



PUBLIC HEARING MINUTES

JANUARY 15 AND 17, 2019

A Public Hearing of the City of Vancouver was held on Tuesday, January 15, 2019, at 6:04 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting reconvened on Thursday, January 17, 2019, at 6:05 pm.

PRESENT: Mayor Kennedy Stewart
Councillor Rebecca Bligh
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Melissa De Genova
Councillor Lisa Dominato* (Leave of absence for January 17, 2019)
Councillor Pete Fry
Councillor Colleen Hardwick
Councillor Sarah Kirby-Yung*
Councillor Jean Swanson
Councillor Michael Wiebe

CITY MANAGER'S OFFICE: Sadhu Johnston, City Manager (January 15, 2019)
Paul Mochrie, Deputy City Manager (January 17, 2019)

CITY CLERK'S OFFICE: Katrina Leckovic, City Clerk (January 15, 2019)
Rosemary Hagiwara, Deputy City Clerk (January 17, 2019)
Nicole Ludwig, Meeting Coordinator

WELCOME

The Mayor acknowledged we are on the unceded territories of the Musqueam, Squamish, and Tsleil-Waututh Nations and we thank them for having cared for this land since time immemorial.

COMMITTEE OF THE WHOLE

The Mayor reminded Council that, based on advice from the City Clerk, it is not necessary for Council to sit as Committee of the Whole during a Public Hearing; however, in order to comply with the Procedure By-law, a motion to go into Committee of the Whole should be put to a vote and failed by Council.

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT this Council resolve itself into Committee of the Whole, Mayor Stewart in the Chair, to consider proposed amendments to the Zoning and Development and Heritage by-laws.

LOST

(Councillors Bligh, Boyle, Carr, De Genova, Dominato, Fry, Hardwick, Kirby-Yung, Swanson, Wiebe and Mayor Stewart opposed)

Karen Hoese, Assistant Director of Planning, Rezoning Centre, provided an overview of the items on the agenda and responded to questions.

1. TEXT AMENDMENTS: Miscellaneous Amendments – Zoning and Development, Downtown Eastside/Oppenheimer Official Development Plan and Sign By-laws

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To make miscellaneous amendments to the Zoning and Development By-law, the Downtown Eastside/Oppenheimer Official Development Plan By-law and the Sign By-law in order to improve clarity, update terminology or address inadvertent errors or omissions, and to better streamline the development review process. Among the amendments are corrections to section references and the addition of site-specific sign regulations for 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street (Vancouver House), for 1229-1281 Hornby Street (Burrard Gateway), and for 1133-1155 Melville Street.

Summary of Correspondence

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list.

Speakers

Mayor Stewart called for speakers for and against the application and none were present. The speakers list and receipt of public comments closed at 6:17 pm on January 15, 2019.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor De Genova

- A. THAT Council approve the application to amend the Zoning and Development By-law, generally as presented in Appendix A of the Policy Report dated November 20, 2018, entitled "Miscellaneous Amendments - Zoning and Development, Downtown Eastside/Oppenheimer Official Development Plan and Sign By laws", to:
- (i) amend Section 2 to move the definition of Plaza to be under the definition of Cultural and Recreational Uses;
 - (ii) amend Section 3.2.7 to correct an error in grammar;
 - (iii) amend Sections 3.2.10 (c) and 5.18 and repeal the RS-4 District Schedule as there are no longer any sites zoned RS-4;

- (iv) amend the list of District Schedules found in the Zoning and Development By-law in Section 9.1 to add the I-4 District and to delete the RS-4 District, as there are no longer any sites zoned RS-4;
- (v) amend Section 10.33.2 to make calculated floor area exclusions for exterior wall thickness more consistent with Section 10.33.1;
- (vi) amend Section 5.2 of the RT-4, RT-4A, RT-4N and RT-4AN, RT-5 and RT-5N, RT-6, RT-7, RT-8, RT-9 and RT-10 and RT-10N Districts Schedules to fix an incorrect Parking By-law section reference;
- (vii) amend Section 4.7.1(c) of the RT-5 and RT-5N and 4.7.1 of the RT-6 Districts Schedules to add Senior's Supportive or Assistive Housing to be eligible for 0.75 conditional FSR which was inadvertently omitted;
- (viii) amend Section 4.7.6 (f) (ii) of the RT-5 and RT-5N Districts Schedule to fix an incorrect section reference;
- (ix) amend Section 4.7.3 (d)(iii) of the RT-10 and RT-10N Districts Schedule to fix an incorrect section reference;
- (x) amend Sections 5.1 and 5.2 of the RM-3 District Schedule to remove a reference to the Development Permit Board that was inadvertently missed in amending by-law 12284;
- (xi) amend the title of the RM-7, RM-7N and RM-7AN Districts Schedule to correct an error in grammar;
- (xii) amend Section 3.2.S [Service] of the RM-10 and RM-10N and FC-2 District Schedules to add Short Term Rental Accommodation as a conditional use after it was inadvertently omitted;
- (xiii) amend Section 3.2C (Cultural and Recreational) of the RM-11 and RM-11N and the RM-12N District Schedules to add Plaza as a conditional use that was inadvertently omitted;
- (xiv) amend Section 4.7.9 of the RM-12N District Schedule to add Plaza to the list of amenities for the purpose of the District Schedule that was inadvertently omitted;
- (xv) amend Section 4.4.1, 4.5.1 and 4.6.1 of the RM-11 and RM-11N Districts Schedule to clarify that yard setbacks are to be measured from the ultimate property line;
- (xvi) amend Section 4.4.1 and 4.5.1 of the RM-12N District Schedule to clarify that yard setbacks are to be measured from the ultimate property line;
- (xvii) amend Section 4.7.3 of the RM-12N District Schedule to correct an error in grammar;
- (xviii) amend Section 5.1 of the RM-12N District Schedule to fix an error in numbering;

- (xix) amends Sections 5.4, 5.5 and 5.6 of the HA-1 and HA-1A Districts Schedule to correct an error in numbering;
 - (xx) amend Section 5.5 (c) of the HA-1 and HA-1A Districts Schedule to fix an incorrect section reference;
 - (xxi) amend Section 3.2.R of the HA-3 District Schedule to correct an error in grammar.
- B. THAT Council approve the application to amend the Downtown Eastside/Oppenheimer Official Development Plan By-law, generally as presented in Appendix B of the Policy Report dated November 20, 2018, entitled "Miscellaneous Amendments - Zoning and Development, Downtown Eastside/Oppenheimer Official Development Plan and Sign By laws", to:
- (i) amend the Preamble to correct an error in grammar; and
 - (ii) amend Sections 4.5.1 (b)(i), 4.5.2, 5.5.2, 6.5.2 and 7.5.2 to correct incorrect section references.
- C. THAT Council approve application to amend the Sign By-law, generally as presented in Appendix C of the Policy Report dated November 20, 2018, entitled "Miscellaneous Amendments - Zoning and Development, Downtown Eastside/Oppenheimer Official Development Plan and Sign By laws", to:
- (i) amend Section 9.25 to add site-specific sign regulations for 1133-1155 Melville Street, that was inadvertently omitted, to be enacted at the same time that the CD-1 By-law for the site is brought forward to Council for enactment.
- D. THAT Council approve the application to amend the Sign By-law, generally as presented in Appendix D of the Policy Report dated November 20, 2018, entitled "Miscellaneous Amendments - Zoning and Development, Downtown Eastside/Oppenheimer Official Development Plan and Sign By laws", to:
- (i) amend Section 13.15 to correct an error in grammar; and
 - (ii) amend Section 9.25 to add site-specific sign regulations for 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street (Vancouver House), and 1229-1281 Hornby Street (Burrard Gateway), that were inadvertently omitted.

CARRIED UNANIMOUSLY (Vote No. 03791)

2. HERITAGE DESIGNATION: 1290 Homer Street (MacPherson and Teetzel Co. Building)

At 6:20 pm, Councillor Fry declared conflict of interest on this application as he has a family member who works for the applicant. He left the room and did not return until the conclusion of the vote on this item.

An application by Acton Ostry Architects Inc. was considered as follows:

Summary: To designate as protected heritage property the exterior of 1290 Homer Street, which is listed on the Vancouver Heritage Register in the 'C' evaluation category.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list.

Speakers

Mayor Stewart called for speakers for and against the application and none were present. The speakers list and receipt of public comments closed at 6:23 pm on January 15, 2019.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate as protected heritage property the exterior of the existing building at *1290 Homer Street (PID: 012-842-079; Lot 14, Block 76, District Lot 541, Plan 3469* (the "site")), known as the MacPherson and Teetzel Co. Building (the "heritage building"), which is listed on the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT A above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution 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 (Vote No. 03792)

3. HERITAGE DESIGNATION: 1860 Barclay Street (Mason Residence)

An application by Merrick Architecture was considered as follows:

Summary: To add the existing heritage building at 1860 Barclay Street (Mason Residence) to the Vancouver Heritage Register in the 'B' evaluation category. This will include rehabilitation and conversion to two residential units and construction of a new six-storey infill building at the rear of the site containing five residential units.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to approval of conditions set out in the summary and recommendation of the Public Hearing Agenda.

Summary of Correspondence

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

- One letter opposed.

Staff Opening Comments

Zlatan Jankovic, Senior Heritage Planner, introduced the application and noted that the name of the applicant on the summary and recommendation for this item should read "Merrick Architecture".

Speakers

Mayor Stewart called for speakers for and against the application and none were present. The speakers list and receipt of public comments closed at 6:30 pm on January 15, 2019.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Kirby-Yung

- A. THAT Council add the existing building at 1860 Barclay Street (*PID: 006-680-992, The West ½ of Lot 5 Block 68, District Lot 185, Plan 92 (the "site")*) known as the Mason Residence (the "heritage building") to 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 Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the exterior and the structure of the heritage building as protected heritage property.
- C. THAT A and B above be adopted on the following conditions:

- (i) THAT the passage of the above resolution 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 (Vote No. 03793)

4. CD-1 AMENDMENTS: 2130-2288 Harrison Drive (Replacement Seniors Housing at 2230 Harrison Drive)

An application by DYS Architecture was considered as follows:

Summary: To amend CD-1 (13A) District to create sub-areas for each of the three properties in the district and to allow redevelopment on the middle property (2230 Harrison Drive) for a new six-storey building containing 72 units of social housing for seniors, at a height of 21.4 metres (70 feet) and a floor space ratio (FSR) of 1.92. No changes to the other properties are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing Agenda.

Summary of Correspondence

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

- one letter and 176 form letters in support
- five letters opposed.

Staff Opening Comments

Thien Phan, Rezoning Centre, presented the application, and along with Abi Bond, Director of Affordable Housing, Yardley McNeill, Senior Planner, Susan Chang, Development Planner, and John Turecki, Engineering Services, responded to questions.

Applicant Comments

Aki Litunen, Finnish Canadian Rest Association, presented the application, and along with Dane Jansen, DYS Architecture, responded to questions.

Speakers

Mayor Stewart called for speakers for and against the application.

The following spoke in support of the application:

Stuart Smith, Abundant Housing Vancouver
Peter Waldkirch
Paul Juoksu
Ryan McLaughlin
Riku Tupperainen

The following spoke generally in opposition to the application, noting concerns with traffic, parking and fit with the area:

Dave Ma
Jackie Mattu

The speakers list and receipt of public comments closed at 7:52 pm on January 15, 2019.

Applicant Closing Comments

Aki Litunen thanked Council and responded to concerns raised by the speakers.

Staff Closing Comments

Karen Hoese, Assistant Director of Planning, Rezoning Centre, and Yardley McNeill, Senior Planner, Rezoning Centre, Susan Chang, Development Planner, John Turecki, Engineering Services, Thien Phan, Rezoning Centre, and the City Manager responded to questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

- A. THAT the application by DYS Architecture, on behalf of The Finnish Canadian Rest Association, the registered owner, to amend CD-1 (Comprehensive Development) District 13A of the Zoning and Development By-law with regard to 2130-2288 Harrison Drive [*Lot B, Block 23, Fraserview Plan 20067, Lots 12, 13, 14, and 15 all of Block 23, Fraserview Plan 8574 and Lots F and G, all of Block 24, Fraserview Plan LMP7749, PIDs: 006-862-632, 010-041-842, 010-041-851, 010-041-877, 010-041-885, 018-035-361 and 018-035-370, respectively*], generally as presented in in Appendix A of the Policy Report dated October 30, 2018, entitled "CD-1 Amendments: 2130-2288 Harrison Drive (Replacement Seniors Housing at 2230 Harrison Drive)" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by DYS Architecture and received on

May 10, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy Report.

- B. THAT, subject to enactment of the amending by-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law to include CD-1 (13A) District and to provide parking regulations generally as set out in Appendix C of the Policy Report dated October 30, 2018, entitled "CD-1 Amendments: 2130-2288 Harrison Drive (Replacement Seniors Housing at 2230 Harrison Drive)".
- C. THAT the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the amending 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 General Manager of Arts, Culture and Community Services.
- D. THAT A through C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolution 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 (Vote No. 03794)

* * * * *

MOVED by Councillor De Genova
SECONDED by Councillor Carr

THAT Council take a brief recess.

CARRIED UNANIMOUSLY

Council recessed at 8:45 pm and reconvened at 8:56 pm on January 15, 2019.

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5. REZONING: 3532 East Hastings Street

An application by Gair Williamson Architects was considered as follows:

Summary: To rezone 3532 East Hastings Street from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey mixed-use building, with commercial at grade and 34 secured for-profit affordable rental housing units, over one level of underground parking. A height of 22.0 metres (72 feet) and a floor space ratio (FSR) of 3.97 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

No correspondence had been received since referral to public hearing and prior to the close of the speakers list.

Staff Opening Comments

Michelle Yip, Rezoning Centre, and Abi Bond, Director of Affordable Housing, presented the application and along with Dan Garrison, Assistant Director, Policy and Regulation, Housing Policy, Yardley McNeill, Senior Planner, and Paul Cheng, Urban Design, responded to questions.

Applicant Comments

Chris Knight, Gustavson Wylie Architects, explained the process of getting the project before Council, noted there were two open houses where concerns seemed to be mainly about parking and people were mostly supportive.

Speakers

Mayor Stewart called for speakers for and against the application.

The following spoke generally in opposition to the application, expressing concerns with the cost of rents in the new building and tenant displacement:

Sara Sagai, Vancouver Tenants Union
Jennifer Bagia

Craig Jorgensen, but suggested Council take a careful approach to protect existing affordable rental housing.

*MOVED by Councillor Wiebe
SECONDED by Councillor Dominato*

THAT the length of the meeting be extended until 11 pm.

*CARRIED UNANIMOUSLY
AND BY THE REQUIRED MAJORITY*

* * * * *

The speakers list and receipt of public comments closed at 10:15 pm on January 15, 2019.

Applicant Closing Comments

The applicant responded to questions.

Staff Closing Comments

Abi Bond, Director of Affordable Housing, provided Council possible outcomes if the application is rejected, and along with Dan Garrison, Assistant Director, Regulation and Housing, Housing Policy, responded to questions and concerns from Council and the speakers.

Council agreed to conclude this item on Thursday, January 17, 2019, and in the interim directed staff to discuss other options with the applicant. The City Manager noted staff would present the outcomes of those discussions at the start of the meeting on January 17, 2019.

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*MOVED by Councillor Bligh
SECONDED by Councillor Carr*

THAT the Public Hearing recess until 6 pm on Thursday, January 17, 2019.

CARRIED UNANIMOUSLY

*The Public Hearing recessed at 10:35 pm on January 15, 2019, and reconvened at 6:05 pm on
January 17, 2019.*

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On January 17, 2019, Abi Bond, Director of Affordable Housing, provided an update on the consultation with the applicant, and along with Dan Garrison, Assistant Director of Housing Policy, Paul Cheng, Development Services, and Yardley McNeill, Senior Planner, responded to questions.

The applicant noted the owner is working with the current tenants to allow them to stay as long as possible and that the owner had applied for the Medium-Income Rental Property (MIRP) pilot program but was not selected.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

- A. THAT the application, by Gair Williamson Architects on behalf of 1077750 B.C. Ltd., to rezone 3532 East Hastings Street [*Lots 6 and 7, Both Except Part in Plan 4299, Block 62 Town Of Hastings Suburban Lands Plan 2269; PIDs: 013-325-043 and 013 325-078 respectively*] from C-2C1 (Commercial) District to CD 1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.00 to 3.97 and the building height from 13.80 m (45.30 ft.) to 22.01 m (72.22 ft.) to permit the development of a six-storey mixed-use building with commercial at grade and 34 for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated October 30, 2018, entitled “CD-1 Rezoning: 3532 East Hastings Street” be approved in principle;
FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Gair Williamson Architects and received on November 17, 2017, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;
- FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy Report.
- B. THAT the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.
- C. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated October 30, 2018, entitled “CD-1 Rezoning: 3532 East Hastings Street”, be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 30, 2018, entitled “CD-1 Rezoning: 3532 East Hastings Street”.
- E. THAT A through D 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 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

POSTPONEMENT MOVED by Councillor Swanson

THAT rezoning for this site be postponed until staff has an opportunity to negotiate with the owner for current tenants to return to the new place at same rent they pay now, and for vacancy control in new units.

not put

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At 7:02 pm it was

*MOVED by Councillor De Genova
SECONDED by Councillor Carr*

THAT the Council take a brief recess.

CARRIED UNANIMOUSLY

Council recessed at 7:02 pm and reconvened at 7:11 pm on January 17, 2019.

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Mayor Stewart ruled the postponement out of order, as postponing the decision on the application as requested would result in a new application, resetting the entire rezoning process, and is normally not proper.

The Deputy City Manager provided clarifying remarks on the difference between policy and by-laws, and suggested it is inadvisable to make up policy without thorough work being done on it beforehand.

The postponement having been ruled out of order, the motion was put and CARRIED with Councillors Boyle and Swanson opposed, Councillor Fry abstaining from the vote, and Councillor Dominato on Leave of Absence (Vote No. 03820)

Section 145.1 of the Vancouver Charter states "Where a member present at a meeting abstains from voting, they are deemed to have voted in the affirmative."

6. REZONING: 3435 East Hastings Street

An application by Cornerstone Architecture was considered as follows:

Summary: To rezone 3435 East Hastings Street from C-2C1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building, with commercial at grade, and 45 secured for profit affordable rental housing units over one level of underground parking. A height of 22.6 metres (74 feet) and a floor space ratio (FSR) of 3.18 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

No correspondence had been received since referral to public hearing and prior to the close of the speakers list.

Staff Opening Comments

Derek Robinson, Planning, Urban Design and Sustainability, presented the application and along with Abi Bond, Director of Affordable Housing, Susan Chang, Development Services, and Yardley McNeill, Senior Planner, responded to questions.

Applicant Comments

Gesa Zellermann, Cornerstone Architecture, provided additional information on the application and the open houses held for the public, and responded to questions.

Speakers

Mayor Stewart called for speakers for and against the application.

Stuart Smith, Abundant Housing Vancouver, spoke in support of the application.

The speakers list and receipt of public comments closed at 8:15 pm on January 17, 2019.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Bligh

- A. THAT the application, by Cornerstone Architecture on behalf of 51561 B.C. Ltd. (Steiner Properties Ltd.), to rezone *3435 East Hastings Street [PID: 014-686-155, Lot A Of The South 1/2 Of Lot 48 Town Of Hastings Suburban Lands Plan*

22411] from C-2C1 (Commercial) District to CD 1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.00 to 3.18 and the building height from 13.8 m (45.3 ft.) to 22.6 m (74.0 ft.) to permit the development of a six-storey mixed-use building with commercial at grade and 45 for-profit affordable rental housing units, generally as presented in Appendix A of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 3435 East Hastings Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Cornerstone Architecture and received on February 7, 2018, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted Policy Report.

- B. THAT the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.
- C. THAT, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 3435 East Hastings Street", be approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 3435 East Hastings Street".
- E. THAT A through D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED (Vote No. 03821)
(Councillor Swanson opposed)
(Councillor Dominato on Leave of Absence)

* * * * *

*MOVED by Councillor De Genova
SECONDED by Councillor Carr*

THAT the Public Hearing take a short recess.

*CARRIED UNANIMOUSLY
(Councillor Dominato on Leave of Absence)*

Council recessed at 8:27 pm and reconvened at 8:37 pm.

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7. REZONING: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue

An application by Rostich Hemphill Architects was considered as follows:

Summary: To rezone a site located at 2542-2570 Garden Drive and 2309-2369 East 10th Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey strata-titled residential building containing 68 units over two levels of underground parking. The site is located in the Commercial-Broadway Station Precinct sub-area of the *Grandview Woodland Community Plan*. A height of 20.8 metres (68 feet) and a floor space ratio (FSR) of 2.65 are proposed.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to conditions set out in the summary and recommendation of the Public Hearing agenda.

Summary of Correspondence

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

- six letters in support, and
- 16 letters opposed.

Staff Opening Comments

Mateja Seaton, Rezoning Centre, presented the application, and along with Gil Kelley, General Manager of Planning, Urban Design and Sustainability, Grace Jiang, Development Planner, Yardley McNeill, Senior Planner, Rezoning Centre, and Andrew Pask, Community Planning, responded to questions.

Speakers

Mayor Stewart called for speakers for and against the application.

The following spoke in support of the application:

Rebecca Hartley
Devon Hussack
Craig Jorgensen

The following spoke in general opposition to the application, noting concerns with the size, lack of community input, and traffic in the area:

Gisla Beckman
Jane Henry
Franco Ferrari
Graham Laity
Roger Wong Moon
Glen Sherman
Sam Laity
Frances Pickett

The speakers list and receipt of public comments closed at 10:33 pm on January 17, 2019.

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During the hearing of speakers at 9:46 pm, it was

*MOVED by Councillor Fry
SECONDED by Councillor Bligh*

THAT the length of the meeting be extended to conclude hearing from speakers and closing remarks by the applicant.

*CARRIED UNANIMOUSLY
AND BY THE REQUIRED MAJORITY*

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Applicant Closing Comments

Bryce Rositch, Rositch Hemphill, responded to concerns raised by the speakers and responded to questions.

Council Decision

REFERRAL MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

THAT Council refer debate and decision to the Regular Council meeting on January 29, 2019, as Unfinished Business.

CARRIED UNANIMOUSLY (Vote No. 03822)
(Councillors Dominato and Kirby-Yung absent for the vote)

ADJOURNMENT

MOVED by Councillor Bligh
SECONDED by Councillor Fry

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:39 pm.

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