



PUBLIC HEARING MINUTES

DECEMBER 2 AND 10, 2020

A Public Hearing of the City of Vancouver was held on Wednesday, December 2, 2020, at 6 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the Public Hearing reconvened on Thursday, December 10, 2020, at 6:03 pm. This Council meeting was convened by electronic means as authorized under the Order of the Minister of Public Safety and Solicitor General of the Province of British Columbia – *Emergency Program Act*, updated Ministerial Order No. M192.

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 CLERK'S OFFICE: Tina Penney, Deputy City Clerk
David Yim, 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. CD-1 Rezoning: 1265-1281 Kingsway

An application by the Stuart Howard Architects Inc. was considered as follows:

Summary: To rezone 1265-1281 Kingsway from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with 43 secured rental housing units. A height of 21 m (68.9 ft.) and a floor space ratio (FSR) of 3.74 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:

- 6 pieces of correspondence in support; and
- 1 piece of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

Neil Robertson from Stuart Howard Architects Inc. provided a short presentation and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Tinh Troung

The following spoke in opposition of the application:

- Craig Paterson

The speakers list and receipt of public comments closed on December 2, 2020, at 6:46 pm.

Applicant Closing Comments

Neil Robertson from Stuart Howard Architects Inc. provided closing comments

Staff Closing Comments

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

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

- A. THAT the application by Stuart Howard Architects Inc. on behalf of Song Xanh Holdings Ltd., the registered owner of the lands at 1265-1281 Kingsway [*PID 015-633-977, Lot 9, Except Part in Explanatory Plan 3087, Block 38 District Lot 301 Plan 187; PID: 015-633-951, Lot C (Explanatory Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 187; and PID 011-221-810, Lot B (Explanatory Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 187*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.50 FSR to 3.74 FSR and the building height from 13.8 m (45.3 ft.) to 21 m (68.9 ft.) to permit the development of a six-storey, mixed-use building with 43 secured market rental residential units, generally as presented in Appendix A of the Referral Report dated October 6, 2020, entitled “CD-1 Rezoning: 1265-1281 Kingsway” be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stuart Howard Architects Inc. and received on February 3, 2020, 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 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 October 6, 2020, entitled “CD-1 Rezoning: 1265-1281 Kingsway”, 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;

FURTHER THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the above-noted report, 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 October 6, 2020, entitled “CD-1 Rezoning: 1265-1281 Kingsway”, 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 October 6, 2020, entitled "CD-1 Rezoning: 1265-1281 Kingsway".

- 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.

amended

AMENDMENT MOVED by Councillor Fry
SECONDED by Councillor Dominato

THAT the following be added as F:

THAT staff work with the applicant at the Development Permit stage to protect and enhance the existing retail street character of Little Saigon and its locally serving independent small business.

CARRIED (Vote No. 06728)
(Councillors De Genova and Hardwick abstained from the vote)

The amendment having carried, the motion as amended was put and CARRIED with Councillors Swanson opposed and Councillor Hardwick abstaining from the vote (Vote No. 06729).

FINAL MOTION AS APPROVED

- A. THAT the application by Stuart Howard Architects Inc. on behalf of Song Xanh Holdings Ltd., the registered owner of the lands at 1265-1281 Kingsway [*PID 015-633-977, Lot 9, Except Part in Explanatory Plan 3087, Block 38 District Lot 301 Plan 187; PID: 015-633-951, Lot C (Explanatory Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 187; and PID 011-221-810, Lot B (Explanatory Plan 3087) of Lots 8 and 9 Block 38 District Lot 301 Plan 187*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.50 FSR to 3.74 FSR and the building height from 13.8 m (45.3 ft.) to 21 m (68.9 ft.) to permit the development of a six-storey, mixed-use building with 43 secured market rental residential units,

generally as presented in Appendix A of the Referral Report dated October 6, 2020, entitled "CD-1 Rezoning: 1265-1281 Kingsway" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stuart Howard Architects Inc. and received on February 3, 2020, 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 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 October 6, 2020, entitled "CD-1 Rezoning: 1265-1281 Kingsway", 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;

FURTHER THAT, if Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the above-noted report, 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 October 6, 2020, entitled "CD-1 Rezoning: 1265-1281 Kingsway", 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 October 6, 2020, entitled "CD-1 Rezoning: 1265-1281 Kingsway".
- 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.
- F. THAT staff work with the applicant at the Development Permit stage to protect and enhance the existing retail street character of Little Saigon and its locally serving independent small business.

2. CD-1 Rezoning: 4745-4795 Main Street

An application by the Strand Development was considered as follows:

Summary: To rezone 4745-4795 Main Street from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with 89 secured rental housing units. A height of 22 m (72.2 ft.) and a floor space ratio (FSR) of 3.70 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.

Council also had before it a memorandum dated, November 19, 2020, entitled “CD-1 Rezoning: 4745-4795 Main Street – Replacement of Engineering Conditions”, from the Deputy Director of Planning, Current Planning, Planning, Urban Design and Sustainability. The memorandum advised that after referral of the above-noted rezoning application on October 20, 2020, the Engineering conditions contained in Part 2 of Appendix B of the Referral Report dated October 6, 2020, entitled “CD-1 Rezoning: 4745-4795 Main Street”, were incomplete and the updated conditions are now included at the end of Recommendation A.

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:

- 41 pieces of correspondence in support; and
- 1 piece of correspondence in opposition.

Staff Opening Comments

Staff from Planning Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

Taizo Yamamoto from Yamamoto Architecture provided a brief presentation and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Bobby Huang
- Molly Millar
- Karim Winsor

The following spoke in opposition of the application:

- Michael Small
- Ken Bregman

The speakers list and receipt of public comments closed on December 2, 2020, at 7:45pm.

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Strand Development on behalf of Riley Park Project Nominee Inc., the registered owner of the lands at 4745-4795 Main Street [*PID 008-802-581, Lot B Block 6 District Lot 634 Plan 12771; PID 008-802-564 Lot A Block 6 District Lot 634 Plan 12771; and PID 013-290-801 Lot 1, Except the East 10 Feet Now Road, Block 6 District Lot 634 Plan 2959*] to rezone the lands from C-2 (Commercial) District to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) from 2.5 FSR to 3.7 FSR and the building height from 13.8 m (45.3 ft.) to 22 m (72.2 ft.) to permit the development of a six-storey, mixed use building with 89 secured rental residential units, generally as presented in Appendix A of the Referral Report dated October 6, 2020, entitled "CD-1 Rezoning: 4745-4795 Main Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Yamamoto Architecture and received on October 4, 2019, 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 report;

FURTHER THAT the Engineering conditions in Part 2 of Appendix B of the above-noted report be replaced with the following:

“2.1 Consolidation of Lot 1, Except the East 10 Feet Now Road, Plan 2959, and Lots A and B, Plan 12771; all of Block 6, District Lot 634 to create a single parcel.

2.2 Release of Easement & Indemnity Agreement 121659M (support agreement) prior to building occupancy.

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

2.3 Provision of a building setback and statutory right of way (“SRW”) for public pedestrian use to achieve a minimum of 5.5 metres measured from the building face to the back of the existing curb along both Main Street and 32nd Avenue.

Note to Applicant: The SRW will be free of any encumbrance such as vents, structure, stairs, planter walls, benches, bicycle parking, and plantings at grade (and is to accommodate the underground parking structure within the SRW agreement).

2.4 Provision of a Shared Use Loading Agreement for one of the Class B loading spaces between the commercial and residential uses. Label the space ‘Residential and Commercial Loading’, and provide times of use for the shared Class B loading space.

2.5 Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the Rezoning 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 all to the satisfaction of the General Manager of Engineering Services. No development permit for the Rezoning Site, or any portion thereof, or for any building or improvements thereon will be issued until the letter of credit, as security for the Services, is provided. Except as explicitly provided in Conditions 2.6 and 2.6A the Services are not excess and/or extended services and the applicant is not entitled to a Latecomer Agreement.

(a) Provision of adequate water service to meet the fire flow demands of the project.

Based on the confirmed Fire Underwriter’s Survey Required Fire Flows and domestic flows submitted by R.F. Binnie & Associates Ltd. dated September 18, 2019, no water main upgrades are required to service the development.

Note to Applicant: Should the development's Fire Underwriter's Survey Required Fire Flow calculation change as the building design progresses, a resubmission to the City of Vancouver Waterworks Engineer is required for re-evaluation of the Water System.

- (b) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project.

Implementation of development(s) at 4745-4795 Main Street requires the following in order to maintain acceptable SAN sewer flow conditions.

Local Servicing Upgrade:

Separate 24 m of COMB main from MH fronting 4655 Main Street (MH_FJCR6J) to front of 4745 Main Street. Remove 9 m of STM main from MH fronting (MH_FJCR6J) to MH (___FJCR6K).

The lengths and diameters of these improvements are approximate and subject to detailed design by Developer's Engineer.

The post-development 10-year flow rate discharged to the storm sewer shall be no greater than the 10-year pre-development flow rate. The pre-development estimate shall utilize the 2014 IDF curves, whereas the post-development estimate shall utilize the 2100 IDF curves to account for climate change.

Developer's Engineer to submit design brief, calculations and/or model, and design drawings to the City. All submittals including upgrade design drawings (90% design stage or better) are required to be reviewed and accepted by the City Engineer prior to development permit issuance.

Development to be serviced to the 200 mm SAN and 250 mm STM sewers in Main Street.

- (c) Street improvements along Main Street adjacent to the site and appropriate transitions including the following:
 - (i) 1.22m (4') wide front boulevard with street trees where space permits;
 - (ii) Minimum 3.05m (10') wide broom finish saw-cut concrete sidewalk;
 - (iii) Hard surface treatment between the sidewalk and the building;

- (iv) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations;
 - (v) Removal of the existing driveway crossing and reconstruction of the boulevard, sidewalk, and curb to current standards;
 - (vi) Curb ramps; and
 - (vii) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (d) Street improvements along 32nd Avenue adjacent to the site and appropriate transitions including the following:
- (i) Minimum 3.05m (10') wide broom finish saw-cut concrete sidewalk;
 - (ii) Hard surface treatment between the sidewalk and the building;
 - (iii) Upgraded street lighting (roadway and sidewalk) adjacent to the site to current COV standards and IESNA recommendations;
 - (iv) Curb ramps; and
 - (v) Adjustment to all existing infrastructure to accommodate the proposed street improvements.
- (e) Provision of improvements at the intersection of Main Street and 32nd Avenue to primarily address pedestrian access to and from the park and school including:
- (i) Design and installation of a new traffic signal;
 - (ii) Entire intersection lighting upgrade to current COV standards and IESNA recommendations; and
 - (iii) New curb ramps and associated adjustments to all existing infrastructure to accommodate the proposed improvements (including any replacement or modification of related traffic signal equipment).
- (f) Provision of new or replacement duct banks adjacent the development site that meet current City standards. Duct banks are to consist of electrical and communication ducts sized to meet City needs in a configuration acceptable by the General Manager of Engineering Services and in conformance with applicable

electrical codes and regulations. A detailed design will be required prior to the start of any associated street work.

Note to Applicant: As-constructed documentation will be required that includes photographic and measured evidence of the installed number of conduits, their final locations and depths.

- (g) Provision for mill and regrade of the lane adjacent to the development site, to centerline, along the property frontage.
- (h) Confirmation that any relocated wood poles in the lane adjacent the site will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
- (i) Provision of a new standard concrete pedestrian lane crossing, new curb returns and curb ramps at the existing lane crossing on 32nd Avenue adjacent to the site.
- (j) Provision for the installation of parking regulatory signage on streets adjacent to the site to the satisfaction of the General Manager of Engineering Services.
- (k) Provision of street trees where space permits. Final spacing, quantity and location to the satisfaction of the General Manager of Engineering Services. Tree species to the approval of the City Arborist. Street tree planting to include appropriate soil volumes and approved root barriers of rigid construction, 8' long and 18" deep, centre on each street tree adjacent to the sidewalk and any off street bike facility.

2.6 Provision of one or more Latecomer Agreements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following works, which constitute excess and/or extended services:

- (a) Design and installation of a new traffic signal at Main Street and East 32nd Avenue to primarily address pedestrian access to and from the park and school.

Note to Applicant: The benefiting area for these works is under review.

2.6A Provision of a legal agreement to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services whereby the applicant is entitled to receive latecomer charges for a period of 24 hours following completion of the works contemplated by the following condition(s), which require(s) the applicant to provide excess or extended services.

(a) Separate 24 m of 200 mm COMB main.

2.6B 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT 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.

This proposed development is adjacent to existing BC Hydro electrical works. The applicant shall submit a surveyed clearance drawing to BC Hydro showing all BC Hydro plant and dimensioned clearances from the plant to the development. The applicant shall provide written confirmation from BC Hydro that all required clearances from BC Hydro plant have been satisfied. See BULLETIN 2015-002-EL - Clearances from Existing BC Hydro High Voltage Overhead Conductors and Transformers for more information (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-highvoltage-overhead-conductors-and-transformers.pdf>).

Note to Applicant: Submission of a Key Plan to the City for review and approval prior to submission of any third party utility drawings. The Key Plan shall meet the specifications in the City of Vancouver Engineering Design Manual Section 2.4.4 Key Plan (<https://vancouver.ca/files/cov/2015-002-clearances-from-the-existing-bc-hydro-highvoltage-overhead-conductors-and-transformers.pdf>). All third party service lines to the development shall be shown on the plan (e.g., BC Hydro, Telus, Shaw, etc. The review of third party utility service drawings will not be initiated until the Key Plan is defined.

For questions on this requirement, please contact Utilities Management Branch at 604- 829-9447 or at umb@vancouver.ca. In addition, 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.”

- 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 October 6, 2020, entitled “CD-1 Rezoning: 4745-4795 Main 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 October 6, 2020, entitled “CD-1 Rezoning: 4745-4795 Main 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 October 6, 2020, entitled "CD-1 Rezoning: 4745-4795 Main 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. 06724)
(Councillors Hardwick and Swanson opposed)

3. CD-1 Rezoning: 7280 Fraser Street

An application by Cornerstone Architecture was considered as follows:

Summary: To rezone 7280 Fraser Street from C-1 (Commercial) District to CD-1 (Comprehensive Development) District to permit the development of a six-storey mixed-use building with 95 secured rental housing units. A height of 22.2 m (72.8 ft.) and a floor space ratio (FSR) of 3.24 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

One piece of correspondence was received in support of the application since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

Staff Opening Comments

Staff from Planning Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

Brent Beatson from Spire Development Corporation provided opening comments and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Nav Rakhra

The following provided general comments on the application:

- Nathan Davidowicz

The speakers list and receipt of public comments closed on December 2, 2020, at 8:48pm.

Applicant Closing Comments

Brent Beatson from Spire Development Corporation provided closing comments.

Staff Closing Comments

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

Council Decision

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

- A. THAT the application by Cornerstone Architecture, on behalf of 7280 Fraser Holdings Ltd., the registered owner of the lands at 7280 Fraser Street, [*PID 009-584-935; Lot A Block 2 District Lot 658, Plan 10247*], to rezone the lands from C1 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.20 to 3.24, and permit a building height of 22.2 m (72.8 ft.) for a six-storey, mixeduse rental building containing a total of 95 rental housing units, generally as presented in Appendix A of the Referral Report dated October 20, 2020, entitled "CD-1 Rezoning: 7280 Fraser 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 December 11, 2019, 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 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 October 20, 2020, entitled "CD-1 Rezoning: 7280 Fraser 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 October 20, 2020, entitled "CD-1 Rezoning: 7280 Fraser 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 October 20, 2020, entitled "CD-1 Rezoning: 7280 Fraser 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. 06725)
(Councillors Hardwick and Swanson opposed)

4. CD-1 Rezoning: 724 East 56th Avenue

An application by Cornerstone Architecture was considered as follows:

Summary: To rezone 724 East 56th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to permit the development of two residential townhouse buildings with 12 secured rental housing units. A height of 10.7 m (35.1 ft.) and a floor space ratio (FSR) of 1.40 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

Two pieces of correspondence in support of the application were received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

Staff Opening Comments

Staff from Planning Urban Design and Sustainability responded to questions.

Speakers

The Mayor called for speakers for and against the application.

Nav Rakhra provided general comments on the application.

The speakers list and receipt of public comments closed on December 2, 2020, at 9:09 pm.

Council Decision

MOVED by Councillor Boyle

SECONDED by Councillor De Genova

- A. THAT the application by Cornerstone Architecture, on behalf of 7280 Fraser Holdings Ltd., the registered owner of the lands at East 56th Avenue [*PID 014-268-329; Lot B Block 2 District Lot 658 Plan 1810*], to rezone the lands from RS-1 (Single-detached and Duplex) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 1.40, and permit the development of 12 rental townhouse units, generally as presented in Appendix A of the Referral Report dated October 20, 2020, entitled "CD-1 Rezoning: 724 East 56th Avenue" 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 December 11, 2019, 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 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 October 20, 2020, entitled "CD-1 Rezoning: 724 East 56th 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 October 20, 2020, entitled "CD-1 Rezoning: 724 East 56th Avenue". Page 2 of 2
- 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 (Vote No.06726)
(Councillor Hardwick opposed)
(Councillor Swanson abstained from the vote)

5. CD-1 Rezoning: 2924 Venables Street

An application by Ryder Architecture (Canada) Inc. was considered as follows:

Summary: To amend CD-1 (109) (Comprehensive Development) District to permit the development of two six-storey residential buildings containing 145 social housing units. A height of 21 m (68.9 ft.) and a floor space ratio (FSR) of 2.02 are recommended.

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:

- 20 pieces of correspondence in support; and
- 1 piece of correspondence in opposition.

Staff Opening Comments

Staff from Planning Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

Graham Plant from CPA Development Consultants 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:

- Marc White
- Pandora Yeung
- Tom Armstrong
- Doran Redford

The speakers list and receipt of public comments closed on December 2, 2020, at 9:55 pm.

* * * * *

On December 2, 2020, at 9:50 pm, it was,

*MOVED by Councillor Bligh
SECONDED by Councillor Boyle*

*THAT Council extend the meeting past 10 pm in order to complete item 5. CD-1
Rezoning: 2924 Venables Street.*

*CARRIED UNANIMOUSLY AND BY
THE REQUIRED MAJORITY*

* * * * *

Staff Closing Comments

Staff from Planning Urban Design and Sustainability responded to questions.

Council Decision

MOVED by Councillor De Genova

SECONDED by Councillor Boyle

- A. THAT the application by Ryder Architecture (Canada) Inc. on behalf of Brightside Community Homes Foundation, the registered owner of the lands located at 2924 Venables Street [*PID: 007-625-022, Lot 1 Block 2 North West 1/4 of Section 24 Town of Hastings Suburban Lands PLAN 15707*], to amend CD-1 (109) (Comprehensive Development) District By-law No. 4926 to increase the floor space ratio (FSR) from 0.75 to 2.02 and building height from 10.7 m (35 ft.) to 21 m (68.9 ft.) to allow construction of two residential buildings with a total of 145 social housing units, generally as presented in Appendix A of the Referral Report dated October 6, 2020, entitled "CD-1 Rezoning: 2924 Venables Street" be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Ryder Architecture (Canada) Inc. and received on March 30, 2020, 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 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 October 6, 2020, entitled "CD-1 Rezoning: 2924 Venables 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 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 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. 06727)

* * * * *

On December 2, 2020, at 10:08 pm, it was,

*MOVED by Councillor Hardwick
SECONDED by Councillor Dominato*

THAT the Public Hearing recess until December 10, 2020, at 6 pm, in order to start Item 6.

CARRIED UNANIMOUSLY

On December 2, 2020, Council recessed at 10:08 pm, and reconvened on December 10, 2020, at 6:03 pm.

* * * * *

6. Amendment to the Rental Housing Stock Official Development Plan

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

Summary: To amend the Rental Housing Stock Official Development Plan (RHS ODP) to clarify the one-for-one replacement of existing rental housing in RHS ODP-designated zoning districts may occur on a site within the same zoning district that has been rezoned to a CD-1. This amendment will still require that existing rental housing be replaced on a one-for-one basis in the same area to ensure no net loss of rental housing.

Summary of Correspondence

Two pieces of correspondence opposed to the application were received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments .

Staff Opening Comments

Staff from Planning, Urban Design and Sustainability presented an overview of the application and responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Marc White

The following spoke in opposition of the application:

- Alyssa Myshok
- Stephen Bohus
- Janice Reid

The following provided general comments on the application:

- Sarah Moffat

The speakers list and receipt of public comments closed on December 10, 2020, at 6:55 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Bligh
SECONDED by Councillor Carr

THAT Council approve the application to amend the Rental Housing Stock Official Development Plan (RHS ODP) By-law and to amend the RM-2, RM-3, RM-3A, RM-4, RM-4N, RM-5, RM-5A, RM-5B, RM-5C, RM-5D, RM-6, and FM-1 District Schedules of the Zoning and Development By-law, to allow for one-for-one replacement of existing rental housing units required by the RHS ODP on another site, that was subject to the RHS ODP before it was rezoned to allow for replacement housing and that is adjacent to the contiguous area of the zoning district of the site that requires the replacement housing, generally as presented in Appendix A and Appendix B of the Referral Report dated October 20, 2020, entitled "Amendment to the Rental Housing Stock Official Development Plan".

CARRIED UNANIMOUSLY (Vote No. 06830)
(Councillor De Genova absent for the vote)

7. CD-1 Rezoning: 349 East 6th Avenue

An application by IBI Group Architects (Canada) Inc. was considered as follows:

Summary: To rezone 349 East 6th Avenue from RM-4 (Multiple Dwelling) to CD-1 (Comprehensive Development) District to permit the development of a 12-storey residential building with 82 social housing units. A height of 38.7 m (127.0 ft.) and a floor space ratio (FSR) of 4.87 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.

Council also had before it a memorandum dated, December 1, 2020, entitled “CD-1 Rezoning: 349 East 6th Avenue – Greater Height for Mechanical Appurtenances”, from the Deputy Director of Planning, Current Planning, Planning, Urban Design and Sustainability. The memorandum advised that after referral of the above-noted rezoning application on November 3, 2020, an omission was identified in Appendix A (draft CD-1 By-law) of the Referral Report dated October 20, 2020, entitled “CD-1 Rezoning: 349 East 6th Avenue”, and an amendment to the draft CD-1 By-law is now included at the end of Recommendation A.

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:

- 43 pieces of correspondence in support;
- 24 pieces of correspondence in opposition; and
- 2 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

Staff from Planning Urban Design and Sustainability presented an overview of the application and responded to questions.

Applicant Comments

William Azaroff from Brightside provided opening comments and, along with Bruno Wall, Wall Financial Corporation, Graham Plant, CPA Development Consultants, and Clement Pun, IBI Group, responded to questions.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Marc White
- Jill Atkey
- Dana Sharon
- Megan Kaulius
- Owen Brady

The following spoke in opposition of the application:

- Matthew Drown
- Dr. Christie Fedryna
- Janice Reid
- Ian Fisher
- Pascal Chapuis
- Cameron Robson
- Francoise Robertson
- Sarah Moffat

The following provided general comments on the application:

- Alyssa Myshok
- Rob Groombridge

The speakers list and receipt of public comments closed on December 10, 2020, at 9:08 pm.

Applicant Closing Comments

William Azaroff, Brightside, provided closing comments.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Boyle
SECONDED by Councillor Fry

- A. THAT the application by Brunswick & 6th Development Ltd. and the developer Wall Financial Corporation, on behalf of Brunswick & 6th Development Ltd., the registered owner of the lands located at 349 East 6th Avenue [*Strata Lots 1 to 23, all of District Lot 200A Strata Plan VR. 259; PIDs 003-768-139, 003-768-163, 003-768-171, 003-768-198, 003-768-210, 003-768-244, 003-768-261, 003-768-279, 003-768-295, 003-768-333, 003-768-350, 003-768-376, 003-768-406, 003-768-414, 003-768-449, 003-768-465, 003-768-481, 003-768-503, 003-768-554, 003-768-571, 003-768-601, 003-498-077, 003-768-619 respectively, and the Common Property of Strata Plan VR.259*] to rezone the lands from RM-4 (Multiple Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 1.45 to 4.87 and building height from 10.7 m (35.1 ft.) to 38.7 m (127 ft.) to allow construction of a new development containing 82 social housing units, generally as presented in Appendix A of the Referral Report dated October 20, 2020, entitled "CD-1 Rezoning: 349 East 6th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by IBI Group Architects (Canada) Inc., and received on May 6, 2020, 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 approval be subject to the Conditions of Approval contained in Appendix B of the above-noted report and to enactment of the amendment to the Rental Housing Stock Official Development Plan By-law which enables replacement rental units on sites that are in adjacent zoning districts;

FURTHER THAT Section 6, Building Height, of the draft CD-1 By-law be amended to replace Section 6 with the following wording, which makes suitable provision for rooftop mechanical appurtenances:

- 6.1 Building height, measured from base surface to the top of the roof deck amenity, must not exceed 38.7 m.
- 6.2 Despite the provisions of section 6.1 and of section 10.18 of the Zoning and Development By-Law, the Director of Planning may permit a greater height and width than otherwise permitted for mechanical appurtenances such as elevator machine rooms or similar features, provided the Director of Planning first considers the intent of this Schedule and all applicable policies and guidelines adopted by Council.

- 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 October 20, 2020, entitled "CD-1 Rezoning: 349 East 6th 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 Page 2 of 2 required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT A through 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 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. 06831)
(Councillor Hardwick abstained from the vote)

ADJOURNMENT

MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned on December 10, 2020, at 9:43 pm.

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