



PUBLIC HEARING MINUTES

OCTOBER 14, 2021

A Public Hearing of the City of Vancouver was held on Thursday, October 14, 2021, at 6:06 pm, in the Council Chamber, Third Floor, City Hall. This Council meeting was convened by electronic means as authorized under updated Section 566 of the *Vancouver Charter*.

PRESENT: Deputy Mayor Sarah Kirby-Yung
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Pete Fry
Councillor Colleen Hardwick
Councillor Michael Wiebe

ABSENT: Mayor Kennedy Stewart – Leave of Absence for Civic Business
Councillor Rebecca Bligh – Medical Leave
Councillor Lisa Dominato – Leave of Absence for Personal Reasons
Councillor Jean Swanson – Medical Leave

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
Denise Swanston, Meeting Coordinator

WELCOME

The Deputy Mayor acknowledged we are on the unceded territories of the Musqueam, Squamish, and Tsleil-Waututh Nations and 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 Deputy 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. Rezoning: 328-360 West 2nd Avenue

An application by 1057300 B.C. Ltd was considered as follows:

Summary: To rezone 328-360 West 2nd Avenue from I-1 (Light and Medium Intensity Industry) District to I-1C (Light and Medium Intensity Industry) District, to permit an industrial and commercial development with a maximum floor space ratio (FSR) of 6.0 and maximum height of 46.5 m (152.5 ft.). If rezoning is approved, a subsequent development permit process will include a review of a proposed form of development.

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

Summary of Correspondence

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

- nine 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

Thien Phan, Senior Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, presented an overview of the application and responded to questions.

Applicant Comments

Ryan Duff, Strand Developments, provided opening comments.

Speakers

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

The speakers list and receipt of public comments closed at 6:36 pm.

Staff Closing Comments

Thien Phan, Senior Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability responded to additional questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT the application by 1057300 B.C. Ltd., the registered owner of the land located at 328-360 West 2nd Avenue [*PID: 031-065-007; Lot 1 Block 7 District Lot 302 Group 1 New Westminster District Plan EPP99820*], to rezone the lands from I-1 (Light and Medium Intensity Industry) District to I-1C (Light and Medium Intensity Industry) District, generally as presented in Appendix A of the Referral

Report dated September 7, 2021, entitled "Rezoning: 328-360 West 2nd Avenue", be approved in principle;

FURTHER THAT the above approval be subject to the Conditions of Approval contained in Appendix B of the above-noted Referral Report.

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; 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. 07700)
(Councillor Hardwick abstained from the vote)

2. CD-1 Rezoning: 427-477 West 49th Avenue

An application by GBL Architects Inc. was considered as follows:

Summary: To rezone 427-477 West 49th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey mixed-use building with a rooftop amenity floor, containing 128 strata-titled residential units, commercial space at grade, and a 37-space childcare facility. A height of 54.3 m (178 ft.) and a floor space ratio (FSR) of 3.99 are proposed.

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

Summary of Correspondence

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

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

Staff Comments

Joseph Tohill, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, responded to questions.

Applicant Comments

Barry Savage, Savage Development Management, provided brief opening comments and along with Daniel Eisenberg, Architect, GBL Architects, responded to questions.

Speakers

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

The speakers list and receipt of public comments closed at 7:09 pm.

Council Decision

MOVED by Councillor Boyle
SECONDED by Councillor Wiebe

- A. THAT the application by GBL Architects Inc., on behalf of Transca Vancouver W 49th Ave Ltd., the registered owner of the land located at 427-477 West 49th Avenue [*Lots 19 to 22 of Lot 4 Block 999 District Lot 526 Plan 5531; PIDs 011-138-394, 011-138-416, 011-138-424, and 011-138,441 respectively*] to rezone the land from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 3.99 and the building height from 10.7 m (35 ft.) to 50.6 m (166 ft.) and to 54.3 m (178 ft.) to accommodate a rooftop amenity space, to permit the development of a 14-storey mixed-use building with 128 strata-titled residential units, commercial at grade, and a childcare facility, generally as presented in Appendix A of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 427-477 West 49th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by GBL Architects Inc. received July 31, 2020 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 Referral Report.
- B. THAT the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning:427-477 West 49th Avenue", be approved.

- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 427-477 West 49th Avenue".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Subdivision By-law, generally as set out in Appendix C of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 427-477 West 49th Avenue".
- E. THAT A through 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 (Vote No. 07701)
(Councillor Hardwick opposed)

3. CD-1 Rezoning: 4575 Granville Street

An application by Stuart Howard Architects Inc. was considered as follows:

Summary: To rezone 4575 Granville Street from RS-5 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey residential building, containing 24 secured market rental units. A height of 11.9 m (39 ft.) and a floor space ratio (FSR) of 1.23 are recommended.

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

Summary of Correspondence

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

- 59 pieces of correspondence in support of the application; and
- 13 pieces of correspondence in opposition to the application.

Staff Opening Comments

Chee Chan, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, presented an overview of the application and along with Yardley McNeill, Assistant Director, Rezoning Centre, Planning, Urban Design and Sustainability, responded to questions.

Applicant Comments

Neil Robertson, Stuart Howard Architects Inc. presented a brief overview and responded to questions.

During the first round of questions to staff and the applicant, it was,

MOVED by Councillor De Genova
SECONDED by Councillor Wiebe

THAT Council enter into a second round of questions to staff and the applicant.

CARRIED UNANIMOUSLY

Speakers

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

The following spoke in support of the application:

- Molly Kavanagh
- Sundeep dhaliwal
- Lesli Boldt
- Jason Gurm
- Joshua Hayes
- Robbie Boparai
- Maximillian Lepur
- Izzetcan Guremel
- Arsalan Schaigan
- Natasha Latek
- Felipe Alfaro
- Ryan Shahi
- Michelle Follinas
- Devon Hussack
- Rebecca Hartley

The following provided general comments on the application:

- Sarah Cobb, Vancouver Hospice Society

The speakers list and receipt of public comments closed at 8:39 pm.

Applicant Closing Comments

Neil Robertson, Stuart Howard Architects Inc. provided brief closing comments and reaffirmed their commitment to the Good Neighbor Agreement with the Vancouver Hospice Society.

Staff Closing Comments

Chee Chan, Rezoning Planner, Rezoning Centre, Planning, Urban Design and Sustainability, and Yardley McNeill, Assistant Director, Rezoning Centre, Planning, Urban Design and Sustainability, responded to additional questions.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor De Genova

- A. THAT the application by Stuart Howard Architects Inc., on behalf of Jagmohan Singh Pabla and Kamlesh Rani Pabla, the registered owners of the lands located at 4575 Granville Street [*PID 011-002-689; Lot 13 Block 790 District Lot 526 Plan 6011*], to rezone the lands from RS-5 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.85 to 1.23 and increase the maximum building height from 10.7 m (35 ft.) to 11.9 m (39 ft.) for a four-storey residential building containing a total of 24 secured market rental housing units, generally as presented in Appendix A of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 4575 Granville Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Stuart Howard Architects Inc. received December 16, 2020, 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 Referral Report.

- B. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated September 7, 2021, entitled "CD-1 Rezoning: 4575 Granville 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, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Subdivision By-law, generally as set out in Appendix C of the Referral Report dated September 7, 2021, entitled “CD-1 Rezoning: 4575 Granville Street”.
- D. THAT A through 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. 07702)

4. Piloting Regulatory Changes to Support Commercial Renovations and Small Business

An application by the City Manager was considered as follows:

Summary: To amend section 4.8 of the Zoning and Development By-law to exempt low risk, low impact changes of use in commercial zones from the requirement to submit a Development Permit for a pilot period of 24 months. The exemption would apply to businesses changing within the following use categories: General Office, Retail Store, Health Care Office, Barber Shop or Beauty Salon and Beauty and Wellness Centre. Related Building By-law and Parking By-law amendments are being considered. If approved, this amendment would reduce the complexity of the permits and allow new businesses to occupy suites in a shorter time period.

The City Manager recommended approval.

Summary of Correspondence

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

Staff Opening Comments

Andrea Law, General Manager, Development, Building and Licensing, presented an overview of the application and responded to questions.

Speakers

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

The following spoke in support of the application:

- Muneesh Sharma, Director of Government Affairs and Communications, BOMA BC

The speakers list and receipt of public comments closed at 9:44 pm.

Council Decision

MOVED by Councillor Hardwick
SECONDED by Councillor Wiebe

- A. THAT Council approve the application to amend the Zoning and Development By-law, as generally set out in Appendix A of the Referral Report dated September 13, 2021, entitled “Piloting Regulatory Changes to Support Commercial Renovations and Small Business”, to amend section 4.8 to permit specified uses to be converted into other specified uses without seeking a development permit.
- B. THAT Council approves the amendments to the Building By-law, as generally set out in Appendix B of the Referral Report dated September 13, 2021, entitled “Piloting Regulatory Changes to Support Commercial Renovations and Small Business”:
 - (i) Changing the classification of subdividing a suite as a major renovation under Part 11 of the Vancouver Building By-law, and treating it instead as a minor renovation to limit upgrade triggers, reduce the complexity of staff review and support business recovery efforts from the COVID-19 pandemic;
 - (ii) Changing the definition of “small suite” under Part 11 of the Building By-law to allow occupant loads of up to 100 persons from 60 persons; and
 - (iii) Changing the requirements of section 11.2.1.2 of Part 11 of the Building By-law, thereby exempting certain change of major occupancies from the automatic requirement complete building upgrades.
- C. THAT Council approves the amendments to section 4.2(d) and 5.2 of the Parking By-law, as generally set out in Appendix C of the Referral Report dated

September 13, 2021, entitled "Piloting Regulatory Changes to Support Commercial Renovations and Small Business":

- (i) To define the minimum parking standards for commercial or heritage zones of less than 300 m², rather than the existing 200 m².

CARRIED UNANIMOUSLY (Vote No. 07703)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 9:48 pm.

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