



PUBLIC HEARING MINUTES

DECEMBER 14, 2023

A Public Hearing of the City of Vancouver was held on Thursday, December 14, 2023, at 1:10 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 Pete Fry, Acting Mayor
Councillor Christine Boyle
Councillor Rebecca Bligh
Councillor Lisa Dominato
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)

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
David Yim, 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 Tseil-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. **Rezoning: 2231-2247 East 41st Avenue**

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

Summary: To rezone 2231-2247 East 41st Avenue from R1-1 (Residential Inclusive) District to RR-2B (Residential Rental) to permit the development of a five-storey rental building. A floor space ratio (FSR) of 2.20 and height of 16.8 m (55 ft.) 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:

- two pieces 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 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 1:33 pm.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Zhou

- A. THAT the application by Dava Developments Ltd., on behalf of 1314594 B.C. Ltd.¹, the registered owners of the lands located at 2231-2247 East 41st Avenue [*Lots 39 to 42 of Block 15 District Lot 394 Plan 7098; PIDs 010-729-313, 010-729-330, 010-729-364, and 010-729-399 respectively*], to rezone the lands from R1-1 (Residential Inclusive) District to RR-2B (Residential Rental) District, generally as presented in the Referral Report dated October 31, 2023, entitled "Rezoning: 2231-2247 East 41st 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 approval 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 31, 2023,

¹ Beneficially owned and controlled by Dava Developments Ltd

entitled “Rezoning: 2231-2247 East 41st 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 October 31, 2023, entitled “Rezoning: 2231-2247 East 41st 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 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. 09746)

2. Rezoning: 6470 Larch Street

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

Summary: To rezone 6470 Larch Street from R1-1 (Residential Inclusive) District to RR-2B (Residential Rental) District, to permit the development of a five-storey secured market rental building. A floor space ratio (FSR) of 2.20 and height of 16.8 m (55 ft.) 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:

- six pieces of correspondence in support of the application;
- five pieces of correspondence in opposition to the application;
- two pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Speakers

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

The following spoke in opposition of the application:

- Sardar Naresh Singh Maan
- Sherry

The speakers list and receipt of public comments closed at 1:57 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Dominato
SECONDED by Councillor Zhou

- A. THAT the application by AVRP Architecture Inc. on behalf of Pius Ho, the registered owner of the lands located 6470 Larch Street [*PID 011-198-109; Lot 6 of Lot B Block 3 of Block 1 District Lot 526 Plan 5250*], to rezone the lands from R1-1 (Residential Inclusive) District to RR-2B (Residential Rental) District, generally as presented in the Referral Report dated October 31, 2023, entitled "Rezoning: 6470 Larch Street", 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 approval 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 31, 2023, entitled "Rezoning: 6470 Larch Street", 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, and the General Manager of Arts, Culture and Community Services.

- 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 October 31, 2023, entitled “Rezoning: 6470 Larch Street”;

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 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. 09747)
(Councillor Kirby-Yung absent for the vote)

3. CD-1 Rezoning: 4330-4408 Arbutus Street and 2092 Nanton Avenue

An application by Marcon Developments Ltd. was considered as follows:

Summary: To rezone 4330-4408 Arbutus Street and 2092 Nanton Avenue from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey, 162-unit Community Care Facility. A floor space ratio (FSR) of 3.87 and a height of 27.5 m (90 ft.) with additional height for a rooftop amenity 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 Interim Director of Planning dated December 8, 2023, entitled “Rezoning: 4330-4408 Arbutus Street and 2092 Nanton Avenue – Update to Policy Context”, which noted the change in references from *Arbutus Ridge, Kerrisdale and Shaughnessy Community Vision* (ARKS Vision) to *Interim Rezoning Policy for Social*

Housing, Seniors Housing, and Institutional, Cultural and Recreational Uses in Former Community Visions Areas (IRP).

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:

- 12 pieces 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 and responded to questions.

Applicant Opening Comments

The applicant 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:

- Chris Huggins
- Terry Lake
- Sardar Naresh Singh Maan
- Jack Bar
- Alma Lee

The speakers list and receipt of public comments closed at 2:46 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 December 8, 2023, entitled "Rezoning: 4330-4408 Arbutus Street and 2092 Nanton Avenue – Update to Policy Context".

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application by Marcon Developments Ltd., on behalf of Amica Arbutus Nanton Seniors Inc., the registered owner of the lands located at 4330-4408 Arbutus Street and 2092 Nanton Avenue [*Lots 6 to 11 of Block 88 District Lot 526 Plan 11644; PIDs 008-999-902, 008-999-929, 008-999-945, 008-999-961, 007-922-477 and 008-999-988 respectively*] to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 3.87 and the maximum building height from 11.5 m (37.7 ft.) to 27.5 m (90 ft.) and to 31.5 m (103 ft.) for the portion with rooftop amenity, to permit the development of a six-storey, 162-unit Community Care Facility – Class B, generally as presented in the Referral Report dated October 31, 2023, entitled “CD-1 Rezoning: 4330-4408 Arbutus Street and 2092 Nanton 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 Shift Architecture received August 10, 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 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 31, 2023, entitled “CD-1 Rezoning: 4330-4408 Arbutus Street and 2092 Nanton 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 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. 09748)

4. CD-1 Rezoning: 848 Seymour Street

An application by Perkins & Will was considered as follows:

Summary: To rezone 848 Seymour Street from DD (Downtown) District to CD-1 (Comprehensive Development) District, to permit the development of a 30-storey hotel. A floor space ratio (FSR) of 17.67 and a height of 97.7 m (321 ft.) and 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:

- two pieces of correspondence in support of the application;
- three pieces of correspondence in opposition to the application.

Staff Opening Comments

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

Applicant Opening Comments

The applicant spoke about the economic benefits of the application and responded to questions.

Speakers

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

The following spoke in favor of the application:

- Victoria Banham
- Robert Ellis

Peter Knize spoke in opposition of the application.

The speakers list and receipt of public comments closed at 3:29 pm.

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability provided clarification on planning policy and responded to questions.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Zhou

- A. THAT the application by Perkins & Will, on behalf of Paul Y. Construction (B.C.) LTD., Inc., the registered owner of the lands located at 848 Seymour Street [*Lots 7 to 10 and the North ½ of Lot 11 all of Block 64 District Lot 541 Plan 210; PIDs 005-333-849, 005-333-865, 005-333-873, 005-333-911 and 005-334-144 respectively*] to rezone the lands from DD (Downtown) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 5.75 to 17.67 and the maximum building height from 91.4 m (300 ft.) to 97.7 m (321 ft.), to permit the development of a 30-storey hotel, generally as presented in the Referral Report dated October 31, 2023, entitled “CD-1 Rezoning: 848 Seymour 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 Perkins & Will, received June 24, 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 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 31, 2023, entitled “CD-1 Rezoning: 848 Seymour Street”, be approved.

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

- C. 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 31, 2023, entitled “CD-1 Rezoning: 848 Seymour 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.

- D. THAT 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; 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. 09749)

5. CD-1 Rezoning: 1710-1730 East Pender Street

An application by DIALOG BC Architecture Engineering Interior Design Planning Inc. was considered as follows:

Summary: To rezone 1710-1730 East Pender Street from RM-4 and RM-4N (Residential) Districts to CD-1 (Comprehensive Development) District, to permit the development of an 18-storey mixed-use building containing 191 social housing units, including six live-work units, and ground floor commercial space. A floor space ratio (FSR) of 5.58 and a height of 60.8 m (199 ft.) with additional height for a rooftop 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.

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:

- nine pieces of correspondence in support of the application;
- ten pieces of correspondence in opposition to the application;
- 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 Opening Comments

The applicant provided comments on the application 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:

- Peter Lawrence Dowdy
- Paulette Nyce
- Johnathon
- Katherine Letain
- Julien Mentati

The following spoke in opposition on the application:

- Stephen Bohus
- Lewis Villegas
- Ramie Grechin

The speakers list and receipt of public comments closed at 4:36 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Zhou

SECONDED by Councillor Klassen

- A. THAT the application by DIALOG BC Architecture Engineering Interior Design Planning Inc. on behalf of:
- Lu'ma Native Housing Society, the registered owner of the lands located at 1710 East Pender Street [*PID 003-347-834; Lot F of Lot 6 Block D District Lot 183 Plan 20745*], and
 - ALT Commercial Housing Society, the registered owner of the lands at 1730 East Pender Street [*Lots 4 and 5 Except the North 7 Feet, Now Road of Lot 6 Block D District Lot 183 Plan 729; PIDs 009 502-068 and 009 502-165*],

to rezone the lands (including a portion of a City road) from RM-4 and RM-4N (Residential) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 1.45 to 5.58 and the maximum building height from 10.7 m (35.1 ft.) to 60.8 m (199.5 ft.), with a maximum of 64.1 m (210.3 ft.) to accommodate a partial 19th floor rooftop amenity area, to permit the development of an 18-storey social housing mixed use building,

containing 191 housing units including six live-work units, with commercial space on the ground floor, generally as presented in the Referral Report dated October 31, 2023, entitled "CD-1 Rezoning: 1710-1730 East 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 for the CD-1 By-law, generally as prepared by DIALOG BC Architecture Engineering Interior Design Planning Inc., received May 19, 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 31, 2023, entitled "CD-1 Rezoning: 1710-1730 East 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 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 31, 2023, entitled "CD-1 Rezoning: 1710-1730 East Pender 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 31, 2023, entitled "CD-1 Rezoning: 1710-1730 East Pender 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. 09750)

ADJOURNMENT

MOVED by Councillor Klassen
SECONDED by Councillor Montague

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 4:48 pm.

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