



## PUBLIC HEARING MINUTES

SEPTEMBER 21 AND 23, 2021

A Public Hearing of the City of Vancouver was held on Tuesday, September 21, 2021, at 6:05 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting reconvened on Thursday, September 23, 2021, at 6:08 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\* (Civic Business – September 23, 2021)  
Councillor Rebecca Bligh  
Councillor Christine Boyle  
Councillor Adriane Carr  
Councillor Melissa De Genova\*  
Councillor Lisa Dominato  
Councillor Pete Fry  
Councillor Colleen Hardwick\* (Leave of Absence – Personal Reasons on September 23, 2021)  
Councillor Sarah Kirby-Yung  
Councillor Jean Swanson

**ABSENT:** Councillor Michael Wiebe (Leave of Absence – Civic Business on September 21 and 23, 2021)

**CITY CLERK'S OFFICE:** Katrina Leckovic, City Clerk (September 21, 2021)  
Tina Penney, Deputy City Clerk (September 23, 2021)  
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. Internal Development Application and Permitting Modernization Task Force – Zoning and Development By-law Amendments to Enable Issuance of a Building Permit for Excavation and Shoring Before a Development Permit**

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

Summary: To amend Section 4 (Development Permits) of the City of Vancouver Zoning and Development By-law to enable a building permit (BP), limited in scope to excavation and shoring, to be issued before the development permit (DP). If approved, these amendments will provide additional flexibility in construction scheduling for eligible projects, limited to those including Social Housing or Secured Market Rental Housing, Institutional Uses, and select Cultural and Recreational Uses.

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 in support was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments:

**Staff Opening Comments**

Planning, Urban Design and Sustainability staff provided a presentation of the application and responded to questions.

**Speakers**

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

On September 21, 2021, the speakers list and receipt of public comments closed at 6:30 pm.

**Council Decision**

MOVED by Councillor Dominato  
SECONDED by Councillor Fry

THAT Council approves the application to amend the Zoning and Development By-law to amend Section 4 to permit the Director of Planning to recommend that the City Building Inspector issue a building permit, limited to excavation and shoring, before issuance of the development permit for projects including Dwelling Uses developed as Social Housing or Secured Market Rental Housing, Institutional Uses, and select Cultural and Recreational Uses, generally as presented in Appendix A of the Referral

Report dated July 6, 2021, entitled “Internal Development Application and Permitting Modernization Task Force – Zoning and Development By-law Amendments to Enable Issuance of a Building Permit for Excavation and Shoring Before a Development Permit”.

CARRIED UNANIMOUSLY (Vote No. 07941)  
(Councillor De Genova absent for the vote)

## **2. 835-837 Beatty Street – Anglo-Canadian Warehouse Company Building – Heritage Designation**

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

Summary: To bring forward for enactment a by-law to designate as protected heritage property the structure and exterior of the existing building at 835-837 Beatty Street known as “Anglo-Canadian Warehouse Company Building” which is listed on the Vancouver Heritage Register in the “C” evaluation category.

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

### **Summary of Correspondence**

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**

Council agreed to waive the staff presentation. Planning, Urban Design and Sustainability staff did not have additional comments but were available to respond to questions of Council.

### **Applicant Comments**

Rob Leshgold, Reliance Properties, did not have any opening comments.

### **Speakers**

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

On September 21, 2021, the speakers list and receipt of public comments closed at 6:40 pm.

### **Council Decision**

MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate as protected heritage property the structure and exterior of the existing building at 835-837 Beatty Street [PID: 031-282-474; Parcel A (Being a Consolidation of Lots 11 to 14, See CA8682396) Block 68 District Lot 541 Group 1 New Westminster District Plan 2565 (the “site”)] known as the “Anglo-Canadian Warehouse Company Building” (the “Heritage Building”) which is listed on the Vancouver Heritage Register in the ‘C’ evaluation category.
- B. THAT A 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
  - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 07942)  
(Councillor De Genova absent for the vote)

### **3. REZONING: 515 West 60th Avenue**

An application by Matthew Cheng Architects was considered as follows:

Summary: To rezone 515 West 60th Avenue from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, to permit a townhouse development with a maximum floor space ratio (FSR) of 1.20. If rezoning is approved, a subsequent development permit process will include a review of a proposed form of development.

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

#### **Staff Opening Comments**

Planning, Urban Design and Sustainability staff provided a presentation and responded to questions\*.

*\*Note: Staff presented a joint presentation for agenda item 3. Rezoning: 515 West 60th Avenue and item 4. Rezoning: 721-735 West 49th Avenue. The applications including but not limited to considerations and hearing from speakers were dealt with separately for each item.*

### **Applicant Comments**

Matthew Cheng, Matthew Cheng Architect Inc., responded to questions for item 3. Rezoning: 515 West 60th Avenue.

### **Speakers**

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

On September 21, 2021, the speakers list and receipt of public comments closed at 7:02 pm.

### **Council Decision**

MOVED by Councillor Carr  
SECONDED by Councillor Bligh

- A. THAT the application by Matthew Cheng Architects on behalf of Yen Chen Chen, the registered owner of the land located at 515 West 60th Avenue [*PID: 009-692-665, Lot 14, Block K, District Lot 323, Plan 9322*] all from RS-1 (Single-Detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "Rezoning: 515 West 60th Avenue", be approved in principle;

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

- B. THAT, subject to enactment of the rezoning 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 July 6, 2021, entitled "Rezoning: 515 West 60th Avenue".
- C. THAT A and B 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. 07943)  
(Councillors Hardwick and Swanson opposed)  
(Councillor De Genova absent for the vote)

#### **4. REZONING: 721-735 West 49th Avenue**

An application by 1279121 B.C. Ltd was considered as follows:

Summary: To rezone 721-735 West 49th Avenue from RS-1 (Single-detached Houses and Duplexes) District to RM-8AN (Multiple Dwelling) District, to permit a townhouse development with a maximum floor space ratio (FSR) of 1.20. If rezoning is approved, a subsequent development permit process will include a review of a proposed form of development.

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:

- one piece of correspondence in support of the application; and
- one piece of correspondence in opposition to the application.

#### **Staff Opening Comments**

Planning, Urban Design and Sustainability did not have any additional opening comments\*.

*\*Note: Staff presented a joint presentation for agenda item 3. Rezoning: 515 West 60th Avenue and item 4. Rezoning: 721-735 West 49th Avenue. The applications including but not limited to considerations and hearing from speakers were dealt with separately for each item.*

## **Applicant Comments**

Andrew Cook, Senior Projects Manager, Formwerks Architecture, responded to questions for item 4. Rezoning: 721-735 West 49th Avenue.

## **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in opposition of the application:

- Brendan Washbern

On September 21, 2021, the speakers list and receipt of public comments closed at 7:19 pm.

## **Staff Closing Comments**

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

## **Council Decision**

MOVED by Councillor Dominato

SECONDED by Councillor Carr

- A. THAT the application by 1279121 B.C. Ltd., the registered owner of the lands located at 721-735 West 49th Avenue [*Lot 6 and 5, Block F, Block 1008, District Lot 526, Plan 10991; PIDs: 009-221-352 and 009-221-328, respectively*] all from RS-1 (Single-Detached Houses and Duplexes) District to RM-8AN (Multiple Dwelling) District, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "Rezoning: 721-735 West 49th Avenue", be approved in principle; FURTHER THAT the above approval be subject to the Conditions of Approval contained in Appendix B of the above-noted report.
- B. THAT, subject to enactment of the rezoning 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 July 6, 2021, entitled "Rezoning: 721-735 West 49th Avenue".
- C. THAT A and B 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. 07944)  
(Councillors Hardwick and Swanson opposed)  
(Councillor De Genova absent for the vote)

## **5. CD-1 REZONING: 4426-4464 Knight Street and 1406 East 28th Avenue**

An application by GBL Architects was considered as follows:

Summary: To rezone 4426-4464 Knight Street and 1406 East 28th Avenue from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 72 secured market rental housing units, including 10 live-work units. A height of 20 m (66 ft.) and a floor space ratio (FSR) of 3.1 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:

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

### **Staff Opening Comments**

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

### **Applicant Comments**

Daniel Eisenberg, GBL Architects, responded to questions.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Franco Ng
- Michaela Buskell
- Lester Liu
- Ryan Pak
- Manbir Singh Sajjan
- Candice Vallantin
- Lakhvir Dhillon
- Lillian Cho
- Sharon Lin
- Peter Waldkirch
- Judy Fong

The following spoke in opposition of the application:

- Anne Roberts
- Jimmy Chan
- Christina Chan

On September 21, 2021, the speakers list and receipt of public comments closed at 8:52 pm.

### **Staff Closing Comments**

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

### **Council Decision**

MOVED by Councillor De Genova  
SECONDED by Councillor Boyle

- A. THAT the application by GBL Architects, on behalf of Alliance Wingsail (Knight Street) Holdings Ltd., the registered owner of the lands located at:
- 4426 Knight Street [*PID 012-228-729; Amended Lot A (See 94924L) of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],
  - 4438 Knight Street [*PID 012-228-753; Lot B, Except the West 7 Feet Now Road, of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],
  - 4464 Knight Street [*PID 012-228-940; Lot C Except the West 7 Feet Now Road of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],  
and
  - 1406 East 28th Avenue [*PID 014-215-136; Amended Lot 1 (See 94923L) of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 1909*],

to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.6 to 3.1, and permit a building height of 20 m (66 ft.) for a six-storey rental building containing a total of 72 secured market rental housing units, including 10 live-work units, generally as presented in Appendix A of the Referral Report dated June 22, 2021, entitled "4426-4464 Knight Street and 1406 East 28th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by GBL Architects received June 10, 2020, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted 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 June 22, 2021, entitled Page 2 of 2 "4426-4464 Knight Street and 1406 East 28th 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 June 22, 2021, entitled "4426-4464 Knight Street and 1406 East 28th Avenue".
- D. THAT 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; 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 Swanson  
SECONDED by Councillor Fry

THAT the following be added as E:

THAT staff require the applicant to ensure pollution mitigation measures are incorporated into the building design to protect tenants from traffic pollution on Knight St.

*At 9:08 pm, during debate Councillor De Genova rose on a Point of Order per the Procedure By-law under sections 8.7 (a) that the amendment is not compatible with the purposes and objects of the Vancouver Charter; and (b) that the amendment is in conflict with existing law or by-law.*

*At 9:11 pm, following a brief recess, the Mayor ruled the motion in order.*

Following debate, the amendment was put and CARRIED (Vote No. 07945) with Councillor De Genova opposed.

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 07946), with Councillors Bligh and Hardwick abstaining from the vote.

#### **FINAL MOTION AS APPROVED**

- A. THAT the application by GBL Architects, on behalf of Alliance Wingsail (Knight Street) Holdings Ltd., the registered owner of the lands located at:
- 4426 Knight Street [*PID 012-228-729; Amended Lot A (See 94924L) of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],
  - 4438 Knight Street [*PID 012-228-753; Lot B, Except the West 7 Feet Now Road, of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],
  - 4464 Knight Street [*PID 012-228-940; Lot C Except the West 7 Feet Now Road of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 3754*],  
and
  - 1406 East 28th Avenue [*PID 014-215-136; Amended Lot 1 (See 94923L) of Lot 3 South Part of Blocks 1 and 3 District Lot 352 Plan 1909*],

to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.6 to 3.1, and permit a building height of 20 m (66 ft.) for a six-storey rental building containing a total of 72 secured market rental housing units, including 10 live-work units, generally as presented in Appendix A of the Referral Report dated June 22, 2021, entitled "4426-4464 Knight Street and 1406 East 28th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by GBL Architects received June 10, 2020, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted 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 June 22, 2021, entitled Page 2 of 2 “4426-4464 Knight Street and 1406 East 28th 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 June 22, 2021, entitled “4426-4464 Knight Street and 1406 East 28th Avenue”.
- D. THAT 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; and
  - iii. THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.
- E. THAT staff require the applicant to ensure pollution mitigation measures are incorporated into the building design to protect tenants from traffic pollution on Knight St.

\* \* \* \* \*

On September 21, 2021, the Public Hearing recessed at 9:40 pm, and reconvened on September 23, 2021, at 6:08 pm to continue its business..

\* \* \* \* \*

## **6. CD-1 REZONING: 3449-3479 West 41st Avenue and 5664 Collingwood Street**

An application by Ciccozzi Architecture Inc. was considered as follows:

Summary: To rezone 3449-3479 West 41st Avenue and 5664 Collingwood Street from RS-5 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building with 109 secured market rental housing units. A height of 21 m (69 ft.) and a floor space ratio (FSR) of 2.73 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:

- 146 pieces of correspondence in support of the application;
- 5 pieces of correspondence in opposition to the application; and
- 1 piece of correspondence dealing with other aspects of the application.

\* \* \* \* \*

*On September 23, 2021, during the staff presentation, the Public Hearing recessed at 6:19 pm due to technical difficulties, and reconvened at 6:31 pm to continue with the staff presentation on Item 6. CD-1 Rezoning: 3449-3479 West 41st Avenue and 4664 Collingwood Street.*

\* \* \* \* \*

### **Staff Opening Comments**

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

### **Applicant Comments**

Jamie Vaughan, Sightline Properties, responded to questions.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Alison Harbidge
- Becky Sczebel
- George Reifei
- Theodor Metzmeier
- Anne-Marie Dahms
- Tony Letvinchuk
- Elizabeth Siemens
- Reese Walford
- Kevin Schemmann
- Samuel Axelson
- Mercurio Boshjak
- Theo Birkner

The following spoke to other aspects of the application:

- Theresa Juba

On September 23, 2021, the speakers list and receipt of public comments closed at 7:47 pm.

### **Staff Closing Comments**

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

### **Council Decision**

MOVED by Councillor Boyle

SECONDED by Councillor Kirby-Yung

- A. THAT the application by Ciccozzi Architecture Inc., on behalf of Sightline Properties (Collingwood St) Ltd., the registered owner of the lands located at:
- 3449 West 41st Avenue [*Lot 3 Blocks 6 and 7 District Lot 2027 Plan 2070; PID 013-224-751*], and
  - 3469-3479 West 41st Avenue and 5664 Collingwood Street [*Lots C, B and A of Blocks 6 and 7 District Lot 2027 Plan 16886; PIDs 007-340-346, 007-340-290 and 007-340-257 respectively*],

to rezone the lands from RS-5 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.85 to 2.73, and increase the building height from 10.7 m (35.1 ft.) to 21 m (69 ft.) for a six-storey, residential building containing 109 market rental housing units, generally as presented in Appendix A of the Referral Report dated July 6, 2021, entitled "CD-1 Rezoning: 3449-3479 West 41st Avenue and 5664 Collingwood Street", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by Ciccozzi Architecture Inc., received on May 1, 2020 and revised plans received September 17, 2020, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

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

- B. 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 Page 2 of 2 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 above-noted report.
- D. THAT 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; 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 UNANIMIOUSLY (Vote No. 07655)  
(Councillor Hardwick and Mayor Stewart absent for the vote)

## **ADJOURNMENT**

MOVED by Councillor De Genova  
SECONDED by Councillor Boyle

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

On September 23, 2021, the Public Hearing adjourned at 8:06 pm

\* \* \* \* \*