

**Refers to item #3
Public Hearing of December 8, 2020**

MEMORANDUM

November 27, 2020

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Paul Mochrie, Deputy City Manager
Karen Levitt, Deputy City Manager
Lynda Graves, Administration Services Manager, City Manager's Office
Gail Pickard, Acting Civic Engagement and Communications Director
Rosemary Hagiwara, Acting City Clerk
Anita Zaenker, Chief of Staff, Mayor's Office
Neil Monckton, Chief of Staff, Mayor's Office
Alvin Singh, Communications Director, Mayor's Office
Gil Kelley, General Manager, Planning, Urban Design and Sustainability
Templar Tsang-Trinaistich, Issues Manager, Planning Urban Design and Sustainability
Jeff Greenberg, Assistant Director of Legal Services

FROM: Theresa O'Donnell
Deputy Director of Planning – Current Planning
Planning, Urban Design and Sustainability

SUBJECT: CD-1 Rezoning: 618 West 32nd Avenue – Housing Agreement By-law

On November 3, 2020 Council referred the above-noted rezoning application to a Public Hearing. After referral, staff noted that a standard recommendation requiring preparation of a Housing Agreement By-law, to secure the rental tenure, had been inadvertently omitted. This memorandum brings forward the missing recommendation.

RECOMMENDATION

THAT a new Recommendation C for the Housing Agreement By-law be added and that C from the Referral Report be adjusted and renumbered D, as follows:

- "C. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in Appendix B of the Referral Report entitled "CD-1 Rezoning: 618 West 32nd Avenue", dated September 1, 2020, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed

by the property owner and their mortgagee(s) and prior to enactment of the CD-1 By-law.

- D. THAT Recommendations A through C 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;
 - (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.”

Staff have prepared the Summary and Recommendation for this item with the above revised recommendations.

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