



## PUBLIC HEARING MINUTES

JUNE 15, 2023

A Public Hearing of the City of Vancouver was held on Thursday, June 15, 2023, at 1:02 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:** Councillor Rebecca Bligh\* (Leave of Absence – Personal Reasons, 1 pm – 5 pm)  
Councillor Christine Boyle  
Councillor Adriane Carr  
Councillor Lisa Dominato  
Councillor Pete Fry\* (Leave of Absence – Civic Business, 1 pm - 5 pm)  
Councillor Sarah Kirby-Yung\* (Leave of Absence – Civic Business, 1 pm – 5 pm)  
Councillor Mike Klassen, Deputy Mayor  
Councillor Peter Meiszner  
Councillor Brian Montague  
Councillor Lenny Zhou

**ABSENT:** Mayor Ken Sim (Leave of Absence – Civic Business)

**CITY CLERK'S OFFICE:** Tina Penney, Deputy City Clerk  
Alyse Stewart, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

### WELCOME

The Deputy 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 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: 2325-2377 W 49th Avenue

An application by Intracorp Homes was considered as follows:

Summary: To rezone 2325-2377 West 49th Avenue from RS-5 (Residential) District to RR-2B (Residential) District, to permit the development of a five-storey market rental building. A height of 16.8 m (55 ft.) and a floor space ratio (FSR) of 2.40

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:

- 245 pieces of correspondence in support of the application;
- 46 pieces of correspondence in opposition to the application; and
- three pieces 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**

Farouk Babul, Vice President of Intracorp, gave an overview of the item, as well as responded to questions.

### **Speakers**

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

The following spoke in support of the application:

- Peter Stokes
- Jasmine Gill
- Trent Redar
- Jimmy Dhanoa
- Peter Dowdy
- Russil Wvong
- Laura Reid
- Ana Ciocoiu
- Jordan Curteanu
- Duncan Findlay
- Kris Clark
- Owen Brady
- Michelle Cyca
- Peter Waltirch
- Joshua Edmund
- Unknown speaker

The following spoke in opposition of the application:

- Maria Hubinette
- Francis Ho
- Elizabeth Haan, representative speaker of Raminder Dosanjh, Diane King, Jane and Warren Lepinsky
- Shawn Lewis
- Susan Dohm
- Alex Helper
- Shoshanna

The following provided general comments on the application:

- Justin Mongrido
- Patrice Steimmamm
- Gabe O.

The speakers list and receipt of public comments closed at 3:15 pm.

### **Council Decision**

MOVED by Councillor Meiszner  
SECONDED by Councillor Zhou

A. THAT the application by Intracorp Homes on behalf of Westward Development Nominee Inc., the registered owner of the lands located at:

- 2325-2327 West 49th Avenue [*the East and West ½ of Lot 5 of Lot 4 Block 1 District Lot 526 Plan 5190; PIDs 011-222-611 and 011-222-565 respectively*], and
- 2349-2377 West 49th Avenue [*Lots I and H of Lot 4 Block 1 District Lot 526 Plan 19740; PIDs 003-025-861 and 015-083-063 respectively*],

to rezone the lands from RS-5 (Residential) District to RR-2B (Residential Rental) District, generally as presented in the Referral Report dated May 9, 2023, entitled "Rezoning: 2325-2377 W 49th Avenue", be approved in principle;

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

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 May 9, 2023, entitled "Rezoning: 2325-2377 W 49th 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.

- 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 May 9, 2023, entitled “Rezoning: 2325-2377 W 49th 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 Recommendations A to C 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 bylaw 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. 09340)  
(Councillors Bligh, Fry and Kirby-Yung absent for the vote)

## **2. Rezoning: 3803-3823 West 10th Avenue**

An application by Sightline Properties was considered as follows:

Summary: To rezone 3803-3823 West 10th Avenue from RS-1 (Residential) District to RR-3B (Residential Rental) District, to permit the development of a six-storey mixed-use market rental building with commercial retail at grade. 20% of the residential floor area will be secured as below-market rental units. A height of 22.0 m (72 ft.) and a floor space ratio (FSR) of 3.50 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:

- 45 pieces of correspondence in support of the application;
- 10 pieces of correspondence in opposition to the application; and
- five pieces 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.

### **Speakers**

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

The following spoke in support of the application:

- Matthew Schmidt

The following spoke in opposition of the application:

- Chris Oosthuizen
- Unknown speaker

The following provided general comments on the application:

- Craig Roberts
- Amil

The speakers list and receipt of public comments closed at 4:38 pm.

### **Staff Closing Comments**

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

### **Council Decision**

MOVED by Councillor Meiszner

SECONDED by Councillor Dominato

- A. THAT the application by Sightline Properties (Highbury Street) Ltd., the registered owners of the lands located at 3803–3823 West 10th Avenue [*Lots 22, 21, and 20, Block 183 District Lot 176 Plan 6188; PIDs 010-948-945, 010-948-929 and 010-195-572 respectively*], to rezone the lands from RS-1 (Residential) to RR-3B (Residential Rental) District, generally as presented in the Referral Report dated May 9, 2023, entitled “Rezoning: 3803-3823 West 10th Avenue,” be approved in principle;

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

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 May 9, 2023, entitled "Rezoning: 3803-3823 West 10th 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.

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 May 9, 2023, entitled "Rezoning: 3803-3823 West 10th 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 Recommendations A to C 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. 09341)  
(Councillor Bligh absent for the vote)

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After completion of item 2, it was,

MOVED by Councillor Carr  
SECONDED by Councillor Montague

THAT the meeting extend past 5 pm in order to complete all items on the agenda.

CARRIED UNANIMOUSLY  
(Councillor Bligh absent for the vote)

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### **3. CD-1 Rezoning: 427-449 West 39th Avenue**

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

Summary: To rezone 427-449 West 39th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of an 18-storey secured-market rental building, with 176 rental residential units, of which 20% of the residential floor area is secured as below-market rental units. A building height of 55 m (180 ft.) and a floor space ratio (FSR) of 6.10 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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Before hearing from staff on this item, it was,

MOVED by Councillor Carr  
SECONDED by Councillor Kirby-Yung

THAT Council waive the presentation for item 3.

CARRIED UNANIMOUSLY  
(Councillor Bligh absent for the vote)

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### **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:

- five pieces 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.

## Applicant Comments

Adrien Rahbar, Vice President, Gracorp, provided an overview of the item and responded to questions.

## Speakers

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

Nathan Davidowicz provided general comments on the application.

The speakers list and receipt of public comments closed at 5:07 pm.

## Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Dominato

- A. THAT the application by Gracorp Properties Ltd. on behalf of W39 Investment Holdings Ltd., the registered owner of the lands located at 427-449 West 39th Avenue [*Lots 8 to 10, Block 854 District Lot 526 Plan 7240; PIDs 010-681-841, 010-681-876, and 010-681-884, respectively*], to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 6.10 and the building height from 10.7 m (35.1 ft.) to 55 m (180 ft.), to permit the development of an 18-storey building containing 176 secured-rental units, with 20% of the residential floor area secured as below-market rental units, generally as presented in the Report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Musson Cattell Mackey Partnership, received March 11, 2022, with revisions received May 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 Referral Report dated May 9, 2023, entitled "CD-1 Rezoning: 427-449 West 39th Avenue."

- 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 May 9, 2023, entitled "CD-1 Rezoning: 427-449 West 39th 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.



- C. THAT subject to approval of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated May 9, 2023, entitled “CD-1 Rezoning: 427-449 West 39th Avenue” subject to approval of the CD-1 By-law;

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 CD-1 By-law.

- D. THAT Recommendations A to C 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 bylaw 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. 09342)  
(Councilor Bligh absent for the vote)

#### **4. Broadway Plan Implementation – Amendments to Zoning and Development By-law and Guidelines**

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

Summary: To amend the Zoning and Development By-law and associated guidelines, specifically related to the I-1, I-1A, I-1B, I-1C, IC-1 and IC-2, C-2, C-2B, C-2C, and C-2C1 district schedules. This is being done to support implementation of the Broadway Plan, and advance the directions of the City’s Employment Lands and Economy Review, Metro Vancouver Regional Industrial Lands Strategy and the Regional Growth Strategy, Metro 2050.

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

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

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Before hearing from staff on this item, it was,

MOVED by Councillor Carr  
SECONDED by Councillor Kirby-Yung

THAT Council waive the presentation for item 4.

CARRIED UNANIMOUSLY  
(Councillor Bligh absent for the vote)

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### **Staff Opening Comments**

Staff from Planning, Urban Design and Sustainability provided an overview of the item, as well as responded to questions.

### **Speakers**

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

The following spoke in opposition of the application:

- Andrew Peterson

The following provided general comments on the application:

- Drew Allan Weselak
- Otto Wramhed
- Christie Matis
- Arno Matis

The speakers list and receipt of public comments closed at 5:44 pm.

### **Staff Closing Comments**

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

## Council Decision

MOVED by Councillor Carr  
SECONDED by Councillor Kirby-Yung

- A. THAT Council approve, in principle, an application to amend the Zoning and Development By-law to facilitate Broadway Plan implementation generally as presented in Appendix A of the Referral Report dated May 9, 2023, entitled “Broadway Plan Implementation – Amendments to Zoning and Development By-law and Guidelines”;
- FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Zoning and Development By-law generally as presented in Appendix A of the of the above-noted report.
- B. THAT at the time of enactment of the amended Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the Industrial Spaces Guidelines, generally as presented in Appendix C of the Referral Report dated May 9, 2023, entitled “Broadway Plan Implementation – Amendments to Zoning and Development By-law and Guidelines.”
- C. THAT at the time of enactment of the amended Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the updated Mount Pleasant Employment-Intensive Light Industrial Rezoning Policy and Guidelines (I-1C), generally as presented in Appendix D of the Referral Report dated May 9, 2023, entitled “Broadway Plan Implementation – Amendments to Zoning and Development By-law and Guidelines.”
- D. THAT at the time of enactment of the amended Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the updated C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings, generally as presented in Appendix E of the Referral Report dated May 9, 2023, entitled “Broadway Plan Implementation – Amendments to Zoning and Development By-law and Guidelines.”
- E. THAT Recommendations A through D be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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. 09434)  
(Councillors Bligh and Boyle absent for the vote)

### **ADJOURNMENT**

MOVED by Councillor Meiszner  
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillors Bligh and Boyle absent for the vote)

The Public Hearing adjourned at 5:58 pm.

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