



## PUBLIC HEARING MINUTES

SEPTEMBER 12, 2023

A Public Hearing of the City of Vancouver was held on Tuesday, September 12, 2023, at 6:17 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:**

Mayor Ken Sim  
Councillor Christine Boyle  
Councillor Rebecca Bligh  
Councillor Adriane Carr  
Councillor Lisa Dominato  
Councillor Pete Fry  
Councillor Sarah Kirby-Yung\* (Civic Business - Items 3 and 4)  
Councillor Mike Klassen  
Councillor Peter Meiszner  
Councillor Brian Montague  
Councillor Lenny Zhou

**CITY MANAGER'S OFFICE:** Karen Levitt, Deputy City Manager

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

\* Denotes absence for a portion of the meeting.

### WELCOME

The 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 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 Text Amendment: 1111 East 7th Avenue, 1155 East Broadway and 2350 Glen Drive**

An application by Vancouver Community College was considered as follows:

Summary: To amend CD-1 (141) By-law No. 5407 to accommodate programming needs for the Vancouver Community College (King Edward Campus) by permitting minor adjustments to building setback dimensions, location criteria for ground floor uses and floor area exclusions for mechanical and heating equipment spaces.

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

### **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.

\* \* \* \* \*

At this point in the proceedings, it was,

MOVED by Councillor Carr  
SECONDED by Councillor Montague

THAT Council waive the presentation for Item 1. CD-1 Text Amendment: 1111 East 7th Avenue, 1155 East Broadway and 2350 Glen Drive.

CARRIED UNANIMOUSLY

\* \* \* \* \*

### **Staff Opening Comments**

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

### **Applicant Comments**

The applicant team responded to questions.

### **Speakers**

The 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 6:42 pm.

### **Council Decision**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Carr

- A. THAT the application by Vancouver Community College, the registered owner of the lands located at:

- 1111 East 7th Avenue [*PID 015-675-157; Block 95 District Lot 264A Plans 185 and 1771*];
- 1155 East Broadway and 2350 Glen Drive [*PID 007-187-611; Block 179 District Lot 264A Plan 18415*];

to amend CD-1 (141) By-law No. 5407 to accommodate the Vancouver Community College (King Edward Campus) programming needs by permitting minor adjustments to building setback dimensions, location criteria for ground floor uses and floor area exclusions for mechanical and heating equipment spaces, generally as presented in the Referral Report dated July 11, 2023, entitled "CD-1 Text Amendment: Vancouver Community College (1111 East 7th Avenue, 1155 East Broadway and 2350 Glen Drive", be approved in principle;

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

- B. THAT Council approves an amendment to Day Care condition (vi) in Appendix B of the Referral Report dated July 11, 2023, entitled "CD-1 Text Amendment: Vancouver Community College (1111 East 7th Avenue, 1155 East Broadway and 2350 Glen Drive", "Proposed Conditions of Approval" in the rezoning report titled "CD-1 Text Amendment Vancouver Community College (King Edward Campus) 1155 East Broadway" approved on February 15, 2005, by replacing the condition with the following:

"Provide a community amenity contribution of \$595,000, plus interest thereon at the Prime Rate calculated and compounded annually from the date of enactment of the 2005 rezoning of 1155 East Broadway, and payable prior to issuance of any building permit for Phase 1 (as defined in the 2005 rezoning report), to be allocated toward new or upgraded childcare spaces in the City."

and instructs the Director of Legal Services to make the appropriate amendments to or replacements of legal agreements to give effect to this amendment.

- 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; 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. 09481)

## **2. CD-1 Rezoning: 5235-5275 Kersland Drive**

An application by Listraor and Locarno was considered as follows:

Summary: To rezone 5235-5275 Kersland Drive from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a five-storey residential building with 65 strata-titled residential units. A height of 18.0 metres (59 feet) and a floor space ratio (FSR) of 2.0 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 memorandum from the General Manager, Planning, Urban Design and Sustainability, dated September 8, 2023, entitled “CD-1 Rezoning: 5235-5275 Kersland Drive – Conditions of Approval in Appendix B”. The memorandum noted that staff will consider the Conditions of Approval in Appendix B to be generally met by virtue of compliance with the downstream building permit application process because a substantially equivalent requirement will come into force and effect in the Building By-law on January 1, 2024 as approved by Council on July 25, 2023. No further action was required by Council.

### **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**

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

### **Applicant Comments**

The applicant team responded to questions.

### **Speakers**

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

The following spoke in opposition of the application:

- Patrick Lum

The following provided general comments on the application:

- Joshua Ralph

The speakers list and receipt of public comments closed at 7:12 pm.

### **Staff Closing Comments**

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

### **Council Decision**

MOVED by Councillor Fry

SECONDED by Councillor Klassen

- A. THAT the application by Listraor and Locarno on behalf of 1236235 B.C. Ltd<sup>1</sup>., the registered owner of the lands located at 5235-5275 Kersland Drive [*Lots 27, 26, 25 and 24 Block 840 District Lot 526 Plan 8324; PIDs 004-170-075, 010-153-225, 010-153-195 and 010-153-012 respectively*], to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.7 to 2.0 and the maximum building height from 10.7 m (35 ft.) to 18.0 m (59 ft.) to permit the development of a five-storey residential building containing 65 strata-titled residential units, generally as presented in the Referral Report dated June 27, 2023, entitled “CD-1 Rezoning: 5235-5275 Kersland Drive”, 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 Baldwin Architecture, received February 15, 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 above-noted report.

- B. 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 June 27, 2023, entitled “CD-1 Rezoning: 5235-5275 Kersland Drive”;

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.

- 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. 09482)

### **3. CD-1 Rezoning: 351-359 West 16th Avenue**

An application by Haeccity Studio Architecture was considered as follows:

Summary: To rezone 351-359 West 16th Avenue from RT-5 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey and a three-storey residential building with 13 secured rental units. A height of 11.5 metres (38 feet) and a floor space ratio (FSR) of 1.45 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 memorandum from the General Manager, Planning, Urban Design and Sustainability, dated September 8, 2023, entitled "CD-1 Rezoning: 351 West 16th Avenue – Conditions of Approval in Appendix B". The memorandum noted that staff will consider the Conditions of Approval in Appendix B to be generally met by virtue of compliance with the downstream building permit application process because a substantially equivalent requirement will come into force and effect in the Building By-law on January 1, 2024 as approved by Council on July 25, 2023. No further action was required by Council.

### **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; and
- 5 pieces of correspondence in opposition to the application.

## Staff Opening Comments

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

## Applicant Comments

The applicant team responded to questions.

## Speakers

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

The following spoke in support of the application:

- Simon Shakibaei

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 Dominato  
SECONDED by Councillor Boyle

- A. THAT the application by Haeccity Studio Architecture, on behalf of Panagiotis and Despina Kefalas, the registered owners of the lands located at 351 West 16th Avenue [*PID 014-568-489; Lot 13 Block F District Lot 526 Plan 1530*], to rezone the lands from RT-5 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.75 to 1.45 and the building height from 10.7 m (35 ft.) to 11.5 m (38 ft.), to permit a four-storey and a three-storey residential building with 13 secured rental units, generally as presented in the Referral Report dated July 11, 2023, entitled "CD-1 Rezoning: 351 West 16th 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 Haeccity Studio Architecture, received May 27, 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 above-noted report.

- B. THAT subject to approval in principle of the rezoning and the Housing Agreements described in Part 2 of Appendix B of the Referral Report dated July 11, 2023, entitled “CD-1 Rezoning: 351 West 16th Avenue”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement Bylaws 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 resolution 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. 09483)  
(Councillor Kirby-Yung absent for the vote)

#### **4. CD-1 Rezoning: 3747-3761 Renfrew Street**

An application by Sian Enterprises Ltd. was considered as follows:

Summary: To rezone 3747-3761 Renfrew Street from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey mixed-use building containing 18 secured market rental residential units with commercial space on the ground floor. A height of 16.3 meters (53 feet) and 17.8 metres (58 feet) for the portion with rooftop amenity and a floor space ratio (FSR) of 2.5 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 memorandum from the General Manager, Planning, Urban Design and Sustainability, dated September 8, 2023, entitled “CD-1 Rezoning: 3747 Renfrew Street – Conditions of Approval in Appendix B”. The memorandum noted that staff will consider the Conditions of Approval in Appendix B to be generally met by virtue of compliance with the downstream building permit application process because a substantially equivalent requirement will come into force and effect in the Building By-law on January 1, 2024 as approved by Council on July 25, 2023. No further action was required by Council.



## Summary of Correspondence

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

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At this point in the proceedings, it was,

MOVED by Councillor Carr  
SECONDED by Councillor Klassen

THAT Council waive the presentation for Item 4. CD-1 Rezoning: 3747-3761 Renfrew Street.

CARRIED UNANIMOUSLY  
(Councillor Kirby-Yung absent for the vote)

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## Speakers

The 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 7:56 pm.

## Staff Closing Comments

Staff noted the yellow memorandum from the General Manager, Planning, Urban Design and Sustainability, dated September 8, 2023, entitled "CD-1 Rezoning: 3747 Renfrew Street – Conditions of Approval in Appendix B".

## Council Decision

MOVED by Councillor Carr  
SECONDED by Councillor Montague

- A. THAT the application by Sian Enterprises Ltd., the registered owner of the lands located at 3747-3761 Renfrew Street [*PID 029-548-225; Lot A Block H Section 44 Town of Hastings Suburban Lands Plan EPP44380*], to rezone the lands from C-1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 1.2 to 2.5 and the maximum building height from 9.2 m (30 ft.) to 16.3 m (53 ft.) and to 17.8 m (58 ft.) for the portion with rooftop amenity, to permit the development of a four-storey mixed-use building containing 18 secured market rental residential units with commercial space on the ground floor, generally as presented in the Referral

Report dated June 27, 2023, entitled "CD-1 Rezoning: 3747 Renfrew 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 Eric Law Architect, received June 30, 2022, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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 June 27, 2023, entitled "CD-1 Rezoning: 3747 Renfrew 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, 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 June 27, 2023, entitled "CD-1 Rezoning: 3747 Renfrew Street", be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally set out in Appendix C of the Referral Report dated June 27, 2023, entitled "CD-1 Rezoning: 3747 Renfrew 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 new 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. 09484)  
(Councillor Kirby-Yung absent for the vote)

## **ADJOURNMENT**

MOVED by Councillor Klassen  
SECONDED by Councillor Montague

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillor Kirby-Yung absent for the vote)

The Public Hearing adjourned at 7:59 pm.

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