick Scooter Pilot By-law Amendments” to enable the implementation of a Shared E-Scooter System in Vancouver and revise the regulations for Public Bike Share.

- B. THAT Council also approve, in principle, related amendments to the Street and Traffic By-law, Sign By-law, City Land Use By-law, Building By-law, License By-law, Street Vending By-law, Vehicles for Hire By-law, and Granville Mall By-law to enable the implementation of a Shared E-Scooter System in Vancouver.
- C. THAT the Director of Legal Services be instructed to bring forward for enactment the amendments to the various by-laws as presented in Appendix A of the Referral Report dated February 27, 2024, entitled “Shared Electric Kick Scooter Pilot By-Law Amendments”.
- D. THAT Council hereby consents to being a participating community in the Province of BC Electric Kick Scooter Pilot Project, starting on April 5, 2024.

CARRIED UNANIMOUSLY (Vote No. 09855)

ADJOURNMENT

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Meiszner

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 8:56 pm.

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