



PUBLIC HEARING MINUTES

NOVEMBER 14, 2023

A Public Hearing of the City of Vancouver was held on Tuesday, November 14, 2023, at 6:01 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 Adriane Carr
Councillor Pete Fry
Councillor Brian Montague
Councillor Lenny Zhou

ABSENT:

Councillor Rebecca Bligh (Leave of Absence – Civic Business)
Councillor Lisa Dominato (Leave of Absence – Civic Business)
Councillor Sarah Kirby-Yung (Leave of Absence – Civic Business)
Councillor Mike Klassen (Leave of Absence – Civic Business)
Councillor Peter Meiszner (Leave of Absence – Personal Reasons)

CITY CLERK'S OFFICE:

Lesley Matthews, Acting Deputy City Clerk
David Yim, 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 Rezoning: 5515-5525 Elizabeth Street**

An application by Ardor Development Ltd. was considered as follows:

Summary: To rezone 5515-5525 Elizabeth Street from R1-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a four-storey residential building with a partial 5th floor rooftop amenity area with 27 strata-titled residential units. A floor space ratio of 2.0 and a maximum building

height of 13.7 m (45 ft.) with additional height to 18.2 m (60 ft.) for a rooftop amenity and mechanical appurtenances 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 yellow memorandum from the General Manager, Planning, Urban Design and Sustainability dated November 9, 2023, entitled “Rezoning: 5515 Elizabeth Street – Amendment to Subdivision By-law”, which noted the change in zoning of the proposed site to R1-1 (Residential Inclusive) District.

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.

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 6:16 pm.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability noted all approvals in principle on this item are to be in accordance to the yellow memorandum dated November 9, 2023, entitled “Rezoning: 5515 Elizabeth Street – Amendment to Subdivision By-law”.

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Boyle

A. THAT the application by Ardor Development Ltd., on behalf of:

- Ardorhomes 5515 Elizabeth Holdings Ltd., the registered owner of 5515 Elizabeth Street [*PID 010-685-715; Lot 24 Block 849 District Lot 526 Plan 7240*]; and
- 1396947 B.C. Ltd., Inc.¹, the registered owner of 5525 Elizabeth Street [*PID 004-286-464; Lot 23 Block 849 District Lot 526 Plan 7240*];

to rezone the lands from R1-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.7 to 2.0 and

¹ Represented by Ardor Development Ltd.

the building height from 10.7 m (35 ft.) to 13.7 m (45 ft.), to permit a four storey residential building containing 27 strata titled residential units, generally as presented in the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 5515-5525 Elizabeth 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 Andrew Cheung Architects Inc., received December 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 October 3, 2023, entitled "CD-1 Rezoning: 5515-5525 Elizabeth Street" with reference to R1-1 not RS-1;

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 new CD-1 By-law.

- C. THAT A and B 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. 09646)

2. CD-1 REZONING: 1510 West 71st Avenue and 8733 Granville Street

An application by Gradual Architecture Inc. was considered as follows:

Summary: To rezone 1510 West 71st Avenue and 8733 Granville Street from C-2 (Commercial) District and RM-3A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building, with commercial space at-grade and 74 secured market rental units. A height of 22.0 m (72 ft.) and a floor space ratio (FSR) of 3.38 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 yellow memorandum from the General Manager, Planning, Urban Design and Sustainability dated November 9, 2023, entitled "Rezoning: 1510 W 71st Avenue & 8733 Granville Street – Public Consultation Correction", which contained the corrected version of "Appendix D – Public Consultation Summary" contained in the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 1510 West 71st Avenue and 8733 Granville Street".

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

Staff Opening Comments

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

Speakers

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

Dominic Denofrio spoke in support of the application.

Ken Metrunec spoke in opposition of the application.

The speakers list and receipt of public comments closed at 6:37 pm.

Applicant Closing Comments

The applicant responded to questions regarding wheelchair accessibility.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability noted all approvals in principle on this item are to be in accordance to the yellow memorandum dated November 9, 2023, entitled “Rezoning: 1510 W 71st Avenue & 8733 Granville Street – Public Consultation Correction”.

Council Decision

MOVED by Councillor Boyle
SECONDED by Councillor Fry

- A. THAT the application by Gradual Architecture Inc. on behalf of:
- 338888 (Granville) Holdings Ltd., the registered owners of 1510 West 71st Avenue [*PID 025-626-680; Lot A Block E District Lot 318 Group 1 New Westminster District Plan BCP4778*], and
 - 339999 Granville Holdings Ltd., the registered owners of 8733 Granville Street [*Lots 4 and 5, Except the East 17 Feet and the West 4 Feet, Now Highways Block E District Lot 318 Plan 3022; PIDs 013-241-494 and 013-241-524 respectively*],

to rezone the lands from RM-3A (Residential) and C-2 (Commercial) Districts to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 1.00 and 3.50 to 3.38 and the building height from 10.7 m (35.1 ft.) to 22.0 m (72 ft.), to permit the development of a six-storey mixed-use building containing 74 secured rental units, generally as presented in the Referral Report dated October 3, 2023, entitled “CD-1 Rezoning: 1510 West 71st Avenue and 8733 Granville 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 Gradual Architecture Inc., received November 10, 2022 with revisions received January 27, 2023, 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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated October 3, 2023, entitled “CD-1 Rezoning: 1510 West 71st Avenue and 8733 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 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 October 3, 2023, entitled “CD-1 Rezoning: 1510 West 71st Avenue and 8733 Granville 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, generally as set out in Appendix C of the Referral Report dated October 3, 2023, entitled “CD-1 Rezoning: 1510 West 71st Avenue and 8733 Granville 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 CD-1 By-law.

- E. THAT A to D 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. 09647)

3. CD-1 Rezoning: 430-440 West Pender Street

An application by Architectural Collective Inc. was considered as follows:

Summary: To rezone 430-440 West Pender Street from DD (Downtown) District to CD-1 (Comprehensive Development) District, to permit the development of a 12-storey mixed-use building with a partial 13th floor rooftop amenity area, with commercial at-grade and 80 secured market rental housing units. A floor space ratio (FSR) of 8.42 and a maximum building height of 32.0 m (105 ft.) with additional height to 35.1 m (115 ft.) for a partial 13th floor rooftop common amenity space 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 yellow memorandum from the General Manager, Planning, Urban Design and Sustainability dated November 9, 2023, entitled “Rezoning: 430-440 West Pender Street – Conditions of Approval in Appendix B”, which advised the deletions of conditions 1.16 and 1.17 of the Conditions of Approval contained in Appendix B, part 1 of the Referral Report dated October 3, 2023, entitled “CD-1 Rezoning: 430-440 West Pender Street”.

Summary of Correspondence

One piece of correspondence dealing with other aspects of the application was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

Russell Wvong spoke in support of the application.

Tangoe Tangle spoke in opposition of the application.

The following provided general comments on the application:

- Gary Lachanc
- Julia Love
- David Genest

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

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability noted all approvals in principle on this item are to be in accordance to the yellow memorandum dated November 9, 2023, entitled “Rezoning: 430-440 West Pender Street – Conditions of Approval in Appendix B”.

Council Decision

MOVED by Councillor Zhou
SECONDED by Councillor Boyle

- A. THAT the application by Architectural Collective Inc., on behalf of B West Pender Holdings Ltd., the registered owner of the lands located at 430-440 West Pender Street [*Lots 4 and 3 Block 35 Lot 541 Plan 210; PIDs 015-488-161 and 015-488-152*], to rezone the lands from DD (Downtown) to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 6.00 to 8.42 to permit the development of a 12-storey, mixed-use building containing 80 secured market rental units, with at-grade commercial uses generally as presented in the Referral Report dated October 3, 2023, entitled “CD-1 Rezoning: 430-440 West Pender 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 Architectural Collective Inc., received on August 12, 2022 with revised drawings received on March 28, 2023, 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 Agreement described in Part 2 of Appendix B of the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 430-440 West Pender 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 approval in principle of the rezoning, the existing building known as the "Drier Block", located at 430-434 West Pender Street [*Lot 4 Block 35 District Lot 541 Plan 2010; PID 015-488-161*] (the "heritage building"), be added to the Vancouver Heritage Register in the 'C' evaluation category.
- D. THAT subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C of the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 430-440 West Pender Street", be approved.
- E. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1, generally as set out in Appendix C of the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 430-440 West Pender Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law at the time of enactment of the new CD-1 By-law.

- F. THAT A through E 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. 09648)

4. CD-1 REZONING: 3231-3245 Fraser Street and 675 East 17th Avenue

An application by Anthem Fraser Developments LP was considered as follows:

Summary: To rezone 3231-3245 Fraser Street and 675 East 17th Avenue from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a 14-storey mixed-use building with a partial 15th floor rooftop amenity area, with commercial at-grade and 110 secured rental housing units, of which 20% of the residential floor area will be secured as moderate income units, over three levels of underground parking. A floor space ratio of 6.9 and a maximum building height of 45.5 m (149 ft.) with additional height to 47.5 m (156 ft.) for a partial 15th floor rooftop amenity area 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:

- 17 pieces of correspondence in support of the application;
- six pieces of correspondence in opposition to the application; and
- one piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Speakers

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

The following spoke in support of the application:

- Russil Wvong
- Fraser Blanchflower
- Lorne Wolinsky

- Pia Montez
- Matthew Maclean
- Eric Freebouf
- Daley
- Nicholas

Stephen Bohus spoke in opposition of the application.

The speakers list and receipt of public comments closed at 7:57 pm.

Council Decision

MOVED by Councillor Zhou

SECONDED by Councillor Boyle

A. THAT the application by Anthem Fraser Developments LP, on behalf of:

- Anthem Fraser Developments Ltd., the registered owner of the lands located at 3231-3233 Fraser Street [*PID 015-612-805; The North 1/2 of Lot 9 Block 92 District Lot 301 Plan 187*], and
- Mercer Properties (Fraser 17) Inc., the registered owner of the lands located at:
 - 3237 Fraser Street [*PID 015-612-813; The South 1/2 of Lot 9 Block 92 District Lot 301 Plan 187*],
 - 3245 Fraser Street [*PID 015-612-856; The North 1/2 of Lot 10 Block 92 District Lot 301 Plan 187*], and
 - 675 East 17th Avenue [*PID 015-612-864; The South 1/2 of Lot 10 Block 92 District Lot 301 Plan 187*],

to rezone a consolidation of the above properties from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 3.5 to 6.9 and the maximum building height from 22.0 m (72 ft.) to 45.5 m (149.3 ft.) to permit the development of a 14-storey mixed-use building, and a maximum of 47.5 m (155.8 ft.) to accommodate a partial 15th floor rooftop amenity area, containing 110 secured rental housing units, of which 20% of the residential floor area will be secured as moderate income units, with commercial space on the ground floor generally as presented in the Referral Report dated October 3, 2023, entitled “CD-1 Rezoning: 3231-3245 Fraser Street and 675 East 17th 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 BHA Architecture Inc., received January 5, 2023, 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 Agreement described in Part 2 of Appendix B of the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 3231-3245 Fraser Street and 675 East 17th Avenue", 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 approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C of the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 3231-3245 Fraser Street and 675 East 17th Avenue", be approved
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated October 3, 2023, entitled "CD-1 Rezoning: 3231-3245 Fraser Street and 675 East 17th Avenue";

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 CD-1 By law.

- E. THAT A through D 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. 09649)

ADJOURNMENT

MOVED by Councillor Montague
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:58 pm.

* * * * *