



PUBLIC HEARING MINUTES

APRIL 9, 2024

A Public Hearing of the City of Vancouver was held on Tuesday, April 9, 2024, at 6:01 pm, in the Council Chamber, Third Floor, City Hall. This Public Hearing was convened in person and via electronic means as authorized under Section 566 of the *Vancouver Charter*.

PRESENT: Councillor Pete Fry, Acting Mayor
Councillor Rebecca Bligh
Councillor Christine Boyle
Councillor Adriane Carr
Councillor Lisa Dominato
Councillor Kirby-Yung* (Leave of Absence – Civic Business – 6 pm to 10 pm)
Councillor Mike Klassen
Councillor Peter Meiszner*
Councillor Brian Montague
Councillor Lenny Zhou

ABSENT: Mayor Ken Sim (Leave of Absence – Personal Reasons)

CITY CLERK'S OFFICE: Lesley Matthews, Acting 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 Tseil-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.

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VARY AGENDA

MOVED by Councillor Klassen
SECONDED by Councillor Montague

THAT Council vary the order of the agenda to deal with Item 6. CD-1 Rezoning: 3329-3429 West 41st Avenue and 5649-5683 Blenheim Street prior to Item 1.

**CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY**

(Councillor Kirby-Yung absent for the vote)

Note: For clarity, the minutes are recorded in chronological order

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6. CD-1 Rezoning: 3329-3429 West 41st Avenue and 5649-5683 Blenheim Street

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

Summary: To rezone 3329-3429 West 41st Avenue and 5649-5683 Blenheim Street from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey, 232-unit Community Care Facility. A floor space ratio (FSR) of 2.70 and a height of 26.0 m (85 ft.) with additional height for a rooftop amenity 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 the Public Hearing and before the close of the speakers list and receipt of public comments:

- 56 pieces of correspondence in support of the application;
- 23 pieces of correspondence in opposition to the application; and
- 11 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Applicant Comments

The applicant team provided a presentation 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:

- Beti Thompson
- Alma Lee
- Dr. Gregory Tobert
- Stephanie Chan
- Laura Ferguson

- Effie Taylor
- Pamela Boles
- Rebecca Hartley
- Devon Hussack
- Christina Shorthouse
- Peter Dowdy

The following spoke in opposition to the application:

- Henry Lu
- Catherine Lawrence
- Rabab Ward
- Marc Williams

The following provided general comments on the application:

- Joyce Wagenaar
- Vaughan Maxwell Evans

The speakers list and receipt of public comments closed at 7:52 pm.

Applicant Closing Comments

The applicant team provided closing comments.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Dominato

SECONDED by Councillor Klassen

- A. THAT the application by Intracorp Projects Ltd., on behalf of Amica Seniors Dunbar Inc, the registered owner of the lands located at
- 3329 West 41st Avenue [*PID 004-188-993; The East 48 Feet of Lot 9 Blocks 6 and 7 District Lot 2027 Plan 2070*],
 - 3339 West 41st Avenue [*PID 005-163-196; The East 26 Feet of Lot 8 Blocks 6 and 7 District Lot 2027 Plan 2070; and PID 005-163-200; Lot 9, Except the East 48 Feet, Blocks 6 and 7 District Lot 2027 Plan 2070*],
 - 3355 West 41st Avenue [*PID 014-061-040; Lot 8 Except the East 26 Feet Blocks 6 and 7 District Lot 2027 Plan 2070*],
 - 3369 West 41st Avenue [*PID 014-061-015; Amended Lot 7 (see 178322L) Blocks 6 and 7 District Lots 2027 Plan 2070*],
 - 3389 West 41st Avenue [*PID 013-192-124; Re-Amended Lot 6 (see 184584L) Blocks 6 and 7 District Lot 2027 Plan 2070*],

- 3403 West 41st Avenue [*PID 014-059-584; Lot 5 Blocks 6 and 7 District Lot 2027 Plan 2070*],
- 3429 West 41st Avenue [*PID 008-851-549; Lot 4 Blocks 6 and 7 District Lot 2027 Plan 2070*],
- 5649 Blenheim Street [*PID 014-061-058; Lot 10, Except the East 7 Feet Now Road, Blocks 6 and 7 District Lot 2027 Plan 2070*], and
- 5683 Blenheim Street [*PID 005-634-644; Lot 11 Except the South 17 Feet and the East 7 Feet, Now Highways Blocks 6 and 7 District Lot 2027 Plan 2070*],

to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 2.70 and the maximum building height from 11.5 m (38 ft.) to 26.0 m (85 ft.), with additional height for a rooftop amenity, to permit the development of a six-storey, 232-unit Community Care Facility – Class B, generally as presented in the Referral Report dated February 27, 2024, entitled “CD-1 Rezoning: 3329-3429 West 41st Avenue and 5649-5683 Blenheim 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 RH Architects, received December 13, 2022, with an addendum received July 28, 2023, 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 February 27, 2024, entitled “CD-1 Rezoning: 3329-3429 West 41st Avenue and 5649-5683 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 CD-1 By-law.

- 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. 09892)
(Councillor Kirby-Yung absent for the vote)

1. 998 Thurlow Street – Heritage Revitalization Agreement and Heritage Designation

An application by Alan Endall was considered as follows:

Summary: To add the heritage building at 998 Thurlow, known as “Washington Court”, to the Vancouver Heritage Register, and to designate the heritage facades as protected heritage property. The proposed HRA will result in a variance to the Zoning and Development By-Law to allow for an increase in permitted density on the site.

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

Summary of Correspondence

Five pieces of correspondence in support of the application was received since being scheduled to the Public Hearing and before 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 Klassen
SECONDED by Councillor Carr

THAT Council waive the presentation for Item 1. 998 Thurlow Street – Heritage Revitalization Agreement and Heritage Designation.

CARRIED UNANIMOUSLY
(Councillor Kirby-Yung absent for the vote)

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Speakers

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

The following spoke in support of the application:

- Mike Dillman

The following spoke in opposition of the application:

- Vaughan Maxwell Evans

The speakers list and receipt of public comments closed at 8:36 pm.

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Prior to the vote, Acting Mayor Fry relinquished the Chair to Deputy Mayor Bligh in order to make comments on Item 1 and resumed the Chair afterwards.

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Council Decision

MOVED by Councillor Carr

SECONDED by Councillor Klassen

- A. THAT Council add the building at 998 Thurlow Street, known as “Washington Court” (the “heritage building”), to the Vancouver Heritage Register in the ‘B’ evaluation category, generally as presented in the Report dated February 27, 2024, entitled “998 Thurlow Street – Heritage Revitalization Agreement and Heritage Designation”, be approved in principle.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 of the *Vancouver Charter*, a by-law to designate the exterior facades of the heritage building (the “heritage facades”) at 998 Thurlow Street [PID 002-420-601; Lot 10 Block 7 District Lot 185 Plan 92 (the “site”)], as protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law to authorize the City to enter into a Heritage Revitalization Agreement in order to:
 - (i) secure the retention and rehabilitation of the heritage facades;
 - (ii) vary the *Zoning and Development By-law* to allow for an increase in permitted density on the site, as proposed under the Development Permit Application Number DP-2023-00366 (the “DP Application”); and
 - (iii) ensure the long-term preservation of the heritage facades.
- D. THAT the agreement described in A to C above shall be prepared, registered, and given priority on title to the Lands, to the satisfaction of the Director of Legal Services, in consultation with the Director of Planning.

- E. THAT A to D 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY (Vote No. 09893)
(Councillor Kirby-Yung absent for the vote)

2. Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents

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 and various other by-laws and land use documents. The amendments seek to: correct spelling, grammatical and wording errors; update wording, references, and terms for accuracy and align with current writing standards; correct omissions; and clarify the intent of regulations.

The General Manager of Planning, Urban Design and Sustainability recommended approval.

Summary of Correspondence

No correspondence was received since referral to the Public Hearing and before 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 Dominato
SECONDED by Councillor Montague

THAT Council waive the presentation for Item 2. Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents.

CARRIED UNANIMOUSLY
(Councillor Kirby-Yung absent for the vote)

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Speakers

The Acting 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 8:48 pm.

Council Decision

MOVED by Councillor Montague

SECONDED by Councillor Klassen

- A. THAT Council approve, in principle, the application to amend the Zoning and Development By-law to correct errors and omissions, update wording to align with writing standards and to clarify the intent of regulations, generally as presented in Appendix A of the Referral Report dated February 27, 2024, entitled "Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents";

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, the application to amend the Central Waterfront Official Development Plan to update parking and loading section 5 to refer to the Parking By-law, generally as presented in Appendix B of the Referral Report dated February 27, 2024, entitled "Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Central Waterfront Official Development Plan generally in accordance with Appendix B of the above-noted report.

- C. THAT Council approve, in principle, the application to amend the Coal Harbour Official Development Plan to remove references to a previously repealed policy statement, generally as presented in Appendix C of the Referral Report dated February 27, 2024, entitled "Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Coal Harbour Official Development Plan generally in accordance with Appendix C of the above-noted report.

- D. THAT Council approve, in principle, the application to amend the East Fraser Lands Official Development Plan to remove references to previously repealed guidelines, generally as presented in Appendix D of the Referral Report dated February 27, 2024, entitled "Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents";

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the East Fraser Lands Official Development Plan generally in accordance with Appendix D of the above-noted report.

- E. THAT Council approve, in principle, the application to amend the False Creek North Official Development Plan to update parking and loading section 3 to refer to the Parking By-law and to remove references to a previously repealed policy, generally as presented in Appendix E of the Referral Report dated February 27, 2024, entitled “Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents”;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the False Creek North Official Development Plan generally in accordance with Appendix E of the above-noted report.

- F. THAT Council approve, in principle, the application to amend the Southeast Granville Slopes Official Development Plan to update parking and loading section 6 to refer to the Parking By-law, generally as presented in Appendix F of the Referral Report dated February 27, 2024, entitled “Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents”;

FURTHER THAT the Director of Legal Services be instructed to bring forward for enactment an amendment to the Southeast Granville Slopes Official Development Plan generally in accordance with Appendix F of the above-noted report.

- G. THAT Council approve, in principle, the application to amend the Miscellaneous Fees By-law to clarify building grade fee refunds, generally as presented in Appendix G of the Referral Report dated February 27, 2024, entitled “Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents”;

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

- H. THAT Council approve, in principle, the application to amend the Subdivision By-law to correct a district schedule reference, generally as presented in Appendix H of the Referral Report dated February 27, 2024, entitled “Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents”;

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

- I. THAT at the time of enactment of the amendments to the above by-laws, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval amendments to various land use documents to correct

errors, omissions and references, align with writing standards, clarify the intent of guidelines and repeal the Guidelines for Zero Emission Buildings in R1-1, RT and RA Districts and the Guidelines for Larger Zero Emission Buildings in order to convert them to a bulletin, generally as presented in Appendix J of the Referral Report dated February 27, 2024, entitled “Miscellaneous Amendments – Zoning and Development By-law and Various Other By-laws and Land Use Documents”.

CARRIED UNANIMOUSLY (Vote No. 09894)
(Councillor Kirby-Yung absent for the vote)

3. CD-1 Rezoning: 255-285 Southwest Marine Drive

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

Summary: To rezone 255-285 Southwest Marine Drive from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to permit the development of a six storey residential building with 69 strata-titled units. A floor space ratio (FSR) of 2.39 and a height of 22.0 m (72 ft.) with additional height for mechanical appurtenances 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 opposition to the application was received since referral to the Public Hearing and before 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 Council waive the presentation for Item 3. CD-1 Rezoning: 255-285 Southwest Marine Drive.

CARRIED UNANIMOUSLY
(Councillor Kirby-Yung absent for the vote)

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Speakers

The Acting 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 8:58 pm.

Council Decision

MOVED by Councillor Carr
SECONDED by Councillor Montague

- A. THAT the application by Billard Architecture Inc. on behalf of 1118006 B.C Ltd., the registered owners of the lands located at 255-285 Southwest Marine Drive [*Lots D to H of Lot F Block 8 District Lot 322 Plan 11223; PIDs 009-127-810, 002-935-007, 009-127-836, 009-127-844 and 009-127-852 respectively*] to rezone the lands from R1-1 (Residential Inclusive) to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 2.39 and the building height from 11.5 m (38 ft.) to 22.0 m (72 ft.), to permit the development of a six storey residential building containing 69 strata-titled residential units, generally as presented in the Referral Report dated February 27, 2024, entitled "CD-1 Rezoning: 255-285 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 Billard Architecture Inc., received March 22, 2023 with revisions received June 7, 2023, 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 of the CD-1 By-law, the Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated February 27, 2024, entitled "CD-1 Rezoning: 255-285 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 CD-1 By-law.

- 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; 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. 09895)
(Councillors Kirby-Yung and Meiszner absent for the vote)

4. CD-1 Rezoning: 5490 Ash Street

An application by South Seas Development Ltd. was considered as follows:

Summary: To rezone 5490 Ash Street from R1-1 (Residential Inclusive) District to CD 1 (Comprehensive Development) District, to permit the development of a four-storey residential building, with 14 strata-titled residential units. A floor space ratio (FSR) of 2.03 and a height of 13.7 m (45 ft.) with additional height for a rooftop amenity space or mechanical appurtenances are proposed.

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

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At this point in the proceedings, it was,

MOVED by Councillor Montague
SECONDED by Councillor Carr

THAT Council waive the presentation for Item 4. CD-1 Rezoning: 5490 Ash Street.

CARRIED UNANIMOUSLY
(Councillors Kirby-Yung and Meiszner absent for the vote)

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Summary of Correspondence

The following correspondence was received since referral to the Public Hearing and before the close of the speakers list and receipt of public comments:

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

Speakers

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

The following spoke in opposition of the application:

- Kitty Martens

The following provided general comments on the application:

- Chantal Dobles Gering

The speakers list and receipt of public comments closed at 9:17 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Klassen

- A. THAT the application by South Seas Development Ltd., on behalf of 1309910 B.C. Ltd., Inc., the registered owner of the lands located at 5490 Ash Street [*PID: 009-972-421; Lot 10 Block 875 District Lot 526 Plan 8664*], 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 2.03 and the building height from 11.5 m (38 ft.) to 13.7 m (45 ft.) to permit a four-storey residential building containing 14 strata-titled residential units, generally as presented in the Referral Report dated February 27, 2024, entitled “CD-1 Rezoning: 5490 Ash 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 Ankenman Marchand Architects, received March 21, 2023, 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 February 27, 2024, entitled “CD-1 Rezoning: 5490 Ash 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 CD-1 By-law.

- 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. 09896)
(Councillor Meiszner absent for the vote)

5. CD-1 Rezoning: 1749-1769 East 33rd Avenue

An application by Intracorp was considered as follows:

Summary: To rezone 1749-1769 East 33rd Avenue from R1-1 (Residential) District to CD-1 (Comprehensive Development) District, to permit the development of a five-storey residential building and a four-storey residential building, with a total of 109 secured rental housing units. A floor space ratio (FSR) of 2.20 and maximum building height of 19.1 m (63 ft.) with additional height for rooftop amenity 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 the Public Hearing and before the close of the speakers list and receipt of public comments:

- 31 pieces of correspondence in support of the application;
- 25 pieces of correspondence in opposition to the application; and
- 13 pieces of correspondence dealing with other aspects of the application.

Staff Opening Comments

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

Applicant Comments

The applicant provided opening comments.

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During the hearing of speakers, it was

*MOVED by Councillor Montague
SECONDED by Councillor Dominato*

THAT the meeting extend past 10 pm to complete all business.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY
(Councillor Meiszner absent for the vote)*

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Speakers

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

The following spoke in support of the application:

- Molly Kavanagh
- Fancy Tam
- Andraya Avison

The following spoke in opposition of the application:

- Robin Tavender
- Rick Morrow

The following provided general comments on the application:

- Cam Dore
- Vesanto Melina
- Olive Dempsey
- Sandra Ramezani

The speakers list and receipt of public comments closed at 10:12 pm.

Staff Closing Comments

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

Council Decision

MOVED by Councillor Montague
SECONDED by Councillor Dominato

- A. THAT the application by Intracorp on behalf of Kensington Park Development Nominee Inc., the registered owner of the lands located at:
- 1749 East 33rd Avenue [*The West 1/2 of Lot 10 Except the North 10 Feet and the South 7 Feet Now Highways South 1/2 of District Lot 706 Plan 2349; PID 013-861-085*],
 - 1757 East 33rd Avenue [*The East 1/2 of Block 10, Except the North 10 Feet and the South 7 Feet Now Highways, South 1/2 of District Lot 706 Plan 2349; PID 008-076-723*], and
 - 1765-1769 East 33rd Avenue [*The West 1/2 of Lot 9, Except the North 10 Feet Now Lane, South 1/2 of District Lot 706 Plan 2349; PID 013-860-453*]

to rezone the lands from R1-1 (Residential Inclusive) District to CD-1 (Comprehensive Development) District, to increase the maximum floor space ratio (FSR) from 0.70 to 2.20 and the maximum building height from 11.5 m (37 ft.) to 19.1 m (63 ft.), with an additional height to top of rooftop amenity, to permit the development of a five-storey building and four-storey building containing a total of 109 secured market rental units, generally as presented in the Referral Report dated February 27, 2024, entitled "CD-1 Rezoning: 1749-1769 East 33rd 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 RWA Architecture, received December 14, 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 February 27, 2024, entitled "CD-1 Rezoning: 1749-1769 East 33rd 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 Subdivision By-law be amended, generally as set out in Appendix C of the Referral Report dated February 27, 2024, entitled "CD-1 Rezoning: 1749-1769 East 33rd 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 new CD-1 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. 09897)
(Councillor Meiszner absent for the vote)

ADJOURNMENT

MOVED by Councillor Montague
SECONDED by Councillor Dominato

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Public Hearing adjourned at 10:19 pm.

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