



PUBLIC HEARING MINUTES

MARCH 24 AND 26, 2015

A Public Hearing was held on Tuesday, March 24, 2015, at 6:10 pm, in the Council Chamber, Third Floor, City Hall, to consider proposed amendments to the Zoning and Development By-law and Downtown Official Development Plan By-law. Subsequently, the Public Hearing recessed and reconvened on Thursday, March 26, 2015, at 6:05 pm.

PRESENT:

- Mayor Gregor Robertson
- Councillor George Affleck
- Councillor Elizabeth Ball
- Councillor Adriane Carr
- Councillor Melissa De Genova*
- Councillor Heather Deal
- Councillor Kerry Jang
- Councillor Raymond Louie (Acting Chair - March 26, 2015)
- Councillor Geoff Meggs
- Councillor Andrea Reimer
- Councillor Tim Stevenson

ABSENT: Mayor Gregor Robertson (March 26, 2015)

CITY MANAGER'S OFFICE: Penny Ballem, City Manager (March 26, 2015)

CITY CLERK'S OFFICE: Janice MacKenzie, 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 Deal

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair, to consider proposed amendments to the Zoning and Development By-law and Downtown Official Development Plan By-law.

CARRIED UNANIMOUSLY

1. REZONING: 126, 136, 146, 156, 166 and 168 East 35th Avenue

Prior to beginning the Public Hearing for this item, Councillor De Genova declared a conflict of interest on Items 1 and 2 on this Public Hearing agenda, as she lives in close proximity to both of the proposed rezoning sites. She therefore left the meeting at 6:14 pm, and returned following the conclusion of the vote on Item 2.

An application by Ramsay Worden Architects Ltd., on behalf of Mosaic East 35th Holdings Ltd., was considered as follows:

Summary: To rezone 126, 136, 146, 156, 166 and 168 East 35th Avenue from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 48 dwelling units. A height of 20.7 m (68 ft.) and floor space ratio (FSR) of 2.3 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.

Summary of Correspondence

No correspondence was received since the application was scheduled for public hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed at 6:15 pm.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Ramsay Worden Architects Ltd., on behalf of Mosaic East 35th Holdings Ltd. to rezone 126, 136, 146 and 156 East 35th Avenue [Lots 48 to 51, Block 4, District Lot 637, Plan 3774; PIDs 012-214-086, 012-214-094, 012-214-108, 012-214-116 respectively], 166 and 168 East 35th Avenue [Lots D and E, Block 4, District Lot 637, Group 1, New Westminster District, Plan BCP11511; PIDS 025-959-018, 025-959-026 respectively] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.7 to 2.3 FSR and the height from 9.5 m (35 ft.) to 20.7 m (68 ft.) to permit the development of a six-storey residential building, containing a total of 48 dwelling units, generally as presented in Appendix A of the Policy Report dated February 17, 2015, entitled: "CD-1 Rezoning - 126, 136, 146, 156, 166 and 168 East 35th Avenue", 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 Ramsey Worden Architecture Inc. and stamped "Received Planning Department, July 8, 2014", 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:

Design Development

1. Design Development to provide a clear delineation between private and public space at the ground level.

Note to Applicant: The ground plane of the building should rise a minimum of 12" to provide separation between ground level units and public space.

2. Design development to improve the legibility of the amenity building at the rear of the property to ensure both a direct connection with the main building and a positive relation to the lane.

Note to Applicant: The amenity building should be carefully designed to create a positive space which is visually aligned with the main building while contributing the active edge along the lane.

3. Design Development to ensure building heights are within the approximate height limits of the guidelines and the maximum prescribed in this by-law.

Note to Applicant: Floor to floor heights should be carefully considered to achieve enhanced livability of the units while respecting the intent of the policies and guidelines regarding building scale and height transitions in the Little Mountain area.

4. Design development to ensure a high level of quality and detailing in the materiality of the building.

Note to Applicant: A high degree of attention given to the exterior materials will be critical to the success of the building and the expression of the six storey form.

5. Consideration to reflect the varied orientations of the building and passive design elements as the building design evolves in development permit stage.

Landscape

6. Design development to provide a high-quality public realm interface incorporating safe landscaped open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment along the street and lane edge.

Note to Applicant: Landscape surfaces, planting and other elements should provide a transition from the residential site to the future community hub to the south. Treatment at the lane should be substantial enough to enhance the pedestrian lane experience. The lane edge planting should be protected from vehicles by an 8" high curb.

7. Design development of landscape surface treatment at property edges to provide substantial greenery for privacy screening to mitigate potential overlook issues for at grade oriented residential units.
8. Design development to provide maximized growing medium volumes for tree and shrub planters on structures to ensure long-term viability of the built landscape.

Note to Applicant: Structures such as underground parking slabs may need to be altered (dropped/ angled/ notched) to provide adequate depth and continuous soil volumes, and not placed in above grade planters to achieve soil depth. Planter depth to exceed current BC Landscape Standard.

9. Provision of a complete tree information by a tree survey, Arborist Report and Tree Management Plan, to assess all healthy private trees located on the subject site for retention and or relocation, and to provide comments in writing.
10. Design development to integrate utilities into the building, where possible.

Note to Applicant: Avoid the placement of utilities (Pad-mounted transformers, "Vista" junction boxes, underground venting) in the public realm or visible to primary walkways and entrances.

11. Provision of best current practices for managing water conservation in common landscaped areas, including high efficiency (drip) irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching.

Crime Prevention through Environmental Design (CPTED)

12. 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

13. Provision of a Recycling & Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling & Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

14. 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 stormwater 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.

15. The proposed approach to site heating and cooling, developed in collaboration with the City and the City's designated Neighbourhood Energy utility provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.
 - (i) Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.

- (ii) The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with a City-designated Neighbourhood Energy System to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements related to Neighbourhood Energy compatibility at the building scale. The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. A declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

- (iii) Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (e.g. gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.

Housing Policy

- 16. That the proposed unit mix including 40 two-bedroom units and 6 three-bedrooms be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix shall be to the satisfaction of the Chief Housing Officer.

- 17. Design development of indoor and outdoor common amenity space to demonstrate ability for proposal to meet the common amenity needs of a family-oriented building, as per the *High Density Housing Guidelines for Families with Children*.
- 18. Design development to provide a high-quality public realm interface incorporating safe landscaped open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment along the street and lane edge.

Note to Applicant: Landscape surfaces, planting and other elements should provide a transition from the residential site to the future community hub to the south. Treatment at the lane should be substantial enough to enhance the pedestrian lane experience. The lane edge planting should be protected from vehicles by an 8" high curb.

19. Design development of landscape surface treatment at property edges to provide substantial greenery for privacy screening to mitigate potential overlook issues for at grade oriented residential units.
20. Design development to provide maximized growing medium volumes for tree and shrub planters on structures to ensure long-term viability of the built landscape.

Note to Applicant: Structures such as underground parking slabs may need to be altered (dropped/ angled/ notched) to provide adequate depth and continuous soil volumes, and not placed in above grade planters to achieve soil depth. Planter depth to exceed current BC Landscape Standard.

21. Provision of a complete tree information by a tree survey, Arborist Report and Tree Management Plan, to assess all healthy private trees located on the subject site for retention and/or relocation, and to provide comments in writing.
22. Design development to integrate utilities into the building, where possible.

Note to Applicant: Avoid the placement of utilities (Pad-mounted transformers, "Vista" junction boxes, underground venting) in the public realm or visible to primary walkways and entrances.

23. Provision of best current practices for managing water conservation in common landscaped areas, including high efficiency (drip) irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching.

Engineering

24. Clarify garbage pick-up operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Note; 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. An on-site at-grade storage pad is recommended.
25. 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) Provision of details of the column placement within the underground parking in compliance with the requirements of the Engineering Parking and Loading Design Supplement.
- (ii) Provision of parking spaces sized and labelled in imperial measurement to agree with the drawing scale.
- (iii) Provision of bicycle rooms not to contain more than 40 bicycle spaces unless the spaces in excess of 40 are bicycle lockers.
- (iv) Provision of confirmation that the vertical bicycle spaces are situated adjacent a wall.

Note to Applicant: Bicycles placed vertically are not to be hung from the ceiling, but rather leaned up against a wall, and this does not appear possible.

- (v) Relocate the two "dead end" small car parking spaces so that they are accessible via a standard manoeuvring aisle or delete these spaces.

Note to Applicant: It is too far to back up and as shown requires too many turns to place the car in a forward direction.

26. At the time of development permit application:

- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, 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 rootballs 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) Design development to locate, integrate and fully screened 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.
- (v) 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.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on parkade slab and minimum of hose bibs to be provided for landscape on grade.
- (vii) 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.

- (viii) Trellis and vines to be provided over the underground garage access ramp.

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. Consolidation of Lots 48, 49, 50, & 51, Plan 3774, and Lots D & E, Plan BCP11511; all of Block 4, DL 637 to create a single parcel.
2. Provision of appropriate access agreements to allow vehicular access from this site to a future redevelopment site on the adjacent property to the west (Lot 52 and 53, Block 4, DL 637, Plan 3774).
3. 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 financial security for the services is provided.
 - (i) 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% of any water system upgrading that may be required.
 - (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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% of any sewer system upgrading that may be required.
 - (iii) Provision of a 2.1 metre wide concrete sidewalk with saw cut joints on East 35th Avenue adjacent the site.
 - (iv) Provision of improved street lighting adjacent the site to meet current lighting standards.

- (v) Provision of asphalt lane paving on the lane south of East 35th Avenue and the lane west of Main Street adjacent the site to current city standards.
 - (vi) Provision of additional cycling amenities on site, to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services, reflecting Section 6.5 of the Little Mountain Adjacent Area Rezoning Policy which seeks the building design to accommodate and encourage bicycle use through measures which may include enhanced bike storage and facilities, wheel ramps, a wash station, automatic door openers, repair facilities or identified storage space for trailers or unusually sized bikes.
 - (vii) Provision of street trees adjacent the site where space permits.
 - (viii) Provision of a concrete lane crossing at the lane west of Main Street on the south side of East 35th Avenue.
4. 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) are 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 right-of-way. 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 services being underground.

Sustainability

5. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy Utility, which may include but are not limited to agreements which:
- (i) Require buildings within the development to connect to the City-designated Neighbourhood Energy Utility at such time that a system becomes available;

- (ii) Grant the operator of the City-designated Neighbourhood Energy System access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy Utility connection and operation, on such terms and conditions as may be reasonably required by the Applicant.
- (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy Utility.

Note to Applicant: Until a City-designated Neighbourhood Energy Utility provider has been identified the Owner will be prohibited from entering into any energy supply contract for thermal energy services, other than conventional electricity and natural gas services, unless otherwise approved by the General Manager of Engineering Services.

Soils

6. 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.
 - (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.

Community Amenity Contribution (CAC)

7. Pay to the City the cash component of the Community Amenity Contribution of \$859,188 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, and is allocated as follows:

- \$859,188 to the Affordable Housing Reserve.

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, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated February 17, 2015, entitled "CD-1 Rezoning - 126, 136, 146, 156, 166 and 168 East 35th Avenue".
- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and the expenditure of funds or incurring of costs is at the sole 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 sole 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
(Councillor De Genova absent due to conflict of interest)

2. REZONING: 5037, 5067 and 5087 Main Street

An application by Taylor Kurtz Architecture + Design Inc., on behalf of BOFFO Homes (Main Street) Inc., was considered as follows:

Summary: To rezone 5037, 5067 and 5087 Main Street from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a five-storey residential building with 41 dwelling units, including eight replacement market rental housing units. A height of 18.9 m (62 ft.) and floor space ratio (FSR) of 2.53 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.

Summary of Correspondence

The following correspondence regarding this application had been received since referral to public hearing and prior to the close of the speakers list and receipt of public comments:

- 1 email in opposition
- 1 email related to other matters

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to one or more aspects of the application:

Ned Jacobs
Nicholas Chernen
William Brian

Maria Palomino addressed other matters related to the application.

The speakers list and receipt of public comments closed at 6:45 pm.

Planning and Development Services and Housing Policy staff responded to questions.

Council Decision

MOVED by Councillor Louie

- A. THAT the application by Taylor Kurtz Architecture + Design Inc., on behalf of BOFFO Homes (Main Street) Inc., to rezone 5087, 5067 and 5037 Main Street [*Lots 26 to 28, all of Block 4, District Lot 637, Plan 8768; PIDs 016-123-760, 009-930-035, and 007-945-230 respectively*] from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.35 to 2.53 FSR and the height from 10.7 m (35 ft.) to 18.9 m (62 ft.) to permit the development of a five-storey residential building, containing a total of 41 dwelling units, including eight replacement market rental housing units, generally as presented in Appendix A of the Policy Report dated February 17, 2015, entitled "CD-1 Rezoning - 5037, 5067 and 5087 Main 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 Taylor Kurtz Architecture + Design Inc. and stamped "Received Planning Department, May 2, 2014", 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:

Design Development

1. Design development to enhance the clarity and prominence of the main entry.

Note to Applicant: Further consideration should be given to the architectural expression of the entry as well as the landscape treatment in the front entry area.

2. Design development to ensure a high quality and detailing of the extensive soffit areas of the building.

Note to Applicant: Materials and lighting will be critical elements in this very significant aspect of the building.

3. Design development to enlarge and improve the usability of the amenity space and consider moving it to the roof.

Note to Applicant: See also Housing Policy conditions for further requirements regarding the design of the amenity space.

4. Design development to the external exit stairs to ensure a positive contribution to the frontage along 35th Avenue and to the pedestrian path along the north side of the building.

Note to Applicant: The detailed design and materials of the exit stairs will be an important element with respect to the experience of the streetscape, and with respect to CPTED.

5. Design development to improve the pedestrian experience along the public path on the north side of the building (see also Condition (c) 3).

Note to Applicant: Further consideration should be given to outlook and casual surveillance from adjacent units, as well as landscape. Addressing condition five regarding the design of the exit stairs will also assist with this.

6. Consideration to further enhance the access of light to the exit stairs and through to the interior circulation corridors of the building.

Landscape

7. Design development to provide a high-quality public realm interface incorporating safe landscaped open spaces with residential-quality greenery and visual interest to benefit the pedestrian environment along the street and lane edge.
8. Design development of landscape surface treatment at property edges to provide substantial greenery for privacy screening to mitigate potential overlook issues for at grade oriented residential units.
9. Design development to provide maximized growing medium volumes for tree and shrub planters on structures to ensure long-term viability of the built landscape.

Note to Applicant: Structures such as underground parking slabs may need to be altered (dropped/ angled/ notched) to provide adequate depth and continuous soil volumes, and not placed in above grade planters to achieve soil depth. Planter depth to exceed current BC Landscape Standard.

10. Arrangements made for an ISA Certified Arborist to assess all private trees located on the subject site and to provide comments in writing.

Note to Applicant: Healthy specimen trees should be considered for retention and efforts made for incorporation within the Site Plan, where possible.

11. Design development to integrate utilities into the building, where possible.

Note to Applicant: Avoid the placement of utilities (Pad-mounted transformers, "Vista" junction boxes, underground venting) in the public realm or visible to primary walkways and entrances.

12. Provision of best current practices for managing water conservation in common landscaped areas, including high efficiency (drip) irrigation, aspects of xeriscaping including drought-tolerant plant selection and mulching.
13. At the time of development permit application:
 - (i) Provision of a legal survey confirming the location of existing on-site and off-site trees.
 - (ii) Provision of an ISA Certified Arborist report for all existing site trees and adjacent trees on neighbouring sites, as noted on the legal survey.
 - (iii) Provision of a fully labelled Landscape Plan, Sections and Details at the Complete Development permit submission stage.
 - (iv) Provision of large scale $\frac{1}{4}''=1'-0''$ or 1:50 scale partial plans, elevations and sections illustrating the detailed treatment of the project's public realm interface at the street and lane edges; include planter walls, stairs, landscaping, soil depth (indicated by underground structures), and other landscape features, as applicable.
 - (v) Provision of hose bibs for all patios greater than 100 sq. ft. in area.

Crime Prevention through Environmental Design (CPTED)

14. 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

15. Provision of a Recycling & Reuse Plan for Green Demolition/Deconstruction, for demolition of existing buildings on site, to recycle/reuse at least 75% of demolition waste (excluding hazardous materials).

Note to Applicant: The Recycling & Reuse Plan for Green Demolition/Deconstruction should be provided at the time of development permit application.

16. 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 Rezonings*, 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 stormwater 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.

17. The proposed approach to site heating and cooling, developed in collaboration with the City and the City's designated Neighbourhood Energy utility provider, shall be provided prior to the issuance of any development permit, to the satisfaction of the General Manager of Engineering Services.

- (i) Detailed design of the building HVAC and mechanical heating system at the building permit stage must be to the satisfaction of the General Manager of Engineering Services.
- (ii) The building(s) heating and domestic hot water system shall be designed to be easily connectable and compatible with a City-designated Neighbourhood Energy Utility to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the *Neighbourhood Energy Connectivity Standards - Design Guidelines* for general design requirements related to Neighbourhood Energy compatibility at the building scale.

The applicant is also encouraged to work closely with City staff during mechanical design to ensure compatibility with a neighbourhood-scale system. A declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

- (iii) Building-scale space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment (e.g. gas fired make-up air heaters, heat producing fireplaces, distributed heat pumps, etc.) unless otherwise approved by the General Manager of Engineering Services.

Housing Policy

- 18. That the proposed unit mix of family units include 68% two-bedroom units, 10% three-bedrooms be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix shall be to the satisfaction of the Chief Housing Officer.

- 19. Provision of a Final Tenant Relocation Plan to the satisfaction of the Chief Housing Officer, which in addition to the terms already agreed to, will include an updated list of tenants and rents, current as of the time of Development Permit application.
- 20. Provision of a notarized declaration which demonstrates that each tenant has been given written notice of the intent to redevelop the property; that indicates the number of units occupied on the date of the notice; includes information on posting of notice regarding the intent to redevelop as per Section 3 of the Rate of Change Guidelines; and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.
- 21. Provision of a final Tenant Relocation Report which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent, any other compensation); and includes a summary of all communication provided to the tenants.
- 22. Design development of replacement market rental housing units to meet the intent of the High Density Housing for Families with Children Guidelines (HDHFCG) and to improve livability.

Note to Applicant: The following items should be addressed at the time of development permit:

- (i) Room sizes: Second bedrooms appear to be on the small side, at approximately ~9' x 9.5' (~85 sq. ft.). *High Density Housing for Families with Children Guidelines* (HDHFCCG) specify that bedrooms should be able to accommodate a single bed, dresser and desk or table, as well as some floor space for playing in the children's bedrooms. Furniture layouts should reflect what living space is likely to be accommodated in these rooms.
 - (ii) Closets and storage: Design development of all replacement market rental units to provide an adequately-sized closet in each proposed bedroom, and bulk storage options for one-bedroom replacement market rental housing units. There are no bedroom closets shown in any units, strata or rental, but rental units may be especially challenged in trying to fit closets in. HDHFCCG give minimum dimensions for overall bulk storage (2.3 m² or 5.7 m³), *exclusive of* adequately-sized bedroom and linen closets. Bedrooms must include a closet.
 - (iii) Storage: Design development of units R1 and R2 to include adequate bedroom closets and bulk storage closets.
 - (iv) Horizontal angle of daylight: Main bedrooms in R4 appear to just meet the minimum for horizontal angle of daylight (and slightly better in R2 and R3). Staff encourages the applicant to seek improvements to daylight access, especially if other proposed layout changes negatively impact such access.
 - (v) Full baths: Applicant to consider using space taken up by a second full bath to improve the layout for the rest of the suite.
23. Design development of indoor and outdoor common amenity space to demonstrate the ability for the proposal to meet the common amenity needs of a family-oriented building, as per the *High Density Housing Guidelines for Families with Children*.

Note to Applicant: Applicant has proposed an indoor amenity room of 217 sq. ft. next to the ground floor lobby. As per the *High Density Housing for Families with Children Guidelines*, outdoor play areas suitable for use by children of a range of ages should be provided. Indoor amenity spaces function best at a minimum of 400 sq. ft., adjacent to an accessible washroom

with change table and, preferably, with direct access to exterior amenity space/children's play.

Engineering

24. Clarify garbage pick-up operations. Bins and totes are not to be pulled out onto the parkade ramp; storage location should consider access for waste haulers and ease of use for tenants and Owners. The space should either be at grade adjacent the lane or at the parking level where minimum grades serve to access the space. Note; 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.
25. Provision of City building grades and provision of design grades adjacent all entries (along the property lines) and both sides of all breakpoints on the parkade ramp including ramp lengths and percentage of grade.
26. 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) Modify the placement of the columns located on either side of the two small car parking spaces directly across from the elevator and vestibule.

Note to Applicant: The adjacent standard parking spaces will otherwise require an additional 8" stall width.

- (ii) Provision of improved access to the bicycle room located at the south west corner. As proposed, if a larger vehicle parks in the small car space, the door to the room may not be accessible.
- (iii) Co-ordinate the location of the parkade access for this site and with the proposed parkade access for 5030 - 5080 Quebec Street to ensure that there is no vehicle interlock between the operations of the 2 entry points.
- (iv) Provision of correctly sized disability parking spaces.
- (v) Provision of a minimum 8' 6" small car and 8' 10" standard car parking space width is required if it is adjacent a wall.

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 and to the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Chief Housing Officer and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 26 to 28, Block 4, DL 637, Plan 8768 to create a single parcel.
2. Provision of a 0.76 m (2'-6") wide surface statutory right-of-way (SRW) to accommodate a wider public realm and sidewalk along the Main Street frontage of the site. Removal of all fences, gates, benches etc. that encroach into the SRW area is required.
3. Provision of a 1.4 m wide statutory right-of-way (SRW) to accommodate public access along the northerly edge of the site.
4. Provision of a Services Agreement to detail the on-site 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) Provision of standard 2.1 m wide concrete sidewalk with saw cut joints on Main Street adjacent the site. Relocation of the existing fire hydrant on the Main Street frontage so that is not located within the future sidewalk is required. Note the sidewalk is to be located to achieve a 1.2 m front boulevard.
 - (ii) Provision of a 2.1 m wide concrete sidewalk with saw cut joints on 35th Avenue adjacent the site. Note the sidewalk is to be located such that its width is not compromised by the existing utility infrastructure located in the 35th Avenue boulevard.
 - (iii) Provision of a standard concrete lane crossing at the lane east of Quebec Street on the north side of 35th Avenue. Work is to include the reconstruction of both lane curb returns and installation of curb ramps to current standards.

- (iv) 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% of any water system upgrading that may be required.
 - (v) Provision of street trees adjacent the site where space permits.
5. 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) are 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 right-of-way. 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 services being underground.

Sustainability

6. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to a City-designated Neighbourhood Energy Utility, which may include but are not limited to agreements which:
- (i) Require buildings within the development to connect to the City-designated Neighbourhood Energy Utility at such time that a system becomes available.
 - (ii) Grant the operator of the City-designated Neighbourhood Energy Utility access to the building(s) mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy Utility connection and operation, on such terms and conditions as may be reasonably required by the Applicant.

- (iii) Provide for adequate and appropriate dedicated space to be utilized for an energy transfer station connecting the building(s) to the City-designated Neighbourhood Energy Utility.

Note to Applicant: Until a City-designated Neighbourhood Energy Utility provider has been identified the Owner will be prohibited from entering into any energy supply contract for thermal energy services, other than conventional electricity and natural gas services, unless otherwise approved by the General Manager of Engineering Services.

Soils

- 7. If applicable:
 - (i) Submit a site profile to the Environmental Protection Branch.
 - (ii) As required by the Manager of Environmental Planning 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.
 - (iii) If required by the Manager of Environmental Planning 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 Planning, the General Manager of Engineering Services 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(s) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Community Amenity Contribution (CAC)

- 8. Pay to the City in cash, the Community Amenity Contribution of \$565,000 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, and is allocated to the Affordable Housing Reserve Fund.

Housing

9. Make arrangements to the satisfaction of the Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing eight residential units as replacement market rental housing for the longer of 60 years and the life of the building, subject to the following additional conditions in respect of those units:
 - (i) That all such units will be contained within a separate air space parcel or be contained within a single strata lot at the discretion of the Chief Housing Officer and Director of Legal Services.
 - (ii) That such air space parcel may not be subdivided by deposit of a strata plan or that such strata lot may not be divided or subdivided, whether by amendment to strata plan or otherwise.
 - (iii) That no such units may be separately sold.
 - (iv) None of such units will be rented for less than one month at a time.
 - (v) A rent roll indicating the proposed initial monthly rents for each rental housing unit.
 - (vi) Compliance with the Tenant Relocation Plan attached to this report in Appendix E of the Policy Report dated February 17, 2015, entitled "CD-1 Rezoning - 5037, 5067 and 5087 Main Street".
 - (vii) Such other terms and conditions as the Chief Housing Officer and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

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, if after Public Hearing, Council approves in principle the rezoning described in A above, and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated February 17, 2015, entitled "CD-1 Rezoning - 5037, 5067 and 5087 Main Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment after the housing agreement has been agreed to and signed by the applicant and it's mortgage(s) prior to enactment of the CD-1 By-law contemplated by this report. Subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Chief Housing Officer.
- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and expenditure of funds or incurred 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

AMENDMENT MOVED by Councillor Carr

That the following be added as "D" at the end of the motion:

- D. THAT the applicant amend the Tenant Relocation Plan to offer at least one option to each current tenant at a rent comparable to their current rent.

LOST

(Councillors Deal, Jang, Louie, Meggs, Reimer, Stevenson, and Mayor Robertson opposed)
(Councillor De Genova absent due to conflict of interest)

The amendment having lost, the motion was put and CARRIED with Councillor Carr opposed and Councillor De Genova absent due to conflict of interest.

Councillor De Genova returned to the meeting at 7:27 pm.

3. TEXT AMENDMENT: Proposed Amendments to the Downtown Official Development Plan (DODP)

An application by the General Manager of Planning and Development Services was considered as follows:

Summary: To amend the DODP to implement objectives of the Downtown Eastside (DTES) Plan, West End Plan, Healthy City Strategy, and Housing and Homelessness Strategy. These changes include but are not limited to:

1. Substituting the term "social housing" for "low cost housing" and adding a definition for "secured market rental housing", which would apply to all sites within the DODP boundary;
2. Removing future residential uses and increasing commercial density in the Robson Village ('Area E'); and
3. Allowing for increased height and density to provide social housing and secured market rental housing in the Victory Square area ('Area C2').

Some of these changes were previously approved by Council in 2014, however residents living or working outside of the West End and DTES plan areas may not have been aware that they were also affected. The amendments are being considered by Council following an expanded community notification covering all of the DODP area.

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.

Council also had before it a memorandum dated March 19, 2015, from Kevin McNaney, Assistant Director, Vancouver Downtown Division, advising of a correction required in Appendix B of the Policy Report entitled "Proposed Amendments to the Downtown Official Development Plan (DODP) including new housing definitions applicable to all areas within the DODP and including amendments to implement the West End and Downtown Eastside plans", dated February 23, 2015. It was noted that Appendix A of the DODP Policy Report (which is the subject of the Public Hearing) and the draft By-law posted for this item included the correct text. Therefore, the memorandum was provided for clarification only, with no action required by Council.

Staff Opening Comments

Planning and Development Services staff presented the application and, along with Housing Policy staff, responded to questions.

Summary of Correspondence

The following correspondence regarding this application had been received since referral to public hearing and prior to the close of the speakers list and receipt of public comments:

Support:

- 6 emails and letters
- 159 form letters

Opposition:

- 45 emails and letters
- 1 petition with 573 signatures - unaudited (136 of the signatories included comments)
- 1 petition with 105 signatures - unaudited (18 of the signatories included comments)

Other:

- 11 emails and letters related to other matters
- 34 comment sheets and form letters received at the Public Open House held March 19, 2105
- 23 submissions received via Planning Department online form

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

Joan Seidl
Peter Elliott, Dean and Rector, Christ Church Cathedral
Karen O'Shannacery
David McLellan
Joanne Graham, 127 Society
Jim O'Dea

The following spoke in opposition to one or more aspects of the application. Many of these speakers expressed concerns regarding the proposed change to the definition of social housing:

Colleen McGuinness, Chair, Seniors' Advisory Committee
Gary Jarvis
Bryan Stewart
Hendrik Beune
Govind Preet Singh
John McCabe
Noy Leksinski
Jean Swanson, Carnegie Community Action Project
Britta Fluevog
Isabelle Minty
William O'Brien

John Yano
Fraser Doke
Doons
Jennifer O'Keeffe
Fern Jefferies
Harold Lavender
Jon Green
Kerry Corlett
Nicholas Chernan
Garth Mullins, Grandview Woodland Council
Tom Crean
Peter Ostafichuk
Jillian Skeet
Tracy Moir
Maria Teresa Palomino
Peter McCarthy
Alan Albert

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

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 for items 1 and 2.

CARRIED UNANIMOUSLY

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On March 24, 2015, during the hearing of speakers, Council recessed at 10 pm and reconvened on March 26, 2015 at 6:05 pm, with Mayor Robertson absent and Councillor Louie in the Chair.

* * * * *

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Carr

THAT this Council resolve itself into Committee of the Whole, Councillor Louie in the Chair, to consider proposed amendments to the Downtown Official Development Plan By-law.

CARRIED UNANIMOUSLY

Prior to the continuation of hearing from speakers, Planning and Development Services and Housing Policy staff responded to questions.

The speakers list and receipt of public comments closed at 9:15 pm.

Planning and Development Services staff provided closing comments and responded to questions.

Council Decision

MOVED by Councillor Reimer

- A. THAT noting the amendments to the Downtown Official Development Plan by By-law 10865 made by Council as part of the implementation of the West End Plan which have been quashed by BC Supreme Court ruling, the subsequent amendments to the Downtown Official Development Plan by By-law 10929 made by Council as part of the implementation of the Downtown Eastside Plan, now be repealed.
- B. THAT the application to amend the Downtown Official Development Plan to advance the objectives of the West End and Downtown Eastside plans, as described in the Policy Report dated February 23, 2015, entitled "Proposed Amendments to the Downtown Official Development Plan (DODP) including new housing definitions applicable to all areas within the DODP and including amendments to implement the West End and Downtown Eastside plans", be approved with the following amendments:

(in section 3.a. under definitions) "Social Housing" means rental housing:

- (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, which may include households such as those that receive Income Assistance or rent supplements or basic Old Age Security pension and Guaranteed Income Supplement or War Veterans Allowance;

- (b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and
- (c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city, registered against the freehold or leasehold title, with such priority of registration as the city may require, provided that such housing commitments must meet subsection (a) and, if financially viable, may exceed subsection (a) in order to address local needs;

amended

* * * * *

On March 26, 2015, at 9:45 pm, it was

MOVED by Councillor Stevenson

THAT the length of the meeting be extended beyond 10 pm, to complete the business on the agenda.

CARRIED UNANIMOUSLY

Council recessed at 9:45 pm and reconvened at 10 pm.

* * * * *

AMENDMENT MOVED by Councillor De Genova

THAT part B.(a) of the motion be amended to insert the words "or disability assistance" before the words "or War Veterans Allowance", to read as follows:

- (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, which may include households such as those that receive Income Assistance or rent supplements or basic Old Age Security pension and Guaranteed Income Supplement *or disability assistance* or War Veterans Allowance;

CARRIED UNANIMOUSLY

The amendment having carried, the motion was put and CARRIED with Councillors Affleck, Ball, Carr and De Genova opposed.

FINAL MOTION AS ADOPTED

- A. THAT noting the amendments to the Downtown Official Development Plan by By-law 10865 made by Council as part of the implementation of the West End Plan which have been quashed by BC Supreme Court ruling, the subsequent amendments to the Downtown Official Development Plan by By-law 10929 made by Council as part of the implementation of the Downtown Eastside Plan, now be repealed.
- B. THAT the application to amend the Downtown Official Development Plan to advance the objectives of the West End and Downtown Eastside plans, as described in the Policy Report dated February 23, 2015, entitled "Proposed Amendments to the Downtown Official Development Plan (DODP) including new housing definitions applicable to all areas within the DODP and including amendments to implement the West End and Downtown Eastside plans", be approved with the following amendments:

(in section 3.a. under definitions) "Social Housing" means rental housing:

- (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current "Housing Income Limits" table published by the British Columbia Housing Management Commission, or equivalent publication, which may include households such as those that receive Income Assistance or rent supplements or basic Old Age Security pension and Guaranteed Income Supplement or disability assistance or War Veterans Allowance;
- (b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and
- (c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city, registered against the freehold or leasehold title, with such priority of registration as the city may require, provided that such housing commitments must meet subsection (a) and, if financially viable, may exceed subsection (a) in order to address local needs;

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

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

BY-LAWS

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Council enact the by-law before them for this meeting as number 1 and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. **A By-law to amend Downtown Official Development Plan By-law No. 4912 (By-law No. 11188)**

Note: This by-law reflects the changes adopted by Council when approving Item 3 above.

[Link to By-law](#)

ADJOURNMENT

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

On March 26, 2015, the Public Hearing adjourned at 10:30 pm.

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