



PUBLIC HEARING MINUTES

MAY 7, 2024

A Public Hearing of the City of Vancouver was held on Tuesday, May 7, 2024, at 6:01 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened in person and via electronic means as authorized under Section 566 of the *Vancouver Charter*.

PRESENT: Councillor Lenny Zhou, Acting Mayor
Councillor Rebecca Bligh*
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Lisa Dominato
Councillor Pete Fry
Councillor Sarah Kirby-Yung
Councillor Peter Meiszner

ABSENT: Mayor Ken Sim (Leave of Absence – Personal Reasons – 5 pm to 10 pm)
Councillor Mike Klassen (Leave of Absence – Civic Business – 12 pm to 10 pm)
Councillor Brian Montague (Leave of Absence – Personal Reasons)

CITY CLERK'S OFFICE: Lesley Matthews, Acting Deputy City Clerk
Olivia Kam, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The Acting Mayor acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tseil-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 team members who work hard every day to help make our city an incredible place to live, work, and play.

1. **CD-1 Rezoning: 1302-1318 East 12th Avenue**

An application by David Wong Architect was considered as follows:

Summary: To rezone 1302-1318 East 12th Avenue from RM-11N (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building containing 33 secured rental units with

commercial space on the ground floor. A floor space ratio (FSR) of 3.21 and a building height of 24.20 m (79 ft.) are proposed.

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

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At this point in the proceedings, it was,

MOVED by Councillor Carr
SECONDED by Councillor Meiszner

THAT Council waive the presentation for Item 1. CD-1 Rezoning: 1302-1318 East 12th Avenue.

CARRIED UNANIMOUSLY
(Councillor Bligh absent for the vote)

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Summary of Correspondence

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

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

Speakers

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

The following spoke in opposition of the application:

- Robin Tavender

The speakers list and receipt of public comments closed at 6:23 pm.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Meiszner

- A. THAT the application by David Wong Architect, on behalf of XGX Apartments Ltd., the registered owner of the lands located at 1302-1318 East 12th Avenue [*Lots A to C of Lot A Block 171 District Lot 264A Group 1 New Westminster District Plan BCP7041; PIDs 025-730-185, 025-730-193, and 025-730-207*]

respectively], to rezone the lands from RM-11N (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.70 to 3.21 and the maximum building height from 13.7 m (45 ft.) to 24.20 m (79 ft.) to permit a six-storey mixed-use building containing 33 secured market rental residential units with commercial space on the ground floor, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated March 12, 2024, entitled "CD-1 Rezoning: 1302-1318 East 12th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by David Wong Architect, received April 20, 2022, and supplemental plans received January 16, 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 March 12, 2024, entitled "CD-1 Rezoning: 1302-1318 East 12th Avenue", 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 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 March 12, 2024, entitled "CD-1 Rezoning: 1302-1318 East 12th Avenue", be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated March 12, 2024, entitled "CD-1 Rezoning: 1302-1318 East 12th Avenue";

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.

- E. THAT A to D 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. 09964)

2. CD-1 Rezoning: 7525 Cambie Street

An application by Wesgroup Properties was considered as follows:

Summary: To rezone 7525 Cambie Street from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building, with commercial use at grade and 67 strata-titled units. A floor space ratio (FSR) of 3.22 and a height of 23.8 m (78 ft.) with additional height for rooftop appurtenances are proposed.

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

Council also had before it a Yellow Memorandum from the Acting Director, Planning, Urban Design and Sustainability dated May 3, 2024, entitled "CD-1 Rezoning: 7525 Cambie Street – Conditions of Approval in Appendix B", which further simplified rainwater management conditions as described in 2.6(b) of the Conditions of Approval (Appendix B, Part 2) in accordance with amendments to simplify rezoning application and development permit requirements as approved by Council on July 25, 2023.

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At this point in the proceedings, it was,

MOVED by Councillor Meiszner
SECONDED by Councillor Dominato

THAT Council waive the presentation for Item 2. CD-1 Rezoning: 7525 Cambie Street.

CARRIED UNANIMOUSLY

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Summary of Correspondence

One piece of correspondence in opposition to the application was received since referral to the Public Hearing and prior to the close of the speakers list and receipt of public comments.

Applicant Comments

The applicant provided opening comments and responded to questions.

Speakers

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

The following spoke in opposition of the application:

- Robin Tavender

The speakers list and receipt of public comments closed at 6:57 pm.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability provided closing comments and responded to questions. Staff also noted that all approvals in principle on this application are to be in accordance with the Yellow Memorandum dated May 3, 2024, entitled "CD-1 Rezoning: 7525 Cambie Street – Conditions of Approval in Appendix B".

Council Decision

MOVED by Councillor Dominato

SECONDED by Councillor Carr

- A. THAT the application by Wesgroup Properties, on behalf of West 59th Avenue & Cambie Street Investments Ltd., the registered owner of the land located at 7525 Cambie Street [*PID 009-692-657; Lot 12 Block K District Lot 323 Plan 9322*] to rezone the lands from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 1.20 to 3.22 and the maximum building height from 10.7 m (35 ft.) to 23.8 m (78 ft.) to permit the development of a six-storey mixed-use building with 67 strata-titled residential units and commercial use, generally as presented in the Referral Report dated March 12, 2024, entitled "CD-1 Rezoning: 7525 Cambie 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 by Wesgroup Properties, received November 17,

2020, and an addendum received October 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, with the following amendment:

(i) THAT condition 2.6(b) of the Conditions of Approval contained in Appendix B, Part 2, of the above-noted report be further simplified and read as follows:

(b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

Implementation of the development at 7525 Cambie St. does not require any upgrades.

Note to Applicant: Development to be serviced to the 525 mm SAN and 1050 mm STM sewers on W 59th Ave.

This property is under the Provincial Well-Drilling Advisory Area, and subsurface flowing artesian conditions may exist.

B. 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 March 12, 2024, entitled "CD-1 Rezoning: 7525 Cambie Street", be approved.

C. 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 March 12, 2024, entitled "CD-1 Rezoning: 7525 Cambie Street";

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.

D. THAT A to C 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. 09965)

3. CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue

An application by Wesgroup Properties was considered as follows:

Summary: To rezone 5755-5791 Oak Street and 1008 West 41st Avenue from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a mixed-use development with 25-storey and 17-storey buildings connected by a six-storey podium, with 357 secured rental units, of which 20% of the residential floor area will be secured at below-market rents. A floor space ratio (FSR) of 7.59 and building heights of 78.7 m (258 ft.) (sub-area A) and 54.6 m (179 ft.) (sub-area B) are proposed.

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

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At this point in the proceedings, it was,

MOVED by Councillor Carr
SECONDED by Councillor Meiszner

THAT Council waive the presentation for Item 3. CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue.

CARRIED (*reconsidered*)
(Councillor Kirby-Yung opposed)

Subsequently,

RECONSIDERATION MOVED by Councillor Dominato
SECONDED by Councillor Carr

THAT Council reconsider the vote regarding waiving the presentation for Item 3. CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue.

CARRIED
(Councillor Meiszner opposed)

Following the vote to reconsider, Council agreed to hear the presentation for Item 3. CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue.

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Summary of Correspondence

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

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

Staff Opening Comments

Staff provided a presentation and responded to questions.

Applicant Comments

The applicant provided opening comments and responded to questions.

Speakers

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

The following spoke in opposition of the application:

- Robin Tavender

The following provided general comments on the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed at 7:43 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

A. THAT the application by Wesgroup Properties, on behalf of:

- 5763 Oak Street Investments Ltd., the registered owner of the lands located at 5755-5791 Oak Street [*Lots E to H of Lots 12 to 15 Block 995 District Lot 526 Plan 8152; PIDs 010-228-471, 010-228-497, 010-228-543, and 010-228-560 respectively*], and
- West 41st Avenue & Oak Street Investments Ltd., the registered owner of the land located at 1008 West 41st Avenue [*PID 006-635-687; Lot 1 (see*

N8741L) Except Firstly: Part in Plan LMP18850; Secondly: Part Shown on Plan LMP36671; Block 995 District Lot 526 Group 1 NWD Plan 20366],

to rezone the lands from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.20 to 7.59 and the maximum building height from 10.7 m (35 ft.) to 78.7 m (258 ft.) and 54.6 m (179 ft.), to permit the development of a mixed-use development with 25-storey (sub-area A) and 17-storey (sub-area B) buildings connected by a six-storey podium, with 357 secured rental units, of which 20% of the residential floor area will be secured at below-market rents, and commercial uses on the ground floor, generally as presented in the Referral Report dated March 12, 2024, entitled "CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue", 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 Arcadis Architects (Canada) Inc., received August 24, 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 March 12, 2024, entitled "CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue", 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 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 March 12, 2024, entitled "CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue", be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated March 12, 2024, entitled "CD-1 Rezoning: 5755-5791 Oak Street and 1008 West 41st Avenue";

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.

- E. THAT A to D 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. 09966)

ADJOURNMENT

MOVED by Councillor Dominato
SECONDED by Councillor Kirby-Yung

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:47 pm.

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