



*A vibrant, compassionate, sustainable city that includes everyone.*

**PUBLIC HEARING**

**MINUTES**

**March 28, 2022**

**PRESENT:**

Councillor Patrick Johnstone Acting Mayor  
Councillor Chinu Das  
Councillor Jaimie McEvoy  
Councillor Nadine Nakagawa  
Councillor Chuck Puchmayr  
Councillor Mary Trentadue

**ABSENT:**

Mayor Jonathan Cote

**STAFF PRESENT:**

|                      |   |
|----------------------|---|
| Ms. Lisa Spitale     | Chief Administrative Officer                                      |
| Ms. Jacque Killawee  | City Clerk  |
| Ms. Emilie Adin      | Director of Climate Action, Planning and Development              |
| Ms. Britney Dack     | Senior Heritage Planner, Climate Action, Planning and Development |
| Mr. Dean Gibson      | Director of Parks and Recreation                                  |
| Mr. Hardev Gill      | Planning Technician, Climate Action, Planning and Development     |
| Ms. Wendee Lang      | Planning Analyst, Climate Action, Planning and Development        |
| Ms. Lisa Leblanc     | Director of Engineering Services                                  |
| Mr. Craig MacFarlane | Manager of Legal Services   |
| Ms. Harji Varn       | Chief Financial Officer and Director of Finance                   |
| Mr. Erin Williams    | Acting Fire Chief, New Westminster Fire and Rescue Services       |
| Ms. Nicole Ludwig    | Assistant City Clerk  |

**1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

Councillor Johnstone, Acting Mayor, opened the meeting at 6:00 p.m. and recognized with respect that New Westminster is on the unceded and unsundered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He

recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

**2. STATEMENT CONCERNING THE PROPOSED BYLAWS AND THE CONDUCT OF THE PUBLIC HEARING**

Councillor Johnstone provided a statement regarding the bylaws under consideration, the conduct of the public hearing, and the expected conduct of all participants.

**3. Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022 and Heritage Designation (1324 Nanaimo Street) Bylaw No. 8291, 2022**

**3.1 Proposal Information**

**3.1.1 Notice of Public Hearing**

**3.1.2 Bylaws**

**3.1.2.1 Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw 8290, 2022**

**3.1.2.2 Heritage Designation (1324 Nanaimo Street) Bylaw No. 8291, 2022**

**3.1.3 Previous Decisions, Reports and Related Documents**

**3.1.3.1 Index**

**3.1.3.2 Decisions, Reports and Related Documents**

**3.1.3.2.1 R-1 Minutes Extracts**

**3.1.3.2.2 R-2 Preliminary Report to Council - March 29, 2021**

**3.1.3.2.3 R-3 Report to Community Heritage Commission - April 7, 2021**

**3.1.3.2.4 R-4 Presentation to Community Heritage Commission - April 7, 2021**

**3.1.3.2.5 R-5 First and Second Readings by Council - March 7, 2022**

**3.1.4 Public Input**

**3.1.4.1 Index**

**3.1.4.2 Public Input Submissions**

Jacque Killawee, City Clerk, advised two written submissions had been received, one of which was on table.

**MOVED AND SECONDED**

**THAT** Council receive the following public input submissions related to Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022 and Heritage Designation (1324 Nanaimo Street) Bylaw No. 8291, 2022:

| Public Input Submissions |                |                |     |
|--------------------------|----------------|----------------|-----|
| Name                     | Date Submitted | Date Received  | #   |
| RFieldpt                 | March 20, 2022 | March 21, 2022 | C-1 |
| Catherine Hutson         | March 28, 2022 | ON TABLE       | C-2 |

**Carried.**

All members present voted in favour of the motion.

### **3.2 Overview of the Proposal (Climate Action, Planning, and Development)**

Hardev Gill, Planning Technician, Climate Action, Planning and Development provided an overview of the proposal as follows:

- The proposed Heritage Revitalization Agreement (HRA) would facilitate subdivision of the property into two lots with one building per lot, with access and parking from Fourteenth Street and the rear lane;
- The existing house would be retained, restored and legally protected with a Heritage Designation Bylaw on the larger of the two lots and front Nanaimo Street; an infill house would be built on the smaller rear lot, fronting Fourteenth Street;
- Relaxations to the minimum lot size, density and off-street parking would be required for both parcels;
- The new infill lot would reflect a required City dedication along the lane;
- A relaxation to the maximum density for the heritage house is being requested due to the reduced lot size;
- The new infill house is proposed to have a 2% higher density than permitted by the Zoning Bylaw, and would require a minor relaxation to the front setback requirement of the zone, as well as minor relaxations to the maximum permitted above grade floor space requirement of the future infill house.

Climate Action, Planning and Development staff recommended Bylaw No. 8290, 2022, for Third Reading and approval, and Bylaw No. 8291, 2022 for third reading.

### **3.3 Opportunity to Speak to Council**

Councillor Johnstone called three times for speakers.

**Procedural Note:** The meeting recessed at 6:13 p.m. and reconvened at 6:16 p.m.

The Chair called for speakers and none were present. The City Clerk confirmed that there were no additional speakers indicating they want to speak electronically.

MOVED AND SECONDED

**THAT** the Public Hearing for Bylaw Nos. 8290, 2022 and 8291, 2022 be closed.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Bylaw No. 8920, 2022, be referred to Council for Third Reading and Adoption.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Bylaw No. 8291, 2022, be referred to Council for Third Reading.

**Carried.**

All members present voted in favour of the motion.

## **4. Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022 and Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022**

### **4.1 Proposal Information**

#### **4.1.1 Notice of Public Hearing**

#### **4.1.2 Bylaws**

##### **4.1.2.1 Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022**

##### **4.1.2.2 Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022**

#### **4.1.3 Previous Decisions, Reports and Related Documents**

##### **4.1.3.1 Index**

### 4.1.3.2 Decisions, Reports and Related Documents

#### 4.1.3.2.1 R-1 Minutes Extracts

#### 4.1.3.2.2 R-2 Report to Council - September 13, 2021

#### 4.1.3.2.3 R-3 Report to Community Heritage Commission - October 6, 2021

#### 4.1.3.2.4 R-4 Applicant Presentation to Community Heritage Commission - October 6, 2021

#### 4.1.3.2.5 R-5 First and Second Reading by Council - March 7, 2022

### 4.1.4 Public Input

#### 4.1.4.1 Index

#### 4.1.4.2 Public Input Submissions

Jacque Killawee, City Clerk, advised 18 public input submissions had been received, nine of which were on table.

MOVED AND SECONDED

**THAT** Council receive the following public input submissions related to Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022, and Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022:

| Public Input Submissions |                |                |      |
|--------------------------|----------------|----------------|------|
| Name                     | Date Submitted | Date Received  | #    |
| Gurtag S. Bains          | March 7, 2022  | March 7, 2022  | C-1  |
| Dian Freeman             | March 10, 2022 | March 10, 2022 | C-2  |
| Tanya Morrison           | March 10, 2022 | March 14, 2022 | C-3  |
| Premdeep Singh Hoonjan   | March 18, 2022 | March 18, 2022 | C-4  |
| Mike F                   | March 18, 2022 | March 18, 2022 | C-5  |
| RFieldpt                 | March 20, 2022 | March 21, 2022 | C-6  |
| Gurpreet Seehra          | March 20, 2022 | March 21, 2022 | C-7  |
| Guatedoc                 | March 21, 2022 | March 22, 2022 | C-8  |
| Mike MacDonald           | March 22, 2022 | March 23, 2022 | C-9  |
| Ravendog                 | March 25, 2022 | ON TABLE       | C-10 |
| Liam Atchison            | March 26, 2022 | ON TABLE       | C-11 |
| Brad Atchison            | March 27, 2022 | ON TABLE       | C-12 |
| Andrea Rizzo             | March 28, 2022 | ON TABLE       | C-13 |

| Public Input Submissions       |                |               |      |
|--------------------------------|----------------|---------------|------|
| Name                           | Date Submitted | Date Received | #    |
| Leanne Orchard                 | March 28, 2022 | ON TABLE      | C-14 |
| Jordan Atchison                | March 28, 2022 | ON TABLE      | C-15 |
| Ian Schmitz                    | March 28, 2022 | ON TABLE      | C-16 |
| Christa MacArthur - PowerPoint | March 25, 2022 | ON TABLE      | C-17 |
| Catherine Hutson               | March 28, 2022 | ON TABLE      | C-18 |

**Carried.**

All members present voted in favour of the motion.

#### **4.2 Overview of the Proposal (Climate Action, Planning, and Development)**

Wendee Lang, Planning Analyst, Climate Action, Planning and Development, provided an overview of the application as follows:

- The proposed Heritage Revitalization Agreement (HRA) would allow subdivision of the property at Seventh Avenue and First Street into two lots, with one building on each and access and parking via the rear lane;
- The existing 1941 house would be retained and remain in place on the larger of the two lots, fronting Seventh Avenue. It would be restored, and legally protected with a Heritage Designation Bylaw. A new duplex would be built on the smaller rear lot, fronting First Street.
- The Community Heritage Commission supports the application and a full online community consultation was completed;
- The application requires relaxations to the minimum lot size for both parcels; although the heritage house would remain in place at its current size, the density will increase due to reduced lot size;
- The new duplex is proposed to have a 28% higher density than permitted by the Zoning Bylaw, and a relaxation to allow the duplex as a permitted use. Several minor siting relaxations are also proposed, including a 3% relaxation to the maximum permitted site coverage, and relaxations to the front (2.1 m./ 7 ft.) and side (north) (0.3m / 1 ft.) setbacks which would allow it to be oriented to First Street;
- The project is consistent with the *Duplex, Triplex, and Quadruplex: Interim Development Review Policy*, which directs projects with a heritage building to explore an HRA rather than a rezoning. The intention of this policy is to increase opportunities for ground-oriented infill

housing other than single-detached houses, which emerged as a key objective during Official Community Plan consultation; and,

- The siting of the buildings, and the proposed relaxations, also allow the project to satisfy the requirements of a variety of other City policies and guidelines, while proposing a number of community benefits that would not otherwise be achieved by building under the project's existing Zoning entitlement, including:
  - Legal protection of the heritage house, as well as its restoration and long-term maintenance;
  - Retention of the existing two-bedroom rental secondary suite;
  - Creation of two ground-oriented, family-friendly sized duplex units, which New Westminster does not have a strong supply of;
  - Retention of all on-site protected trees and off-site City trees; and
  - Improvement of the First Street streetscape, which provides an important pedestrian connection to the local elementary school.

Climate Action, Planning and Development staff recommended Bylaw No. 8312, 2022, for Third Reading and adoption, and Bylaw No. 8213, 2022, for Third Reading.

#### **4.3 Opportunity to Speak to Council**

Councillor Johnstone called for speakers.

*Note:* Unless otherwise indicated, all speakers live in New Westminster.

Christa MacArthur, Lodgecraft, provided a presentation on the application including a history of the house, the public consultation process, and the changes and relaxations requested in the application. She noted that the requested 0.76 Floor Space Ratio (FSR) is less than the 0.8 FSR in the guidelines, that the original house would be retained in place, the mature trees at the front of the property retained, and the pool would be replaced by a duplex. She advised there has been mixed support, concerns about pedestrian safety, and access in the laneway. As a result of traffic concerns, she noted traffic specialists had investigated the laneway and ascertained there is adequate space and that sightlines will be increased on the laneway corner. She also noted that the proposed project meets multiple City goals.

Eshleen Panatch, representing the owner, advised there was a history of problems with the previous tenants, who had left the home in an uninhabitable state. Despite this, they did not want to tear down the house, and investigated using an HRA and duplex instead. She noted that the

duplex will create two more family friendly homes in a walkable, amenity-rich area.

Allan Flemons noted that the two proposed lots will be very small, with the result that the back yard for the heritage house will be right on the property line, and the proposed duplex will be four feet away from the house. He expressed concerns that the small size of the lots will result in the parking spaces being used for storage, and any cars will be parked on the street. He also expressed concerns about the substantial amount of traffic that occurs in the area at school drop off and pick up. He explained that any developments need to respect other people who live in the neighbourhood. He requested that Council not approve this application, and that the applicant return with a development that is more suitable for the community.

Karey Dow spoke in support of the application, noting this application is a creative way to save a heritage house and provide housing in an amenity-rich area.

Roveen Kandola spoke in support of the application, noting that it would be a shame to lose the heritage house which adds a sense of character to the community. He also spoke of a need to create more affordable housing for families. He noted that other areas have different kinds of housing and this development is a creative way to build better housing that could be more affordable for young families.

Kush Panatch, of Richmond, and a parent to the owner, noted he has been supporting the family in creating the application. He explained that the previous tenants had stopped paying rent, and it was difficult to evict them during the pandemic due to temporary provincial rules around evictions. He noted that the pool is in poor condition, and the easiest thing to do would be to tear down the house and build a new one, but he encouraged the owners to look for more creative solutions. He suggested the proposal is an elegant solution, that will allow a couple of families to move into the neighbourhood, which is rich in amenities, including access to schools.

Craig Sobering spoke in opposition to the application, noting he lives across the street from the proposed development. He questioned whether the house has the heritage value that merits an HRA and Heritage Designation (HD), and that the HRA is being used as an inappropriate way to increase the density. He noted the proposed duplex will look into his backyard and the additional people living there will put more pressure on an already inadequate sewer system. He also noted there is a problem with cars cutting through the neighbourhood already and this will increase traffic. He



expressed the opinion that it seems the City is offering something that will benefit only the landowner, and more parking should not be considered a community benefit.

Larry Church noted his extended family lives across the street, and he often walks in the area with his grandchildren. He questioned whether the parking proposed meets the requirements of the Zoning Bylaw, which states that driveways cannot be within 15 feet of a lane or street, because the first driveway is only 10 feet away. He expressed concern for the safety of hundreds of children who walk by the laneway every day on their way to and from school, noting that this makes the distance of the driveway from the lane even more important. He noted concerns with parking, and that implementing electric vehicle (EV) charging will be next to impossible. He noted concerns with the proximity of the houses to the property line and each other, as well as the fact that the windows will be removed from the heritage house on the side of the facing the duplex, noting window removal is not a restoration. He advised that the drains overflow in the lane when it rains. He expressed the opinion that there will be a lack of green space for the duplex, and overall that the project is just too much for the property.

In response to a question from Council, Ms. Lang noted that as part of the development, the applicant will be required to upgrade the stormwater drains to the property. She also explained that the rear of the property will receive soft landscaping treatments, the parking will need to be made of a permeable material, and the retention of the mature trees will all help mitigate drainage issues.

Brad Atchison noted this is not the oldest house on the block and that there was not a heritage checklist included in the application so it can be compared to other proposals. He noted the 76% of respondents to the survey did not support the application and there will be a large impact on the community if this development is approved. He expressed concerns with the dozen relaxations being requested, and noted that other applications have significantly larger lots which are more appropriate for these kinds of projects.

During Mr. Atchison's time to speak, the Chair reminded speakers to keep their comments to the project under consideration during the Public Hearing, and to avoid drawing in other applications, as they may be on the list of applications between Public Hearing and adoption and Council may not receive further input on applications at this stage.

Anna Camporese spoke in opposition to the application, advising she has shared the lane for 27 years, and expressed the opinion that the proposed parking will be inadequate and future residents will be parking in the lane, which will lead to issues on garbage day when bins are set out. She expressed the opinion that the duplex distracts from the character of the heritage house, and has the same roof level and approximate massing, and that a laneway house would be much more acceptable.

Sharon Hicken noted she lives across the street, and spoke in opposition to the application because the proposed increase in density is too much and the proposed duplex will be too big. She expressed concern with the lack of green space outside, noting this may be a deterrent to families moving in. She also noted that the closeness of the buildings is a fire hazard, and the duplex will have a view directly into her backyard.

Valerie Doyle spoke in opposition to the application, noting this is not the proper place for a duplex, which would make sense on a single family lot instead, and a single-family house on the property would be supportable. She also noted concerns with parking, and pedestrian safety.

Steve Tuscok spoke in opposition to the application noting that there is already a significant amount of traffic in the area, particularly during school drop off and pick up times. He advised that the proposed duplex will take away from the house and people will not see the house until they get past the duplex. He also expressed concerns with traffic in the lane, as there is a significant drop that impedes visibility, when coming down First Street. He also expressed a concern that this is not affordable housing and may not be attractive to families.

In response to a question from Council, Mr. Tuscok noted that there is space to move the house forward if the trees were removed or trimmed, which would provide more space at the back of the lot for the proposed duplex.

Debbie Mackie identified herself as the adjacent neighbour to the property, and spoke in opposition to the application due to its size, the lack of green space, the proximity of the duplex to the cedar hedge, and the creation of a possible fire hazard due to the proximity of the duplex to the heritage house. She provided a brief history of the house and the tenants who were disrespectful of the house and neighbourhood.

Arno Richter spoke in opposition to the application, advising that he lives kitty-corner to the property. He stated that the lot is too small for this proposal, and that the proposed parking is a significant issue that will impact

laneway access on garbage day and risk the safety of pedestrians, particularly in the morning and afternoon when children are accessing or leaving the school. He opined that the proposal is too much for the size of lot and noted that the house was being damaged by the tenants from 2015 to 2019, before the pandemic eviction rules came into place.

In response to a question from Council, Mr. Richter advised that a laneway house would be an appropriate amount of density for this property.

Ian Schmitz identified himself as the resident across the lane from the property, and spoke in opposition. He noted that the area is very pedestrian heavy, particularly at school pick-up and drop-off times. He also opined that the proposed parking pads are unlikely to be used as intended, and when First Street has cars on both sides, it functionally turns into a one-way street. He also expressed the opinion that there will be a lack of green space, and that this is often what attracts families to move out of more urban areas.

Matt Church spoke in opposition, noting that the people who will be most impacted are the most opposed, and asked to know if the two existing suites in the house will be retained if the application is approved.

The Chair requested staff answer the speaker's question. Emilie Adin, Director of Development Services, advised that the house would have one rental suite, and subsequent to a clarifying question from the Chair, confirmed that there would be a total of four living units on the property, if the application is approved.

Rick Vugtveen spoke in support of the application, noting this is a good opportunity to provide density in other areas of the city rather than concentrating it in specific areas in the city. He noted that this will be in an area with many amenities and the increase in FSR will help the owner offset the costs of maintaining the heritage house. He also noted that this proposal is consistent with City policy and the decision should be made in the context of the existing policy.

In response to questions from Council, Britney Dack, Senior Heritage Planner, and Ms. Lang provided the following information:

- Advised that numbers regarding the cost of the units would be provided at a later date, but that generally, smaller lot sizes and creative tenure options are less expensive than a single detached home;
- The intention for the duplex is stratification of the units;

- There have been maintenance complaints, however currently the house has no infractions, and the proposed project responds to these concerns because the house would be legally bound to a maintenance plan;
- The applicant will not be able to subdivide the property until the heritage work is completed.

The Chair called for first time speakers three times and none were present in person or electronically. The City Clerk reviewed the ways in which people could speak to Council.

**Procedural Note:** Council recessed at 8:03 p.m. to allow additional speakers to join the meeting, and reconvened at 8:09 p.m.

The Chair called for additional first time speakers and none were present. The City Clerk confirmed that there were no additional first time speakers wanting to speak electronically.

Larry Church, speaking a second time, advised that in the lane there is a manhole that carries storm and sewer drainage and that when there is heavy rain, it overflows and sewage gets in the lane. He noted there is a tendency to increase density, but not increase the capacity of infrastructure such as sewers and schools to meet the increased demand.

Arno Richter, speaking a second time, noted that Licensing staff would be aware of the problems of the property.

Councillor Trentadue rose on a point of order, noting that previous problems with tenants on the property do not seem to be relevant to the application being considered. The Chair agreed, acknowledged the speaker's concerns, and requested speakers keep their comments to the application.

Rohan Singh spoke in support, noting that for many people, a duplex is the next step in home ownership following a condo purchase. He also noted there are many large lots containing houses with questionable heritage value that could be used for other purposes.

Allan Flemons, speaking a second time, noted that although the mature trees are being preserved, the best applications provide a win-win scenario for the neighbourhood and applicant, and putting a duplex on this lot does not create a win-win scenario.

Kush Panatch, speaking a second time, advised that the trees are substantial in size with a large root system and moving the house forward on the lot would impact the trees. He encouraged Council to consider that

there is a diversity of family types, and that smaller families and single-parent families may appreciate a home like the duplex proposed. He also noted that the drainage will be modernized and the owner will enter into a servicing agreement with the City to maintain the sewer.

Debbie Mackie opined that there will be more than four cars with the four suites and access in the lane will be further impacted on garbage day when the bins are brought out into the lane for pick up.

Catherine (last name not provided) spoke in opposition to the application, noting concerns with the sight lines of the proposed duplex, noting that people speed down the lane and visibility will be impacted by the increased density on the lot.

In response to a question from Council, Lisa Leblanc, Director of Engineering Services, advised that lanes have a 20 km/h speed limit and are usually meant to deliver to and from driveways. She also noted that a corner truncation will be required to maintain visibility, and that, although the lane is not excessively large, it would continue to function well with fairly typical vehicles. She advised that speed humps and stop signs already exist in the lane to help control traffic.

Ms. Lang advised that the parking proposals have been reviewed by staff and meet all the City's requirements.

Brad Cavanagh spoke in support of the application, noting similar concerns expressed here tonight about another development nearby never came to fruition, and that the proposed designs blend in well with the community. Regarding the lack of green space, he noted that there is an abundance of parks in New Westminster and this location has a park nearby. He also advised that the duplex units provide housing, and that the application should be approved because it strikes a good balance between preserving a heritage house and providing additional housing.

Larry Church, speaking a third time, requested information on whether the parking will comply with requirements, and whether all the windows on the side of the house adjacent to the duplex would be removed.

The Chair requested staff address the questions and Ms. Adin and Ms. Lang provided the following information:

- Engineering Services has advised that the proposed parking complies with the Zoning Bylaw;

- The confusion regarding parking may be because the proposal is for parking pads, which are regulated differently than driveways; and,
- The applicant is proposing to remove the majority of the windows on the elevation facing the duplex.

In response to a question from Council, Ms. Dack and Ms. Lang advised that the survey referenced by speakers is part of the applicant-led consultation, was reviewed by staff, and the applicant had mailed notifications to 64 properties within 100 metres of the site.

Steve Tucso, speaking a second time, explained he would be supportive of a laneway house rather than a duplex, and that there is very heavy traffic in the area. He noted that neighbours who have spoken about the traffic on a daily basis and he prefers that the applicant return with a different proposal that addresses neighbourhood concerns.

Craig Sobering, speaking a second time, noted that there is a kind of impact creep as more variances are requested. He expressed concerns that, due to traffic, his car has been sideswiped multiple times, vehicles travel too fast in the lane, and speed bumps would help but need to be placed closer to the school. He also noted concerns about privacy since the proposed duplex will overlook the fence, providing a view into his back yard.

Anna Camporese, speaking a second time, opined that the owner has said the heritage aspect is important but is proposing a duplex that will take away from the heritage aspects of the house. She also expressed concerns with the garbage bins being set out on collection day, as there will be nowhere to put the bins except in the proposed parking spots.

Brad Atchison, speaking a second time, noted that it is very difficult to get a sense of the HRA criteria that are being used in assessing the building, and that it is difficult to see where the project fits relative to other HRA/HD projects. He expressed concerns that the relaxation requests are not minor and will significantly impact the neighbourhood.

Councillor Nakagawa rose on a point of order, noting that the point of a public hearing to hear from members of the public on how they will be impacted by the project, and not a time for a question-and-answer session with staff. The Chair agreed.

Councillor Puchmayr noted that it is unfair to change the rules of a Public Hearing when the hearing is almost complete, and if there is a process issue, Council may need to seek legal advice.

At the request of the Chair, the City Clerk advised that the meeting is a public input session, not a public engagement session and it is Council's role to listen to the public. She advised that Council can ask staff to respond to speakers' questions that they deem relevant to the application.

The Chair requested staff respond to Mr. Atchison's question regarding where this application fits in comparison to other HRA applications. Ms. Dack noted that the HRA process looks to be flexible on how to accommodate something on a site that is working with a heritage asset, and that this one has a few more relaxation requests than is typical, but that there have been other applications in the same range that have been approved.

Catherine (last name not provided), speaking a second time, questioned if the application meets the definition of gentle densification.

Rohan Singh, speaking a second time, noted that garbage and recycling storage is shown in attachment 8 of the report, and that the parking should be adequate as many families have only one car.

Craig Sobering noted there are two issues related to the garbage: storage and where they are placed for pick up on collection day. He noted that on collection day, the lane gets very cluttered and congested, and they are not always replaced gently or in a spot that keeps the lane clear enough for traffic to pass.

Percy MacKerricher noted that many speakers are not in favour of the application. She expressed the opinion that densification should be safe, gentle and beneficial to the community and this proposal is not any of those things. She explained that the presence of speed bumps acknowledges the danger in the lane and that she hopes more serious thought will go into the application before it is approved.

The Chair called for three times for speakers and none were present in person or electronically. The City Clerk reviewed the ways people can speak at the Public Hearing.

**Procedural Note:** The Public Hearing recessed at 9:21 p.m. to allow additional speakers to join the meeting, and reconvened at 9:24 p.m.

The Chair called for additional time speakers and none were present. The City Clerk confirmed that there were no additional first time speakers indicating they want to speak electronically.

MOVED AND SECONDED

**THAT** the Public Hearing for Bylaw Nos. 8312, 2022, and 8313, 2022 be closed.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022, be referred to Council for Third Reading and Adoption.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022, be referred to Council for Third Reading.

**Carried.**

All members present voted in favour of the motion.

**5. END OF PUBLIC HEARING**

The meeting ended at 9:25 p.m.

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Jonathan X. Cote

MAYOR

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Jacque Killawee

CITY CLERK