



REGULAR COUNCIL MEETING MINUTES

OCTOBER 31, 2017

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, October 31, 2017, at 9:41 am, in the Council Chamber, Third Floor, City Hall.

PRESENT:

- Mayor Gregor Robertson
- Councillor George Affleck
- Councillor Elizabeth Ball
- Councillor Hector Bremner
- Councillor Adriane Carr
- Councillor Melissa De Genova
- Councillor Heather Deal
- Councillor Kerry Jang*
- Councillor Raymond Louie
- Councillor Andrea Reimer
- Councillor Tim Stevenson*

CITY MANAGER'S OFFICE:

- Sadhu Johnston, City Manager
- Paul Mochrie, Deputy City Manager

CITY CLERK'S OFFICE:

- Janice MacKenzie, City Clerk
- Terri Burke, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

Mayor Robertson acknowledged we are on the unceded traditional territories of the Musqueam, Squamish, and Tsleil-Waututh First Nations.

IN CAMERA MEETING

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT Council will go into meetings later this week which are closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraphs:

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;

(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

1. Regular Council - October 17, 2017

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting of October 17, 2017, be approved.

CARRIED UNANIMOUSLY

2. Public Hearing - October 17, 2017

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Public Hearing of October 17, 2017, be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Finance and Services) - October 18, 2017

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting following the Standing Committee on City Finance and Services meeting of October 18, 2017, be approved.

CARRIED UNANIMOUSLY

4. Court of Revision (Land Averaging) - October 19, 2017

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the Minutes of the Court of Revision (Land Averaging) meeting of October 19, 2017, be approved.

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT Council adopt Communications 1 and 2, Administrative Reports 1, 4, and 5, and Policy Reports 1 and 2, on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

**1. Historical Discrimination Against Chinese People in Vancouver
October 20, 2017**

The Mayor noted requests to speak to this item had been received.

REFERRAL MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT Council hear the presentation regarding "Historical Discrimination Against Chinese People in Vancouver", and refer the related report to the Standing Committee on Policy and Strategic Priorities meeting on November 1, 2017, at 9:30 am.

FURTHER THAT speakers for this item be heard starting at 2 pm.

CARRIED UNANIMOUSLY (Vote No. 02280)

Baldwin Wong, Social Policy and Projects, provided a presentation on Historical Discrimination Against Chinese People in Vancouver, including project timelines, research findings, the draft apology, community engagement and recommendations. Mr. Wong and Wendy Au, Assistant City Manager, responded to questions.

**2. Vancouver Food Strategy Progress Report and Action Plan Update
October 3, 2017**

James O'Neill, Social Policy and Projects, provided an update on the Vancouver Food Strategy Progress Report and Action Plan, including goals, partnerships and relationships, food production, food access, new focus areas, and food system resilience. Mr. O'Neill and Sara Carten, Social Policy and Projects, responded to questions.

MOVED by Councillor Reimer
SECONDED by Councillor Carr

- A. THAT City Council receive for information the Administrative Report dated October 3, 2017, entitled "Vancouver Food Strategy Progress Report and Action Plan Update".
- B. THAT City Council endorse the Food Strategy Action Plan for 2017-2020, as outlined in Appendix A of the Administrative Report dated October 3, 2017, entitled "Vancouver Food Strategy Progress Report and Action Plan Update".

CARRIED UNANIMOUSLY (Vote No. 02273)

**3. Report Back on Seniors Centre in South Vancouver / Sunset Area
October 3, 2017**

Danica Djurkovic, Director of Facilities Planning and Development, provided an update on the Seniors Centre in South Vancouver / Sunset Area, including background, community engagement, site selection, legal considerations and recommendations. Ms. Djurkovic responded to questions.

Councillor Louie noted that requests to speak to this item had been received.

REFERRAL MOVED by Councillor Louie
SECONDED by Councillor Reimer

THAT, under section 6.8 of the *Procedure By-law*, Council suspend section 13.7 of the *Procedure By-law*, and hear from speakers regarding "Report Back on Seniors Centre in South Vancouver / Sunset Area", at the Standing Committee on Policy and Strategic Priorities meeting, on November 1, 2017, at 9:30 am.

FURTHER THAT speakers be heard after the item "Historical Discrimination Against Chinese People in Vancouver", which is scheduled for 2 pm.

CARRIED UNANIMOUSLY (Vote No. 02279)

UNFINISHED BUSINESS

1. Rezoning: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church

On October 17, 2017, Vancouver City Council heard from speakers at a Public Hearing on the above-noted application and, following the close of the receipt of public comments, referred discussion and decision to the Regular Council meeting on October 31, 2017, as Unfinished Business.

At 11:47 am, Councillor Stevenson left the Council Chamber as he had previously declared a conflict of interest at the Public Hearing on October 17, 2017, due to a close family member's previous association with Ryerson United Church. He did not return until the beginning of the next item.

Councillors Bremner and De Genova advised they had reviewed the proceedings of the Public Hearing they had missed and would therefore be participating in discussion and decision on the application.

Council had before it a Memorandum dated October 16, 2017, from the Assistant Director of Planning, Vancouver South, advising that since referral to Public Hearing, staff had determined that the following corrections were required:

- corrections to the proposed parking by-law amendments for both the East Site (2165-2195 West 45th Avenue) and West Site (2205-2291 West 45th Avenue); and
- additional conditions to facilitate the potential relocation and/or salvage of the existing character houses on both the East Site (2165-2195 West 45th Avenue) and West Site (2205-2291 West 45th Avenue).

Planning, Urban Design and Sustainability staff responded to questions.

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During questions to staff, Council recessed at 12 pm and reconvened at 2:10 pm.

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The motion below contains changes from the original Summary and Recommendation, as put forward in the Memorandum dated October 16, 2017, shown below in ***bold italics***:

MOVED by Councillor Deal
SECONDED by Councillor Jang

- A. THAT the application by Endall Elliot Associates on behalf of Trustees of the Congregation of the Ryerson United Church, Christopher Henry Warren, Joseph Fredrick Noble, Frederick Wellington Taylor, Franklin Kay Collins, Henry James Grant and 0981985 B.C Ltd., the registered owners, to rezone:
- (i) 2165-2195 West 45th Avenue [*Lot 16-22, all of the West Part of Lot 6, Block 16, District Lot 526, Plan 3870; PIDs: 012-089-664, 012-089-672, 012-089-681, 012-089-699, 012-089-702, 012-089-711, 012-089-729 respectively*] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.47 and the height from 10.7 m (35 ft.) to 30.2 m (99 ft.) to permit development of an eight-storey residential development including three-storey townhouses along 45th Avenue and four storeys along the rear lane containing a total of 40 residential units; and
 - (ii) 2205-2291 West 45th Avenue [*Lots 19-22, Lot 23 Except the West 15 Feet, The West 15 Feet of Lot 23 and Lots 24-26, all of Lot 5, Block 16, District Lot 526, Plan 3646; PIDs: 012-423-734, 012-423-742, 012-423-751, 012-423-769, 012-423-882, 012-423-891, 012-423-912, 012-423-777 and 016-125-631 respectively*] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 1.73 and the height from 10.7 m (35 ft.) to 18.3 m (60 ft.) to retain, restore and rehabilitate the heritage "A" listed Dunbar Ryerson United Church and to permit development of a five-storey church addition including a community activity centre and 32 social housing units,

generally as set out in Appendices A1 and A2 of the Policy Report dated August 22, 2017, entitled "CD-1 Rezoning: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church", ***along with the amendments as set out in the Memorandum dated October 16, 2017, from the Assistant Director of Planning, Vancouver South***, be approved subject to the following conditions:

For a) 2165-2195 West 45th Avenue (East Site)

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Endall Elliot Associates, on behalf of Trustees of the Congregation of the Ryerson United Church, and stamped "Received City Planning Department, December 16, 2016,

provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

Urban Design

1. Design development to the setbacks, as follows:
 - (i) Increase the front (south) setback of the row houses to align with the single-family streetscape;
 - (ii) Increase the east side yard setback to reduce impact on the adjacent single-family site; and,
 - (iii) Increase the front (south) setback to the midrise tower to improve pedestrian-level views from 45th Avenue to the retained church on the west site.

Note to Applicant: The east setback should be 6 ft. to provide 8 ft. separation to the existing house on the adjacent lot. Relocate or reconfigure the stairwell entry to the parkade to provide more openness at the southwest corner 'plaza'.

2. Design development to reduce the prominence of mechanical projections above the roof line of the midrise tower.

Note to Applicant: The cantilevered roof element at the south side should be deleted.

3. Provide high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability, and performance.

4. Design development to relocate the Pad-Mounted Transformer (PMT) to a less prominent location along the lane, if possible.

Note to Applicant: The PMT should be screened from view from the sidewalk.

5. The proposed market housing unit mix for this East Site, including 5 one-bedroom units (12.5%), 16 two-bedroom units (40%), and 19 three-bedroom units (47.5%), is to be included in

the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 35% of the dwelling units designed to be suitable for families with children.

6. Family units design shall meet the *High-Density Housing for Families with Children Guidelines*.

Crime Prevention Through Environmental Design (CPTED)

7. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft;
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

8. Provision of a deconstruction plan for demolition of existing buildings on site *except for the character house at 2165 West 45th Avenue* to divert at least 75% of demolition waste (excluding materials banned from disposal) from the landfill. *For the existing house located at 2165 West 45th Avenue, provision of a deconstruction plan for demolition to divert at least 90% (by weight) of demolition waste (excluding materials banned from disposal) from the landfill.*

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference. *Consideration should be given for salvage for reuse for all building materials where possible. Please contact Lisa Brideau, Senior Sustainability Specialist at 604-871-6586 for potential salvage companies.*

9. Confirmation that the application is on track to meeting the Green Buildings Policy for Rezoning including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape Review

10. Design development to coordinate the landscape plan with the tree retention strategy in the Arborist Report and Tree Management Plan, enabling the retention and protection of retained trees.

Note to Applicant: Currently the proposed landscape plan does not respect the existing tree retention strategy. The retained trees should be integrated into the landscape plan.

11. Design development to relocate or add another children's play area adjacent to the Amenity Room on the ground level, to be visually accessible from the common area.
12. Design development to provide a more substantial landscape at the lane interface.
13. Design development to improve sustainability and expand programming to include edible plants integrated into landscape design, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility, and they should be provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

14. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should exceed BCSLA standard.

15. Provision of approvals from Park Board and adjacent east property owner for the proposed removals of off-site or shared trees.

Note to Applicant: Further design development may be required to retain all off-site or shared trees, if removal is not supported.

16. Consideration to explore design options that respect the *City of Vancouver Bird Friendly Design Guidelines*.

Note to Applicant: Refer to relevant documents -

<http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf>

<http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>

17. At time of development permit application:

(i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

(ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must be dimensioned and confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.

(iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

(iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the

architectural expression and the project's open space and public realm.

- (v) New proposed street trees should be coordinated with the Park Board and Engineering and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

Engineering

18. The owner or representative is advised to contact Engineering Services to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
19. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

20. Provision of a Landscape Plan that reflects the off-site improvements sought by this rezoning.
21. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of updated section drawings showing elevations, vertical clearances, and security gates for the main ramp, the parkade levels, through the loading bays and surface parking stalls at the lane.
Note to Applicant: Label the minimum clearance for parking and loading levels on drawings, including overhead gate and mechanical projections. Minimum 2.3 m clearance is required for Class A loading and disability spaces and minimum 3.5 m vertical clearance is required for one Class B loading space.
 - (ii) Provision of design elevations on both sides of the parking ramp at all breakpoints, both sides of the loading bays, the surface stalls at the lane, throughout the parking levels, and at all entrances.

Note to Applicant: The slopes and length of the ramp sections must be shown on both sides of ramp sections on the submitted drawings.
 - (iii) All parking stalls, manoeuvring aisles and columns encroachments into parking stalls to be dimensioned on the drawings.
 - (iv) Enclosed parking space stalls to comply with the Parking Bylaw and the Design Supplement.
 - (v) Provision of minimum aisle width or additional stall width for the parking and loading spaces at the lane.
 - (vi) Provision of stair free loading routes.
 - (vii) Provision of an updated plan showing the access route from the Class A bicycle spaces on the East site to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp, if required.

- (viii) Provision of automatic door openers on the all doors providing access to the bicycle room(s).
- (ix) Provision of a complete tech table showing the calculations for the minimum required parking, loading, bicycle spaces and the number of spaces being provided.

For a) 2165-2195 West 45th Avenue (East Site)

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the Approving Office, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lot 16-22, all of the West Part of Lot 6, Block 16, District Lot 526, Plan 3870 to create a single parcel.
 2. Provision of an off-site parking agreement, which will include a Section 219 Covenant and Statutory Right-of-Way (SRW) to provide social housing residents and church and activity centre user access to the parking provided on the east site.
 3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water

system upgrading that may be required.

- (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
- (iii) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
- (iv) Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. In addition, there will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

Note to Applicant: Please ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

- (v) Provision of upgraded street lighting and new pedestrian lighting on the north side of 45th Avenue directly adjacent to the west and east sites to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.

- (vi) Confirmation that any relocated wood poles in the lane adjacent the sites will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
- (vii) Provision of a 6 ft., (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on 45th Avenue adjacent both sites and on both sides of Yew Street between 45th Avenue and the lane north of 45th Avenue Note: retention of the existing front boulevard widths is required.
- (viii) Provision of a 6 ft. (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on the east side of Vine Street between 45th Avenue and the lane north of 45th Avenue and a minimum 5 ft. (1.53 m) sod grass front boulevard.
- (ix) Provision of new concrete curb ramps and curb returns at the north east corner of 45th Avenue and Vine Street and northwest and northeast corners of 45th Avenue and Yew Street to current standards.
- (x) Provision of commercial concrete lane crossings and new curb returns at the lane entries on the east side of Vine Street at the lane north of 45th Avenue and the east and west side of Yew Street at the lane north of 45th Avenue.
- (xi) Provision of speed humps in the lane north of the 2100 and 2200 blocks of West 45th Avenue.
- (xii) Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
- (xiii) If not already paid with the rezoning of 2205-2291 West 45th Avenue, Provision of up to \$100,000 for traffic calming measures to reduce traffic impacts from the redeveloped lands to the 45th Avenue Bikeway. Improvements to be determined within 2 years of final building occupancy but work to completed at the discretion of the General Manager of Engineering Services.
- (xiv) Relocation of the existing wood pole in the lane that blocks access to the proposed loading is required. Provision of written confirmation from all utility

companies, including any City of Vancouver utilities that use the pole are required.

- (xv) Provision of street trees adjacent the site where space permits.

Soils

4. If applicable:

- (i) Submit a site profile to Environmental Services (Environmental Protection);
- (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
- (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the onsite and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

In-kind Community Amenity Contribution (CAC)

- 5. Make arrangements to the satisfaction of the General Manager of Planning, Urban Design and Sustainability and the General Manager of Community Services to deliver the proposed heritage upgrades and to design, construct and secure the proposed 32 units of social housing and the cultural performance and rehearsal space on the site located at 2205-2291 West 45th Avenue.

Note to Applicant: The foregoing agreements will include holds to ensure that the social housing, heritage upgrades and the cultural performance and rehearsal space is delivered prior to occupancy of any market residential development on the East Site.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

For b) 2205-2291 West 45th Avenue (West Site)

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (d) That the proposed form of development be approved by Council in principle, generally as prepared by Endall Elliot Associates, on behalf of Trustees of the Congregation of the Ryerson United Church, and stamped "Received City Planning Department, December 16, 2016, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (e) below.
- (e) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning and Development Services, who shall have particular regard to the following:

Urban Design

- 1. Design development to the atrium connection to widen the separation between the retained church and the addition and to emphasize a break in the massing between the two components.

Note to Applicant: The addition may maintain the proposed sloped roof to align with the church. The atrium roof should be lower to further articulate the break between the two components and avoid the reading of a single continuous roof form over both components.

2. Design development to the architectural expression to provide distinction between the two massing components and ensure the prominence of the retained church.

Note to Applicant: Further refinement to the architectural design, composition, exterior finishes and detailing, should emphasize the contemporary character of the addition, as distinct from the historical character of the retained church.

3. Provide high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability, and performance. The use of stone to be consistent with the church is encouraged.

4. Design development to improve the livability of north-facing studio units by increasing the amount of windows.

Note to Applicant: Windows should be provided in addition to glass sliding doors shown.

5. Design development to reduce the prominence of mechanical projections above the roof line.

Note to Applicant: Mechanical projections to comply with permitted exclusions from height under Section 10.11 of the Zoning and Development By-law.

6. Design development to relocate the Pad-Mounted Transformer to less prominent location along the lane, if possible.

Note to Applicant: The PMT should be screened from view from the sidewalk, and may be located at the rear of the site between the church and the addition.

7. The proposed unit mix, including 13 studio units (40.5%), 13 one-bedroom units (40.5%), and 6 two-bedroom units (19%) for the Social Housing on the West Site, is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning

application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 18.75% of the dwelling units designed to be suitable for families with children.

8. Family units design to meet the *High-Density Housing for Families with Children Guidelines*.

Crime Prevention Through Environmental Design (CPTED)

9. Design development to respond to CPTED principles, having particular regards for:
 - (i) residential break and enter;
 - (ii) mail theft; and
 - (iii) mischief in alcoves and vandalism, such as graffiti.

Sustainability

10. *Provision of a deconstruction plan for demolition to divert at least 90% (by weight) of demolition waste (excluding materials banned from disposal) from the landfill.*

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. Plan must be specific about materials that are being diverted. A template plan is available for reference. *Consideration should be given for salvage for reuse for all building materials where possible. Please contact Lisa Brideau, Senior Sustainability Specialist at 604-871-6586 for potential salvage companies.*

11. Confirmation that the application for the building addition is on track to meeting the Green Buildings Policy for Rezoning including a minimum of LEED® Gold rating, with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: Submit a LEED® checklist and a sustainable design strategy outlining how the proposed points will be achieved, along with a receipt including registration number from the CaGBC, as a part of the Development Permit application. The checklist and strategy should be incorporated into the drawing set. A letter from an accredited professional confirming that the building has been designed to meet the policy and application for certification of the project will also be required under the policy.

Landscape Review

12. Design development to the West Site on the east side of the expanded church porch, to respect the single family residential scale.

Note to Applicant: This could be achieved by breaking up the extent of the porch east of the main entry and gathering space, by the addition of some trees and soft landscape, which relates to the front yards across the street on 45th Avenue.

13. Design development to provide a more conservative tree removal strategy by the additional retention of Trees #3571 and #3572.
Note to Applicant: These two trees are on the existing Church site, where no changes are required. The trees are in good condition. Revisions are needed to the arborist report Tree Management Plan to show the trees retained, with methods of protection described in report.

14. Design development to coordinate the landscape plan with the tree retention strategy in the Arborist Report and Tree Management Plan, enabling the retention and protection of retained trees.

Note to Applicant: Currently the proposed landscape plan does not respect the existing tree retention strategy. The retained trees should be integrated into the landscape plan.

15. Design development to provide a more substantial landscape at the lane interface.
16. Design development to improve sustainability and expand programming to include edible plants integrated into landscape design, in addition to urban agriculture plots.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

17. Provision of maximized tree growing medium and planting depths for tree and shrub planters to ensure long term viability of the landscape.

Note to Applicant: Underground parking slabs and retaining walls may need to be altered to provide adequate depth and continuous soil volumes. Growing mediums and planting depths should exceed BCSLA standard.

18. Consideration to explore design options that respect the *City of Vancouver Bird Friendly Design Guidelines*.

Note to Applicant: Refer to relevant documents - <http://council.vancouver.ca/20150120/documents/rr1attachme ntB.pdf> and <http://council.vancouver.ca/20150120/documents/rr1attachme ntC.pdf>

19. At the time of development permit application:
- (i) A full Landscape Plan for proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.
 - (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must be dimensioned and confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
 - (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to Applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.

- (v) New proposed street trees should be coordinated with the Park Board and Engineering and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vi) A high-efficiency automatic irrigation system to be provided for all planters on slab and minimum of hose bibs to be provided for landscape on grade;
- (vii) A Landscape Lighting Plan to be provided for security purposes.

Note to Applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

Community Activity Centre and Sanctuary

- 20. Design development to ensure that the community activity centre and Sanctuary spaces meet needs of performance and rehearsal usage by choral groups, including acoustic, lighting, HVAC, power and structural requirements for choral and cultural use.
- 21. Design development to ensure that the community activity centre and Sanctuary spaces ensure sound proofing to reduce sound transfer between adjacent rooms at STC60 levels.
- 22. Design development to ensure that Sanctuary's resonant and warm quality of sound is maintained or improved, to meet needs of performance and rehearsal usage by choral groups.
- 23. Design development to enhance choral usage of the Sanctuary including maintaining, at minimum, a seating capacity of 350.

Engineering

- 24. Development of a transportation management plan for events to provide guidance for how circulation, parking and pick up and drop off activity will be managed for large and ongoing events including concerts and rehearsals.

Note to Applicant: Church, cultural and community events can result in traffic congestion and parking issues along neighbouring

streets. These activities require management by the church or representative to mitigate negative impacts on neighbours. Along with the transportation management plan the church should identify a neighbourhood liaison (i.e. webpage contact) that is available for follow up and feedback for residents. The transportation management plan would be posted on the church webpage and is intended to provide a commitment to neighbours regarding ongoing management of impacts related to events hosted at the church facilities.

25. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation and construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
26. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site. Current construction practices regarding shotcrete shoring removals have put City utilities at risk during removal of encroaching portions of the shoring systems. Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.
27. Provision of a Landscape Plan that reflects the off-site improvements sought by this rezoning.
28. Delete what appears to be sidewalk that extends from the lane beyond the Vine Street property line and into the lane entry from public property.
29. Provision of a 1'-6" (0.46 m) sod grass strip between the sidewalk and any proposed planting in the back boulevard.
30. Provision of any required Class B bicycle parking to be located fully on private property.

Heritage

31. *Provision of a letter, signed by the applicant, which states that an application to demolish the houses at 2165, 2267, 2279 and 2291 West 45th Avenue will not be submitted until necessary for construction of the new development.*
32. *Provision of a letter, signed by the property owner, which states that they will seek opportunities to the satisfaction of the Director of Planning to allow for relocation or salvage of the houses at 2165, 2267, 2279 and 2291 West 45th Avenue.*

Note to Applicant: Staff will consider options to expedite this process if an opportunity to relocate one or more of the houses is presented.

For b) 2205-2291 West 45th Avenue (West Site)

CONDITIONS OF BY-LAW ENACTMENT

- (f) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the Approving Office, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lots 19-22, Lot 23 Except the West 15 Feet, The West 15 Feet of Lot 23 and Lots 24-26, all of Lot 5, Block 16, District Lot 526, Plan 3646 to create a single parcel.
2. Provision of an off-site parking agreement, which will include a Section 219 Covenant and Statutory Right-of-Way (SRW) to provide social housing residents, church and activity centre user access to the parking provided on the east site.
3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the

details to determine if water main upgrading is required. Please supply project details including projected fire flow demands, sprinkler demand, hydrant load, and domestic water demands to determine if water main upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

- (ii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
- (iii) Provision of a report or management plan by a registered professional demonstrating that post development storm water runoff flowrate will be less than or equal to current site run-off. Legal arrangements may be required to ensure on-going operations of certain stormwater storage systems.
- (iv) Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. In addition, there will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch.

Note to Applicant: Please ensure that in your consultation with B.C. Hydro that an area has been defined within the development footprint to accommodate such electrical

plant. Please confirm that this space has been allocated and agreement between both parties has been met.

- (v) Provision of upgraded street lighting and new pedestrian lighting on the north side of 45th Avenue directly adjacent to the west and east sites to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
- (vi) Confirmation that any relocated wood poles in the lane adjacent the sites will not impact existing lane lighting, should any relocated pole include lighting impacts, upgrading of the lane lighting to current standard will be required.
- (vii) Provision of a 6 ft., (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on 45th Avenue adjacent both sites and on both sides of Yew Street between 45th Avenue and the lane north of 45th Avenue Note: retention of the existing front boulevard widths is required.
- (viii) Provision of a 6 ft. (1.83 m) CIP broom finish concrete sidewalk with saw cut joints on the east side of Vine Street between 45th Avenue and the lane north of 45th Avenue and a minimum 5 ft. (1.53 m) sod grass front boulevard.
- (ix) Provision of new concrete curb ramps and curb returns at the northeast corner of 45th Avenue and Vine Street and northwest and northeast corners of 45th Avenue and Yew Street to current standards.
- (x) Provision of commercial concrete lane crossings and new curb returns at the lane entries on the east side of Vine Street at the lane north of 45th Avenue and the east and west side of Yew Street at the lane north of 45th Avenue.
- (xi) Provision of speed humps in the lane north of the 2100 and 2200 blocks of West 45th Avenue.
- (xii) Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right of way.
- (xiii) If not already paid with the rezoning of 2165-2195 West 45th Avenue, provision of up to \$100,000 for traffic

calming measures to reduce traffic impacts from the redeveloped lands to the 45th Avenue Bikeway. Improvements to be determined within 2 years of final building occupancy but work to be completed at the discretion of the General Manager of Engineering Services.

- (xiv) Relocation of the existing wood pole in the lane that blocks access to the proposed loading is required. Provision of written confirmation from all utility companies, including any City of Vancouver utilities that use the pole are required.
- (xv) Provision of street trees adjacent the site where space permits.

Housing

- 4. Make arrangements to the satisfaction of the General Manager of Community Services and the Director of Legal Services to enter into a Section 219 Covenant and Housing Agreement securing 32 social housing units, for 60 years or life of the building, whichever is greater, subject to the following additional conditions in respect of those units:
 - (i) That none of the social housing units may be separately sold;
 - (ii) That the social housing units will be legally and beneficially owned by a single legal entity that is a non-profit corporation, a non-profit co-operative association, or by or on behalf of the City of Vancouver, the Province of British Columbia, or Canada and used only to provide rental housing for terms of not less than one month at a time and prohibiting the separate sale or transfer of legal or beneficial ownership of any such units;
 - (iii) That at least 11 units (34%) are to be occupied by persons eligible for income assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are renting at the shelter component of income assistance;
 - (iv) That 11 units (34%) are to be occupied by households with incomes below the housing income limits as set out in the current "Housing Income Limits (HILS)" table published by the British Columbia Housing Management Commission

or equivalent publication, at a rent which is no more than 30% of household income, and meets all other applicable preconditions in order to comply with the development cost levy exemption provisions for social housing under the Vancouver Charter;

- (v) Allocation of any surplus revenue from the social housing units will be towards the maintenance of the new buildings and heritage church as well as various charitable and cultural programs that Dunbar Ryerson United Church supports; and
- (vi) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Note to Applicant: This condition will be secured by a 219 Covenant and a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

- 5. Provision of a draft Operations Management Plan (OMP) by the owner to the satisfaction of the General Manager of Community Services that addresses key issues including, but not limited to:
 - (i) Process to identify and select an experienced non-profit operator that will manage the social housing units and work with the church to develop resident selection and reporting and monitoring processes.
 - (ii) Building operations and capital asset management in respect of the social housing units.
 - (iii) Allocation of any potential surplus rental revenue.

Note to Applicant: The final OMP is to be submitted by the non-profit housing operator and will be required prior to the issuance of the occupancy permit.

Community Use Agreement

- 6. Dunbar Ryerson United Church enter into a Community Use Agreement with the City of Vancouver which will include the following:
 - (i) Requirements for the design and construction of Shared Amenity Space in the development, to be designed to the satisfaction of the Managing Director of Cultural Services,

to a standard appropriate for cultural and community non-profit use;

- (ii) a Statutory Right of Way, to secure access to the Shared Amenity Space for community and cultural users, as specified in condition (c) 6 (i) and generally as described in the Policy Report dated August 22, 2017, entitled "CD-1 Rezoning: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church", at nominal cost and for the life of the building; and
- (iii) a Section 219 Covenant to secure the community availability of the Shared Amenity Space to the satisfaction of the Managing Director of Cultural Services, that includes the equivalent of three days a week (one day is equal to 12 hours) access to each of the programming spaces in the Shared Amenity Space to cultural and community non-profit organizations on a cost recovery basis, prioritizing access for pre-existing community, choral and music group users and their pre-existing schedules. The Section 219 Covenant will also secure access to the dedicated storage for cultural groups. Users are responsible for direct costs related to use of the Shared Amenity Space, and may be charged for set-up or cleaning associated with the events on a cost recovery basis, but may not be charged for rent. Use of the sanctuary is to be considered as an alternative to the proposed multipurpose rooms.

Right of First Refusal and Option to Purchase

7. The City's requirement is that the social housing remains owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada for the duration of the Housing Agreement and is continuously operated as social housing as will be required by the Housing Agreement. The City's requirement is also that community activity centre is owned and operated by the Dunbar Ryerson United Church, a non-profit affiliate thereof or other non-profit entity acceptable to the City and that the use of the Shared Amenity Space in the community activity centre is made available as required by the Community Use Agreement.

In addition to the Housing Agreement and Community Use Agreement, the City's requirements are to be secured on title to the West Site as a Right of First Refusal and Option to Purchase agreement, with an assignment clause, on terms and conditions

satisfactory to the Director of Legal Services. The Option to Purchase will provide that should the owner of the social housing breach the terms and conditions of the housing agreement or should the owner of the community activity centre breach the terms of the Community Use Agreement, or should the owner provide notice of its intention to sell (which will be required by the agreement) either the social housing or community activity centre to an entity other than the Dunbar Ryerson United Church or a non-profit affiliate thereof or other non-profit entity acceptable to the City at net book value, then the City will have the option to purchase the community activity centre or social housing, as the case may be, at a nominal price (\$10.00), noting that an air space subdivision of the West Site to effect such transfer will also be required. The Option to Purchase would include access to any associated parking for either the social housing or shared amenity space through the statutory right-of-way (SRW) and Section 219 Covenant described in condition (c) 2.

Heritage

8. Enactment of the by-law to designate the Dunbar Ryerson United Church at 2205 West 45th Avenue, which is listed on the Vancouver Heritage Register in the 'A' evaluation category, as protected heritage property.
9. The owner(s) of Dunbar Ryerson United Church at 2205 West 45th Avenue will enter into a Heritage Restoration Covenant (Section 219 Covenant) which provides for the protection of the heritage building from damage during construction and completion of the agreed upon rehabilitation work, and related matters, and that agreement will be registered on title, all to the satisfaction of the Director of Legal Services and the Director of Planning. The agreement is to be signed by the owner(s) prior to enactment of the Heritage Designation By-law to the satisfaction of the Director of Legal Services.

Note to Applicant: Please contact James Boldt in the Heritage Group at james.boldt@vancouver.ca regarding the heritage requirements.

Soils

10. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);

- (ii) As required by the Manager of Environmental Services and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter;
- (iii) If required by the Manager of Environmental Services and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Services, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the onsite and off-site contamination, issued by the Ministry of Environment, have been provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as registered charges pursuant to the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT, the Heritage Designation By-law to designate the Dunbar Ryerson United Church at 2205 West 45th Avenue [*Lots 19-22 and Lot 23 Except the West 15 Feet, all of Lot 5, Block 16, District Lot 526, Plan 3646; PIDs 012-423-734, 012-423-742, 012-423-751, 012-423-769 and 012-423-882 respectively*], listed in

the "A" evaluation category of the Vancouver Heritage Register, as protected heritage property, be approved.

- C. THAT, subject to the enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Parking By-law, generally as set out in Appendices C1 and C2 of the Policy Report dated August 22, 2017, entitled "CD-1 Rezoning: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church," *along with the amendments as set out in the Memorandum dated October 16, 2017, from the Assistant Director of Planning, Vancouver South, as follows:*
- i. Parking, loading and bicycle spaces to be in accordance with by-law requirements, except that there must be:*
 - (a) 1 Class A loading space to be provided.*
 - ~~*(b) Parking is to be provided at the discretion of the Director of Planning in consultation with the General Manager of Engineering Services.*~~
 - ii. Parking, loading and bicycle spaces to be in accordance with by-law requirements, except that there must be:*
 - (a) 1 Class A and 1 Class B loading space to be provided, and*
 - (b) Studio and 1 bedroom social housing be provided at a rate of 1 space for every 6 dwelling units. ~~and~~*
 - ~~*(c) Parking is to be provided at the discretion of the Director of Planning in consultation with the General Manager of Engineering Services.*~~
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Subdivision By-law, generally as set out in Appendices C1 and C2 of the Policy Report dated August 22, 2017, entitled "CD-1 Rezoning: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church".
- E. THAT, if Council approves in principle this rezoning, the heritage designation and the Housing Agreement described in section (c) of Appendix B2 of the Policy Report dated August 22, 2017, entitled "CD-1 Rezoning: a) 2165-2195 West 45th Avenue and b) 2205-2291 West 45th Avenue; and Heritage Designation of the Ryerson Dunbar United Church", the Director of Legal Services be instructed to prepare the necessary Heritage Designation and Housing Agreement By-laws 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 Community Services.

- F. THAT A through E 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 sole 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 sole risk of the property owner;
 - (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. 02274)
(Councillor Stevenson absent for the vote due to conflict of interest)

COMMUNICATIONS

1. 2017 Council Meetings Schedule Revision

THAT Council approve holding a Public Hearing on Wednesday, December 6, 2017, at 6 pm.

ADOPTED ON CONSENT (Vote No. 02278)

2. Metro Vancouver - Appointment of Board of Director Voting Strength

THAT Council approve an increase in the Metro Vancouver Board voting strength of Councillor Heather Deal (alternate Councillor Melissa De Genova) from four to five votes effective November 1, 2017.

ADOPTED ON CONSENT (Vote No. 02282)

ADMINISTRATIVE REPORTS

1. **Penalty for Failure to Declare Property Status October 6, 2017**

- A. THAT Council approve a \$250 penalty to be imposed on property owners who do not comply with the mandatory requirement to complete an annual property status declaration for the purposes of assessing vacancy tax.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment amendments to the By-law Notice Enforcement By-law generally in accordance with Appendix A of the Administrative Report dated October 6, 2017, entitled "Penalty for Failure to Declare Property Status", in order to facilitate the administration of the Vacancy Tax By-law.
- C. THAT Council approve the revised Screening Officer Policy set out in Appendix B of the Administrative Report dated October 6, 2017, entitled "Penalty for Failure to Declare Property Status", to become effective upon enactment of the by-law referred to in B above.

ADOPTED ON CONSENT (Vote No. 02283)

2. **2018 Fee Increases for Rezoning, Development, Building, and Other Related Permits October 20, 2017**

MOVED by Councillor Louie
SECONDED by Councillor Carr

- A. THAT Council adjust fees to improve recovery of City costs concerning development, construction and other related matters, generally in accordance with Appendix A of the Administrative Report dated October 20, 2017, entitled "2018 Fee Increases for Rezoning, Development, Building, and Other Related Permits".
- B. THAT the Director of Legal Services bring forward for enactment the necessary amendments to the Gas Fitting By-law No. 3057, the Subdivision By-law No. 5208, the Electrical By-law No. 5563, the Zoning and Development Fee By-law No. 5585, the Miscellaneous Fees By-law No. 5564, the Secondary Suite Inspection Fee By-law No. 6553, the Noise Control By-law No. 6555, the Protection of Trees By-law No. 9958, and the Building By-law No. 10908, generally in accordance with Appendix A of the Administrative Report dated October 20, 2017, entitled "2018 Fee Increases for Rezoning, Development, Building, and Other Related Permits", to be effective January 1, 2018.

- C. THAT the Director of Development Services, Director of Planning and the Chief Building Official be directed to advise the development and building community of the Building and Development Permit fee changes.

carried (Vote No. 02276)

AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Affleck

THAT the words "adjust fees" be struck and replaced with "find existing funds within the budget", to read as follows:

- A. THAT Council find existing funds within the budget to improve recovery of City costs concerning development, construction and other related matters, generally in accordance with Appendix A.

LOST (Vote No. 02275)

(Councillors Carr, Deal, Jang, Louie, Reimer, Stevenson, and Mayor Robertson opposed)

The amendment having lost (Vote No. 02275), the motion was put and CARRIED (Vote No. 02276) with Councillors Affleck, Ball, Bremner and De Genova opposed)

3. AE-028-02 Policy Review - Whistleblowing - Reporting, Investigation and Protection October 17, 2017

MOVED by Councillor Carr
SECONDED by Councillor Jang

THAT City Council approve the amendments to the City of Vancouver's Corporate Policy: "Whistleblowing - Reporting, Investigation and Protection", as outlined in the draft policy appended to the Administrative Report dated October 17, 2017, entitled "AE-028-02 Policy Review - Whistleblowing - Reporting, Investigation and Protection".

CARRIED UNANIMOUSLY (Vote No. 02277)

4. 2017 Social Innovation Project and Other Social Grants October 17, 2017

- A. THAT Council approve three Social Innovation Project (SIP) grants totalling \$162,087 to three non-profit organizations to support Reconciliation and Truth and Reconciliation efforts and influence systems change: BC Aboriginal Child Care Society (BCACCS); Network of Inner City Community Social Services (NICCSS); and, Vancouver Area Network of Drug Users (VANDU); source of funding is the 2017 Social Innovation Project Grants budget.

- B. THAT Council approve one grant of \$10,000 to Qmunity: BC's Queer Resource Centre to develop and deliver training workshops for Early Childhood Educators and Family Resource Program Staff on Trans, Gender Variant and Two-Spirit inclusion; source of funding is the 2017 Childcare Grants Operating Budget.
- C. THAT Council approve a reallocation of up to \$200,000 of the Vancouver School Board (VSB) Community Partnership program budget to expand terms so that funds can be used to support new spaces for licensed out of school care in non VSB sites as well as replacement spaces in VSB sites; source of funding is the 2017 Capital Budget for Childcare - Grants - before and after school care (5-12yrs).
- D. THAT Council authorize the General Manager of Community Services to negotiate and execute agreements to disperse the grants described in A and B above on the terms and conditions set out herein or such other terms and conditions as are satisfactory to the General Manager of Community Services and Director of Legal Services.
- E. THAT no legal rights or obligations will arise or be created by Council's adoption of A and B above unless and until all legal documentation has been executed and delivered by the respective parties.

CARRIED UNANIMOUSLY AND A AND B
BY THE REQUIRED MAJORITY (Vote No. 02284)

**5. 2017 Local By-Election Results
October 19, 2017**

THAT the Administrative Report dated October 19, 2017, entitled "2017 Local By-Election Results", be received for information.

CARRIED UNANIMOUSLY (Vote No. 02285)

POLICY REPORTS

**1. 798 Granville Street - Electronic Video Sign - Sign By-law Amendment
October 17, 2017**

- A. THAT the application by Bonnis Properties (Robson) Inc., the registered owners, of a building having a civic address of 798 Granville (PID: 025-234-480, Lot G, District Lot 541, Group 1, New Westminster District Plan LMP52542) to amend the Sign By-law to allow two electronic video signs at the corner of Granville and Robson streets, to replace two existing video signs, be referred to public hearing, together with:

- (i) draft by-law amendments generally as presented in Appendix A of the Policy Report dated October 17, 2017, entitled "798 Granville Street - Electronic Video Sign - Sign By-law Amendment"; and
- (ii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions contained in Appendix B of the above-noted report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix A of the above-noted report, for consideration at public hearing.

- B. THAT, subject to approval of A above, prior to enactment of the by-law to amend the Sign By-law, the Director of Legal Services be authorized to enter into a new replacement agreement to set out the terms and conditions of the use and operation of the screens (the "Agreement") with the Owner on the terms and conditions set out in Appendix B and Appendix C of the Policy Report dated October 17, 2017, entitled "798 Granville Street - Electronic Video Sign - Sign By-law Amendment" and on such other terms and conditions as are acceptable to 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 amending the Sign By-law and any costs incurred in fulfilling requirements imposed as a condition of amending the Sign By-law are at the risk of the property owner;
 - (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. 02287)

**2. CD-1 Rezoning: 177 West Pender Street
October 17, 2017**

- A. THAT the application by the Vancouver Affordable Housing Agency (VAHA), as agent for the City of Vancouver, to rezone 177 West Pender Street [Lots 37 and 38, Block 28, District Lot 541, Plan 210; PIDs 004 355 521 and 004-355-547 respectively] from DD (Downtown) District to CD-1 (Comprehensive

Development) District, to increase the floor space ratio (FSR) from 6.00 to 6.93 and the height from 32.0 m (105.0 ft.) to 33.3 m (109.2 ft.), to allow for the construction of a 10-storey residential building containing 90 social housing units, be referred to a Public Hearing, together with:

- (i) plans prepared by DYS Architecture, received June 12, 2017;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated October 17, 2017, entitled "CD-1 Rezoning: 177 West Pender Street";
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve, subject to conditions contained in Appendix B of the above-noted report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A of the above-noted report for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated October 17, 2017, entitled "CD-1 Rezoning: 177 West Pender Street", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary Sign By-law amendment generally as set out in Appendix C of the Policy Report dated October 17, 2017, entitled "CD-1 Rezoning: 177 West Pender Street", for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated October 17, 2017, entitled "CD-1 Rezoning: 177 West Pender Street";

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.

- D. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated October 17, 2017, entitled "CD-1 Rezoning: 177 West Pender Street";

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

- E. THAT, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in Appendix B of the Policy Report dated

October 17, 2017, entitled "CD-1 Rezoning: 177 West Pender 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 contemplated by the above-noted report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.

- F. THAT A through E 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;
 - (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. 02286)

BY-LAWS

Councillor Stevenson advised he had reviewed the proceedings of the meeting related to by-law 7, and would be voting on the enactment.

Councillors Jang and Louie advised they had reviewed the proceedings of the meeting related to by-law 9, and would be voting on the enactment.

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Council, except for those members ineligible to vote as noted below, enact the by-laws listed on the agenda for this meeting as numbers 1 to 10 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking Requirements (725-747 Southeast Marine Drive) (By-law No. 11935)

2. A By-law to amend Subdivision By-law No. 5208 (5030-5070 Cambie Street)
(By-law No. 11936)
3. A By-law to amend Noise Control By-law No. 6555 (1495 West 8th Avenue)
(By-law No. 1937)
4. A By-law to amend Sign By-law No. 11879 (1495 West 8th Ave) (By-law No. 11938)
(Councillor Bremner ineligible for the vote)
5. A By-law to amend License By-law No. 4450 regarding correction of 2018 fee increases
(By-law No. 11939)
6. A By-law to amend Vehicles for Hire By-law No. 6066 regarding prorated fees
(By-law No. 11940)
7. A By-law to amend the Zoning and Development By-law regarding False Creek Flats (I-2,
I-3, IC-3, FC-2, MC-1, and MC-2 District Schedules) (By-law No. 11941)
(Councillor Bremner ineligible for the vote)
8. A By-law to amend Regional Context Statement Official Development Plan By-law No.
10789 (False Creek Flats Plan) (By-law No. 11942)
9. A By-law to amend Zoning and Development By-law No. 3575 to rezoning an area to
CD-1 (1837-1847 Main Street, 180 East 2nd Avenue, and 157-185 East 3rd Avenue)
(By-law No. 11943)
(Councillor Bremner ineligible for the vote)
10. A By-law to Contract a Debt by the Issue and Sale of 2.85% Sinking Fund Debentures in
the Aggregate Principal Amount of \$85,000,000 for the Objects Set out in Schedule "B"
(By-law No. 11944)

MOTIONS

A. Administrative Motions

Councillor De Genova declared a conflict of interest on Administrative Motion 2, "Approval of Form of Development - 2133 Nanton Avenue", as she represents a non-profit housing organization and is currently building with the developer in another municipality.

1. Guidelines Associated with the By-law Amendments to Implement the False Creek Flats Plan

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the documents entitled:

"Brewery Creek IC-3, C-3A, C-2C and RM-4/4N Guidelines" ;

"Micro Dwelling Policies and Guidelines" ;

"MC-1 and MC-2 Guidelines for Cedar Cottage, Hudson Street and East Hastings (Clark to Semlin) Areas" ;

"East False Creek FC-1 Guidelines" ;

" False Creek Flats Urban Design Policies and Guidelines for I-2 and I-3" ;

" False Creek Flats Urban Design Policies and Guidelines for IC-3 (Sub-area A)" ;

" False Creek Flats Urban Design and Development Policies and Guidelines for FC-2" ;

be approved by Council for use by applicants and staff for development applications in the corresponding Districts.

CARRIED UNANIMOUSLY

2. Approval of Form of Development - 2133 Nanton Avenue

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 2133 Nanton Avenue - Arbutus Block B (4288 Yew Street being the application address) be approved generally as illustrated in the Development Application Number DP-2016-00333, prepared by Vince Harris of Dialog design, and stamped "Received, Community Services Group, Development Services", on June 14, 2017, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY
(Councillor De Genova ineligible to vote due to conflict of interest)

3. Approval of Form of Development 1837 Main Street, Formerly 1837-1847 Main Street, 180 East 2nd Avenue and 157-185 East 3rd Street

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 1837 Main Street be approved generally as illustrated in the Development Application Number DE420183, prepared by Francl Architecture, and stamped "Received, Community Services, Development Services", on November 25, 2016, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY

B. Motions on Notice

None.

ENQUIRIES AND OTHER MATTERS

1. Analysis of Housing Data

Councillor Reimer requested that staff's analysis of census data regarding housing be released to the public. The Deputy City Manager agreed to follow-up.

2. Selling Outside of the Downtown Eastside Market

Councillor De Genova noted that individuals have been selling items outside of the designated market in the Downtown Eastside (DTES). She asked staff to report back to Council on the relationship of that activity to the DTES market. The Deputy City Manager agreed to follow-up.

3. Snow in the City

Councillor De Genova requested information be circulated to all Council members regarding what to expect when the first snow falls in Vancouver.

4. Intimidating Behaviour at Civic Agency and Council Meetings

Councillor Louie noted there was intimidating behavior at a recent Development Permit Board meeting. He asked the Deputy City Manager how such behavior could be limited.

Councillor De Genova also requested information on how intimidating behavior could be limited at Council meetings.

The Deputy City Manager agreed to look further into the actions which took place at the Development Permit Board meeting and report back with recommendations.

ADJOURNMENT

MOVED by Councillor Carr
SECONDED by Councillor Ball

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillor Jang absent for the vote)

The Council adjourned at 4:06 pm.

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