



PUBLIC HEARING MINUTES

JANUARY 21 AND 28, 2020

A Public Hearing of the City of Vancouver was held on Tuesday, January 21, 2020, at 6:07 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting reconvened on Tuesday, January 28, 2020, at 3:06 pm.

PRESENT:

- Mayor Kennedy Stewart
- Councillor Rebecca Bligh*
- Councillor Christine Boyle*
- Councillor Adriane Carr
- Councillor Melissa De Genova*
- Councillor Lisa Dominato
- Councillor Pete Fry
- Councillor Colleen Hardwick*
- Councillor Sarah Kirby-Yung
- Councillor Jean Swanson*
- Councillor Michael Wiebe*

CITY MANAGER'S OFFICE: Sadhu Johnston, City Manager

CITY CLERK'S OFFICE: Rosemary Hagiwara, Deputy City Clerk
Tina Hildebrandt, Meeting Coordinator

* Denotes absence for a portion of the meeting.

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 and look forward to working with them in partnership as we continue to build this great city together.

The Mayor also recognized the immense contributions of the City of Vancouver's staff who work hard every day to help make our city an incredible place to live, work, and play.

1. TEXT AMENDMENT: Miscellaneous Amendments: Zoning and Development By-law and Sign Fee By-law

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

Summary: To make miscellaneous amendments to the Zoning and Development By-law and the Sign Fee By-law to improve clarity, update references and correct inadvertent errors or omissions.

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 and receipt of public comments:

- 2 pieces of correspondence in opposition.

Staff Opening Comments

Planning, Urban Design and Sustainability staff responded to questions.

Speakers

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

The speakers list and receipt of public comments closed on January 21, 2020, at 6:17 pm.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Bligh

- A. THAT Council approve the application to amend the Zoning and Development By-law generally as presented in Appendix A of the Referral Report dated November 13, 2019, entitled "Miscellaneous Amendments - Zoning and Development By-law and Sign Fee By-law", to:
 - (i) remove Section 4.17.1 of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D and RM-6 District Schedules based on superceding policies in the West End Community Plan for infill housing and lane activation;
 - (ii) amend section 3.2.1(h) to give the Director of Planning the discretion to relax dwelling unit density regulations in district schedules for Low Operational Cost Housing where, due to conditions peculiar either to the site or the proposed development, literal enforcement would result in unnecessary hardship; and
 - (iii) make various housekeeping amendments to correct section references, to correct typographical, grammatical and formatting errors, to correct errors and omissions to the HA-1 and HA-1A districts schedule when an outdated version of the districts schedule was used, to update a map with current street reference and property lines, and to amend certain sections that were inadvertently missed when the consequential updates to section 10 and 11 references were enacted by Council in July 2019.

- B. THAT Council approve the application to amend the Sign Fee By-law, generally as presented in Appendix B of the Referral Report dated November 13, 2019, entitled "Miscellaneous Amendments - Zoning and Development By-law and Sign Fee By-law", to correct an omission by including an additional reference.

CARRIED UNANIMOUSLY (Vote No. 05439)
(Councillor Hardwick abstained from the vote)

2. TEXT AMENDMENT: CD-1 (719) 188 East 6th Avenue (formerly 2221-2223 Main Street)

An application by Catalyst Community Development Society was considered as follows:

Summary: To amend CD-1 (719) (Comprehensive Development) District By-law for 188 East 6th Avenue (formerly 2221-2223 Main Street) to permit the addition of a social service centre (the Mid-Main Community Health Clinic) as well as a structural change to the roof slab. An increase in the maximum building height by 0.14 metres (0.5 feet) to 30.94 m and an increase in floor space ratio (FSR) of 0.13 to 3.43 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 was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

Speakers

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

The speakers list and receipt of public comments closed on January 21, 2020, at 6:20 pm.

Council Decision

MOVED by Councillor Fry
SECONDED by Councillor Carr

THAT the application by Catalyst Community Development Society, on behalf of the City of Vancouver, to amend the text of CD-1 (Comprehensive Development) District (719) By-law No. 12304 for 188 East 6th Avenue [*PID 030-594-456 and PID 030-594-464, Lot 1 and Lot 2 Block 37 District Lot 200A Group 1 New Westminster District Plan EPP82953*], to increase the floor space ratio (FSR) in sub-area 1 from 3.30 to 3.43 and to increase the maximum building height in sub-area 1 from 30.80 m (101.0 ft.) to 30.94 m (101.5 ft.) to permit the addition of a social service centre and a structural change to the roof slab, generally as presented in Appendix A of the Referral Report

dated November 26, 2019, entitled "CD-1 (719) Text Amendment: 188 East 6th Avenue (formerly 2221-2223 Main Street)", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Rositch Hemphill Architects and received on August 20 2019, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted referral report.

CARRIED UNANIMOUSLY (Vote No. 05440)
(Councillor De Genova absent for the vote)

3. REZONING: 1956-1990 Stainsbury Avenue

An application by Carscadden Stokes McDonald Architects Inc. was considered as follows:

Summary: To rezone 1956-1990 Stainsbury Avenue (including a portion of a City laneway) from RS-1A (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the development of a five-storey residential building, with 80 secured rental housing units with 20 per cent of the residential floor area being secured as moderate income units. A building height of 18 metres (59.2 feet) and a floor space ratio (FSR) of 2.67 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 and receipt of public comments:

- 14 pieces of correspondence in support;
- 22 pieces of correspondence in opposition; and
- 5 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

Planning Urban Design and Sustainability staff reviewed the application and, along with the City Manager and Engineering Services staff, responded to questions.

Applicant Comments

Ian MacDonald, Carscadden Stokes McDonald Architects, and Talib Jiwani, Owner, Syncrocap, provided opening comments and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Nathan Davidowicz

The following spoke in opposition to the application:

- Tony Correia
- Raquel Mesquita
- Dylan Groven
- Joel Melanson
- Jarrod Tiffin
- Anna Strada

The speakers list and receipt of public comments closed on January 21, 2020, at 8:17 pm.

Staff Closing Comments

Planning Urban Design and Sustainability staff provided closing comments and, along with Engineering Services staff, responded to additional questions.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor De Genova

- A. THAT the application by Carscadden Stokes McDonald Architects Inc., on behalf of 1196908 B.C. Ltd. and of 0997647 B.C. Ltd., a company related to 1196908 B.C. Ltd. who is the optionee under options to purchase granted by the registered owners Ai Zhu Quong and Wah Cheong Quong, Jack Jin Yow Wong and Lily Sheung Wong, May Nody Chan and Gok Gee Chan, and Antonios Tsigounis, of the lands and premises located at 1956-1990 Stainsbury Avenue [Lots A, B, C and D, all of Block D, West part of District Lot 743, Plan 10571; PID 009-373-292, 009-373-357, 009-373-489 and 002-718-642 respectively] to rezone such lands (including a portion of a City laneway) from RS-1A (single-family dwelling) District to a new CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 2.67 and building height from 10.7 m (35.1 ft.) to 18.0 m (59.2 ft.) to permit the development of a five-storey residential building with 80 secured rental housing units, of which 20 per cent of the residential floor area will be secured as moderate income rental housing units, under the *Moderate Income Rental Housing Pilot Program*, generally as presented in Appendix A of the Referral Report dated November 26, 2019, entitled "CD-1 Rezoning: 1956-1990 Stainsbury Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Carscadden Stokes McDonald Architects Inc. and received on March 15, 2019, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted referral report.

- B. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report, dated November 26, 2019, entitled "CD-1 Rezoning: 1956-1990 Stainsbury Avenue", 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 Planning, Urban Design and Sustainability.
- C. 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 Subdivision By-law, generally as set out in Appendix C of the Referral Report dated November 26, 2019, entitled "CD-1 Rezoning: 1956-1990 Stainsbury Avenue".
- D. THAT A through C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs 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

AMENDMENT MOVED by Councilor Fry

THAT B of the motion be amended to add the following:

FURTHER THAT staff and the Director of Legal Services be instructed to prepare recommendations to allocate the market value proceeds from the sale of the laneway for options other than the Property Endowment Fund, specifically to address the under-delivery of amenities, place making or traffic calming commensurate to new development in the immediate local area, including but not limited to neighbourhood participatory budgeting or other considerations, as determined through neighbourhood-based planning.

not put

The Mayor ruled Councillor Fry's amendment out of order as the sale of the laneway is separate from the public hearing process on this application.

The amendment having been ruled out of order, the motion was put and CARRIED (Vote No. 05441) with Councillor Hardwick opposed.

4. REZONING: 3600 East Hastings Street

An application by PCI Development Corporation was considered as follows:

Summary: To rezone 3600 East Hastings Street from C-2C (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a 14-storey mixed-use building with commercial uses at grade and 94 secured rental housing units, with 20 per cent of the residential floor area being secured as moderate income units. A building height of 46.6 metres (152.9 feet) and a floor space ratio (FSR) of 7.14 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 and receipt of public comments:

- 56 pieces of correspondence in support;
- 14 pieces of correspondence in opposition; and
- 3 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application.

Applicant Comments

Tim Grant, PCI Developments, provided opening comments and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

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At 9:56 pm, during the hearing of speakers, it was

MOVED by Councillor Carr

SECONDED by Councillor De Genova

THAT the meeting be extended to complete hearing from speakers on Item 4.

CARRIED AND

BY THE REQUIRED MAJORITY (Vote No. 05442)

(Councillors Boyle and Hardwick opposed)

(Councillors Bligh and De Genova abstained from the vote)

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The following spoke in support of the application:

- Tom Beasley
- Rebecca Hartley
- Chris Karu
- Vicki Donoghue
- Devon Hussack
- Ailsa Brown
- Rory Hunt
- Patricia Barnes
- Charlie Speers

The following spoke in opposition of the application:

- Gabriel Hasselbach
- Jeanette Jones
- Sandra Murphy
- Ali Ansari

The speakers list and receipt of public comments closed on January 21, 2020, at 10:59 pm.

MOVED by Councillor Carr

SECONDED by Councillor Dominato

THAT the meeting be recessed.

CARRIED UNANIMOUSLY

(Councillors Bligh, Boyle, De Genova, Hardwick and Swanson absent for the vote)

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*On January 21, 2020, Council recessed at 11 pm, and on
January 28, 2020, reconvened at 3:06 pm.*

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Staff Closing Comments

The City Manager, along with Planning, Urban Design and Sustainability, and Engineering Services staff, responded to questions.

Council Decision

Prior to the vote on Item 4, Councillors Bligh, Boyle, De Genova, Hardwick and Swanson all advised that they had reviewed the proceedings of the public hearing portion that they had missed on January 21, 2020, and would be voting on the application.

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

- A. THAT the application by PCI Development Corporation, on behalf of 3600 East Hastings Holdings Corp., to rezone 3600 East Hastings Street [*Lot A of Lot 63, Town of Hastings, Suburban Lands Plan 7974, PID 009-499-385*] from C-2C (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.00 to 7.14 and the building height from 13.8 m (45 ft.) to 46.6 m (152.9 ft.) to permit the development of a 14-storey mixed-use building with commercial uses at grade and 94 secured rental housing units, with 20 per cent of the residential floor area being secured as moderate income units, under the *Moderate Income Rental Housing Pilot Program*, generally as presented in Appendix A of the Referral Report dated December 2, 2019, entitled "CD-1 Rezoning: 3600 East Hastings Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by BHA Architecture and received on March 14, 2019, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the referral report.

- B. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report, dated December 2, 2019, entitled "CD-1 Rezoning: 3600 East Hastings Street", 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 Planning, Urban Design and Sustainability.
- 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 Referral Report dated December 2, 2019, entitled "CD-1 Rezoning: 3600 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 Referral Report dated December 2, 2019, entitled "CD-1 Rezoning: 3600 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 (Vote No. 05468)
(Councillor Swanson opposed)

5. REZONING: 3680 East Hastings Street

An application by PCI Development Corporation was considered as follows:

Summary: To rezone 3680 East Hastings Street from C-2C (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a 14-storey mixed-use building with commercial uses at grade and 118 secured rental housing units, with 20 per cent of the residential floor area being secured as moderate income units. A building height of 48.8 metres (160.2 feet) and a floor space ratio (FSR) of 6.96 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 and receipt of public comments:

- 60 pieces of correspondence in support;
- 71 pieces of correspondence in opposition; and
- 3 pieces of correspondence dealing with other aspects of the application.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Alan Fetherstonhaugh
- Nathan Davidowicz

The following spoke in opposition of the application:

- Gabriel Hasselbach
- Niall Murphy
- Lisa Pinoni
- Nadire Pinoni

The speakers list and receipt of public comments closed on January 28, 2020, at 4:41 pm.

Staff Closing Comments

The City Manager, along with Planning, Urban Design and Sustainability, and Engineering Services staff, responded to questions.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT the application by PCI Development Corporation, on behalf of 3680 East Hastings Corp., the registered owner, to rezone 3680 East Hastings Street [Lot 9, 10, 11 and 12 of Lot 63, Town of Hastings, Suburban Lands Plan 7974; PIDs 005-162-611, 005-162-629, 005-162-637, 005-162-645] from C-2C (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 3.00 to 6.96 and the building height from 13.8 m (45 ft.) to 48.8 m (160.2 ft.) to permit the development of a 14-storey mixed-use building with commercial uses at grade and 118 secured rental housing units, with 20 per cent of the residential floor area being secured as moderate income units, under the *Moderate Income Rental Housing Pilot Program*, generally as presented in Appendix A of the Referral Report dated December 2, 2019, entitled "CD-1 Rezoning: 3680 East Hastings Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by BHA Architecture and received on March 14, 2019, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-note referral report.

- B. THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report, dated December 2, 2019, entitled “CD-1 Rezoning: 3680 East Hastings Street”, 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 Planning, Urban Design and Sustainability.
- 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 Referral Report dated December 2, 2019, entitled “CD-1 Rezoning: 3680 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 Referral Report dated December 2, 2019, entitled “CD-1 Rezoning: 3680 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 (Vote No. 05469)
(Councillor Swanson opposed)
(Councillor Wiebe absent for the vote)

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On January 28, 2020, Council recessed at 5:03 pm and reconvened at 6:07 pm.

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6. Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments

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

Summary: To rezone portions of the 2300-block of Charles Street and the 2300-block of Kitchener Street from RT-5 and RT-5N (Duplex and Multiple Dwelling) Districts to C-2 (Commercial) and RM-8A (Multiple Dwelling) Districts, and to rezone portions of the 2400-block of East 12th Avenue, the 2800-block of Nanaimo Street and the 2400-block of North Grandview Highway from RS-1 (One-Family Dwelling) and RT-5N Districts to RM-8A and RM-12N Districts. And to make related Referral amendments to the Grandview, Broadway-Commercial and Nanaimo sub-areas of the Grandview-Woodland Community Plan.

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.

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At 6:09 pm, Councillor Bligh declared a Conflict of Interest on this application under Section 145.2(2) of the *Vancouver Charter* as a resident in the Nanaimo Sub-area. Councillor Bligh left the Council Chamber and did not return to the meeting.

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Summary of Correspondence

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

- 4 pieces of correspondence in support; and
- 7 pieces of correspondence in opposition.

Staff Opening Comments

Planning, Urban Design and Sustainability staff reviewed the application and, along with the City Manager, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Tom Wong

The following spoke in opposition of the application:

- Steve Bohus
- Dave Pasin
- Micah Waskow
- Carol Rosset
- Margaret Yin
- Marisa Genovese

The speakers list and receipt of public comments closed on January 28, 2020, at 8:24 pm.

Staff Closing Comments

Planning, Urban Design and Sustainability staff responded to additional questions.

Council Decision

MOVED by Councillor Boyle

SECONDED by Councillor Kirby-Yung

- A. THAT Council approve amendments to the Grandview-Woodland Community Plan to:
 - (i) Revise policies for the Nanaimo Street sub-area as outlined in Appendix A of the Referral Report dated November 14, 2019, entitled “Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments”, to add housing choice and to reflect Plan implementation work currently being undertaken; and
 - (ii) Revise miscellaneous policies in the Grandview and Commercial-Broadway Station Precinct sub-areas of the Grandview-Woodland Community Plan, as outlined in Appendix B of the above-noted referral report to reflect previously approved implementation work.

- B. THAT, subject to approval of the amendments to the Grandview-Woodland Community Plan, Council approves the application to amend the Zoning and Development By-law, generally as set out in Appendix C of the Referral Report dated November 14, 2019, entitled “Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments”, in order to:
 - (i) Rezone the lands in portions of the 2300-block of Charles Street and of the 2300-block of Kitchener Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5 to the RM8-A District Schedule;
 - (ii) Rezone the lands in portions of the 2300-block of Kitchener Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5 to the C-2 District Schedule;

- (iii) Rezone the lands in portions of the 2300-block of Kitchener Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5N to the C-2 District Schedule;
 - (iv) Rezone the lands in portions of the 2400-block of East 12th Avenue, as identified in Schedule A of Appendix C of the above-noted referral report, from RS-1 to the RM-8A District Schedule;
 - (v) Rezone the lands in portions of the 2800-Block of Nanaimo Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5N to the RM-12N District Schedule; and
 - (vi) Rezone the lands in portions of the 2400-block of North Grandview Highway, as identified in Schedule A of Appendix C of the above-noted referral report, from RS-1 to the RM-12N District Schedule.
- C. THAT, subject to the enactment of the by-laws to amend the Zoning and Development By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Subdivision By-law, generally as set out in Appendix D of the Referral Report dated November 14, 2019, entitled “Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments”.
- D. THAT A through C above be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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.
- E. THAT Council direct staff to defer future land-use changes to:
- (i) the 2300-block between Kitchener Street (south side) and Graveley Street (south side); and
 - (ii) the “Nanaimo East” area, along Nanaimo Street/North Nanaimo Street from East Hastings Street to Wall Street, until work on the Vancouver Plan has been sufficiently advanced to inform this work.

carried

REFERRAL MOVED by Councillor Hardwick
SECONDED by Councillor Fry

THAT Item 6 - Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments, be referred back to staff for broader consultation of the Grandview-Woodland Community and integration into the Vancouver Plan process going forward.

LOST (Vote No. 05470)

(Councillors Boyle, De Genova, Dominato, Kirby-Yung and Mayor Stewart opposed)

(Councillor Bligh absent for the vote due to Conflict of Interest)

(Councillor Wiebe absent for the vote)

The referral having lost, the motion was put. Council agreed to sever the components of the motion for the vote as follows.

FINAL MOTION AS APPROVED

- A. THAT Council approve amendments to the Grandview-Woodland Community Plan to:
- (i) Revise policies for the Nanaimo Street sub-area as outlined in Appendix A of the Referral Report dated November 14, 2019, entitled “Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments”, to add housing choice and to reflect Plan implementation work currently being undertaken; and
 - (ii) Revise miscellaneous policies in the Grandview and Commercial-Broadway Station Precinct sub-areas of the Grandview-Woodland Community Plan, as outlined in Appendix B of the above-noted referral report to reflect previously approved implementation work.
- B. THAT, subject to approval of the amendments to the Grandview-Woodland Community Plan, Council approves the application to amend the Zoning and Development By-law, generally as set out in Appendix C of the Referral Report dated November 14, 2019, entitled “Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments”, in order to:
- (i) Rezone the lands in portions of the 2300-block of Charles Street and of the 2300-block of Kitchener Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5 to the RM8-A District Schedule;
 - (ii) Rezone the lands in portions of the 2300-block of Kitchener Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5 to the C-2 District Schedule;
 - (iii) Rezone the lands in portions of the 2300-block of Kitchener Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5N to the C-2 District Schedule;

- (iv) Rezone the lands in portions of the 2400-block of East 12th Avenue, as identified in Schedule A of Appendix C of the above-noted referral report, from RS-1 to the RM-8A District Schedule;
 - (v) Rezone the lands in portions of the 2800-Block of Nanaimo Street, as identified in Schedule A of Appendix C of the above-noted referral report, from RT-5N to the RM-12N District Schedule; and
 - (vi) Rezone the lands in portions of the 2400-block of North Grandview Highway, as identified in Schedule A of Appendix C of the above-noted referral report, from RS-1 to the RM-12N District Schedule.
- C. THAT, subject to the enactment of the by-laws to amend the Zoning and Development By-law, the Director of Legal Services be instructed to bring forward for Council approval amendments to the Subdivision By-law, generally as set out in Appendix D of the Referral Report dated November 14, 2019, entitled "Rezoning of Certain Properties in the Nanaimo Sub-area of the Grandview-Woodland Community Plan, and Related Plan Amendments".
- D. THAT A through C above be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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. 05471)
(Councillors Hardwick and Swanson opposed)
(Councillor Bligh absent for the vote due to Conflict of Interest)
(Councillor Wiebe absent for the vote)

- E. THAT Council direct staff to defer future land-use changes to:
- (i) the 2300-block between Kitchener Street (south side) and Graveley Street (south side); and
 - (ii) the "Nanaimo East" area, along Nanaimo Street/North Nanaimo Street from East Hastings Street to Wall Street, until work on the Vancouver Plan has been sufficiently advanced to inform this work.

CARRIED UNANIMOUSLY (Vote No. 05472)
(Councillor Bligh absent for the vote due to Conflict of Interest)
(Councillor Wiebe absent for the vote)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillors Bligh and Wiebe absent for the vote)

The Public Hearing adjourned on January 28, 2020, at 9:57 pm.

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