

PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street - OPPOSED

Date Received	Time Created	Subject	Position	Content	Name	Organization	Contact Info	Neighbourhood	Attachment
07/06/2021	12:31	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street - OPPOSED	Oppose	I would like to express concern about this rezoning. I object to the rezoning for the following reasons: 1) There are not adequate school places in catchment to service this additional density. 2) Parking - the park is a popular destination that can not absorb more street parking. 3) Area and environmental disruption. Clark Park is an underappreciated city landmark. It is treasured by neighborhood families and a large construction project will be very disruptive to the enjoyment of the park. Please reconsider. I speak for many of my neighbors.	Paul Hecht		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	No web attachments.
07/06/2021	13:19	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street	Oppose	I'm opposed to this rezoning for the reasons stated in a letter sent by Cedar Cottage Area Neighbours. https://cityhallwatch.wordpress.com/2021/07/05/rezoning-1405-e15th-3047-maddams/ I'm particularly disturbed that the proposed development would break the law by overriding a land title covenant granted in perpetuity. As stated by CCA Neighbours: 'All development over the easement is disallowed since 1963 into perpetuity. Attached is the easement document from Land Title that shows this. (Link to PDF here ' 1405 E15 Ave EASEMENT document Land Title 373251M Jul-2021)' Careful observers of public hearings will know that 'sad but true -- there is no requirement for city planners or councillors to adhere to City plans and policies. (At the January 20/2021 City Council meeting, Mayor Stuart stated: 'Because we pass a policy, it doesn't mean we're bound to follow it'. City lawyer Goldberg, Chief Planner O'Donnell, and City Manager Mochrie concurred.) But breaking the law is a little bit different, is it not? City officials, you have been elected by the good grace that here in Canada, we have a democratic form of government. Think deeply before you vote, and do not use your office to break laws. A vote FOR this proposal is a vote against the rule of law.	Kelly Talayco		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	No web attachments.
07/06/2021	14:03	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street	Oppose	This project is not situated on an arterial and there are too many projects being built within this ten block radius. It also has insufficient off-street parking. Get real, most people drive cars.	Leon Chapelle		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	No web attachments.
07/06/2021	14:14	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-	Oppose	Our letter with comments is attached as a word document	Mr. Bob Straten, Secretary CCAN		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	APPENDIX A
07/06/2021	14:26	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street	Oppose	Unlike the many opinions you've received, I'm actually a resident of Cedar Cottage. We are being over-densified and without an increase in services. There has been a vacancy sign at the building across the street since it opened. What makes City Planning think we need another at the expense of residences & trees? In an area that already has the maximum developments! Follow your own rules and listen to residents who have no interest but that of their neighborhood and community.	Rebecca Fox		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	No web attachments.
07/06/2021	14:26	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street	Oppose	Unlike the many opinions you've received, I'm actually a resident of Cedar Cottage. We are being over-densified and without an increase in services. There has been a vacancy sign at the building across the street since it opened. What makes City Planning think we need another at the expense of residences & trees? In an area that already has the maximum developments! Follow your own rules and listen to residents who have no interest but that of their neighborhood and community.	Rebecca Fox		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	No web attachments.
07/06/2021	14:34	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street	Oppose	Attached are my comments in a word document	Grace MacKenzie		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	APPENDIX B
07/06/2021	14:57	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-	Oppose	I have attached, as a word document, my comments	Denise Chattan		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	APPENDIX C
07/06/2021	15:37	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street	Oppose	took a look at the PH report and revised proposal. Found here: https://council.vancouver.ca/20210706/documents/phea6report.pdf As a neighbor I am not supportive of this project for the below reasons: Number of parking stalls The number of parking stalls is too low (0 3/unit). This building is only proposing one level of parking and 24 stalls to accommodate 82 MARKET rental units, of which 35% of the units (29 units) will be larger/family units. Every family I know has at least 1 car and many have 2 cars. All the families can not be accommodated in the parkade let alone other 'regular' residents. With no parking available in the building, residents will park on the street which will place the burden on neighbours and not the developer. The developer stands to make a significant profit - what benefit does this building provide to neighbours who are the ones that will be inconvenienced by it? Setting precedence and Community context I chose to live in a quiet community over living in a multi-family downtown area. I know all my neighbours by name and we've worked hard to create a safe and caring community - my kids can run up and down my street because I know everyone on my block. With so many new people moving in there are safety concerns as I won't be able to get to know everyone and traffic will increase. Permitting additional density in the form of six storey buildings is out of context. This is not a Community Plan area and as such, development beyond single/two family homes should not be permitted. Otherwise, this is spot zoning whereby select properties benefit from up-zoning. While the report specifies that only two such multi-family buildings are permitted within a 10 block radius - policy is always subject to change. What can be done to guarantee that the entire block is not going to be redeveloped or that other consolidations won't be spot-rezoned to permit additional density in the name of providing 'rental'. The existing 6 storey development on the corner of 15th and Knight along with the proposed subject 6 storey development will create a significant precedent for future similar developments to be constructed. Public Comment The report notes that people support this project. It would be helpful if the Planner provided information related to where these people live. E.g. these supportive comments could be written by anyone living anywhere (aka not directly impacted by this project). Driveway Access On the plan the development driveway access will be off Maddams Street. This is a small half block street surrounded by a no-left turn access point to Knight Street off of 14th. The lack of traffic flow, congestion due to increased parked cars, lack of traffic infrastructure (signs & warnings about no left turn on Knight street) & park speeding zones will surely all lead to mass confusion, congestion and accidents in a heavily young child family neighbourhood. I am opposed to the rezoning.	Krista Forbes		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	No web attachments.

PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street - OPPOSED

07/06/2021	15:45	PH1 - 6. CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street	Oppose	I am stronly opposed for the reasons stated in CCAN's email to you of July 4,c 2021. It is unbelievable to me that this matter is proceeding where it violates the cities own policies. ie 2 such projects within 10 blocks and that it is not on an arterial. t is extremely disconcerting that the recommendation is based on an intentional misrepresentation by staff that it is on an arterial. The front of the building is clearly not on an arterial. This project will severley change the character of the neibourhhood on the backs of existing residents. It is also not in scale to the existing neighbourhood. The project also will further overwelms John Hendry Park and the Trout Lake Community center. The numerous identical comments from persons who are non-residents of this area and who in all liklihood have a connection to the developer and likely monetary interest in the project should be given little wieght.	Chris Flerlage		s. 22(1) Personal and Confidential	Kensington-Cedar Cottage	No web attachments.
------------	-------	--	--------	---	----------------	--	------------------------------------	--------------------------	---------------------

Hello Mayor Stewart and City Council

RE: CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street, Public Hearing
July 6, 2021

We are residents and business owners from Cedar Cottage. We are the Cedar Cottage Area Neighbours (CCAN) with 83 members.

We are opposed to this rezoning as presented through the "Affordable Housing Policy" (AHC Policy). We ask that you not approve it based on our objections as we state below.

The staff report to Council for this project says, on page 4:

<https://council.vancouver.ca/20210608/documents/rr5.pdf>

Rezoning applications considered under the AHC Policy must meet a number of criteria such as providing 100% of the residential floor area as secured rental housing, fitting contextually with neighbouring development and meeting location requirements. The subject site is located on an arterial and within 500 m of a local shopping area, where six-storeys buildings may be considered under the AHC Policy.

This project is **not** on an arterial. There is a lane and City easement between this proposal and the arterial. All development over the easement is disallowed since 1963 into perpetuity. Attached is the easement document from Land Title that shows this.

The block faces for this project are on East 15th Avenue and Maddams Street, NOT the arterial. The City says that if a lot faces off an arterial, within 100 m from an arterial, then it can only at most be built to 4 storeys. Following is the link to the AHC Policy, see page 2:

<https://bylaws.vancouver.ca/bulletin/policy-rezoning-affordable-housing-choices.pdf>

Below is a excerpt including the City's definition of a block face:

Rezoning Policy Updates for Low Density Areas
Eligible Areas

Diagrams to Explain the Eligibility Map

Parallel Blocks
In cases where blocks are parallel to arterial roads, the block face on the arterial road illustrated in dark blue would be eligible for "on arterial" options. The other block face that is part of that block (across the lane) illustrated in light blue would be eligible for "off arterial" options.

Perpendicular Blocks
In cases where blocks are perpendicular to an arterial road and none of the lots front onto the arterial road, both block faces would be eligible only for "off arterial" options.

Mixed Blocks
In cases where blocks include block faces with different orientations, the block face on the arterial road would be eligible for "on arterial" options. The other block faces (across the lane) would be eligible for "off arterial" options.

What is a block face?
A block face is a part of a block where all the houses face in the same direction. A block usually includes more than one block face that are separated by a laneway, as shown below.

May 2021
[Visit shapeyourcity.ca/rental-rz](https://shapeyourcity.ca/rental-rz)

5

CITY OF VANCOUVER | Vancouver Plan | Housing Vancouver

The other issue is the fact that there are already 2 of these projects within 10 blocks of each other on ANY arterial. That's the City policy and it says that only two can be built to maintain neighbourhood character and this project will make three.

Below, A & B, explain what our issues are with this project under AHC Policy.

A. Following is the Council Report that states the '2 within a 10 block rule' on **any** arterial, NOT just on the same arterial:

<http://former.vancouver.ca/ctyclerk/cclerk/20121003/documents/ptec20121003min.pdf>

The Council Report on housing affordability says (on **page 5** of 13):

Action 1: Implement an Interim Rezoning Policy that increases affordable housing choices in Vancouver's neighbourhoods

• *The maximum number of affordable housing rezoning applications be 20, and **limited to 2 within ten blocks on any arterial**, to maintain neighbourhood character;*

➤ There are already 2 of these types of projects within 10 block of each other on arterials and also within a 10 block radius. There is one across the street from this proposal and a second one 7 blocks from the proposal; following are the addresses to the projects already built:

➤ 3120 to 3184 Knight

➤ 3365 Commercial Drive and 1695 to 1773 East 18th Avenue

B. The fact is that in the Council report where the last one of these projects was built in our area just off an arterial, that report relied on the point that there would be no more of these in a 10 block radius. If the City is going to use that reasoning for that project then the same reasoning should be used for this new project. Again, this project will make too many of these projects in an area. Attached is a picture showing the 2 within a 10 block radius. Following explains this point:

The City has already validated the '2 within a 10 block radius rule' because they used it with the Rezoning at 3560-3570 Hull Street which is off an arterial and referred to the rezoning at Commercial Drive & East 18th Avenue as the second project. Following is the link to that report for the Public Hearing of July 10, 2018 which shows this, please read page 5: <https://council.vancouver.ca/20180619/documents/p2.pdf>

*A maximum of 20 applications are permitted under this policy, and no more than two projects within 10 blocks along an arterial street. **This is the second rezoning application within a 10-block radius** (the first one approved was at 18th Avenue and Commercial Drive), thereby neutralizing this portion of Commercial Drive and the Victoria Diversion from future AHC applications.*

CCAN feels that the Corporate Policy AE-028-01, Code of Conduct of Feb 9 2021 is not being followed, especially we are relying on the fact that staff must follow the established policies. Following is the code link and what it says staff must do: <https://policy.vancouver.ca/AE02801.pdf>

7.3 Staff are expected to: • Give effect to the lawful policies, decisions and practices of Council, whether or not the staff member agrees with or approves of them

Page 7 of the Council Report says staff have analyzed the proposal against the RT-2 District Schedule. We assert that the intent with development in this area is to analyze the effect on adjacent properties and the character of the area. This development is in fact a 7 storey building in an area of single family houses and therefore the massing and density is not compatible with the neighbourhood.

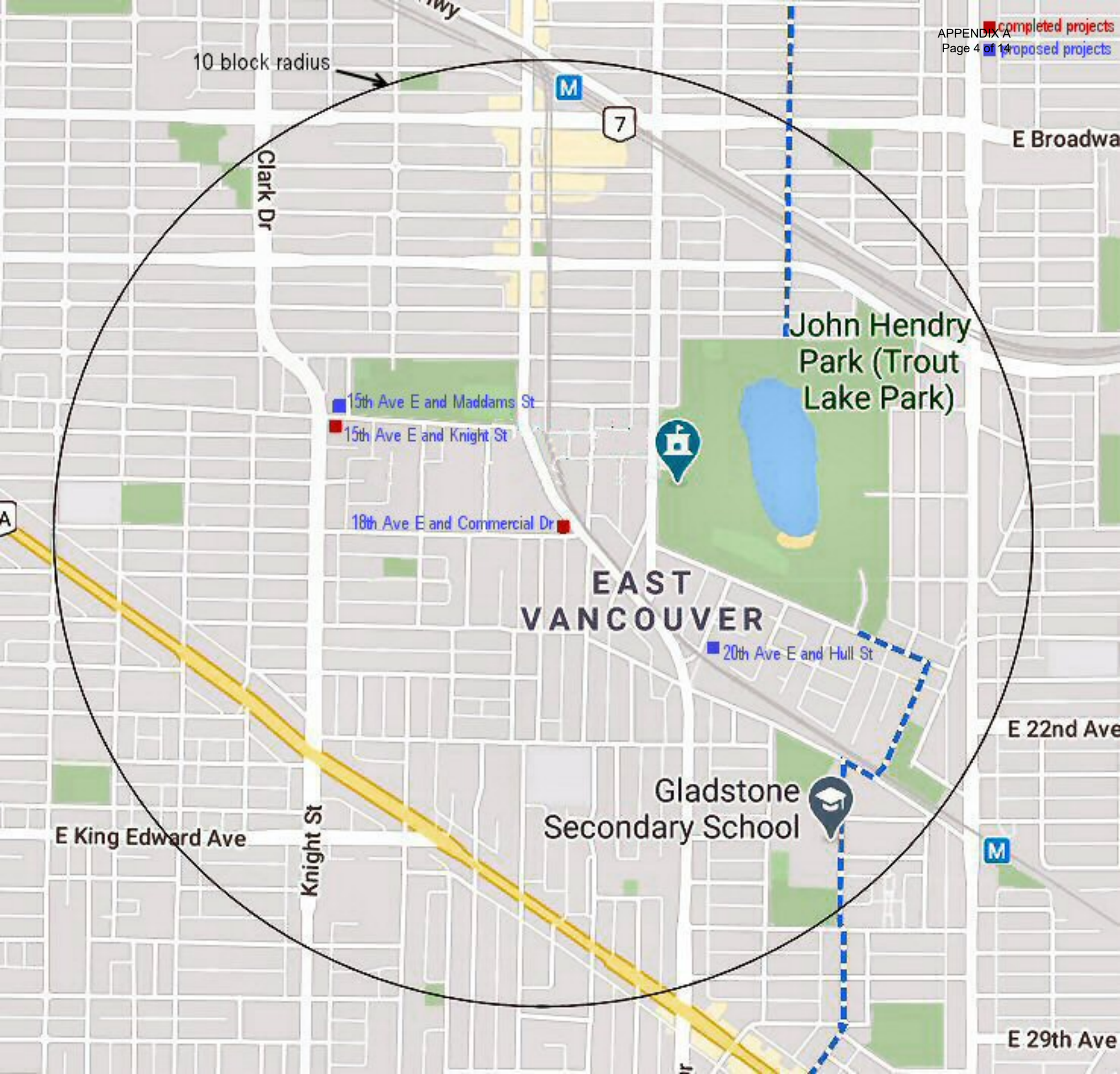
This proposal will create extreme shadowing on the houses to the north of the proposal. If an amenity area is put on the roof this will create overlook to the houses and a lot of noise given there will be 82 units using this space.

Further, all the affordable housing buildings built in this area over the last few years have had vacancy signs up ever since they were built. This shows us that too many units are being built in our area for the demand.

Thank you for considering our input.

Yours truly,
Mr. B. Straten, Secretary
On behalf of CCAN members (Cedar Cottage Area Neighbours)

<https://ccan2013.wordpress.com/>



Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25 15.05.43

373251

No. 373251-M



LAND REGISTRY 106763 -A4
FORM C
(Section 127)

510

Application for Registration of Charge

Date Oct 28, 1963I, Douglas B. Westonthat I am [or Solicitor for or the duly authorized Agent of City of Vancouver

and that he is) entitled to a

Right of Way over part included in Resonance Plan 7719 with
over the land hereunder described and hereby make application under the provisions of the "Land Registry Act"
and claim registration of a charge accordingly. Subordinate Rights over balance

The full name, address, and occupation of the person so entitled to be registered as owner of the charge is

City of Vancouver

† Not applicable
where the
applicant
is a corporation.
Strike out words
not applicable.

I am a British subject.† [Or]

I am not a British subject.† [Or] Particulars - over part as above

I am informed by

(Adapt to suit circumstances.)

, and

† For use where
the application
is made by a
solicitor or agent.

verily believe, that the person so entitled to be registered as owner of the charge is a British subject [or] is not a British subject.††

The fee-simple is registered in Vol. 7685, Fol. 480027L, of the Register.

DESCRIPTION OF LAND

MUNICIPALITY OR ASSESSMENT DISTRICT	LOT OR SECTION	ADMEASUREMENT OR ACREAGE
<u>City of Vancouver</u>	<u>Parcel designated A as shown on Plan of subdivision of Lots 476 & 48 Sub D & closed pth. of Road & Lanes (Explan. Plan Block 171 D.S. 2649 Group 1 & 2, Plan 2335) completed by H. B. Bolton S.B. 1/4, W.D. May 1963 a copy of which Plan is attached to this application</u>	

LIST OF INSTRUMENTS

DATE	PARTIES	CHARACTER OF DEED
<u>18-10-63</u>	<u>Frank Andrew Hubing and City of Vancouver</u>	<u>Right of Way over all that part of the closed highway dedicated by the depositing Plans 1358, 2335 & 8977 & being adjacent to Lot 47 & 48 Sub D Block 171 D.S. 2649 S.B. 1/4, W.D. Plan 2335 included in Explan. Plan certified correct (over</u>

And I solemnly declare that I have investigated and ascertained the value of the interest covered by the charge, registration of which is hereby applied for, and that the true value thereof at the date of this application is \$100.00 dollars: [In the case of a Solicitor or Agent, add] and I am duly authorized by the owner to make this application [in the case of an Agent, add] and I reside in the Province of British Columbia, and am of the full age of twenty-one years.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act."

DECLARED before me this 28thday of Oct, 1963at Vancouver, British Columbia.

(Signature)

(Full post-office address)

For mailing notices and documents.

* NOTE.—Insert here the estate less than the fee-simple, or encumbrance or equitable interest claimed in, over, or upon the land; e.g., mortgage in fee-simple for \$500, estate for life, its pends (according to circumstances, upon, in, over).

A Commissioner for taking Affidavits
British Columbia

Do not write outside the side-line. Space reserved for binding.

Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25 15.05.4

Application.....	\$	1	00
Registration of Charge.....		2	00
Deposit of Deeds.....		2	00
Deposit of Map.....			
Documents filed.....			
1/10 of 1% on \$.....			
Cash.....	\$		

by Adam Burhee B.B. L. S. on May 1st 1963 a print of which is attached to instrument, which part is included within the limits of the Parcel designated 'A' on Plan of subdivision of Lots 47 & 48 Sub. 'D' & closed ptm. of Road & Lane (Explan Plan Block 171 D. S. 264 B) Sp. 1 P. W. D. Plan 2335 completed on 6th May 1963 by H. B. Bothon B.B. L. S. a copy of which is attached to instrument together with subordinate rights over ~~the~~ ^{the} ~~land~~ ^{the} ~~parcel~~ ^{the} designated A

THIS INDENTURE made the 18th day of October, in the year of
Our Lord One Thousand Nine Hundred and Sixty Three.

BETWEEN:

FRANK ANDREW HUBICZ
(hereinafter called "the Grantor")

AND:

CITY OF VANCOUVER
(hereinafter called "the Grantee")
OF THE SECOND PART.

373251M
FORM G. L. REGISTRATION
MEMORANDUM OF REGISTRATION
NOV 15 1963
Registration received at the time written
or stamped on the application.
ALBERT SMITH, Registrar.
VANCOUVER LAND REGISTRATION DISTRICT

WHEREAS the Grantor has purchased from the Grantee all that part of the closed Highways dedicated by the deposit of Plans 1358, 2335 and 8977 and being adjacent to Lots 47 and 48, Subdivision "D" of Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335, included in Explanatory Plan certified correct by Adam Burhoe, B.C.L.S., on May 1st, 1963, a print of which is attached hereto, which part is included within the limits of the Parcel designated "A" on Plan of subdivision of Lots 47 and 48, Subdivision "D" and closed portion of Road and Lanes (Explanatory Plan), Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335, completed on the 6th day of May, 1963, by H.B. Cotton, B.C.L.S., a copy of which is attached hereto, hereinafter called "the said easement area", subject to the condition that the Grantor should thereupon grant an easement over the said area to the Grantee, for Public Utilities purposes.

AND WHEREAS the Grantor is the registered owner of Lot 48, Subdivision "D", Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335.

AND WHEREAS the Grantor has subdivided the said Lot 48 with part of the closed Highways, also called "the said easement area", to form one parcel designated Lot "A" as shown on a Plan of subdivision of Lots 47 and 48 of Subdivision "D" and closed portion of Road and Lanes (Explanatory Plan), Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335, completed by H.B. Cotton, B.C.L.S., on the 6th day of May, 1963, a copy of which plan is attached hereto (hereinafter called "the said lands").

AND WHEREAS the parties hereto have mutually agreed, each with the other, according to the terms, covenants and conditions hereinafter set forth;

AND WHEREAS the Grantee is the owner of all the public streets and lanes in the City of Vancouver aforesaid, including the streets and lanes abutting on the said lands:

PRODUCED AND HELD UNDER
DOCUMENT NUMBER 373251

- 2 -

373251

NOW THIS INDENTURE WITNESSETH

1. THAT, in consideration of the premises and of the terms, covenants and conditions on the part of the Grantee to be performed and observed herein, the Grantor doth hereby grant and convey unto the Grantee the full, free and uninterrupted right, liberty and easement for the Grantee, its licencees, agents, servants, officials and workmen, at all times hereafter, by night and by day, and at their will and pleasure, for the benefit of the Grantee, to enter, labour, go, return, pass and repass upon and along the said easement area, of the said lands, and to dig up the soil thereof, and to lay down, construct, instal and maintain water-mains, sewers, drains, ditches, manholes, pipes, or any of them, or any other utility, for the purpose of conveying, draining or disposing of water, sewage, liquid waste, or any of them, over, through or under the said easement area, and to place therein and thereon conduits, pipes, wires, poles, cables, equipment and apparatus for telephones, electric light, electric heat and power and for other electric services or purposes as the Grantee may require or may be deemed expedient, and the same to cover with soil, alter, enlarge, remove, repair, renew, maintain, inspect and replace as may be necessary and expedient by the Grantee or its licencees, agents, servants, officials and workmen, together with the right, liberty and easement of unobstructed access to the said easement area, and to have the said easement area, including the subsoil thereof, remain at all times unoccupied by any embankment or fill, or by any building or structure likely to obstruct such access, other than a boundary fence. For the purposes of these presents, the said water-mains, sewers, drains, manholes, pipes and other utilities, and each and every of them, and all works forming part thereof, are hereinafter called "the said works".

2. TO HAVE AND TO HOLD unto the Grantee from and after the date hereof as appurtenant to the public streets and lanes abutting on the said lands, forever.

LL 23 MLH

373251

- 3 -

3. PROVIDED that nothing herein contained shall be deemed to include or imply any covenant or agreement on the part of the Grantee with the Grantor or with any other person or persons as a condition hereof or otherwise, to construct, instal or maintain the said works or any of them, or any public work or utility whatsoever on the said lands or any portion thereof.

4. The Grantor covenants and agrees with the Grantee that the Grantor will not, while at any time otherwise having the right so to do, maintain any embankment or fill or any building or structure of any kind whatsoever which shall occupy, and will not erect any embankment or fill or any building or structure of any kind which shall occupy, any portion of the said easement area, including the subsoil thereof, other than a boundary fence, and that in the event of the maintenance or erection of any such embankment or fill or any such building or structure as aforesaid, and the neglect of the Grantor to remove the same within thirty (30) days after receipt of notice in writing from the Grantee requiring such removal, the Grantee, in addition to any other right or remedy secured to the Grantee by these presents or otherwise, shall have the right, liberty and easement to do all things necessary to remove the same without any liability for damage; and the Grantor shall forthwith pay to the Grantee all costs, charges and expenses to which the Grantee may be put by reason of such removal, which costs, charges and expenses shall be and remain at all times charged upon and against the said lands.

5. It is hereby understood, covenanted and agreed that the covenants herein contained shall be covenants running with the said lands and with public streets and lanes abutting upon the said lands, and that none of the covenants herein contained shall be personal or binding upon the parties hereto save and except during the Grantor's seizin of or ownership of any interest in the said easement area, and with respect

LL 23 MLH

373251

- 4 -

only to that portion of the said easement area of which the Grantor shall be seized or in which he shall have an interest; but that the said lands shall, nevertheless, be and remain at all times charged therewith.

6. The Grantor doth hereby release and forever discharge the Grantee from and against all manner of actions, causes of action, suits and demands whatsoever at law or in equity which the Grantor may at any time have by reason of the laying, construction, repair, renewal, maintenance, inspection or removal of the said works, or any of them, or any portion thereof.

7. Save as aforesaid, nothing in this indenture shall be interpreted so as to restrict or prevent the Grantor from using the said easement area in any manner which shall not interfere with the security or efficient functioning of or unobstructed access to the said works.

8. These presents shall enure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

9. Words herein importing the singular number, or the masculine gender only, shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse, whenever the context so requires.

IN WITNESS WHEREOF the Grantor has hereunto set his hand and seal, and the Grantee has caused these

Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25 15.05.4

LL 23 M.H

373251

- 5 -

presents to be sealed with the Seal of the City of Vancouver and signed by the Mayor and City Clerk on the day and year first above written.

SIGNED, SEALED and DELIVERED
in the presence of:

Josephine O'Neill
Law Dept., City Hall
Stenographer

Frank H. Hubicz
Grantor

Grantor

SEALED with the Seal of the)
CITY OF VANCOUVER and Signed)
by:

W. J. Lathin
Mayor
Chapman
City Clerk

ACKNOWLEDGMENT OF MAKER

I HEREBY CERTIFY that, on the day of
19 , in the City of Vancouver, Province of British Columbia,
(whose identity has been proved by the evidence on oath
of , who is)
personally known to me, appeared before me and acknowledged
to me that the person mentioned in the annexed
Instrument as maker thereof, and whose name sub-
scribed thereto as part , that know the contents
thereof, and that executed the same voluntarily, and
of the full age of twenty-one years.

IN TESTIMONY whereof I have hereto set
my Hand and Seal of Office, at
Vancouver, in the Province of
British Columbia, this
day of in the year
of Our Lord One Thousand Nine
Hundred and

A Notary Public in and for the Province
of British Columbia
A Commissioner for taking affidavits
British Columbia.

Status: Registered

Doc #: 373251M

RCVD: 1963-10-28 RQST: 2021-06-25

APPENDIX A

Page 8 of 9

15.05.42

LL 30-MLH-62

373251

ACKNOWLEDGMENT OF OFFICER OF CORPORATION

I HEREBY CERTIFY that, on the 24th day of October, 1963, at
 City of Vancouver, in the Province of British Columbia,
~~(whose name has been proved to me as aforesaid)~~
 Ronald Thompson, who is personally known to me,
 appeared before me and acknowledged to me that he is the City Clerk
 City of Vancouver of
 who subscribed his name to the annexed Instrument as City Clerk, and that he is the person
 City of Vancouver of the said
 City of Vancouver and affixed the seal of the
 to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to
 the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of
 British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,
 at Vancouver in the Province of
 British Columbia, this 24th day of October
 in the year of our Lord one thousand nine hundred and sixty three



Notary Public in and for the Province of British Columbia
 A Commissioner for taking affidavits for British Columbia.

NOTE—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25
Page 8 of 20
15.05.42

LL 21-MLH-62

373251

AFFIDAVIT OF WITNESS

PROVINCE OF BRITISH COLUMBIA }
To Wit:

I, Josephine Derrick, of the City
of Vancouver, in the Province of British Columbia,
make oath and say:

1. I was personally present and did see the within Instrument duly signed and executed by
Frank Andrew Hubicz the part Y thereto, for the purposes named therein.
2. The said Instrument was executed at Vancouver, B.C.
3. I know the said part Y, and that he is of the full age of twenty-one years.
4. I am the subscribing witness to the said Instrument and am of the full age of sixteen years.

Sworn before me at Vancouver
in the Province of British Columbia, this
24th day of October, 19 63

J. B. Weston
XX
A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits for British Columbia.

Josephine Derrick



Dear Mayor and City Council

----- 1405 East 15th Avenue and 3047-3071 Maddams Street - Public Hearing - July 6 2021 -----

--

I'm opposed to this project at 1405 East 15th and 3047-3071 Maddams Street. It's too big and doesn't fit into the neighbourhood. Really, seven storeys next to small houses. REALLY, you think this will be comfortable for the people living in the houses..

There are already so many vacancies in these new buildings around the neighbourhood. You are taking away too many already affordable rental units in the old houses in the neighborhood to put in these too expensive units in the new buildings. I'm just letting you know, you are taking away good, inexpensive places to live----in case you really do care about renters as you say.

I see in the staff report for this project that they are using the Rental Incentive Programs Bulletin to determine rents.

<https://bylaws.vancouver.ca/bulletin/bulletin-rental-incentive-programs.pdf>

In this Bulletin rents are too high and are not affordable to renters: Maximum Rents - Studio \$1,653 1-bedroom \$2,022 2-bedroom \$2,647 3-bedroom \$3,722

The staff report goes into great detail about some statistics about rents in the area. Yet staff also use the Rental Incentive Programs Bulletin to show the rents that can be charged. Very different amounts, what is staff really trying to say -- what are the rents going to be here.

These so called 'affordable housing' projects are only affordable to the developer because of all the breaks they get from the City when building this type of housing. They get breaks to build their business, strange because what other business in the City gets breaks to build their businesses. What other business in the City gets The City to tell them how much they can charge for their product; that is their rents. The City has given them a very high price that they can charge for their (rent) product, too. Very strange, it almost looks like the development community was the creator of this affordable housing policy.

The cost of owning verses renting in the report is irrelevant. I'm really sick of this irrelevant staff reason to build rental buildings, think of something new! Many people want to rent, and not buy, because it gives them freedom so they are not tied down to ownership. When we rent we can up and leave on a months notice; don't have all the maintenance costs and worries of ownership; can spend our spare money on having fun instead of putting it away for house repairs. As soon as a neighborhood gets creepy you can simply and quickly move. There are a lot of advantages to renting. If staff are going to talk ad nauseam about owning verses renting then talk about both sides of the issue. These staff reports are so one sided.

I hope you are going to put in some 'loading' parking in front of this new building because the tenants in the new rental building at 18th and Commercial constantly uses the parking on the street in front of every other residence for loading. It's very inconvenient to us living on these

blocks around these new buildings. Not that I think this is of any interest to the development process in The City.

Best
Grace MacKenzie
resident Cedar Cottage

To Mayor and Councillors

I am opposed to the project at 1405 East 15th Avenue and 3047-3071 Maddams Street. It is on your public hearing agenda as Item #6.

I live in the area. I rent and have kids.

The parking in my area is ridiculously hard to find now that two of these new buildings have gone up here with less parking than required for tenants in the new buildings. Driving around the block to find parking is not good for the environment. People like me need my car, especially for the kids. Why would you ever consider putting in less parking. These new buildings are so expensive that there needs to be roommates living in the units and they both have cars.

The Truth:

1. Rents in new developments are more expensive than in older buildings.
2. Landlords in older buildings can raise their rents to fall in line with higher rents in the area.

<http://www.rto.gov.bc.ca/content/rightsResponsibilities/rent.aspx>

How much can rent be increased for a residential tenancy?

Residential tenancy landlords may increase rent annually by a percentage equal to the inflation rate plus two percent without tenants disputing the increase.

Can a landlord request a larger rent increase than the allowable amount?

A residential tenancy landlord may also seek an additional rent increase if the rent for a rental unit is significantly lower than that of similar units in the area.

Rents can also be increased if the cost of property taxes goes up for the landlord. The price of land always goes up if Council up-zones an area. The more expensive the land the higher the property taxes. Up-zoning increases property taxes and the tenant ends up with higher rents.

Very frustrated, no one cares about the problems created for the people living in the area

Denise Chattan

Tenant in the area around this project

Hello Mayor Stewart and City Council

RE: CD-1 Rezoning: 1405 East 15th Avenue and 3047-3071 Maddams Street, Public Hearing
July 6, 2021

We are residents and business owners from Cedar Cottage. We are the Cedar Cottage Area Neighbours (CCAN) with 83 members.

We are opposed to this rezoning as presented through the "Affordable Housing Policy" (AHC Policy). We ask that you not approve it based on our objections as we state below.

The staff report to Council for this project says, on page 4:

<https://council.vancouver.ca/20210608/documents/rr5.pdf>

Rezoning applications considered under the AHC Policy must meet a number of criteria such as providing 100% of the residential floor area as secured rental housing, fitting contextually with neighbouring development and meeting location requirements. The subject site is located on an arterial and within 500 m of a local shopping area, where six-storeys buildings may be considered under the AHC Policy.

This project is **not** on an arterial. There is a lane and City easement between this proposal and the arterial. All development over the easement is disallowed since 1963 into perpetuity. Attached is the easement document from Land Title that shows this.

The block faces for this project are on East 15th Avenue and Maddams Street, NOT the arterial. The City says that if a lot faces off an arterial, within 100 m from an arterial, then it can only at most be built to 4 storeys. Following is the link to the AHC Policy, see page 2:

<https://bylaws.vancouver.ca/bulletin/policy-rezoning-affordable-housing-choices.pdf>

Below is a excerpt including the City's definition of a block face:

Rezoning Policy Updates for Low Density Areas
Eligible Areas

Diagrams to Explain the Eligibility Map

Parallel Blocks
In cases where blocks are parallel to arterial roads, the block face on the arterial road illustrated in dark blue would be eligible for "on arterial" options. The other block face that is part of that block (across the lane) illustrated in light blue would be eligible for "off arterial" options.

Perpendicular Blocks
In cases where blocks are perpendicular to an arterial road and none of the lots front onto the arterial road, both block faces would be eligible only for "off arterial" options.

Mixed Blocks
In cases where blocks include block faces with different orientations, the block face on the arterial road would be eligible for "on arterial" options. The other block faces (across the lane) would be eligible for "off arterial" options.

What is a block face?
A block face is a part of a block where all the houses face in the same direction. A block usually includes more than one block face that are separated by a laneway, as shown below.

May 2021
[Visit shapeyourcity.ca/rental-rz](https://shapeyourcity.ca/rental-rz)

5

CITY OF VANCOUVER | Vancouver Plan | Housing Vancouver

The other issue is the fact that there are already 2 of these projects within 10 blocks of each other on ANY arterial. That's the City policy and it says that only two can be built to maintain neighbourhood character and this project will make three.

Below, A & B, explain what our issues are with this project under AHC Policy.

A. Following is the Council Report that states the '2 within a 10 block rule' on **any** arterial, NOT just on the same arterial:

<http://former.vancouver.ca/ctyclerk/cclerk/20121003/documents/ptec20121003min.pdf>

The Council Report on housing affordability says (on **page 5** of 13):

Action 1: Implement an Interim Rezoning Policy that increases affordable housing choices in Vancouver's neighbourhoods

• *The maximum number of affordable housing rezoning applications be 20, and **limited to 2 within ten blocks on any arterial**, to maintain neighbourhood character;*

➤ There are already 2 of these types of projects within 10 block of each other on arterials and also within a 10 block radius. There is one across the street from this proposal and a second one 7 blocks from the proposal; following are the addresses to the projects already built:

➤ 3120 to 3184 Knight

➤ 3365 Commercial Drive and 1695 to 1773 East 18th Avenue

B. The fact is that in the Council report where the last one of these projects was built in our area just off an arterial, that report relied on the point that there would be no more of these in a 10 block radius. If the City is going to use that reasoning for that project then the same reasoning should be used for this new project. Again, this project will make too many of these projects in an area. Attached is a picture showing the 2 within a 10 block radius. Following explains this point:

The City has already validated the '2 within a 10 block radius rule' because they used it with the Rezoning at 3560-3570 Hull Street which is off an arterial and referred to the rezoning at Commercial Drive & East 18th Avenue as the second project. Following is the link to that report for the Public Hearing of July 10, 2018 which shows this, please read page 5: <https://council.vancouver.ca/20180619/documents/p2.pdf>

*A maximum of 20 applications are permitted under this policy, and no more than two projects within 10 blocks along an arterial street. **This is the second rezoning application within a 10-block radius** (the first one approved was at 18th Avenue and Commercial Drive), thereby neutralizing this portion of Commercial Drive and the Victoria Diversion from future AHC applications.*

CCAN feels that the Corporate Policy AE-028-01, Code of Conduct of Feb 9 2021 is not being followed, especially we are relying on the fact that staff must follow the established policies. Following is the code link and what it says staff must do: <https://policy.vancouver.ca/AE02801.pdf>

7.3 Staff are expected to: • Give effect to the lawful policies, decisions and practices of Council, whether or not the staff member agrees with or approves of them

Page 7 of the Council Report says staff have analyzed the proposal against the RT-2 District Schedule. We assert that the intent with development in this area is to analyze the effect on adjacent properties and the character of the area. This development is in fact a 7 storey building in an area of single family houses and therefore the massing and density is not compatible with the neighbourhood.

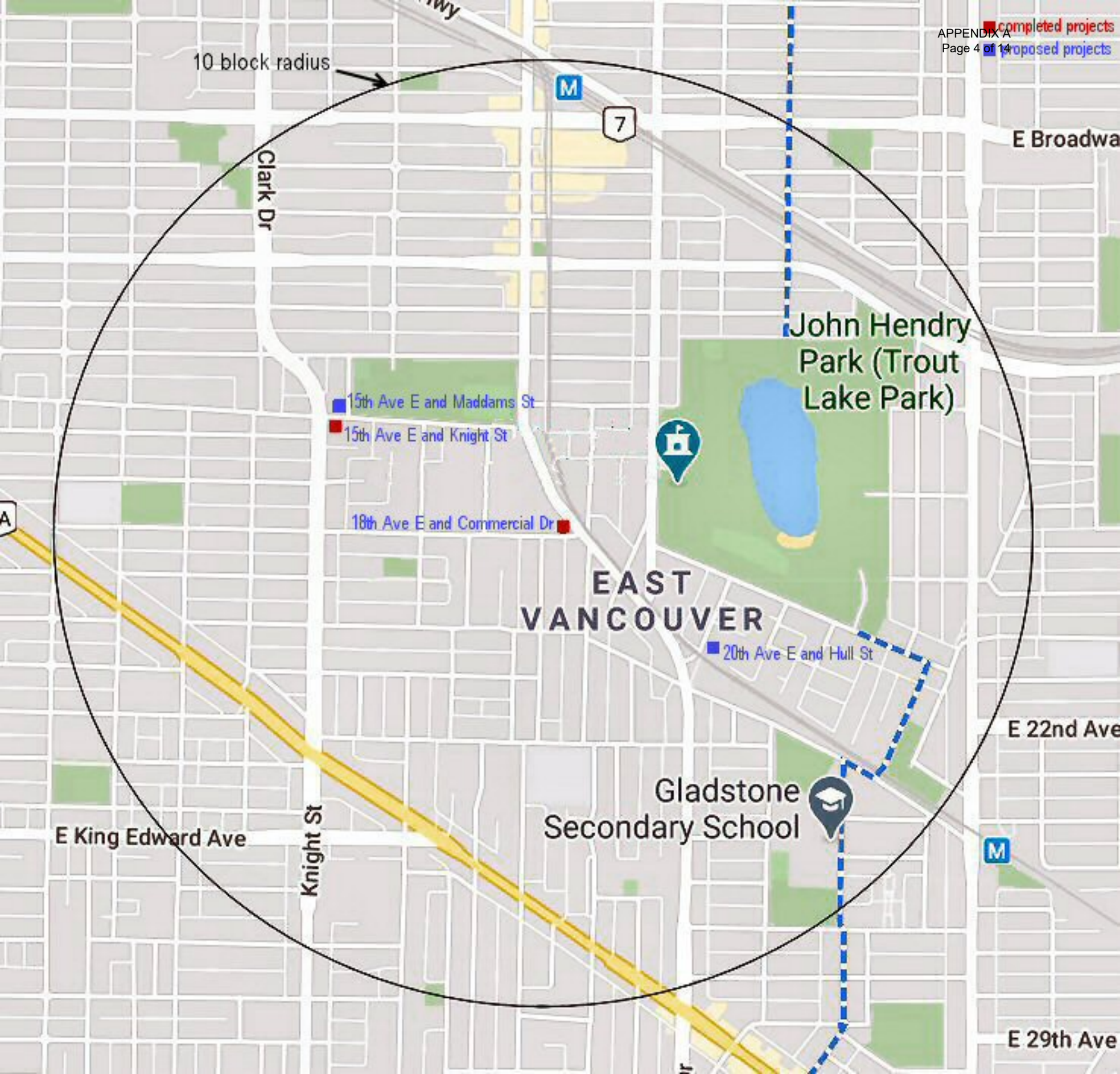
This proposal will create extreme shadowing on the houses to the north of the proposal. If an amenity area is put on the roof this will create overlook to the houses and a lot of noise given there will be 82 units using this space.

Further, all the affordable housing buildings built in this area over the last few years have had vacancy signs up ever since they were built. This shows us that too many units are being built in our area for the demand.

Thank you for considering our input.

Yours truly,
Mr. B. Straten, Secretary
On behalf of CCAN members (Cedar Cottage Area Neighbours)

<https://ccan2013.wordpress.com/>



Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25 15.05.43

373251

No. 373251-M



LAND REGISTRY 106763 -A4
FORM C
(Section 127)

510

Application for Registration of Charge

Date Oct 28, 1963I, Douglas B. Westonthat I am [or Solicitor for or the duly authorized Agent of City of Vancouver

and that he is] entitled to a

Right of Way over part included in Resonance Plan 7719 with
over the land hereunder described and hereby make application under the provisions of the "Land Registry Act"
and claim registration of a charge accordingly. Subordinate Rights over balance

The full name, address, and occupation of the person so entitled to be registered as owner of the charge is

City of Vancouver

† Not applicable
where the
applicant
is a corporation.
Strike out words
not applicable.

I am a British subject.† [Or]

I am not a British subject.† [Or] Particulars - over part as above

I am informed by

(Adapt to suit circumstances.)

, and

† For use where
the application
is made by a
solicitor or agent.

verily believe, that the person so entitled to be registered as owner of the charge is a British subject [or] is not a British subject.††

The fee-simple is registered in Vol. 7685, Fol. 480027L, of the Register.

DESCRIPTION OF LAND

MUNICIPALITY OR ASSESSMENT DISTRICT	LOT OR SECTION	ADMEASUREMENT OR ACREAGE
<u>City of Vancouver</u>	<u>Parcel designated A as shown on Plan of subdivision of Lots 476 & 48 Sub D & closed pth. of Road & Lanes (Explan. Plan Block 171 D.S. 2649 Group 1 & 2, Plan 2335) completed by H. B. Bolton S.B. 1/4, W.D. May 1963 a copy of which Plan is attached to this application</u>	

LIST OF INSTRUMENTS

DATE	PARTIES	CHARACTER OF DEED
<u>18-10-63</u>	<u>Frank Andrew Hubing and City of Vancouver</u>	<u>Right of Way over all that part of the closed highway dedicated by the depositing Plans 1358, 2335 & 8977 & being adjacent to Lot 47 & 48 Sub D Block 171 D.S. 2649 S.B. 1/4, W.D. Plan 2335 included in Explan. Plan certified correct (over</u>

And I solemnly declare that I have investigated and ascertained the value of the interest covered by the charge, registration of which is hereby applied for, and that the true value thereof at the date of this application is \$100.00 dollars: [In the case of a Solicitor or Agent, add] and I am duly authorized by the owner to make this application [In the case of an Agent, add] and I reside in the Province of British Columbia, and am of the full age of twenty-one years.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the "Canada Evidence Act."

DECLARED before me this 28thday of Oct, 1963at Vancouver, British Columbia.

(Signature)

(Full post-office address)

For mailing notices and documents.

* NOTE.—Insert here the estate less than the fee-simple, or encumbrance or equitable interest claimed in, over, or upon the land; e.g., mortgage in fee-simple for \$500, estate for life, its pends (according to circumstances, upon, in, over).

A Commissioner for taking Affidavits
British Columbia

Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25 15.05.4

Application.....	\$	1	00
Registration of Charge.....		2	00
Deposit of Deeds.....		2	00
Deposit of Map.....			
Documents filed.....			
1/10 of 1% on \$.....			
Cash.....	\$		

by Adam Burhee B.B. L. S. on May 1st 1963 a print of which is attached to instrument, which part is included within the limits of the Parcel designated 'A' on Plan of subdivision of Lots 47 & 48 Sub. 'D' & closed ptn. of Road & Lane (Explan Plan Block 171 D. S. 264 B) Sp. 1 P. W. D. Plan 2335 completed on 6th May 1963 by H. B. Botton B.B. L. S. a copy of which is attached to instrument together with subordinate rights over ~~the~~ ^{the distance of} said parcel designated A

THIS INDENTURE made the 18th day of October, in the year of
Our Lord One Thousand Nine Hundred and Sixty Three.

BETWEEN:

FRANK ANDREW HUBICZ
(hereinafter called "the Grantor")

AND:

CITY OF VANCOUVER
(hereinafter called "the Grantee")
OF THE SECOND PART.

373251M
FORM G. L. REGISTRATION
MEMORANDUM OF REGISTRATION
NOV 15 1963
Registration received at the time written
or stamped on the application.
ALBERT SMITH, Registrar.
VANCOUVER LAND REGISTRATION DISTRICT

WHEREAS the Grantor has purchased from the Grantee all that part of the closed Highways dedicated by the deposit of Plans 1358, 2335 and 8977 and being adjacent to Lots 47 and 48, Subdivision "D" of Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335, included in Explanatory Plan certified correct by Adam Burhoe, B.C.L.S., on May 1st, 1963, a print of which is attached hereto, which part is included within the limits of the Parcel designated "A" on Plan of subdivision of Lots 47 and 48, Subdivision "D" and closed portion of Road and Lanes (Explanatory Plan), Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335, completed on the 6th day of May, 1963, by H.B. Cotton, B.C.L.S., a copy of which is attached hereto, hereinafter called "the said easement area", subject to the condition that the Grantor should thereupon grant an easement over the said area to the Grantee, for Public Utilities purposes.

AND WHEREAS the Grantor is the registered owner of Lot 48, Subdivision "D", Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335.

AND WHEREAS the Grantor has subdivided the said Lot 48 with part of the closed Highways, also called "the said easement area", to form one parcel designated Lot "A" as shown on a Plan of subdivision of Lots 47 and 48 of Subdivision "D" and closed portion of Road and Lanes (Explanatory Plan), Block 171, District Lot 264 "A", Group 1, New Westminster District, Plan 2335, completed by H.B. Cotton, B.C.L.S., on the 6th day of May, 1963, a copy of which plan is attached hereto (hereinafter called "the said lands").

AND WHEREAS the parties hereto have mutually agreed, each with the other, according to the terms, covenants and conditions hereinafter set forth;

AND WHEREAS the Grantee is the owner of all the public streets and lanes in the City of Vancouver aforesaid, including the streets and lanes abutting on the said lands:

PRODUCED AND HELD UNDER
DOCUMENT NUMBER 373251

- 2 -

373251

NOW THIS INDENTURE WITNESSETH

1. THAT, in consideration of the premises and of the terms, covenants and conditions on the part of the Grantee to be performed and observed herein, the Grantor doth hereby grant and convey unto the Grantee the full, free and uninterrupted right, liberty and easement for the Grantee, its licencees, agents, servants, officials and workmen, at all times hereafter, by night and by day, and at their will and pleasure, for the benefit of the Grantee, to enter, labour, go, return, pass and repass upon and along the said easement area, of the said lands, and to dig up the soil thereof, and to lay down, construct, instal and maintain water-mains, sewers, drains, ditches, manholes, pipes, or any of them, or any other utility, for the purpose of conveying, draining or disposing of water, sewage, liquid waste, or any of them, over, through or under the said easement area, and to place therein and thereon conduits, pipes, wires, poles, cables, equipment and apparatus for telephones, electric light, electric heat and power and for other electric services or purposes as the Grantee may require or may be deemed expedient, and the same to cover with soil, alter, enlarge, remove, repair, renew, maintain, inspect and replace as may be necessary and expedient by the Grantee or its licencees, agents, servants, officials and workmen, together with the right, liberty and easement of unobstructed access to the said easement area, and to have the said easement area, including the subsoil thereof, remain at all times unoccupied by any embankment or fill, or by any building or structure likely to obstruct such access, other than a boundary fence. For the purposes of these presents, the said water-mains, sewers, drains, manholes, pipes and other utilities, and each and every of them, and all works forming part thereof, are hereinafter called "the said works".

2. TO HAVE AND TO HOLD unto the Grantee from and after the date hereof as appurtenant to the public streets and lanes abutting on the said lands, forever.

LL 23 MLH

373251

- 3 -

3. PROVIDED that nothing herein contained shall be deemed to include or imply any covenant or agreement on the part of the Grantee with the Grantor or with any other person or persons as a condition hereof or otherwise, to construct, instal or maintain the said works or any of them, or any public work or utility whatsoever on the said lands or any portion thereof.

4. The Grantor covenants and agrees with the Grantee that the Grantor will not, while at any time otherwise having the right so to do, maintain any embankment or fill or any building or structure of any kind whatsoever which shall occupy, and will not erect any embankment or fill or any building or structure of any kind which shall occupy, any portion of the said easement area, including the subsoil thereof, other than a boundary fence, and that in the event of the maintenance or erection of any such embankment or fill or any such building or structure as aforesaid, and the neglect of the Grantor to remove the same within thirty (30) days after receipt of notice in writing from the Grantee requiring such removal, the Grantee, in addition to any other right or remedy secured to the Grantee by these presents or otherwise, shall have the right, liberty and easement to do all things necessary to remove the same without any liability for damage; and the Grantor shall forthwith pay to the Grantee all costs, charges and expenses to which the Grantee may be put by reason of such removal, which costs, charges and expenses shall be and remain at all times charged upon and against the said lands.

5. It is hereby understood, covenanted and agreed that the covenants herein contained shall be covenants running with the said lands and with public streets and lanes abutting upon the said lands, and that none of the covenants herein contained shall be personal or binding upon the parties hereto save and except during the Grantor's seizin of or ownership of any interest in the said easement area, and with respect

LL 23 MLH

373251

- 4 -

only to that portion of the said easement area of which the Grantor shall be seized or in which he shall have an interest; but that the said lands shall, nevertheless, be and remain at all times charged therewith.

6. The Grantor doth hereby release and forever discharge the Grantee from and against all manner of actions, causes of action, suits and demands whatsoever at law or in equity which the Grantor may at any time have by reason of the laying, construction, repair, renewal, maintenance, inspection or removal of the said works, or any of them, or any portion thereof.

7. Save as aforesaid, nothing in this indenture shall be interpreted so as to restrict or prevent the Grantor from using the said easement area in any manner which shall not interfere with the security or efficient functioning of or unobstructed access to the said works.

8. These presents shall enure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

9. Words herein importing the singular number, or the masculine gender only, shall include more persons, parties or things of the same kind than one, and females as well as males, and the converse, whenever the context so requires.

IN WITNESS WHEREOF the Grantor has hereunto set his hand and seal, and the Grantee has caused these

Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25 15.05.4

LL 23 M.H

373251

- 5 -

presents to be sealed with the Seal of the City of Vancouver and signed by the Mayor and City Clerk on the day and year first above written.

SIGNED, SEALED and DELIVERED
in the presence of:

Josephine O'Connell
Law Dept., City Hall
Stenographer

Frank H. Hubicz
Grantor

Grantor

SEALED with the Seal of the
CITY OF VANCOUVER and Signed
by:

W. J. Lathin
Mayor
Chapman
City Clerk

ACKNOWLEDGMENT OF MAKER

I HEREBY CERTIFY that, on the day of
19 , in the City of Vancouver, Province of British Columbia,
(whose identity has been proved by the evidence on oath of , who is)
personally known to me, appeared before me and acknowledged to me that the person mentioned in the annexed Instrument as maker thereof, and whose name subscribed thereto as part , that know the contents thereof, and that executed the same voluntarily, and of the full age of twenty-one years.

IN TESTIMONY whereof I have hereto set
my Hand and Seal of Office, at
Vancouver, in the Province of
British Columbia, this
day of in the year
of Our Lord One Thousand Nine
Hundred and

A Notary Public in and for the Province
of British Columbia
A Commissioner for taking affidavits
British Columbia.

Status: Registered

Doc #: 373251M

RCVD: 1963-10-28 RQST: 2021-06-25

APPENDIX A

Page 8 of 9

15.05.42

LL 30-MLH-62

373251

ACKNOWLEDGMENT OF OFFICER OF CORPORATION

I HEREBY CERTIFY that, on the 24th day of October, 1963, at
 City of Vancouver, in the Province of British Columbia,
~~XXXXXX~~ Ronald Thompson ~~XXXXXX~~
 appeared before me and acknowledged to me that he is the
 City Clerk of
 City of Vancouver, and that he is the person
 who subscribed his name to the annexed Instrument as
 City Clerk of the said
 City of Vancouver and affixed the seal of the
 City of Vancouver
 to the said Instrument, that he was first duly authorized to subscribe his name as aforesaid, and affix the said seal to
 the said Instrument, and that such corporation is legally entitled to hold and dispose of land in the Province of
 British Columbia.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office,
 at Vancouver in the Province of
 British Columbia, this 24th day of October
 in the year of our Lord one thousand nine hundred and sixty three



XXXXXX
 A Commissioner for taking affidavits for British Columbia.

NOTE—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

Status: Registered

Doc #: 373251M

APPENDIX A
RCVD: 1963-10-28 RQST: 2021-06-25
Page 8 of 20
15.05.42

LL 21-MLH-62

373251

AFFIDAVIT OF WITNESS

PROVINCE OF BRITISH COLUMBIA }
To Wit:

I, Josephine Derrick, of the City
of Vancouver, in the Province of British Columbia,
make oath and say:

1. I was personally present and did see the within Instrument duly signed and executed by
Frank Andrew Hubicz the part Y thereto, for the purposes named therein.
2. The said Instrument was executed at Vancouver, B.C.
3. I know the said part Y, and that he is of the full age of twenty-one years.
4. I am the subscribing witness to the said Instrument and am of the full age of sixteen years.

Sworn before me at Vancouver
in the Province of British Columbia, this
24th day of October, 19 63

J. B. Weston
XX
A Notary Public in and for the Province of British Columbia.
A Commissioner for taking affidavits for British Columbia.

Josephine Derrick



40m
-123.075 49.257 Degrees

Dear Mayor and City Council

----- 1405 East 15th Avenue and 3047-3071 Maddams Street - Public Hearing - July 6 2021 -----

--

I'm opposed to this project at 1405 East 15th and 3047-3071 Maddams Street. It's too big and doesn't fit into the neighbourhood. Really, seven storeys next to small houses. REALLY, you think this will be comfortable for the people living in the houses..

There are already so many vacancies in these new buildings around the neighbourhood. You are taking away too many already affordable rental units in the old houses in the neighborhood to put in these too expensive units in the new buildings. I'm just letting you know, you are taking away good, inexpensive places to live----in case you really do care about renters as you say.

I see in the staff report for this project that they are using the Rental Incentive Programs Bulletin to determine rents.

<https://bylaws.vancouver.ca/bulletin/bulletin-rental-incentive-programs.pdf>

In this Bulletin rents are too high and are not affordable to renters: Maximum Rents - Studio \$1,653 1-bedroom \$2,022 2-bedroom \$2,647 3-bedroom \$3,722

The staff report goes into great detail about some statistics about rents in the area. Yet staff also use the Rental Incentive Programs Bulletin to show the rents that can be charged. Very different amounts, what is staff really trying to say -- what are the rents going to be here.

These so called 'affordable housing' projects are only affordable to the developer because of all the breaks they get from the City when building this type of housing. They get breaks to build their business, strange because what other business in the City gets breaks to build their businesses. What other business in the City gets The City to tell them how much they can charge for their product; that is their rents. The City has given them a very high price that they can charge for their (rent) product, too. Very strange, it almost looks like the development community was the creator of this affordable housing policy.

The cost of owning verses renting in the report is irrelevant. I'm really sick of this irrelevant staff reason to build rental buildings, think of something new! Many people want to rent, and not buy, because it gives them freedom so they are not tied down to ownership. When we rent we can up and leave on a months notice; don't have all the maintenance costs and worries of ownership; can spend our spare money on having fun instead of putting it away for house repairs. As soon as a neighborhood gets creepy you can simply and quickly move. There are a lot of advantages to renting. If staff are going to talk ad nauseam about owning verses renting then talk about both sides of the issue. These staff reports are so one sided.

I hope you are going to put in some 'loading' parking in front of this new building because the tenants in the new rental building at 18th and Commercial constantly uses the parking on the street in front of every other residence for loading. It's very inconvenient to us living on these

blocks around these new buildings. Not that I think this is of any interest to the development process in The City.

Best
Grace MacKenzie
resident Cedar Cottage

To Mayor and Councillors

I am opposed to the project at 1405 East 15th Avenue and 3047-3071 Maddams Street. It is on your public hearing agenda as Item #6.

I live in the area. I rent and have kids.

The parking in my area is ridiculously hard to find now that two of these new buildings have gone up here with less parking than required for tenants in the new buildings. Driving around the block to find parking is not good for the environment. People like me need my car, especially for the kids. Why would you ever consider putting in less parking. These new buildings are so expensive that there needs to be roommates living in the units and they both have cars.

The Truth:

1. Rents in new developments are more expensive than in older buildings.
2. Landlords in older buildings can raise their rents to fall in line with higher rents in the area.

<http://www.rto.gov.bc.ca/content/rightsResponsibilities/rent.aspx>

How much can rent be increased for a residential tenancy?

Residential tenancy landlords may increase rent annually by a percentage equal to the inflation rate plus two percent without tenants disputing the increase.

Can a landlord request a larger rent increase than the allowable amount?

A residential tenancy landlord may also seek an additional rent increase if the rent for a rental unit is significantly lower than that of similar units in the area.

Rents can also be increased if the cost of property taxes goes up for the landlord. The price of land always goes up if Council up-zones an area. The more expensive the land the higher the property taxes. Up-zoning increases property taxes and the tenant ends up with higher rents.

Very frustrated, no one cares about the problems created for the people living in the area

Denise Chattan

Tenant in the area around this project