

PUBLIC HEARING

June 20, 2016 at 6:00 p.m.
Council Chamber
City Hall

MINUTES

PRESENT:

Mayor Jonathan Coté
Councillor Bill Harper
Councillor Patrick Johnstone
Councillor Jaimie McEvoy
Councillor Chuck Puchmayr
Councillor Mary Trentadue
Councillor Lorrie Williams

STAFF:

Ms. Lisa Spitale	- Chief Administrative Officer
Ms. Jan Gibson	- City Clerk
Ms. Diane Perry	- Director of Parks and Recreation
Mr. Gary Holowatiuk	- Director of Finance & Information Technology
Mr. Jim Lowrie	- Director of Engineering Services
Ms. Jackie Teed	- Active Director of Development Services
Ms. Julie Schueck	- Heritage Planner
Ms. Janet Zazubek	- Planning Analyst
Mr. Philip Lo	- Council and Committee Clerk

The meeting was called to order at 6:02pm.

BUSINESS

1. Mobile Food Vending Bylaw No. 7850, 2016

Attachments:

- i. Notice of Public Hearing
- ii. Mobile Food Vending Bylaw No. 7850, 2016

Reports to Council			
Report Author	Meeting/Document/Date	Public Hearing Date	#
Clerks	Minutes Extracts	June 20, 2016	R-1*
Development Services	LUPC, Report, September 14, 2015	June 20, 2016	R-2*

Development Services	LUPC, Report, December 7, 2015	June 20, 2016	R-3*
Development Services	Regular, Report, January 11, 2016	June 20, 2016	R-4*
Development Services	Regular, Report, April 18, 2016	June 20, 2016	R-5*
Development Services	Regular, Report, May 30, 2016	June 20, 2016	R-6

Written Submissions				
Name	Correspondence Date	Date Received	In Support/Opposed / Concerns	#
None to date				

- a. Explanation of bylaw and proposed development of the lands (Director of Development Services)

Jackie Teed, Acting Director of Development Services, provided a summary of Mobile Food Vending Bylaw No. 7850, 2016, and noted that staff recommend that Council give the proposed Bylaw third reading following the Public Hearing.

- b. Statement concerning the number of written submissions received and their distribution (City Clerk)

There were no written submissions.

- c. Motion to receive submissions

There were no written submissions.

- d. Invitation to those present to address the bylaw

Jorden Foss, owner of Steel & Oak Brewing Company in New Westminster, noted the following comments:

- Steel & Oak was chosen as the pilot location of the food truck program;
- Food trucks are a great resource for serving quality food without the expense of a dine-out experience; and
- Some food trucks become brick-and-mortar restaurant, with Re-Up BBQ as an example.

Guy Ciprian, event organizer with the Sapperton Day Street Festival, expressed concerns with the bylaw, suggesting that a food truck with an annual license may conduct business at events where the organizers may

prefer to choose their own food vendors to represent the event's theme and community.

In response, Janet Zazubek, Planning Analyst, noted that separate single-day and single-event licenses are offered for food trucks attending events, and that food trucks with an annual license may not be able to participate at an event or operate in the area of the event without the permission from event organizers.

Jackie Teed, Acting Director of Development Services, advised that the 100-meter rule, which requires food trucks to be located at least 100 metres away from restaurants serving similar cuisine, would be waived for food trucks participating at special events.

- e. Motion to close the Public Hearing

MOVED and SECONDED

THAT the Public Hearing for Mobile Food Vending Bylaw No. 7850, 2016 be closed.

CARRIED.

All members of Council present voted in favour of the motion.

- f. Motion to refer Bylaw No. 7850, 2016 to Council for Third Reading

MOVED and SECONDED

THAT Mobile Food Vending Bylaw No. 7850, 2016 be referred to Council for Third Reading.

CARRIED.

All members of Council present voted in favour of the motion.

Procedural note: The public hearings for Items 2 and 3 were conducted in conjunction.

Procedural Note: Councillor Puchmayr recused himself from the Public Hearing and exited the meeting at 6:14PM

2. Heritage Revitalization Bylaw No. 7854, 2016 for 1031 Sixth Avenue

Attachments:

- i. Notice of Public Hearing
- ii. Memorandum regarding Heritage Revitalization Bylaw No. 7854, 2016
- iii. Heritage Revitalization Bylaw No. 7854, 2016

Reports to Council			
Report Author	Meeting/Document/Date	Public Hearing Date	#
Clerks	Minutes Extracts	June 20, 2016	R-1*
Development Services	Regular, Report, March 14, 2016	June 20, 2016	R-2*
Development Services	Regular, Report, April 18, 2016	June 20, 2016	R-3*
Development Services	Regular, Report, May 2, 2016	June 20, 2016	R-4*
Development Services	Regular, Report, May 30, 2016	June 20, 2016	R-5
Development Services	Regular, Report, June 13, 2016	June 20, 2016	R-6

Written Submissions				
Name	Correspondence Date	Date Received	In Support/Opposed / Concerns	#
Ms. L. Leadbetter	June 8, 2016	June 8, 2016	Opposed	C-1
Ms. J. Park	June 8, 2016	June 8, 2016	Opposed	C-2
Ms. E. Petherick	June 13, 2016	June 13, 2016	Opposed	C-3
Mr. D. Gray	June 12, 2016	June 13, 2016	Opposed	C-4
Ms. S. Davy	June 9, 2016	June 10, 2016	Opposed	C-5

3. Heritage Designation Bylaw No. 7853, 2016 for 1031 Sixth Avenue

Attachments:

- i. Notice of Public Hearing (see Item 2i)
- ii. Heritage Revitalization Bylaw No. 7853, 2016

Reports to Council			
Report Author	Meeting/Document/Date	Public Hearing Date	#
Clerks	Minutes Extracts	June 20, 2016	R-1*
Development Services	Regular, Report, March 14, 2016	June 20, 2016	R-2*
Development Services	Regular, Report, April 18, 2016	June 20, 2016	R-3*
Development Services	Regular, Report, May 2, 2016	June 20, 2016	R-4*
Development Services	Regular, Report, May 30, 2016	June 20, 2016	R-5 (See Item 2 R-5)
Development Services	Regular, Report, June 13, 2016	June 20, 2016	R-6 (See Item 2 R-6)

Written Submissions				
Name	Correspondence Date	Date Received	In Support/Opposed / Concerns	#
**See Item 2 Written Submissions				

- a. Explanation of bylaw and proposed development of the lands (Director of Development Services)

Jackie Teed, Acting Director of Development Services, provided a summary of Heritage Revitalization Bylaw No. 7854, 2016 and Heritage Designation Bylaw No. 7853, 2016, noting the following:

- The HRA Application was reviewed and rejected by the Advisory Planning Commission (APC);
- The applicant has revised the application by removing the secondary suite on the proposed new house, providing required off-street parking and agreeing to complete at least 50% of the work on the heritage house before the building permit for the new house is issued; and
- The Community Heritage Commission (CHC) supports the application, and staff recommend that Council give the proposed bylaws third reading following the Public Hearing.

- b. Statement concerning the number of written submissions received and their distribution (City Clerk)

Jan Gibson, City Clerk, advised that seven written submissions in total were received for both bylaws, all in opposition.

- c. Motion to receive submissions

MOVED and SECONDED

THAT the written submissions be received.

CARRIED.

All members of Council present voted in favour of the motion.

- d. Invitation to those present to address the bylaw

Geraldine Mercer, resident at 202 Blackman Street, expressed opposition to the bylaws, unless all property owners from the south side of the lane (between Nanaimo Street and Sixth Avenue) are given the same opportunity to move their houses back towards the lane.

Robert Johnson, Project Architect, and **Steve Long**, Owner of the McLaughlin House at 1031 Sixth Avenue, provided a summary of the application and a presentation showing the proposed project plan, shadow diagrams, relative heights and sight lines. Mr. Johnson noting that some neighbours had expressed concerns during consultation regarding the height

of the proposed houses, and that both houses would meet the height requirements within the NR-1 zoning.

Jacqueline Park and Lynn Leadbetter, residents at 1027 Sixth Avenue, expressed opposition to the bylaws and noted the following comments:

- The McLaughlin House has been at its current location for 125 years;
- The heritage house should not be the subordinate house hidden in the back of the lot, and be seen only by neighbours and the lane users;
- A 2015 staff presentation to Council regarding the Official Community Plan noted that infill housing must fit within the character and scale of the neighbourhood, and that this project does not fit within the requirements for this community;
- This application does not represent a laneway house proposal; and
- Concerns were expressed regarding the lack of greenspace, parking and storage space.

In response to questions from Council, Julie Schueck, Heritage Planner, advised that no other houses within the block in question have heritage protection or are on the heritage register.

Norman Cyrenne, resident at 1036 Nanaimo Street, expressed opposition to the bylaws, suggesting that the hardpan beneath the heritage house could be excavated, thereby retaining the house at its current location. Mr. Cyrenne also expressed concerns that this application may result in an unfair exception being granted to one owner and not to others.

Gail Faure, resident at 1032 Nanaimo Street, suggested that the basement of the heritage house could be removed using a jackhammer. Ms. Faure expressed concerns regarding the application, noting potentially negative impact on parking, laneway traffic as well as sight lines from her house.

Dan Gray, resident at 1034 Nanaimo Street, noted that Council should reject the HRA proposal based on community opposition, as well as rejections by various City committees, including the Community Heritage Commission.

Christopher Bell, resident at 1006 Nanaimo Street, expressed opposition to the proposal, noting the following:

- The APC strongly rejected the plan and requested that the first HRA proposal be revisited;

- The rear annex of the McLaughlin House has been demolished without permit;
- Proposed floorplates may not be compliant with current zoning;
- The feasibility of relocating the heritage house should be assessed by structural engineers before proceeding, citing accidental demolitions and replica houses (as stipulated in the HRA) as a concern; and
- The same scrutiny should be applied to other post-1900 heritage houses that could be demolished in the Moody Park neighbourhood.

In response, Ms. Schueck noted the following comments:

- The replica house requirement within the HRA is only triggered should the heritage house be destroyed, and is not intended to be used as a mechanism to remove a heritage house while still receiving the benefits of the HRA;
- It was determined that the rear annex did not have the same heritage value; however, it is expected to be replaced;
- Each HRA is site specific and not precedent-setting for subsequent applications; and
- All houses 50 years or older are considered to have potential heritage value and are assessed on an individual basis.

Veronique Boulanger, resident at 1016 Nanaimo Street, noted that while she is in favour of heritage preservation and density, she is in opposition to this application, citing issues with site coverage, height and parking.

In response to questions from Council, Ms. Schueck noted that a coach house option was considered with the Applicant, leaving the heritage house at its current location. However, this plan was not suitable for the Applicant's needs. Ms. Schueck further advised that the proposed combined site coverage for both houses is 36.61%, a variation from the 35% site coverage allowed within the zoning.

Brian Jackart, resident at 1030 Nanaimo Street, expressed opposition to the application, noting that his current residence is also a heritage home which is constrained in size for his growing family. Mr. Jackart noted that he and his family have made compromises to ensure that the heritage home is maintained.

Leslie Gray, resident at 1034 Nanaimo Street, expressed opposition to the proposal, noting that it does not fit into the character of the neighbourhood

and suggested that the Applicant's needs may be undermining current bylaws and heritage considerations.

In response, Ms. Teed advised that the impetus for the HRA was the retention of the McLaughlin house.

Council clarified that the house had no heritage protection, and that the owner had the option to demolish the heritage house without violating of any existing bylaws. It was also noted that Council intervened in the process and requested that staff try to work with the owner to preserve the house.

Shawn Schwartz and Liz Kelly, residents at 1028 Nanaimo Street, expressed opposition to the bylaws, noting that the basement of their own heritage house was successfully dug out, and that the proposed plan may cast shadows over their property.

Kathryn Matts, resident at 628 Tenth Street, suggested that it may not be necessary to go to extremes to save a heritage house at the expense of the community. Ms. Matts suggested that this project is neither a good fit for the lot nor for the neighbourhood.

Heidi Wong, resident, expressed concerns that the lot may be subdivided in the future and may set a negative precedent.

Eric Patterson, resident at 1 Renaissance Square, noted that similar projects are taking place in the city, and that this project meets all existing residential zoning bylaws. Mr. Patterson noted that many infill housing projects with heritage retention are in progress in Maillardville in the City of Coquitlam, as well as across Metro Vancouver.

The Mayor called for second time speakers.

Norman Cyrenne, resident at 1036 Nanaimo Street, suggested that the proposal takes away greenspace and may negatively impact the neighbourhood.

Jacqueline Park, resident at 1027 Sixth Avenue, urged Council to reject the application, suggesting that the heritage house should be preserved where it currently sits.

Christopher Bell, resident at 1006 Nanaimo Street, noted that the current OCP review process does not recommend high infill housing along Sixth Avenue, and suggested that a covenant could be placed on title to prevent the future subdivision of this lot.

In response, Ms. Schueck advised that the proposed HRA does not permit subdivision of the lot, and that future amendment to the HRA by Council may be required to alter the lot.

- e. Motion to close the Public Hearing for Bylaw No. 7854, 2016 and Bylaw No. 7853, 2016

MOVED and SECONDED

THAT the Public Hearing for Heritage Revitalization Bylaw No. 7854, 2016 and Heritage Designation Bylaw No. 7853, 2016 be closed.

CARRIED.

All members of Council present voted in favour of the motion.

- f. Motion to refer Bylaw No. 7854, 2016 and Bylaw No. 7853, 2016 to Council for Third Reading

THAT the Public Hearing for Heritage Revitalization Bylaw No. 7854, 2016 and Heritage Designation Bylaw No. 7853, 2016 be referred to Council for Third Reading.

CARRIED.

All members of Council present voted in favour of the motion.

ADJOURNMENT OF PUBLIC HEARING

ON MOTION, the Public Hearing was adjourned and reconvened to the Regular Meeting of Council at 7:27pm.

JONATHAN COTÉ
MAYOR

JAN GIBSON
CITY CLERK

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