



## PUBLIC HEARING MINUTES

**FEBRUARY 14 AND 21, 2023**

A Public Hearing of the City of Vancouver was held on Tuesday, February 14, 2023, at 6:06 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting recessed and reconvened on Tuesday, February 21, 2023, at 6:00 pm. This Public Hearing was convened by electronic means as authorized under Section 566 of the *Vancouver Charter*.

**PRESENT:**

Mayor Ken Sim\* (Leave of Absence Civic Business on February 14, 2023, from 6 pm to 7 pm; absent for the remainder of the meeting on February 14, 2023)  
Councillor Adriane Carr, Acting Mayor (February 14, 2023)  
Councillor Rebecca Bligh\*  
Councillor Christine Boyle  
Councillor Lisa Dominato  
Councillor Pete Fry  
Councillor Sarah Kirby-Yung\*  
Councillor Mike Klassen\*  
Councillor Peter Meiszner\*  
Councillor Brian Montague  
Councillor Lenny Zhou

**CITY CLERK'S OFFICE:**

Leslie Matthews, Deputy City Clerk  
David Yim, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

### WELCOME

The Acting Mayor acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People. 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 Acting 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. **Zoning and Development By-law Amendments to Support the Patio Program for Businesses on Private Property**

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

Summary: To amend the Zoning and Development By-law to make temporary regulations permanent for patios for businesses on private property.

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

### **Summary of Correspondence**

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

### **Speakers**

The Acting Mayor called for speakers for and against the application.

Jairo Yunis spoke in support of the application.

The speakers list and receipt of public comments closed at 6:28 pm.

### **Council Decision**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Dominato

- A. THAT Council approves, in principle, the application to allow patios for businesses on private property that are currently restricted by the Zoning and Development By-law;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment amendments to the Zoning and Development By-law generally in accordance with Appendix A of the Referral Report dated October 20, 2022, entitled "Zoning and Development By-law Amendments to Support the Patio Program for Businesses on Private Property";

- B. THAT A above be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact any rezoning by-laws; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09026)  
(Councillor Bligh absent for the vote)

## **2. Zoning and Development By-law Amendments to Simplify Green Building Regulations**

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

Summary: To amend the C-2, C-2B, C-2C, and C-2C1 district schedules; the Secured Rental Policy; and the C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings to remove green building requirements made redundant by changes to the Vancouver Building By-law approved in May 2022.

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

### **Summary of Correspondence**

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

### **Staff Opening Comments**

Staff from Planning, Urban Design and Sustainability provided a presentation and responded to questions.

### **Speakers**

The Acting Mayor called for speakers for and against the application.

Harv Sidhu spoke in support of the application.

The speakers list and receipt of public comments closed at 6:54 pm.

### **Council Decision**

MOVED by Councillor Dominato  
SECONDED by Councillor Boyle

- A. THAT Council approve, in principle, the application to remove green building regulations from the C-2, C-2B, C-2C, and C-2C1 District Schedules, all to come into force and effect on March 15, 2023;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment amendments to the Zoning and Development By-law in accordance with Appendix A, generally as presented in the Referral Report; dated January 3, 2023, entitled "Zoning and Development By-law Amendments to Simplify Green Building Regulations".

- B. THAT, at the time of enactment of the amended C-2, C-2B, C-2C, and C-2C1 District Schedules, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval the updated Secured Rental Policy, generally in accordance with Appendix B, of the Referral Report dated January 3, 2023, entitled “Zoning and Development By-law Amendments to Simplify Green Building Regulations”.
- C. THAT, at the time of enactment of the amended C-2, C-2B, C-2C, and C-2C1 District Schedules, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval the C-2, C-2B, C-2C, and C-2C1 Guidelines for Residential Rental Tenure Buildings, generally in accordance with Appendix C, of the Referral Report dated January 3, 2023, entitled “Zoning and Development By-law Amendments to Simplify Green Building Regulations”.
- D. THAT A through C above be adopted on the following conditions:
  - (i) THAT passage of the above resolutions creates no legal rights for any person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact any rezoning by-laws; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09027)  
(Councillors Kirby-Yung, Klassen, and Meiszner absent for the vote)

### **3. CD-1 Text Amendment: 319-359 West 49th Avenue (319 West 49th Avenue)**

An application by Winston Chong Architect was considered as follows:

Summary: To amend CD-1 (832) (Comprehensive Development) District By-law for 319-359 West 49th Avenue to increase the FSR from 2.30 to 2.50 for a four-storey mixed-use building and permit an increase in commercial units from five to seven and strata-titled residential units from 51 to 64.

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

#### **Summary of Correspondence**

No correspondence was received since referral to Public Hearing and prior to the close of the speakers list and receipt of public comments.

## Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation and responded to questions.

## Applicant Comments

The applicant responded to questions.

## Speakers

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

The speakers list and receipt of public comments closed at 7:12 pm.

## Council Decision

MOVED by Councillor Klassen  
SECONDED by Councillor Zhou

- A. THAT the application by Winston Chong Architect on behalf of Killarney Enterprises (49th) Ltd., the registered owner of the lands located at 319-359 West 49th Avenue (now 319 West 49th Avenue) [*PID 031-722-342; Lot A Block 999 District Lot 526 Group 1 New Westminster District Plan EPP115225*] to amend CD-1 (Comprehensive Development) District (832) By-law No. 13484, to increase the FSR to 2.50 for additional commercial and strata-titled residential units in a mixed-use development, generally as presented in the Referral Report dated December 20, 2022, entitled "CD-1 Text Amendment: 319-359 West 49th Avenue (319 West 49th Avenue)", be approved in principle; FURTHER THAT the draft by-law to amend CD-1 (832) By-law No. 13484, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Winston Chong Architect, received March 7, 2022, provided that 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 A above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09028)

#### **4. CD-1 Rezoning: 6151-6261 Granville Street and 1511 West 47th Avenue**

An application by Intracorp Project Ltd. was considered as follows:

Summary: To rezone 6151-6261 Granville Street and 1511 West 47th Avenue from RS-3 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey Community Care Facility – Class B with 226 units. A building height of 30.3 m (99 ft.) and a floor space ratio (FSR) of 2.80 are proposed.

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

#### **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:

- 11 pieces of correspondence in support of the application; and
- five pieces of correspondence in opposition to the application.

#### **Staff Opening Comments**

Staff from Planning, Urban Design and Sustainability provided a presentation.

#### **Applicant Comments**

The applicant team responded to questions.

#### **Speakers**

The Acting Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Dan Levitt
- Graham Freeman
- Ken Levitt
- Maryam Yaftian
- John Kuharchuk
- Jessica Bouchard

Carol Wiens provided general comments on the application.

The speakers list and receipt of public comments closed at 8:25 pm.

### **Council Decision**

MOVED by Councillor Klassen

SECONDED by Councillor Kirby-Yung

- A. THAT the application by Intracorp Project Ltd., on behalf of Amica Seniors Granville Inc., the registered owner of the lands located at 6151-6261 Granville Street and 1511 West 47th Avenue [*Lots 15, 14, 13, 12, 11, 10, and 9 of Block 5 of Block 3 District Lot 526 Plan 5701; PIDs 011-086-076, 011-086-050, 011-086-033, 011-086-017, 011-085-983, 005-610-362, and 011-085-941, respectively*] to rezone the lands from RS-3 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum density from a maximum floor area of 604 sq. m to a maximum floor space ratio of 2.8 and the maximum building height from 10.7 m (35 ft.) to 27.0 m (89 ft.) and to 30.3 m (99 ft.) for the portion with rooftop amenity, to permit the development of a six-storey, 226-unit Community Care Facility – Class B, generally as presented in the Referral Report dated December 20, 2022, entitled “CD-1 Rezoning: 6151-6261 Granville Street and 1511 West 47th Avenue”, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared in plans by RHA Architects, received November 29, 2021, provided that 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 subject to approval of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated December 20, 2022, entitled “CD-1 Rezoning: 6151-6261 Granville Street and 1511 West 47th Avenue”.
- C. THAT A and B above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09029)

#### **5. CD-1 REZONING: 2518-2540 Grandview Highway South**

An application by the General Manager of Arts, Culture and Community Services was considered as follows:

Summary: To rezone 2518-2540 Grandview Highway South from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 64 social housing units. A building height of 22.0 m (72 ft.) and a floor space ratio (FSR) of 2.30 are proposed.

Council also had before it a memorandum from the General Manager, Planning, Urban Design and Sustainability and the General Manager, Arts, Culture and Community Services, dated February 10, 2023, entitled "CD-1 Rezoning: 2518-2540 Grandview Highway South – Operations Management Plan", which presented a draft Operations Management Plan from the operator, Community Builder's Group.

The above-noted memo was intended for information only.

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

#### **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:

- nine pieces of correspondence in support of the application;
- 77 pieces of correspondence in opposition to the application.



## Staff Opening Comments

Staff from Planning, Urban Design and Sustainability provided a presentation and responded to questions.

## Applicant Comments

The applicant team provided a presentation and responded to questions.

## Speakers

The Acting Mayor called for speakers for and against the application.

The following spoke in support of the application:

- John Ivison
- Luke Solvang
- Blair Smith

The following spoke in opposition of the application:

- Mario Miceli
- Joe Finamore
- Michael Cuccione
- Carla Finamore
- Cheryl Grant
- Sheryl Crow
- Christina Chow

Nathan Davidowicz provided general comments on the application.

The speakers list and receipt of public comments closed at 10:09 pm.

\* \* \* \* \*

*On February 14, 2023, at 9:43 pm, it was*

*MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Bigh*

*THAT the meeting extend past 10 pm in order to complete item 5 and consider item 6  
on February 21, 2023, at 6 pm.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

## Council Decision

MOVED by Councillor Boyle

SECONDED by Councillor Dominato

- A. THAT the application by the General Manager of Arts, Culture and Community Services, on behalf of the City of Vancouver, the registered owner of the lands located at:
- 2518 Grandview Highway South [*PID 006-908-306; Lot 5 Block T Section 45 Town of Hastings Suburban Lands Plan 11660*]; and
  - 2538-2540 Grandview Highway South [*PID 002-625-911; Lot 4 Block T Section 45 Town of Hastings Suburban Lands Plan 11660*];

to rezone the lands from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 2.30 and increase the maximum building height from 9.2 m (30 ft.) to 22.0 m (72 ft.) to permit the development of a six-storey residential building containing a total of 64 social housing units, generally as presented in the Referral Report dated November 22, 2022, entitled “CD-1 Rezoning: 2518-2540 Grandview Highway South”, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by S2 Architecture, received April 20, 2022, 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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated November 22, 2022, entitled “CD-1 Rezoning: 2518-2540 Grandview Highway South”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

amended

AMENDMENT MOVED by Councillor Dominato  
SECONDED by Councillor Bligh

THAT the following be added as D:

THAT Council direct staff to further engage the Italian Cultural Centre and Casa Serena as this development advances and that Community Builders be required to establish a Community Advisory Committee as per their draft Operations Management Plan, which would include membership from the Italian Cultural Centre, Casa Serena and other neighborhood organizations.

CARRIED UNANIMOUSLY (Vote No. 09030)

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 09031).

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

- A. THAT the application by the General Manager of Arts, Culture and Community Services, on behalf of the City of Vancouver, the registered owner of the lands located at:
  - 2518 Grandview Highway South [*PID 006-908-306; Lot 5 Block T Section 45 Town of Hastings Suburban Lands Plan 11660*]; and
  - 2538-2540 Grandview Highway South [*PID 002-625-911; Lot 4 Block T Section 45 Town of Hastings Suburban Lands Plan 11660*];

to rezone the lands from RT-2 (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.75 to 2.30 and increase the maximum building height from 9.2 m (30 ft.) to 22.0 m (72 ft.) to permit the development of a six-storey residential building containing a total of 64 social housing units, generally as presented in the Referral Report dated November 22, 2022, entitled "CD-1 Rezoning: 2518-2540 Grandview Highway South", be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by S2 Architecture, received April 20, 2022, 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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated November 22, 2022, entitled "CD-1 Rezoning: 2518-2540 Grandview Highway South", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.
- D. THAT Council direct staff to further engage the Italian Cultural Centre and Casa Serena as this development advances and that Community Builders be required to establish a Community Advisory Committee as per their draft Operations Management Plan, which would include membership from the Italian Cultural Centre, Casa Serena and other neighborhood organizations.

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*On February 14, 2023, the Committee recessed at 10:28 pm and reconvened on February 21, 2023 at 6:00 pm, with Mayor Sim in the Chair.*

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## **6. CD-1 Rezoning: 1925 Southeast Marine Drive**

An application by the General Manager of Arts, Culture and Community Services was considered as follows:

Summary: To rezone 1925 Southeast Marine Drive from RS-1B (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential building containing 72 social housing units. A building height of 25.0 m (82 ft.) and a floor space ratio (FSR) of 2.04 are proposed.

Council also had before it a memorandum from the General Manager, Planning, Urban Design and Sustainability, and General Manager, Arts, Culture and Community Services, dated February 10, 2023, entitled “CD-1 Rezoning: 1925 Southeast Marine Drive – Operations Management Plans”, which provided a draft Operations Management Plan from the operator, the Kettle Society.

The above-noted memo was intended for information only.

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

### **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:

- eight pieces of correspondence in support of the application;
- 32 pieces of correspondence in opposition to the application, including one electronic petition with 155 signatures; and
- one piece of correspondence dealing with other aspects of the application.

### **Staff Opening Comments**

Staff from Planning, Urban Design and Sustainability provided a presentation and responded to questions.

### **Applicant Comments**

The applicant team provided a presentation and responded to questions.

### **Speakers**

The Mayor called for speakers for and against the application.

The following spoke in support of the application:

- Lynn Sawatzky

The following spoke in opposition of the application:

- Greg Smith
- Laura E
- Darren S
- Janis Dionne
- Jay
- Sonya He

The following provided general comments on the application:

- Nathan Davidowicz
- Gregory Ould

The speakers list and receipt of public comments closed at 7:37 pm.

### **Staff Closing Comments**

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

### **Council Decision**

MOVED by Councillor Carr

SECONDED by Councillor Boyle

- A. THAT the application by the General Manager of Arts, Culture and Community Services, on behalf of the City of Vancouver, the registered owner of the lands located at 1925 Southeast Marine Drive [*PID 009-453-814; Lot B, Except part in explanatory plan 7314, Block K District Lot 328 Plan 9822*], to rezone the lands from RS-1B (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 2.04 and increase the maximum building height from 10.7 m (35 ft.) to 25.0 m (82 ft.) to permit the development of a six-storey residential building containing a total of 72 social housing units, generally as presented in the Referral Report dated December 20, 2022, entitled “CD-1 Rezoning: 1925 Southeast Marine Drive”, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Human Studio Architecture and Urban Design Ltd., received May 20, 2022, 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 subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated December 20, 2022, entitled "CD-1 Rezoning: 1925 Southeast Marine Drive", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT A to B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09051)

## **ADJOURNMENT**

MOVED by Councillor Carr  
SECONDED by Councillor Montague

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 7:57 pm.

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