



PUBLIC HEARING MINUTES

JULY 11, 2023

A Public Hearing of the City of Vancouver was held on Tuesday, July 11, 2023, at 6:02 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened by electronic means as authorized under Section 566 of the *Vancouver Charter*.

PRESENT:

Mayor Ken Sim
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Lisa Dominato
Councillor Pete Fry
Councillor Sarah Kirby-Yung
Councillor Mike Klassen
Councillor Peter Meiszner
Councillor Brian Montague
Councillor Lenny Zhou

ABSENT:

Councillor Rebecca Bligh (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE:

Tina Penney, Deputy City Clerk
Cassia Nasralla, Meeting Coordinator

WELCOME

The 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 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. **Simplifying Development Permit Requirements & Alleviating Sewer Infrastructure Issues**

An application by the City of Vancouver was considered as follows:

Summary: To amend the Zoning and Development By-law to remove rainwater management plan requirements, the Vancouver Building By-law to add rainwater management regulations for new Part 3 buildings, and to update regulations for non-potable water systems. These amendments would replace the City's current rainwater management plan review process conducted under the Zoning and Development By-law with a streamlined process under the Vancouver Building By-law.

The General Managers of Development, Buildings & Licensing, Planning, Urban Design and Sustainability, and Engineering Services, and along with the Chief Building Official, 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 Development, Buildings, and Licensing along with Engineering provided a presentation and responded to questions.

Speakers

The Mayor called three times for speakers for and against the application.

Jan Alexander spoke in opposition of the application.

The speakers list and receipt of public comments closed at 6:49 pm.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Dominato

- A. THAT Council approve, in principle, the application to amend the Zoning and Development By-law to remove rainwater management plan requirements, generally as presented in Appendix A of the Referral Report dated May 29, 2023, entitled "Simplifying Development Permit Requirements & Alleviating Sewer Infrastructure Issues";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Zoning and Development By-law generally in accordance with Appendix A of the above-noted report.

- B. THAT Council approve, in principle, amendments to the Building By-law to add rainwater management regulations for new Part 3 buildings, and to update regulations for non-potable water systems, generally as presented in Appendix B of the Referral Report dated May 29, 2023, entitled "Simplifying Development Permit Requirements & Alleviating Sewer Infrastructure Issues";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Building By-law generally in accordance with Appendix B of the above-noted report.

- C. THAT, at the time of enactment of the proposed amendments to the Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the updated Green Buildings Policy for Rezoning, generally in accordance with Appendix C of the Referral Report dated May 29, 2023, entitled “Simplifying Development Permit Requirements & Alleviating Sewer Infrastructure Issues”.
- D. THAT, at the time of enactment of the proposed amendments to the Zoning and Development By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the updated Rezoning Policy for Sustainable Large Developments, generally in accordance with Appendix D of the Referral Report dated May 29, 2023, entitled “Simplifying Development Permit Requirements & Alleviating Sewer Infrastructure Issues”.
- E. THAT, as result of the by-law amendments, staff be directed to administer in-stream applications to facilitate the approval of developments that meet the amended specifications, or their equivalent.
- F. THAT A to E 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 by-laws including zoning by-laws; and
 - (iii) THAT the City and all its officials 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. 09396)

2. Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue

An application by L-Squared Design Ltd. was considered as follows:

Summary: To rezone 5526-5592 Granville Street and 1498 West 39th Avenue from RS-5 (Residential) District to RR-3B (Residential Rental) District, to permit the development of a six-storey mixed-use market rental building, with 20 percent of the residential floor area secured with below-market rents. A height of 22.0 m (72 ft.) and a floor space ratio (FSR) of 3.50 are proposed.

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

Council also had before it a memorandum from the General Manager, Planning, Urban Design and Sustainability, dated July 10, 2023, entitled "Yellow Memo - Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue – Public Consultation Correction". The memorandum corrected the public consultation information from another project that was inadvertently included in the Referral Report dated May 30, 2023, entitled "Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue". The corrected versions for section 5 titled "Public Input" and for Appendix D "Public Consultation Summary" were attached to the memo and formed part of the July 11, 2023, Public Hearing agenda package. No further action was required by Council.

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:

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

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At this point in the proceedings, it was,

MOVED by Councillor Dominato

SECONDED by Councillor Montague

THAT the presentation for item 2. Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue be waived.

CARRIED UNANIMOUSLY

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Speakers

The Mayor called three times for speakers for and against the application.

John McNamara spoke in opposition of the application.

The speakers list and receipt of public comments closed at 7:19 pm.

Staff Closing Comments

Staff noted the yellow memorandum from the General Manager, Planning, Urban Design and Sustainability, dated July 10, 2023, entitled "Yellow Memo - Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue – Public Consultation Correction", is available online for public viewing.

Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Klassen

- A. THAT the application by L-Squared Design Ltd., on behalf of 1309622 B.C. LTD1, the registered owners of the lands located at:

- 5526-5592 Granville Street [Lots 2 to 4 Block 951 District Lot 526 Plan 5559; PIDs 008-405-654, 011-117-915 and 003-680-827 respectively]; and
- 1498 West 39th Avenue [PID 003-359-034; Lot 1 Block 951 District Lot 526 Plan 5559];

to rezone the lands from RS-5 (Residential) District to RR 3B (Residential Rental) District, generally as presented in the Referral Report dated May 30, 2023, entitled "Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue", be approved in principle;

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

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 May 30, 2023, entitled "Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated May 30, 2023, entitled "Rezoning: 5526-5592 Granville Street and 1498 West 39th Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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. 09397)

3. Rezoning: 550-606 East King Edward Avenue

An application by Mercer KE Block Holdings Ltd. was considered as follows:

Summary: To rezone 550-606 East King Edward Avenue from RS-1 (Residential) District to RR-2B (Residential Rental) District, to permit the development of a five-storey market rental building. A height of 16.8 m (55 ft.) and a floor space ratio (FSR) of 2.20 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:

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

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At this point in the proceedings, it was,

*MOVED by Councillor Montague
SECONDED by Councillor Klassen*

THAT the presentation for item 3. Rezoning: 550-606 East King Edward Avenue be waived.

CARRIED UNANIMOUSLY

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Staff Opening Comments

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

Applicant Comments

The applicant team responded to questions.

Speakers

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

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

Staff Closing Comments

Staff from Planning, Urban Design and Sustainability provided closing comments.

Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Montague

- A. THAT the application by Mercer KE Block Holdings Ltd., the registered owner of the lands located at:
- 550 East King Edward Avenue [PID 010-707-131; Lot 6 of Lots 134 and 135 Blocks 10 to 13 and 22 to 25 District Lots 391 and 392 Plan 7162]
 - 560 East King Edward Avenue [PID 010-707-158; Lot 7 of Lots 134 and 135 Blocks 10 to 13 and 22 to 25 District Lots 391 and 392 Plan 7162]
 - 570 East King Edward Avenue [PID 010-707-204; Lot 8 of Lots 134 and 135 Blocks 10 to 13 and 22 to 25 District Lots 391 and 392 Plan 7162]
 - 576 East King Edward Avenue [PID 006-296-009; Lot A Except Part in Reference Plan 14531 of Lots 136 to 138 Blocks 10 to 13 and 22 to 25 District Lots 391 and 392 Plan 3201]
 - 586 East King Edward Avenue [PID 005-119-031; Lot B, Except the South 10 Feet Now Lane, of Lots 136 to 138 Blocks 10 to 13 and 22 to 25 District Lots 391 and 392 Plan 3201]
 - 596 East King Edward Avenue [PID 013-056-034; Lot C, Except Part in Reference Plan 14531, of Lots 136 to 138 Blocks 10 to 13 and 22 to 25 District Lots 391 and 392 Plan 3201] and
 - 606 East King Edward Avenue [PID 013-056-051; Lot D, Except Part In Reference Plan 14531, of Lots 136 to 138 Blocks 10 to 13 and 22 to 25 District Lots 391 and 392 Plan 3201], to rezone the lands from RS-1 (Residential) to RR-2B (Residential Rental) District

generally as presented in the Referral Report dated May 30, 2023, entitled "Rezoning: 550-606 East King Edward Avenue", be approved in principle;

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

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 May 30, 2023, entitled "Rezoning: 550-606 East King Edward Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated May 30, 2023, entitled "Rezoning: 550-606 East King Edward Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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. 09398)

4. Rezoning: 3581 West 30th Avenue

An application by Cornerstone Architecture was considered as follows:

Summary: To rezone 3581 West 30th Avenue from RS-5 (Residential) District to RR-2A (Residential Rental) District, to permit the development of a four-storey market

rental building. A height of 13.7 m (45 ft.) and a floor space ratio (FSR) of 1.75 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:

- three pieces of correspondence in support of the application;
- four pieces of correspondence in opposition to the application; and
- two pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Speakers

The Mayor called three times for speakers for and against the application.

The following spoke in opposition of the application:

- Stuart Leslie
- Colin Lau
- Olivia Edwards
- Bill Stott
- Jan Alexander
- Kim Cai

The speakers list and receipt of public comments closed at 8:23 pm.

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Dominato

- A. THAT the application by Cornerstone Architecture on behalf of Kathleen Louise Rachel Campbell, Thomas Dean Lewis Campbell and James Jordan Bower Campbell, the registered owners of the lands located at 3581 West 30th Avenue [PID 004-314-859 Lot B (Explanatory Plan 8108) Block 63 District Lot 2027 Plan 3984], to rezone the lands from RS-5 (Residential) District to RR-2A (Residential

Rental) District, generally as presented in the Referral Report dated May 30, 2023, entitled "Rezoning: 3581 West 30th Avenue", be approved in principle;

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

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 May 30, 2023, entitled "Rezoning: 3581 West 30th Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated May 30, 2023, entitled "Rezoning: 3581 West 30th Avenue".

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

- D. THAT A to C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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. 09399)

5. Rezoning: 2596-2660 East 41st Avenue

An application by 2596-2660 E 41st Ave Limited Partnership was considered as follows:

Summary: To rezone 2596-2660 East 41st Avenue from RS-1 (Residential) District to RR-2B (Residential Rental) District, to permit the development of a five-storey market rental building. A height of 16.8 m (55 ft.) and a floor space ratio (FSR) of 2.20 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:

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

Staff Opening Comments

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

Applicant Comments

The applicant team responded to questions.

Speakers

The Mayor called three times for speakers for and against the application.

The following spoke in support of the application:

- Taryna Ho
- Nicolas Dhaliwal

The speakers list and receipt of public comments closed at 8:59 pm.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Montague

A. THAT the application, by 2596-2660 E 41st Ave Limited Partnership, on behalf of 2596-2660 E 41st Ave Holdings Corp., the registered owner of the lands located at:

- 2596 East 41st Avenue [PID 002-443-015; Lot 9, Except the North 17 Feet, Now Road, Block 5 District Lot 721 Plan 1828];
- 2608 East 41st Avenue [PID 004-488-491; Lot 8 Block 5 District Lot 721 Plan 1828];
- 2622-2660 East 41st Avenue [Lots 7, 6, 5, and 4, Except the North 17 Feet, Now Road, Block 5 District Lot 721 Plan 1828; PIDs 014-264-128, 014-267-101, 014-267-071, and 007-469-632 respectively];

to rezone the lands from RS-1 (Residential) District to RR-2B (Residential Rental) District, generally as presented in the Referral Report dated May 30, 2023, entitled "Rezoning: 2596-2660 East 41st Avenue", be approved in principle;

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

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 May 30, 2023, entitled "Rezoning: 2596-2660 East 41st Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated May 30, 2023, entitled "Rezoning: 2596-2660 East 41st Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

D. THAT A to C above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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. 09400)

6. Rezoning: 3539 Hull Street

An application by Jitendar Jagpal was considered as follows:

Summary: To rezone 3539 Hull Street from RS-1 (Residential) District to RR-1 (Residential Rental) District, to permit the development of three-storey market rental townhouses. A height of 11.5 m (38 ft.) and a floor space ratio (FSR) of 1.00 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:

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

Staff Opening Comments

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

Speakers

The Mayor called three times for speakers for and against the application.

The following spoke in opposition of the application:

- Alexander Lee Fisher
- Jessie Goyette
- Heather Osler
- Karr Ashkeleigh

The following provided general comments on the application:

- Faune Johnson

- Vinny Kesir

The speakers list and receipt of public comments closed at 9:42 pm.

Staff Closing Comments

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

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During staff closing comments, it was,

*MOVED by Councillor Montague
SECONDED by Councillor Carr*

THAT Council extend past 10 pm to complete the remaining items on the agenda.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

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Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Klassen

- A. THAT the application by Jitendar Jagpal, on behalf of 1153268 B.C. LTD.1, the registered owner of the land located at 3539 Hull Street [PID 014-911-558; Lot 6 Except the West 10 Feet Now Lane Block 14 District Lot 195 Plan 1242], to rezone the land from RS-1 (Residential) District to RR-1 (Residential Rental) District, be approved in principle;

FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A, generally as presented in the Referral Report dated May 30, 2023, entitled "Rezoning: 3539 Hull Street", be approved in principle;

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 May 30, 2023, entitled "Rezoning: 3539 Hull Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated May 30, 2023, entitled “Rezoning: 3539 Hull Street”;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

- D. THAT A to C above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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. 09401)

7. Rezoning: 5650-5690 Blenheim Street

An application by 0749525 B.C. Ltd. was considered as follows:

Summary: To rezone 5650-5690 Blenheim Street from RS-5 (Residential) District to RR-2B (Residential Rental) District, to permit the development of a five-storey market rental building. A height of 16.8 m (55 ft.) and a floor space ratio (FSR) of 2.40 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

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

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At this point in the proceedings, it was,

*MOVED by Councillor Montague
SECONDED by Councillor Carr*

THAT the presentation for item 7. Rezoning: 5650-5690 Blenheim Street be waived.

CARRIED UNANIMOUSLY

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Speakers

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

The speakers list and receipt of public comments closed at 9:59 pm.

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Dominato

- A. THAT the application by 0749525 B.C. Ltd., on behalf of Luke Andrew Lai, the registered owner of the lands located at:
- 5650 Blenheim Street [PID 013-006-495; Lot 8 Block 12 District Lot 2027 Plan 3269];
 - 5670 Blenheim Street [PID 013-006-533; Lot 9, Except the West 7 Feet Now Road, Block 12 District Lot 2027 Plan 3269]; and
 - 5690 Blenheim Street [PID 013-006-584; Lot 10, Except the South 17 Feet and the West 7 Feet, Now Highways Block 12 District Lot 2027 Plan 3269];
- to rezone the lands from RS-5 (Residential) District to RR-2B (Residential Rental) District, generally as presented in the Referral Report dated May 30, 2023, entitled "Rezoning: 5650-5690 Blenheim Street", be approved in principle;
- FURTHER THAT the draft zoning amendment by-law, prepared for the Public Hearing in accordance with Appendix A of the above-noted report, be approved in principle;
- 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 May 30, 2023, entitled "Rezoning: 5650-5690 Blenheim Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning amendment 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 approval of the zoning amendment by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated May 30, 2023, entitled "Rezoning: 5650-5690 Blenheim Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the zoning amendment by-law.

- D. THAT A to C above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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. 09402)

ADJOURNMENT

MOVED by Councillor Carr
SECONDED by Councillor Klassen

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10 pm.

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