



PUBLIC HEARING MINUTES

JANUARY 23 AND 30, 2024

A Public Hearing of the City of Vancouver was held on Tuesday, January 23, 2024, at 6:01 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the meeting recessed and reconvened on Tuesday, January 30, 2024 at 3:00 pm. This Public Hearing was convened by electronic means with in-person attendance available as authorized under Section 566 of the *Vancouver Charter*.

PRESENT: Mayor Ken Sim* (Leave of Absence – Civic Business – 6 pm to 7:30 pm on January 23, 2024)
Councillor Rebecca Bligh
Councillor Christine Boyle* (Sick Leave – January 30, 2024)
Councillor Adriane Carr
Councillor Lisa Dominato
Councillor Pete Fry* (Leave of Absence – Civic Business on January 23, 2024)
Councillor Sarah Kirby-Yung
Councillor Mike Klassen
Councillor Peter Meiszner* (Leave of Absence – Civic Business on January 23, 2024)
Councillor Brian Montague
Councillor Lenny Zhou

CITY MANAGER'S OFFICE: Paul Mochrie, City Manager

CITY CLERK'S OFFICE: Tina Penney, Deputy City Clerk
Olivia Kam, 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. CD-1 Rezoning: 1890 Southwest Marine Drive

An application by Stuart Howard Architects was considered as follows:

Summary: To rezone 1890 Southwest Marine Drive from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to permit the development of 28 secured market rental residential units. A floor space ratio (FSR) of 0.75 and a height of 13.8 metres (45 feet) are proposed.

The Acting 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 and two pieces of correspondence in opposition 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

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 three times for speakers for and against the application.

The following spoke in opposition of the application:

- Darrell Thomas

The speakers list and receipt of public comments closed at 6:30 pm on January 23, 2024.

Applicant Closing Comments

The applicant team made additional remarks in relation to comments made by speakers.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Bligh
SECONDED by Councillor Klassen

- A. THAT the application, by Stuart Howard Architects, on behalf of Yayun Cao, the registered owner of the land located at 1890 Southwest Marine Drive [PID 005-217-521; Lot 3 Blocks 12, O and R District Lot 317 Plan 19773], to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 0.75 and the building height from 11.5 m (38 ft.) to 13.8 m (45 ft.), to permit 28 secured market rental residential units, generally as presented in the Referral Report dated November 28, 2023, entitled "CD-1 Rezoning: 1890 Southwest 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, be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Stuart Howard Architects received June 30, 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 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 28, 2023, entitled "CD-1 Rezoning: 1890 Southwest 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 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 November 28, 2023, entitled "CD-1 Rezoning: 1890 Southwest Marine Drive";

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; 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. 09768)
(Councillors Fry, Meiszner and Mayor Sim absent for the vote)

2. CD-1 Rezoning: 1055 Harwood Street

An application by GWL Realty Advisors Inc. was considered as follows:

Summary: To rezone 1055 Harwood Street from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a 32-storey residential building with 269 secured rental housing units, of which 20% of the residential floor area will be secured as below-market rental units. A floor space ratio (FSR) of 11.9 and a height of 91.44 metres (300 feet) with additional height for mechanical appurtenances are proposed.

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

Summary of Correspondence

Eight pieces 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.

Staff Opening Comments

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

Applicant Comments

The applicant provided opening comments and responded to questions.

Speakers

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

The following spoke in support of the application:

- Teri Smith

The following provided general comments on the application:

- Randy Helten

The speakers list and receipt of public comments closed at 7:14 pm on January 23, 2024.

Applicant Closing Comments

None.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Zhou
SECONDED by Councillor Carr

- A. THAT the application, by GWL Realty Advisors Inc., on behalf of Harwood Street Project Nominee Inc., the registered owner of the lands located at 1055 Harwood Street [*PID 030-690-056; Lot 1 Block 12 District Lot 185 Group 1 New Westminster District Plan EPP87123*], to rezone the lands from RM-5A (Residential) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 2.2 to 11.9 and the maximum building height from 18.30 m (60 ft.) to 91.44 m (300 ft.) to permit the development of a 32-storey residential building containing 269 secured-rental units of which 20% of the residential floor area will be secured as below-market rental units, generally as presented in the Referral Report dated November 14, 2023, entitled "CD-1 Rezoning: 1055 Harwood Street", 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 GBL Architects Inc., received December 12, 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 14, 2023, entitled “CD-1 Rezoning: 1055 Harwood Street”, 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.

CARRIED UNANIMOUSLY (Vote No. 09769)
(Councillors Fry, Meiszner and Mayor Sim absent for the vote)

3. CD-1 Rezoning: 3352-3386 Vanness Avenue and 3347 Clive Avenue

An application by Intracorp Vanness Limited Partnership was considered as follows:

Summary: To rezone 3352-3386 Vanness Avenue and 3347 Clive Avenue from CD-1(201) (Comprehensive Development) District and CD-1(218) (Comprehensive Development) District to CD-1 (Comprehensive Development) District, to permit the development of a mixed-use development with a 30-storey (west tower) and a 33-storey (east tower) building connected with a six-storey podium. A total of 679 secured-rental units are proposed, of which 10% of the residential floor area will be secured at below-market rents. Commercial uses are provided on the ground floor along with a 37-space childcare facility. A floor space ratio (FSR) of 11.38 and a maximum height of 96.6 m (317 ft.) with additional height for mechanical appurtenances are proposed.

The Acting 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:

- 57 pieces of correspondence in support of the application;
- 4 pieces of correspondence in opposition to the application; and
- 4 pieces 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 responded to questions.

Speakers

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

The following spoke in support of the application:

- Brian Yan Muk
- Fiona Yin Bing Chan
- Talwinder Dhanoa
- Rocky Brar

The following spoke in opposition of the application:

- Ron Bruce
- Kevin Sun

The following provided general comments on the application:

- Melanie Cheng
- Rachel Tuttle
- Nathan Davidowicz

The speakers list and receipt of public comments closed at 8:25 pm on January 23, 2024.

Applicant Closing Comments

None.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Bligh

SECONDED by Councillor Klassen

- A. THAT the application by Intracorp Vanness Limited Partnership, on behalf of the Strata Corporation of 3352-3386 Vanness Avenue Strata Plan LMS992 and the registered owners of the strata lots in Strata Plan LMS922, and the registered owner of 3347 Clive Avenue, as set out in Appendix J of the Referral Report dated November 14, 2023, entitled “CD-1 Rezoning: 3352-3386 Vanness Avenue and 3347 Clive Avenue”, with corresponding lot PIDs and legal descriptions to rezone the consolidated lands at 3352-3386 Vanness Avenue and 3347 Clive Avenue from CD-1(201) (Comprehensive Development) District and CD-1(218) (Comprehensive Development) District to a new CD-1 (Comprehensive Development) District, respectively, to increase the maximum floor space ratio (FSR) from 1.45 and 0.6 respectively to 11.38 and the maximum building height from 35.5 m (120 ft.) and 11.9 m (39 ft.) respectively to 104.9 m (344 ft.), to permit a mixed-use development with 30-storey (west tower) and 33-storey (east tower) buildings connected with a six-storey podium, with 679 secured rental units, of which 10% of the residential floor area will be secured at below market rents, commercial uses on the ground floor and a 37-space turn-key childcare facility for City ownership, generally as presented in the above-noted report, 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 Boniface Oleksiuk Politano Architects, received July 28, 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 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 14, 2023, entitled “CD-1 Rezoning: 3352-3386 Vanness Avenue and 3347 Clive Avenue”, 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, the General Manager of Planning, Urban Design and Sustainability, and the General Manager of Arts, Culture and Community Services.

- C. THAT subject to approval of the new CD-1 By-law, CD-1(218) 3301-3347 Clive Avenue and 3330 Vanness Avenue By-law No. 6321 be amended, generally as set out in Appendix C of the Referral Report dated November 14, 2023, entitled "CD-1 Rezoning: 3352-3386 Vanness Avenue and 3347 Clive Avenue";
- FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to CD-1(218) 3301-3347 Clive Avenue and 3330 Vanness Avenue By-law No. 6321 District at the time of enactment of the CD-1 By-law.
- D. THAT subject to the approval of the new CD-1 By-law, CD-1(201) 3352-3386 Vanness Avenue By-law No. 6272 be repealed, generally as set out in Appendix C of the Referral Report dated November 14, 2023, entitled "CD-1 Rezoning: 3352-3386 Vanness Avenue and 3347 Clive Avenue";
- FURTHER THAT the Director of Legal Services be instructed to bring forward the by-law to repeal CD-1(201) 3352-3386 Vanness Avenue By-law No. 6272 District at the time of enactment of the CD-1 By-law.
- E. THAT subject to the approval of the new CD-1 By-law, the application to amend the Sign By-law to establish regulations for the new CD-1, generally as set out in Appendix C of the Referral Report dated November 14, 2023, entitled "CD-1 Rezoning: 3352-3386 Vanness Avenue and 3347 Clive Avenue", be approved.
- F. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the new CD-1, generally as set out in Appendix C of the Referral Report dated November 14, 2023, entitled "CD-1 Rezoning: 3352-3386 Vanness Avenue and 3347 Clive Avenue";
- FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.
- G. THAT A to F 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. 09770)
(Councillors Fry, Meiszner and Mayor Sim absent for the vote)

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Prior to the start of item 4 on January 23, 2024, Mayor Sim joined the meeting and assumed the Chair from Acting Mayor Kirby-Yung.

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4. CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue

An application by Henriques Partners Architects was considered as follows:

Summary: To rezone 2015 Main Street and 190 East 4th Avenue from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a 25-storey, mixed-use building, including 210 secured-rental housing units, of which 20% of the residential floor area would be secured at below-market rents, and commercial space at grade. A floor space ratio (FSR) of 6.27 and a height of 79.3 metres (260 feet) with additional height for mechanical appurtenances are proposed.

The Acting 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 Interim Director of Planning, Planning, Urban Design and Sustainability dated January 22, 2024, entitled “CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue – Appendix E Correction”, which corrected the date at which the item was on the Urban Design Panel (UDP) meeting agenda and the associated link to the applicable UDP minutes.

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:

- 336 pieces of correspondence in support of the application;
- 35 pieces of correspondence in opposition to the application; and
- 1 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 provided a presentation and responded to questions.

* * * * *

On January 23, 2024, during questions to staff and the applicant, it was

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

THAT under Section 5.4(d) of the Procedure By-law, Council be allowed to ask a second round of questions.

CARRIED UNANIMOUSLY

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On January 23, 2024, at 9:57 pm, it was

MOVED by Councillor Carr

THAT Council extend the meeting past 10 pm to complete hearing speakers on item 4.

not put

The motion not having received a seconder, was not put.

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On January 23, 2024 Council recessed at 9:58 pm and reconvened on January 30, 2024 at 3:00 pm.

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On January 30, 2024, at the beginning of the reconvened Public Hearing, Councillor Fry declared a Conflict of Interest on item 4 as upon review of the item, the applicant references his wife's employer as a consultant on the project. Councillor Fry left the meeting at 3:06 pm and did not return.

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On January 30, 2024, at 3:45 pm, Mayor Sim relinquished the Chair to Acting Mayor Kirby-Yung, left the meeting and did not return.

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On January 30, 2024, prior to hearing speakers, it was

*MOVED by Councillor Montague
SECONDED by Councillor Carr*

THAT Council vary the order of the speakers list in order to hear from speaker 14 first.

CARRIED UNANIMOUSLY

* * * * *

Speakers

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

The following spoke in support of the application:

- Charles Eyrich
- Sofia Galvan
- Harpreet Virk
- Russil Wvong
- Auston Chhor
- Peter Dowdy

The following spoke in opposition of the application:

- Stephen Bohus
- Lewis N Villegas
- Jean Kwan
- Susan Keir
- Rodney Clarke

The speakers list and receipt of public comments closed at 4:30 pm on January 30, 2024.

Applicant Closing Comments

The applicant provided closing comments.

Staff Closing Comments

Staff provided closing comments and responded to additional questions.

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At 4:34 pm, on January 30, 2024, Acting Mayor Kirby-Yung relinquished the Chair to Councillor Meiszner in order to make comments on item 4.

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Council Decision

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Klassen

- A. THAT the application by Henriquez Partners Architects, on behalf of 2015 Main Property Inc.¹, the registered owner of the lands located at 2015 Main Street and 190 East 4th Avenue [*PID 030-389-437; Lot A Block 24 District Lot 200A New Westminster District Plan EPP80624*], to rezone the lands from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 3.0 to 6.27 and the maximum building height from 18.3 m (60 ft.) to 79.3 m (260 ft.) with mechanical appurtenances permitted up to a maximum of 3.6 m (12 ft.) above the permitted building height, to permit the development of a 25-storey, mixed-use building containing 210 secured-rental housing units, of which 20% of the residential floor area will be secured as below-market rental units, with commercial space on the ground floor, generally as presented in the Referral Report dated November 28, 2023, entitled “CD-1 Rezoning: 2015 Main Street and 190 East 4th 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 by Henriquez Partners Architects, received September 29, 2022, with an addendum received September 13, 2023 with communal balconies, subject to the Conditions of Approval described in Part 1 of Appendix B of the above-noted report, including the design and development conditions to provide for private outdoor space, and 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 in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated November 28, 2023, entitled “CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue”, 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 subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C of the Referral Report dated November 28, 2023, entitled “CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue”, be approved.

- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated November 28, 2023, entitled "CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By-law.

- E. THAT A to D 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

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At 4:46 pm, on January 30, 2024, it was

*MOVED by Councillor Klassen
SECONDED by Councillor Carr*

THAT Council extend the meeting past 5 pm to complete item 4.

*CARRIED UNANIMOUSLY
(Councillor Boyle and Mayor Sim absent for the vote)
(Councillor Fry absent for the vote due to Conflict of Interest)*

* * * * *

AMENDMENT MOVED by Councillor Kirby-Yung
SECONDED by Councillor Klassen

THAT the AND FURTHER THAT clause of A be amended as follows:

- i. THAT the words “for studio and one-bedroom units” in part 1, condition 1.1 of appendix B be struck;
- ii. THAT the condition “should contain a minimum total floor area equal to the aggregate area of private outdoor space required for each of the impacted units (5.0 sq. m (52 sq. ft.) per unit as outlined in the High-Density Housing for Families” in part 1, condition 1.1 of appendix B be struck.

CARRIED UNANIMOUSLY (Vote No. 09778)
(Councillor Boyle and Mayor Sim absent for the vote)
(Councillor Fry absent for the vote due to Conflict of Interest)

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At 4:59 pm, on January 30, 2024, Councillor Meiszner relinquished the Chair to Acting Mayor Kirby-Yung for the remainder of the meeting.

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The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 09779) with Councillor Boyle and Mayor Sim absent for the vote and Councillor Fry absent for the vote due to Conflict of Interest.

FINAL MOTION AS APPROVED

- A. THAT the application by Henriquez Partners Architects, on behalf of 2015 Main Property Inc.¹, the registered owner of the lands located at 2015 Main Street and 190 East 4th Avenue [*PID 030-389-437; Lot A Block 24 District Lot 200A New Westminster District Plan EPP80624*], to rezone the lands from IC-2 (Industrial) District to CD-1 (Comprehensive Development) District to increase the maximum floor space ratio (FSR) from 3.0 to 6.27 and the maximum building height from 18.3 m (60 ft.) to 79.3 m (260 ft.) with mechanical appurtenances permitted up to a maximum of 3.6 m (12 ft.) above the permitted building height, to permit the development of a 25-storey, mixed-use building containing 210 secured-rental housing units, of which 20% of the residential floor area will be secured as below market rental units, with commercial space on the ground floor, generally as presented in the Referral Report dated November 28, 2023, entitled “CD-1 Rezoning: 2015 Main Street and 190 East 4th 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 by Henriquez Partners Architects, received September 29, 2022, with an addendum received September 13, 2023 with communal balconies, subject to the Conditions of Approval described in Part 1 of Appendix B of the above-noted report, including the design and development conditions to provide for private outdoor space, and 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, with the following amendments to part 1, condition 1.1:

Urban Design

- 1.1 Design development to provide private outdoor space, such as roof decks or balconies, for all dwelling units pursuant to Broadway Plan policy 11.1.20 and 11.1.21.

Note to Applicant: Alternatives to this condition, sought under 11.1.21 are to support the viability of hybrid-timber construction and will only be considered if the applicant demonstrates to the satisfaction of the Director of Planning:

1. That meeting the policy will significantly impact financial viability and construction techniques;
2. The building will meet the definition of Mass Timber Building in the Zoning and Development By-law.

Alternatives to private outdoor space for all dwelling units may include: private Juliet balconies, communal balconies, common outdoor rooftop amenity areas, or a combination of these. Also refer to Sustainability Condition 1.18.

- 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 28, 2023, entitled "CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue", 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 subject to approval of the CD-1 By-law, the application to amend the Sign By-law to establish regulations for the CD-1, generally as set out in Appendix C of the Referral Report dated November 28, 2023, entitled "CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue", be approved.
- D. THAT subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include the CD-1, generally as set out in Appendix C of the Referral Report dated November 28, 2023, entitled "CD-1 Rezoning: 2015 Main Street and 190 East 4th Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By law.

- E. THAT A to D 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.

ADJOURNMENT

MOVED by Councillor Klassen
SECONDED by Councillor Zhou

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 5:01pm.

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