



## PUBLIC HEARING MINUTES

APRIL 27, 2023

A Public Hearing of the City of Vancouver was held on Thursday, April 27, 2023, at 6:06 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened by electronic means with in-person attendance available, as authorized under Section 566 of the *Vancouver Charter*.

**PRESENT:**

Acting Mayor Rebecca Bligh  
Councillor Christine Boyle  
Councillor Adriane Carr  
Councillor Lisa Dominato  
Councillor Sarah Kirby-Yung  
Councillor Peter Meiszner  
Councillor Lenny Zhou

**ABSENT:**

Mayor Ken Sim (Leave of Absence – Civic Business)  
Councillor Pete Fry (Leave of Absence – Personal Reasons)  
Councillor Mike Klassen (Leave of Absence – Personal Reasons)  
Councillor Brian Montague (Leave of Absence – Personal Reasons)

**CITY CLERK'S OFFICE:**

Tina Penney, Deputy City Clerk  
Olivia Kam, 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. **CD-1 Rezoning: 1045 Burnaby Street**

An application by Gracorp Properties Ltd. was considered as follows:

Summary: To rezone 1045 Burnaby Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 16-storey residential building, with 20 percent of the residential floor area secured with below market rents. There are 170 secured-rental housing units proposed, of which 133 are market rental and 37 are below market rental. A height of 49.0 m (160.8 ft.) and a floor space ratio (FSR) of 6.19 are also proposed.

The 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 Public Hearing and prior to the close of the speakers list and receipt of public comments:

- 2 pieces of correspondence in support of the application.

MOVED by Councillor Carr  
SECONDED by Councillor Dominato

THAT Council waive the presentation for Item 1 - CD-1 Rezoning: 1045 Burnaby Street.

CARRIED UNANIMOUSLY

### Applicant Comments

The applicant team provided brief opening comments and responded to questions.

### Speakers

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

The speakers list and receipt of public comments closed at 6:25 pm.

### Council Decision

MOVED by Councillor Carr  
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Gracorp Properties Ltd., on behalf of 1318743 B.C. Ltd. <sup>1</sup>, the registered owner of the lands located at 1045 Burnaby Street [*Strata Lots 1 to 36 District Lot 185 Strata Plan VR. 322, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1.; PIDs 003-853-535, 003-853-543, 002-715-881, 003-295-303, 003-853-551, 003-853-560, 003-853-578, 003-853-586, 003-853-594, 003-853-608, 003-853-616, 003-853-624, 003-853-632, 002-570-840, 003-853-641, 003-853-659, 003-853-667, 003-202-216, 003-853-675, 003-853-683, 003-853-691, 003-853-705, 003-853-713, 003-853-721, 003-853-730, 003-853-748, 003-853-756, 003-853-764, 002-441-411, 003-853-772, 003-853-781, 03-853-799, 003-853-802, 003-853-811, 003-853-829, and 003-853-837 respectively*], to rezone

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<sup>1</sup> Beneficially owned and controlled by Bruce Black, Jake McEwan, Peter McFarlane and William Secnik

the lands RM-5A (Residential) to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 2.2 to 6.19 and permit the development of a 16-storey residential building with a maximum height of 49.0 m (160.8 ft.), containing 133 secured-market rental units and 37 below-market rental units, generally as presented in the Referral Report dated March 14, 2023, entitled "CD-1 Rezoning: 1045 Burnaby 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 GBL Architects, received April 28, 2022, 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 aboved-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 14, 2023, entitled "CD-1 Rezoning: 1045 Burnaby 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 UNANIMOUSLY (Vote No. 09218)

## **2. CD-1 Rezoning: 4065 Victoria Drive (Cedar Cottage Neighbourhood House)**

An application by DA Architects + Planners was considered as follows:

Summary: To rezone 4065 Victoria Drive (Cedar Cottage Neighbourhood House) from

RS-1A (Residential) District to CD-1 (Comprehensive Development) District, to permit a three-storey replacement and expansion of the non-profit owned Cedar Cottage Neighbourhood House and associated facilities. A height of 13.9 m (46 ft.) and a floor space ratio (FSR) of 1.41 are proposed.

The 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 Public Hearing and prior to the close of the speakers list and receipt of public comments:

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

### **Staff Opening Comments**

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

### **Applicant Comments**

The applicant team provided brief opening comments.

### **Speakers**

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

The speakers list and receipt of public comments closed at 6:41 pm.

### **Council Decision**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Carr

- A. THAT the application by DA Architects + Planners, on behalf of Association of Neighbourhood Houses of British Columbia, Inc. No. S-36, the registered owner of the lands located at 4065 Victoria Drive:
- *Lots 14 to 15 Except the East 7 feet Block 16 District Lot 352 Plan 1344; PIDs 008-890-595 and 008-890-641 respectively; and*
  - *Lots 16 to 17 Block 16 District Lot 352 Plan 1344; PIDs 008-890-706 and 008-890-722 respectively,*

to rezone the lands from RS-1A (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 0.60 to 1.41 and the maximum building height from 10.7 m (35 ft.) to 13.9 m (46 ft.) to permit a three-storey replacement of the Cedar Cottage Neighbourhood House, generally as presented in the Referral Report dated March 14, 2023, entitled "CD-1 Rezoning: 4065 Victoria Drive (Cedar Cottage Neighbourhood House)", 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 DA Architects + Planners, received May 12, 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 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. 09219)

**3. Rezoning: 2126 West 34th Avenue and 5025 Arbutus Street and 2109-2129 West 35th Avenue**

An application by Intracorp Homes was considered as follows:

Summary: To rezone 2126 West 34th Avenue, 5025 Arbutus Street and 2105-2129 West 35th Avenue from RS-5 (Residential) District to RR-2B (Residential Rental) District, to permit the development of a five-storey market rental building. A building height of 16.8 m (55 ft.) and a floor space ratio (FSR) of 2.40 are proposed.

Council also had before it a memorandum from the General Manager, Planning, Urban Design and Sustainability, dated April 27, 2023, entitled “Rezoning: 2126 West 34th Avenue, 5025 Arbutus Street and 2109-2129 West 35th Avenue”. It recommended an additional condition of enactment for public art which was inadvertently missed in the Referral Report dated March 14, 2023, entitled ““Rezoning: 2126 West 34th Avenue, 5025 Arbutus Street and 2109-2129 West 35th Avenue””.

## **RECOMMENDATION**

THAT the following additional condition of enactment be included with Part 2: Conditions of By-law Enactment of Appendix B:

### **“Public Art**

- 2.13 Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City’s Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager;

Note to Applicant: Please call Eric Fredericksen, Public Art Program Manager, 604-871-6002, to discuss your application.”

This additional recommendation requires approval of Council to ensure the agreement for the provision of public art is secured.

The 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 Public Hearing and prior to the close of the speakers list and receipt of public comments:

- 3 pieces of correspondence in support of the application;
- 2 pieces of correspondence in opposition to the application; and
- 1 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 team responded to questions.

## Speakers

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

The following spoke in support of the application:

- Lucy Williams
- Spencer Goodman

The following spoke in opposition of the application:

- Michael Fretz
- Kelli Sanderson

The speakers list and receipt of public comments closed at 7:19 pm.

## Staff Closing Comments

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

## Council Decision

MOVED by Councillor Kirby-Yung

SECONDED by Councillor Boyle

- A. THAT the application by Intracorp Homes, on behalf of Ravine Park Development Nominee Inc., the registered owner of the lands located at:
- 2126 West 34th Avenue and 5025 Arbutus Street [*Lots 5 and 6 of Lot 3 Block 19 District Lot 526 Plan 4855; PIDs 011-298-723 and 11-298-740 respectively*];
  - 2109 West 35th Avenue [*PID 031-082-564; Lot A Block 19 District Lot 526 Group 1 New Westminster District Plan EPP100891*]; and
  - 2129 West 35th Avenue [*PID 011-298-782; Lot 8 of Lot 3 Block 19 District Lot 526 Plan 4855*];

to rezone the lands from RS-5 (Residential) District to RR-2B (Residential Rental) District, generally as presented in the Report, be approved in principle;

FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A of the Report, be approved in principle;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the 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 14, 2023, entitled "Rezoning: 2126 West 34th Avenue and 5025 Arbutus Street and 2109-2129 West 35th Avenue", the Director of Legal Services be instructed to

prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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.

FURTHER THAT the following additional condition of enactment be included with Part 2: Conditions of By-law Enactment of Appendix B of the above-noted report:

**“Public Art**

2.13 Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City’s Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager;

Note to Applicant: Please call Eric Fredericksen, Public Art Program Manager, 604-871-6002, to discuss your application.”

C. THAT subject to approval of the zoning amendment by-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated March 14, 2023, entitled “Rezoning: 2126 West 34th Avenue and 5025 Arbutus Street and 2109-2129 West 35th Avenue”;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment 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. 09220)



**ADJOURNMENT**

MOVED by Councillor Dominato  
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:28 pm.

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