



PUBLIC HEARING MINUTES

OCTOBER 19, 2023

A Public Hearing of the City of Vancouver was held on Thursday, October 19, 2023, at 1:03 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 Lisa Dominato, Acting Mayor
Councillor Rebecca Bligh*
Councillor Christine Boyle
Councillor Sarah Kirby-Yung
Councillor Mike Klassen
Councillor Peter Meiszner
Councillor Brian Montague
Councillor Lenny Zhou

ABSENT: Mayor Ken Sim (Leave of Absence – Civic Business)
Councillor Adriane Carr (Leave of Absence – Civic Business)
Councillor Pete Fry (Leave of Absence – Civic Business)

CITY MANAGER'S OFFICE: Paul Mochrie, City Manager

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
Alyse Stewart, 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 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. **Zoning and Development By-law Amendments to Allow Wine-on-Shelf Sales in Vancouver Grocery Stores**

An application by the General Manager of Development, Buildings, and Licensing, in consultation with the General Manager of Planning, Urban Design, and Sustainability, was considered as follows:

Summary: To amend the Zoning and Development By-law to allow for wine-on-shelf sales in grocery stores to increase consumer selection and align with current policies, practices and regulations in other BC municipalities that allow wine sales in grocery stores.

The General Manager of Development, Buildings, and Licensing, in consultation with 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:

- one piece of correspondence in opposition to the application.

Staff Opening Comments

Staff from Development, Buildings and Licensing provided a presentation and 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:

- Miles Prodan
- Christa-Lee McWatters
- Bert Hick
- Mark Hicken

The following spoke in opposition of the application:

- Dr. Patricia Daly, representative speaker of Dr. Althea Hayden, Melinda Markey and Robyn Turnock

The following provided general comments on the application:

- Marie Beck

The speakers list and receipt of public comments closed at 2:24 pm.

Council Decision

MOVED by Councillor Klassen
SECONDED by Councillor Meiszner

- A. THAT Council approve, in principle, an application to amend the Zoning and Development By-law to allow wine-on-shelf sales in grocery stores generally as presented in Appendix A of the Referral Report dated September 12, 2023, entitled “Allowing wine-on-shelf sales in Vancouver grocery stores – Amendments to Zoning and Development By-law”;

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 above-noted Report.

- B. THAT Recommendation A 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 (Vote No. 09573)
(Councillor Boyle opposed)
(Councillor Bligh absent for the vote)

2. Zoning and Development By-law Amendments to Amp up the Arts Event License Policy to Support Arts & Culture in Vancouver

An application by the General Manager of Development, Buildings and Licensing in consultation with the General Managers of Planning, Urban Design and Sustainability; Vancouver Fire and Rescue Services; and Arts, Culture and Community Services, was considered as follows:

Summary: To amend the Zoning and Development By-law, License By-law, Building By-law (VBBL), and Fire By-law to:

- Double the maximum number of permissible days per month for Arts Events from three to six days, subject to additional requirements for smoke separations between spaces, combustibility, egress and other safety measures;
- Enable Arts Event organizers to acquire a Special Event plan check to increase the maximum occupancy load beyond 250 people, with the exact load to be determined by VFRS, but requiring full compliance with the Fire By-law regarding the number of exits, fire alarm system,

supervisory staff and washrooms; and

- Allow Arts Events to use adjoining outdoor space (e.g. parking lot) on private property under the same licence.

The General Manager of Development, Buildings and Licensing in consultation with the General Managers of Planning, Urban Design and Sustainability; Vancouver Fire and Rescue Services; and Arts, Culture and Community Services 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:

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

Staff Opening Comments

Staff from Development, Buildings and Licensing provided a presentation and 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:

- Sheena Botelho
- Ana Rose Carrico
- Ryn Broz
- Emily Mitchell
- Chris Reed

The following spoke in opposition of the application:

- John Boris

The speakers list and receipt of public comments closed at 3:48 pm.

Staff Closing Comments

Staff from Development, Buildings and Licensing responded to additional questions.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Zhou

- A. THAT Council approve, in principle, the application to amend the Zoning and Development By-law to change the name and definition of Arts and Culture Indoor Event to increase the maximum frequency to six days per month, and update regulations to permit use of adjoining outdoor space on private property, generally in accordance with Appendix A of the Referral Report, dated September 12, 2023, entitled "Report Back – Amping up the Arts Event License Policy to Support Arts & Culture in Vancouver";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Zoning and Development By-law, generally in accordance with Appendix A of the above-noted Report.

- B. THAT Council approve, in principle, amendments to the License By-law to change the name and definition of Arts and Culture Indoor Event including increasing maximum frequency to six days per month, update regulations on the number of supervisory staff at the event, and set licence fees for Arts and Culture Events, generally as presented in Appendix B of the Referral Report, dated September 12, 2023, entitled "Report Back – Amping up the Arts Event License Policy to Support Arts & Culture in Vancouver";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the License By-law, generally in accordance with Appendix B of the above-noted Report.

- C. THAT Council approve, in principle, amendments to the Building By-law to change the name and definition of Arts and Culture Indoor Event and create new alternative compliance measures for events that occur more than three days per month and/or have occupant loads exceeding 250, generally in accordance with Appendix C of the Referral Report dated September 12, 2023, entitled "Report Back – Amping up the Arts Event License Policy to Support Arts & Culture in Vancouver";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Building By-law, generally in accordance with Appendix C of the above-noted Report.

- D. THAT Council approve, in principle, amendments to the Fire By-law to change the name and definition of Arts and Culture Indoor Event, enable events with occupant loads of more than 250 people with a Special Event plan check, with the concession fee of \$150 per hour plus GST for the Special Event plan check, generally in accordance with Appendix D of the Referral Report dated September 12, 2023, entitled "Report Back – Amping up the Arts Event License Policy to Support Arts & Culture in Vancouver";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Fire By-law, generally in accordance with Appendix D of the above-noted Report.

- 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 by-laws including zoning by-laws; and
 - (iii) THAT the City and all its officials 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. 09574)

ADJOURNMENT

MOVED by Councillor Klassen
SECONDED by Councillor Zhou

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 3:57 pm.

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