



PUBLIC HEARING MINUTES

APRIL 15, 2014

A Public Hearing was held on Tuesday, April 15, 2014, at 6:05 pm, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson
Councillor George Affleck
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Heather Deal
Councillor Kerry Jang
Councillor Raymond Louie*
Councillor Geoff Meggs
Councillor Andrea Reimer*
Councillor Tim Stevenson
Councillor Tony Tang

CITY MANAGER'S OFFICE: Mukhtar Latif, Chief Housing Officer

CITY CLERK'S OFFICE: Wendy Stewart, Deputy City Clerk
Lori Isfeld, Meeting Coordinator

* Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Jang

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the heritage, zoning and sign by-laws.

CARRIED UNANIMOUSLY
(Councillors Louie and Reimer absent for the vote)

1. HERITAGE DESIGNATION AND HERITAGE REVITALIZATION AGREEMENT: 2856 West 3rd Avenue (Logan House)

An application by Formwerks Architectural, Inc. was considered as follows:

Summary: To designate the existing building as a protected heritage property and to approve a Heritage Revitalization Agreement (HRA) for the site, to permit the rehabilitation of the heritage building and the construction of a new Infill One-Family Dwelling. The application proposes variances to the Zoning and Development By-law.

The Director of Planning, in consultation with the Director of Legal Services, recommended approval subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Summary of Correspondence

No correspondence had been received on this application prior to the close of the speakers list.

Speakers

The Mayor called for speakers for and against the application and none were present.

The speakers list closed at 6:10 pm.

Council Decision

MOVED by Councillor Deal

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 of the *Vancouver Charter*, a by-law to designate as a protected heritage property the house at 2856 West 3rd Avenue [PID: 012-316-253; Lot 4, Block 28, District Lot 192, Plan 2375 (the "site")], known as the Logan House (the "heritage building"), which is listed on the Vancouver Heritage Register in the 'B' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law authorizing the City to enter into a Heritage Revitalization Agreement in respect of the heritage building at 2856 West 3rd Avenue to:
 - (i) secure its rehabilitation and long-term preservation; and
 - (ii) vary the *Zoning and Development By-law* in respect of the site so as to permit the rehabilitation of the heritage building and the construction of a new Infill One-Family Dwelling (the "new building") thereon as proposed under Development Permit Application No. DE416750 and as more particularly described in the Policy Report dated March 14, 2014, entitled "2856 West 3rd Avenue - Logan House - Heritage Designation and Heritage Revitalization Agreement".
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered, and given priority on title, to the satisfaction of the Director of Legal Services and the Director of Planning.

- D. THAT A to C 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

2. TEXT AMENDMENT: 968-988 Howe Street

An application by CEI Architecture was considered as follows:

Summary: To amend CD-1 (Comprehensive Development) District (546) By-law No. 10688 for 968-988 Howe Street to increase the permitted floor space ratio from 11.21 to 11.26 to allow for an additional 114.1 m² (1,228 sq. ft.) of floor area for uses that are accessory to office use within the below-grade parking garage. The proposed amendment would not result in a substantive change to the form of development approved by Council on May 3, 2011.

The General Manager of Planning and Development Services recommended approval, subject to the conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Applicant Comments

Sheldon North, BGC Engineering Inc., responded to questions regarding the soil testing process.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 1 email related to other matters

Speakers

The Mayor called for speakers for and against the application and none were present.

The speakers list closed at 6:16 pm.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by CEI Architecture, on behalf of The Manufacturers Life Insurance Company (Manulife), to amend CD-1 (Comprehensive Development) District (546) By-law No. 10688 for 968-988 Howe Street [*PID: 028-846-915; Lot A Block 72 District Lot 541 Group 1 New Westminster District Plan EPP20143*] to increase the permitted floor space ratio from 11.21 to 11.26 to allow for an additional 114.1 m² (1,228 sq. ft.) of floor area for uses that are accessory to office use within the below-grade parking garage, generally as presented in Appendix A of the Policy Report dated February 25, 2014, entitled “CD-1 Text Amendment: 968-988 Howe Street”, be approved.
- B. THAT A 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

3. REZONING: 4099 Cambie Street

An application by Yuanheng CKE Station Developments Ltd. was considered as follows:

Summary: To rezone 4099 Cambie Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of an eight storey mixed-use building, with commercial uses on the ground floor and a total of 65 dwelling units on floors two to eight. A height of 28.7 m (94 ft.) and a floor space ratio (FSR) of 3.51 are proposed.

The General Manager of Planning and Development Services recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services staff presented the application and responded to questions.

Applicant Comments

Wing Leung, W.T. Leung Architects, provided opening comments.

Summary of Correspondence

The following correspondence was received since referral to public hearing and prior to the close of the speakers list:

- 2 emails in opposition

Speakers

The Mayor called for speakers for and against the application and none were present.

The speakers list closed at 6:23 pm.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Yuanheng CKE Station Developments Ltd., to rezone 4099 Cambie Street [*PID: 027-575-926; Parcel 1, Block 660, District Lot 526, Group 1 New Westminster District, Plan BCP37294*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.51 and the height from 13.8 m (45 ft.) to 28.7 m (94 ft.) to permit the development of an eight-storey mixed-use building, with commercial uses on the ground floor and a total of 65 dwelling units on floors two to eight, generally as presented in Appendix A of the Policy Report dated February 21, 2014, entitled “CD-1 Rezoning: 4099 Cambie Street”, be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by W. T. Leung Architects Inc., on behalf of Yuanheng CKE Developments Ltd., and stamped “Received City Planning Department, July 9, 2013”, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development of the west lane elevation to substantially reduce the top of parapet height along the second floor and in particular towards the north end of the site.

Note to Applicant: The bulk and mass of the laneway interface needs to be improved in terms of visual scale, laneway activation, as well as a neighbourly interface towards adjacent sites.

2. Design development of the proposed setbacks from the property line shall remain consistent with the rezoning application submission unless conditions state otherwise.

Note to Applicant: The proposed building setbacks submitted can be considered as a minimum setback but could be increased if warranted by the design development process.

3. Design development to meet the *Cambie Corridor Draft Public Realm Plan* including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to convene with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit application to ensure technical compliance with the anticipated design intent, including CPTED performance, and with a design focus on hardscape, softscape, design elements, lighting, stormwater management, wayfinding and public art/interpretive opportunities.

4. Design development to create open spaces suitable for children's play, located adjacent to common amenity rooms.

Note to Applicant: Amenity areas and open spaces should be arranged to improve the functionality of these common areas for families with children. See the *High-Density Housing for Families with Children Guidelines* for more information.

5. Provision of high quality and durable exterior finishes.

Note to Applicant: The high quality of finishes proposed at the rezoning phase should be carried forward to the development permit application.

Crime Prevention Through Environmental CPTED

6. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

7. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Gold equivalency, as required by the *Green Buildings Policy for Rezoning*, including a minimum of 63 points in the LEED® rating system, including at least six optimize energy performance points, one water efficiency point, and one storm water point.

Note to Applicant: Provide a LEED® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project are also required under the policy.

8. The building heating and domestic hot water system shall be designed to be easily connectable and compatible with a future District Energy System to supply all heating and domestic hot water requirements. Design provisions related to district energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *District Energy Connectivity Standards* for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with staff to ensure adequate provisions for District Energy compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the district energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

9. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
10. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

Landscape Review

11. Provision of maximized tree growing medium for tree and shrub planters to ensure long term health.

Note to Applicant: Structures such as underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should be better than BCSLA standards.

12. Provision of urban agriculture in the form of edible landscaping and including some areas (planters or plots) suitable for urban agriculture activity. The necessary supporting infrastructure, such as tool storage, hose bibs and a potting bench should be provided. The design should reference the Urban Agriculture Guidelines for the Private Realm and should maximize sunlight, integrate into the overall design and provide universal access.
13. Submission of a Rainwater Management Plan that utilizes sustainable strategies such as infiltration, retention and reuse of rainwater.

Note to Applicant: Strategies could include high efficiency irrigation, permeable paving, drought tolerant plants and mulching.

14. At time of development permit application:
 - (i) Provision of a full Landscape Plan consistent with *Cambie Corridor Draft Public Realm Plan*. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, fences, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
 - (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is

deep enough to accommodate root balls of proposed trees well into the future.

- (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

- (v) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

- (vi) Provision of a high efficiency irrigation system for all planters, including the upper terrace areas. Hose bibs shall be provided in all private patio that show individual planting pots and small planters. Notations to that effect should be added to the drawings.

Note to Applicant: The irrigation system design and installation system shall be in accordance with the Irrigation Industry of B.C. Standards and Guidelines.

- (vii) New proposed street trees should be noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.

- (viii) Provision of the following notation on the Landscape Plan; "all public realm details to the approval of the General Manager of Engineering."

Engineering

15. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown.

16. Note to Applicant: Pick up operations should not rely on bins being stored on the street or lane for pick up, bins are to be returned to storage areas immediately after emptying. Consideration for a rollup door to access the commercial and residential garbage rooms as it appears that the opened doors as drawn will prevent clear access to the storage spaces.

17. Bicycle racks proposed for public property require a separate application to the General Manager of Engineering Services.

Note to Applicant: Class B bicycle parking (bike racks) supplied on public property cannot be counted towards the on-site by-law requirement that would apply to this project.

18. The proposal to insert exposed aggregate concrete banding into the existing concrete treatments may not be possible, either retention of existing sidewalk treatments or replacement of the entire sidewalks may be required to achieve the Cambie Corridor sidewalk standards.

19. Clarify if a new canopy is proposed over the King Edward Avenue property line and if so please submit a canopy application directly to Engineering Services.

20. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

- (i) Confirmation if the development approval for the transit station includes an obligation to provide on-site space for Handi-Dart use, if so then this function must be incorporated into the development.
- (ii) Clarification of Translink related parking/loading needs such as ticket machine maintenance and other similar transit related uses is required and incorporation of space within the development to accommodate them is required.
- (iii) Provision of internal access from the commercial units to the back of the Class B loading space to ensure that trucks can back into the space and drive out in a forward direction.

Note to Applicant: As designed, the truck must front in and back out.

- (iv) Provision of parking ramp slopes in compliance with the requirements of the Parking and Loading Design Supplement.

Note to Applicant: The drive aisle between grid lines G6 to G8 calculates at 6.5 percent rather than 5 percent as noted, and the ramp between grid lines D5/6 and G5/6 calculates at 15.4% rather than the 11.69 percent as noted. Other ramps are also incorrect.

- (v) Provision of a section drawing through the commercial loading space demonstrating a vertical clearance of 3.5 m (11.5 ft.).
- (vi) Design development for direct and convenient means of access to the Class A bicycle parking rooms on intermediate UG1 through either a ramp or a dedicated elevator to the outside.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Dedication of the west 1.524 m (5 ft.) of the site for lane purposes.
2. Dedication of the easterly, jogged-out, 3.048 m (10 ft.) wide building line area for road purposes. A subdivision plan and application to the Subdivision and Strata Group is required to achieve both dedication requirements.

Note to Applicant: An amendment to the Vancouver Access Agreement may be required if requested by Translink. The owner may be required to supply any plans for changes to the Vancouver Access Agreement.

3. Release of Easement & Indemnity Agreement 85431M (crossings) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

4. Registration of a No-Build Covenant, in favour of the City, that requires the owner to provide confirmation, including confirmation from the South Coast British Columbia Transit Authority (SCBCTA), that:
 - (i) arrangements are in place to secure the bicycle facility; and
 - (ii) SCBCTA has approved the Drawings and Specifications and entered into an Integration Agreement with the owner.

Notes to Applicant:

- (i) Section 219 Covenants BB4022369-70 (in favour of SCBCTA) require the developer to build a retail bike repair facility attached to the station, and must subdivide the development site by way of strata plan or air space plan and convey to the SCBCTA the fee simple title to either the strata lot or air space parcel. Section 219 Covenant BB4022370 is a no-occupancy covenant in favour of SCBCTA that requires the bicycle facility to be provided to SCBCTA prior to occupancy.
 - (ii) The covenants also require approval by SCBCTA of the design and specifications of the Owners Development and require an Integration Agreement between SCBCTA and the owner.
5. Registration of a no-occupancy covenant to ensure that the Right of Way Area, as defined in the SRW and Section 219 Covenant registered as BB4022366-67 (for the operation and maintenance of transit facilities), is reduced to a volumetric statutory right of way plan in accordance with that agreement.

Note to Applicant: BB4022366-67 provides that the owner may request to SCBCTA that the Right of Way Area be reduced to an area depicted by a registrable volumetric plan.

6. Provision of a Services Agreement to detail the on and off-site works and services necessary or incidental to the servicing of the site (collectively called the “services”) such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Paving of that portion of the site that is to be dedicated as lane (west 5 ft. of the site) and any additional paving and lane re-grading required to integrate the dedication area into the existing lane pavement.

- (ii) Adjustment of the lane/curb returns and curb ramps on the north side of King Edward at the lane west of Cambie to match the dedicated lane width.
 - (iii) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100 percent of any water system upgrading that may be required.
7. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary, with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro kiosks) to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all underground services.

Sustainability

8. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a District Energy System, if and when the opportunity is available and in accordance with the City's policy for low carbon district energy, which may include but are not limited to agreements which:
- (i) require buildings on site to connect to a District Energy System through a deferred services agreement, or otherwise, at such time that one becomes available;
 - (ii) grant the operator of the District Energy System access to the building mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling District Energy System connection and operation, on such terms and conditions as may be reasonably required by the Applicant; and

- (iii) provide for adequate and appropriate space to be utilized for an energy transfer station.

Soils

9. If applicable:

- (i) Submit a site profile to the Environmental Protection Branch (EPB);
- (ii) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (iii) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Heritage Density Transfer

10. Secure the purchase and transfer of 607 m² (6,538 sq. ft.) of heritage density (which has a value of \$425,000) from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65 per buildable square foot, the City recognizes that the owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to the City prior to enactment of the CD-1 By-law together with receipt(s) for the heritage density purchase, including the amount, sale price, and total cost of the heritage density.

Community Amenity Contribution (CAC)

11. Pay to the City the Community Amenity Contribution of \$1,575,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$1,575,000 is to be allocated as follows:
 - (i) \$1,000,000 to the Affordable Housing Reserve;
 - (ii) \$500,000 to community facilities serving the Cambie Corridor Plan area; and
 - (iii) \$75,000 for traffic calming near Emily Carr Elementary.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigning Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated February 21, 2014, entitled "CD-1 Rezoning: 4099 Cambie Street", be approved.
- C. THAT, subject to the enactment of the of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated February 21, 2014, entitled "CD-1 Rezoning: 4099 Cambie Street".

- D. THAT A to C 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 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

4. REZONING: Heather Place
(a) 706-774 West 13th Avenue
(b) 725-799 West 14th Avenue

An application by NSDA Architects Inc., on behalf of Metro Vancouver Housing Corporation, was considered as follows:

Summary: To rezone 706-774 West 13th Avenue and 725-799 West 14th Avenue from CD-1 (Comprehensive Development) District 147 to two new CD-1 (Comprehensive Development) districts. At 725-799 West 14th Avenue, one building of five storeys, with a floor space ratio (FSR) of 1.60 and 67 units of social housing, is proposed. At 706-774 West 13th Avenue, two buildings of six and 10 storeys, with an FSR of 2.84 and 163 units of social housing, are proposed. A seventh level rooftop garden is proposed for the six storey building.

The General Manager of Planning and Development Services, in consultation with the Chief Housing Officer recommended approval, subject to conditions as set out in the Summary and Recommendation of the Public Hearing agenda.

Staff Opening Comments

Planning and Development Services staff presented the application and responded to questions.

Applicant Comments

Tom Staniszki, NSDA Architects, provided opening comments. Don Littleford, Metro Vancouver Housing Corporation, responded to questions.

Summary of Correspondence

The following correspondence was received since referral to public hearing and up to 15 minutes after the close of the speakers list:

- 3 emails in support
- 21 emails in opposition
- 1 email regarding other matters

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Sheila Abraham
Tamara Szymanska
Barry Growe CALM, Community Advocates for Little Mountain
Charmaine Malet-Veale
Penny Bourque
Ryan Fox
Vlady Pavlova
Paul Morris

The following were generally opposed to the application or expressed concerns regarding aspects of the application including the size of the development, building height, increased density, parking and traffic impacts, and housing affordability:

Karen Gilchrist
Sid Tan
Nathan Crompton
Jason McLean
Daniel Tseghay
Ann Cullingham
Gord McTaggart-Cowan
Michelle Hutchinson
Aaron Hutchinson
Krysten Henne
Erin Arnold
Sean Antrim, COPE
Orla Adams
Tristan Markle, COPE Housing Committee
Maria Wallstam
Paula Hoffmann
Jean Swanson, Carnegie Community Action Project
Trevor Tomlin
Nicholas Sunderland
Erik Whiteway, President, VGH Neighbourhood Association
Lana Ho
Jim Sands

Erica Holt
Brenda Everitt
Rand Chatterjee
Dan Williams
Sara Thompson
Stephen Bohus
Jason Danswell
Ivan Drury
Akin Poppit

* * * * *

At 9:55 pm, during the hearing of speakers, it was

MOVED by Councillor Tang

THAT the meeting be extended to complete hearing from speakers and questions to staff and the applicant, and that discussion and decision be referred to the Regular Council meeting on April 29, 2014, as Unfinished Business.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

The speakers list closed at 10:50 pm.

Applicant Closing Comments

Don Littleford, Metro Vancouver Housing Corporation, provided closing comments and addressed points raised by speakers.

Staff Closing Comments

Planning and Development Services, Community Services, and Engineering Services staff responded to questions.

Mr. Littleford also responded to questions.

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ball

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED by Councillor Carr
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 11:36 pm.

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