



REGULAR COUNCIL MEETING MINUTES

SEPTEMBER 18, 2012

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, September 18, 2012, at 9:30 am, in the Council Chamber, Third Floor, City Hall.

PRESENT:

- Mayor Gregor Robertson
- Councillor George Affleck
- Councillor Elizabeth Ball
- Councillor Adriane Carr
- Councillor Heather Deal*
- Councillor Kerry Jang*
- Councillor Raymond Louie
- Councillor Geoff Meggs*
- Councillor Andrea Reimer*
- Councillor Tim Stevenson
- Councillor Tony Tang

CITY MANAGER'S OFFICE:

- Penny Ballem, City Manager
- Sadhu Johnston, Deputy City Manager

CITY CLERK'S OFFICE:

- Janice MacKenzie, Acting City Clerk
- Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

WELCOME

The proceedings in the Council Chamber were opened with welcoming comments from Councillor Stevenson.

ACKNOWLEDGEMENTS

- **ROSH HASHANAH** - The Mayor extended warm wishes to all those celebrating Rosh Hashanah.
- **CHIEF CONSTABLE JIM CHU** - The Mayor congratulated Police Chief Jim Chu on being unanimously elected as the new President of the Association of Chiefs of Police.
- **HASTINGS LITTLE LEAGUE: CANADIAN CHAMPIONS** - The Mayor acknowledged the Hastings Little League team, their coaches and manager, and congratulated them on their achievement in winning the Canadian Championships, thereby representing Canada in the Little League World Series in Williamsport, Pennsylvania.

CONDOLENCES - RICK SCOBIE

The Mayor expressed condolences on behalf of City Council to the family, friends and co-workers of former City employee, Rick Scobie, and noted his many achievements during his lengthy and well-respected career with the City of Vancouver's Planning Department.

"IN CAMERA" MEETING

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT Council will go into a meeting on Wednesday, September 19, 2012, which is closed to the public, pursuant to Section 165.2(1) of the Vancouver Charter, to discuss matters related to paragraphs:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the city or another position appointed by the city;

(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

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF JULY 24, 2012

Council made the following appointments:

- Brian Jackson to the position of General Manager, Planning and Development Services, including the duties and powers delegated to the Director of Planning;
- Carli Edwards, P.Eng., as the Deputy Chief Building Official (Inspection Services), effective immediately;
- Wayne White as the Deputy City Electrician, effective immediately;
- Kandiah Pavananthan, P.Eng., as the Deputy Chief Building Official (Permitting Services) during the absence of the current Deputy Chief Building Official (Permitting Services) from August 6, 2012 to September 4, 2012.

ADOPTION OF MINUTES

1. Regular Council - July 24, 2012

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting held July 24, 2012, be approved.

CARRIED UNANIMOUSLY

2. Regular Council (Planning, Transportation and Environment) - July 25, 2012

MOVED by Councillor Reimer
SECONDED by Councillor Tang

THAT the Minutes of the Regular Council (Planning, Transportation and Environment) meeting held on July 25, 2012, be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Stevenson

THAT this Council resolve itself into Committee of the Whole, Mayor Robertson in the Chair.

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

The Mayor noted that Administrative Reports A1 and A2 had been withdrawn from the agenda.

MOVED by Councillor Deal

THAT Council adopt Administrative Reports A3 and A4 and Policy Reports P3 and P6 on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. Kitsilano Coast Guard Station Closure

Sadhu Johnston, Deputy City Manager, provided a presentation regarding the anticipated impacts to the city of Vancouver with relation to the pending closure of the Canadian Coast Guard Kitsilano Base and, along with Penny Ballem, City Manager, and Fire Chief John McKearney, responded to questions.

MOVED by Councillor Carr

THAT the Kitsilano Coast Guard Station Closure report of September 18, 2012, be forwarded to the Prime Minister's office, all Members of Parliament, all affected municipalities and other appropriate authorities;

FURTHER THAT staff request meetings with the Prime Minister's office and Vancouver MPs to review this report and urge a reversal of the decision to close the Kitsilano Coast Guard station;

amended

AMENDMENT MOVED by Councillor Ball

THAT the motion be amended to add the following at the end:

AND FURTHER THAT the City of Vancouver work with all stakeholders to convene a meeting with the Federal Government to work towards a solution for keeping the federally-funded Kitsilano Coast Guard station open.

CARRIED UNANIMOUSLY

The amendment having carried, the motion, as amended, was put and CARRIED UNANIMOUSLY.

FINAL MOTION AS APPROVED:

THAT the Kitsilano Coast Guard Station Closure report of September 18, 2012, be forwarded to the Prime Minister's office, all Members of Parliament, all affected municipalities and other appropriate authorities;

FURTHER THAT staff request meetings with the Prime Minister's office and Vancouver MPs to review this report and urge a reversal of the decision to close the Kitsilano Coast Guard station;

AND FURTHER THAT the City of Vancouver work with all stakeholders to convene a meeting with the Federal Government to work towards a solution for keeping the federally-funded Kitsilano Coast Guard station open.

ADMINISTRATIVE REPORTS

1. **Closure and Sale of Portions of East Kent Avenue South and Kinross Street - WITHDRAWN**
2. **East Fraser Lands Area 2 South Phase 2 - Establishment as Road of Riverfront Lot East of Kinross Street - WITHDRAWN**
3. **Garbage Container License Program - 2013 License Agreement Fee August 29, 2012**
 - A. THAT Council approve a 2.0% increase to Garbage Container License Agreement fees effective January 1, 2013.
 - B. THAT the Director of Legal Services be instructed to modify all Garbage Container License Agreements between the City and commercial waste hauling companies using city lanes for storage of solid waste containers in accordance with A above.

ADOPTED ON CONSENT

4. **2013 Interest Rate on Property Tax Arrears August 17, 2012**
 - A. THAT City Council set an interest rate of 7.00% for property tax arrears to be effective January 1, 2013.
 - B. THAT the Director of Legal Services be instructed to bring forward a by-law regarding the 2013 interest rate on property tax arrears, for consideration by Council on or before September 30, 2012, in accordance with the provisions of Section 415(2) of the Vancouver Charter.

ADOPTED ON CONSENT

5. **Payment by Phone for Parking Meters - Award of Contract September 4, 2012**

MOVED by Councillor Affleck

- A. THAT Council authorize a contract with PAYPOINT PLC for the provision of a payment by phone service for parking meters in the City for a period of three years with an estimated contract value of up to \$4,000,000 and funded through the annual Operating Budget process (and may be extended by the mutual written agreement of the parties for two additional 1-year periods) subject to the conditions set out in B and C below and a contract satisfactory to the

General Manager of Engineering Services, Director of Legal Services and the Chief Purchasing Official.

- B. THAT the Director of Legal Services be authorized to execute and deliver, on behalf of the City, all legal documents required to implement A above.
- C. THAT no legal rights or obligations will be created by Council's adoption of A and B above unless and until such legal documents are executed and delivered by the Director of Legal Services.

CARRIED UNANIMOUSLY

POLICY REPORTS

**1. CD-1 Text Amendment - 745 Thurlow Street
September 4, 2012**

MOVED by Councillor Carr

THAT the application, by Bentall Kennedy on behalf of 2748355 Canada Inc. to amend the text of CD-1 (Comprehensive Development) District (493) By-law No. 10131 for 745 Thurlow Street (*PID: 028-194-128; Lot 1 Block 18 District Lot 185 Group 1 New Westminster District Plan BCP44449*) to remove Dwelling Uses as a permitted use, be referred to public hearing, together with:

- a. draft by-law amendments, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 745 Thurlow Street";
- b. the recommendation of the General Manager of Planning and Development Services to approve;

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

CARRIED UNANIMOUSLY

(Councillors Deal, Jang, Meggs and Reimer absent for the vote)

**2. CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street
September 4, 2012**

MOVED by Councillor Carr

- A. THAT the application by Iredale Group Architecture, on behalf of Old Stock Exchange Building Properties Ltd. and 819 West Pender Street Ltd. (Swiss Real

Investments Ltd. and Credit Suisse AG), to rezone 475 Howe Street (Lots 11, 12 and 13, Block 21 District Lot 541 Plan 210; PIDs: 002 583-780, 002-584-344 and 002-584-441 respectively) and 819 West Pender Street (PID: 006-624-731; Lot A Block 21 District Lot 541 Plan 20419) from DD (Downtown District) to a CD 1 (Comprehensive Development) District, to increase the floor space ratio from 9.0 to 21.5 to allow for the construction of a 30-storey office tower, with retail uses at grade, be referred to a Public Hearing, together with:

- (i) plans prepared by Iredale Group Architecture, received October 6, 2011;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B of the above-noted Policy Report;

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

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law generally as set out in the above-noted Appendix C 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 A, generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe 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 September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe 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, subject to approval in principle of the rezoning, Council approve the heritage designation of the former Stock Exchange Building at 475 Howe Street, listed in the "A" evaluation category of the Vancouver Heritage Register, as a protected heritage property;

FURTHER THAT the Director of Legal Services be instructed to prepare a Heritage Designation By-law for consideration at the Public Hearing.

- F. THAT, subject to approval in principle of the rezoning, Council authorize entering into a Heritage Revitalization Agreement for the building at 475 Howe Street, to secure the restoration, long-term maintenance and preservation of such building, subject to conditions contained in Appendix B of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 475 Howe Street and 819 West Pender Street and Heritage Designation and Heritage Revitalization Agreement at 475 Howe Street";

FURTHER THAT the Direct of Legal Services be instructed to prepare a Heritage Revitalization Agreement and accompanying by-laws for consideration at the Public Hearing, and to process and bring forward for enactment the necessary by-laws related to the Heritage Revitalization Agreement.

- G. THAT A through F above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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 bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillors Deal and Jang absent for the vote)

3. CD-1 Text Amendment - 1695 Main Street
September 4, 2012

A. THAT the application, by Onni 1695 Main Street Holding Corp., to amend CD 1 (Comprehensive Development) District (534) (By-law No. 10543) for 1695 Main Street (PID: 028-867-424, Lot 1 Block E District Lot 200A and 2037 Group 1 New Westminster District Plan BCP50944), to allow an increase in the maximum height from 38.00 m (124,7 ft.) to 44.35 m (145.5 ft.) and an increase in the permitted floor space ratio of 3.50 to 4.08, equalling 2,368 m² (25,490 sf.) of additional floor space, be referred to a Public Hearing, together with:

- (i) plans received May 4, 2012;
- (ii) draft CD-1 By-law amendments, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 1695 Main Street"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, 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 amending By-law generally in accordance with the above-noted Appendix A for consideration at the Public Hearing.

B. THAT, if the application is referred to a Public Hearing, consequential amendments to the Southeast False Creek Official Development Plan (By-law No. 9073) to increase by 2,368 m² (25,490 sf.) the floor area limits for maximum total floor area and for maximum residential floor area for the whole of the Southeast False Creek area and for Area 3C, as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 1695 Main Street", be referred to the same Public Hearing, together with the recommendation of the General Manager of Planning and Development Services to approve;

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

C. THAT A and B above be adopted on the following conditions:

- (i) THAT 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 to amend By-law CD-1 (534) and that any costs incurred in fulfilling requirements imposed as a condition of amending By law CD-1 (534) are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

**4. CD-1 Rezoning - 1041 SW Marine Drive
September 4, 2012**

MOVED by Councillor Carr

- A. THAT the application, by Robert Turecki Architect on behalf of Vancouver Airport Hotel Limited Partnership, to amend the CD-1 (Comprehensive Development) District (276) By-law No. 6876 for 1041 SW Marine Drive (PID: 017-459-273; Lot J of Lots 21 and 23 Block C District Lot 319, Plan LMP1426) to:

- 1. add lands presently zoned MC-1 (Mixed-use Industrial) District at 8866 Osler Street (Lots 14 & 15 except part in Explanatory Plan 18601 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509 (PID: 008-249-016 and 008-249-032) to this CD-1 (Comprehensive Development) District; and
- 2. include residential use; increase the maximum height from 13.1 m to 22.7 m; and increase the density from floor space ratio 1.32 to 2.30;

all to allow development of a six storey addition to the existing Coast Hotel at 1041 SW Marine Drive, be referred to a Public Hearing, together with:

- (i) plans received January 31, 2011;
- (ii) draft CD-1 By-law amendments, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Rezoning - 1041 SW Marine Drive"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, 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 amending By-law generally in accordance with the above-noted Appendix A for consideration at the Public Hearing.

- B. THAT Council approve in principle a Housing Agreement pursuant to section 565.2 of the Vancouver Charter securing the six market rental housing units in the development as rental for the life of the building or 60 years, whichever is longer, including no separate sales and no stratification covenants and such other terms and conditions as the Director of legal Services may require in respect of such units, to the satisfaction of the Director of Legal Services and Managing Director of Social Development;

FURTHER THAT the Director of Legal Services be instructed to bring forward a by-law to authorize such Housing Agreement, and after by-law enactment, to execute and register the Housing Agreement.

- C. THAT A and B above be adopted on the following conditions:
- (i) THAT 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 to amend By-law CD-1 (276) and that any costs incurred in fulfilling requirements imposed as a condition of amending By law CD-1 (276) are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

5. CD-1 Rezoning - 955 East Hastings Street
September 11, 2012

MOVED by Councillor Affleck

- A. THAT the application, by GBL Architects on behalf of 900 H S Holdings Ltd. (Wall Financial Corporation), to rezone 955 East Hastings Street [Lot E Block 62 District Lot 181 Plan 15170; Lots 24 to 26 and 29 to 32 Block 62 District Lot 181 Plan 196; Lot J (Explanatory Plan 15392) Block 62 District Lot 181 Plan 196; and Lot K Block 62 District Lot 181 Plan LMP1580; PIDs: 007-671-024, 015-581-004, 015-581-012, 015-581-021, 015-581-039, 015-581-047, 015 581-055, 015-581-063, 015-581-161 and 015-533-163 respectively] from M-1 (Industrial) District to CD-1 (Comprehensive Development) District to permit a 12-storey mixed-use development including industrial flex space and commercial uses at grade and market and non-market residential units above with a total floor space ratio of 6.15, be referred to a Public Hearing, together with:

- (i) plans received October 25, 2011;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 11, 2012, entitled "CD-1 Rezoning: 955 East Hastings Street"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to conditions contained in Appendix B of the above-noted Policy Report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with the above-noted Appendix A for consideration at the 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 and to include this CD-1 in Schedule E of the Sign By-law, generally as set out in Appendix C of the Policy Report dated September 11, 2012, entitled "CD-1 Rezoning: 955 East Hastings Street", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Sign By-law generally as set out in the above-noted Appendix C 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 A, generally as set out in Appendix C of the Policy Report dated September 11, 2012, entitled "CD-1 Rezoning: 955 East Hastings 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 generally as set out in Appendix C of the Policy Report dated September 11, 2012, entitled "CD-1 Rezoning: 955 East Hastings 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 A, B, C and D above be adopted on the following conditions:

- (i) THAT the passage of the above resolution 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 and that any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillor Meggs absent for the vote)

6. CD-1 Text Amendment - 100 West 49th Avenue (Langara College)
September 4, 2012

- A. THAT the application, by Brooke Pooni Associates Inc., on behalf of Langara College, to amend CD-1 (Comprehensive Development) District (55) By-law No. 4412 for 100 West 49th Avenue [PID: 008-775-842; Lot 1 (Reference Plan 9821) of Lot A Block 1165 District Lot 526 Plan 12842] to decrease setback provisions and to amend the Langara College Policy Statement to enable a reorganization of buildings on site, be referred to a public hearing together with:
 - (i) plans received November 24, 2011, revised on January 23, 2012;
 - (ii) draft by-law amendments, generally as presented in Appendix A of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 100 West 49th Avenue (Langara College)";
 - (iii) amendments to the Langara College Policy Statement, generally as presented in Appendix C of the above-noted report; and,
 - (iv) the recommendation of the General Manager of Planning and Development Services 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 amending by-law generally in accordance with the above-noted Appendix A for consideration at the public hearing.

- B. THAT, subject to enactment of the amending by-law, the Langara College Policy Statement be amended generally as set out in Appendix C of the Policy Report dated September 4, 2012, entitled "CD-1 Text Amendment - 100 West 49th Avenue (Langara College)".
- C. THAT A and B above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

**7. Implementation of a Public Bike Share program - By-law amendments
September 11, 2012**

MOVED by Councillor Affleck

THAT, to facilitate the implementation of a public bike share system in Vancouver, the General Manager of Planning and Development Services be instructed to make application to amend the Zoning and Development By-law and the Sign By-law, generally as presented in Appendix A of the Policy Report dated September 11, 2012, entitled "Implementation of a Public Bike Share program - By-law amendments", and to amend various CD-1 (Comprehensive Development) District By-laws, generally as presented in Appendix B of the above-noted report, and that the application be referred to a public hearing;

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

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Carr

THAT the report of the Committee of the Whole be adopted.

CARRIED UNANIMOUSLY

BY-LAWS

Councillors Affleck, Jang, Meggs and Reimer advised they had reviewed the proceedings of the Public Hearing with regard to By-law 2, and they would therefore be voting on the By-law.

Councillors Ball and Stevenson advised they had reviewed the proceedings of the Public Hearing with regard to By-law 4, and they would therefore be voting on the By-law.

Councillors Affeck, Ball, Carr, Stevenson and Tang advised they had reviewed the proceedings of the Public Hearing with regard to By-law 7, and they would therefore be voting on the By-law.

Councillor Ball advised she had reviewed the proceedings of the Public Hearing with regard to By-law 13, and she would therefore be voting on the By-law.

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 13 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Noise Control By-law No. 6555 (1695 Main Street)
(By-law No. 10551)
2. A By-law to amend Sign By-law No. 6510 (1695 Main Street) (By-law No. 10552)
(Councillors Carr, Tang, and Mayor Robertson ineligible for the vote)
3. A By-law to amend Noise Control By-law No. 6555 (8018-8150 Cambie Street)
(By-law No. 10553)
4. A By-law to amend Sign By-law No. 6510 (8018-8150 Cambie Street)
(By-law No. 10554)
5. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking requirements and consequential housekeeping amendments (8018-8150 Cambie Street) (By-law No. 10555)
6. A By-law to amend Noise Control By-law No. 6555 (675-691 East Broadway)
(By-law No. 10556)
7. A By-law to amend Sign By-law No. 6510 (675-691 East Broadway)
(By-law No. 10557)
(Mayor Robertson ineligible for the vote)

8. A By-law to designate certain real property as protected heritage property (3350 West 37th Avenue - W.S. Black House) (By-law No.10558)
(Mayor Robertson ineligible for the vote)
9. A By-law to amend Ticket Offences By-law No. 9360 regarding minor housekeeping matters (By-law No. 10559)
10. A By-law to enact a Housing Agreement for 1030 Denman Street (By-law No. 10560)
11. A By-law to enact a Housing Agreement for 1401 Comox Street (By-law No. 10561)
(Councillors Louie and Reimer ineligible for the vote)
12. A By-law to provide for the imposition of interest on delinquent property taxes for 2013 (By-law No. 10562)
13. A By-law to amend CD-1 By-law No. 9600 (1700 Manitoba Street) (By-law No. 10563)
(Councillors Affleck, Carr, and Tang ineligible for the vote)

MOTIONS

A. Administrative Motions

1. Approval of Form of Development: 1700 Manitoba Street

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 1700 Manitoba Street be approved generally as illustrated in Development Application Number DE414628, prepared by Bingham Hill Architects, and stamped "Received, Community Services Group, Development Services", on June 14, 2012, 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

1. Developing a Regional Ban on Shark Fin Products

MOVED by Councillor Jang
SECONDED by Councillor Louie

WHEREAS

1. Shark finning is an inhumane practice involving the removal and retention of shark fin accompanied by the discarding of the rest of the shark body into the ocean whilst still alive;
2. Each year, up to 73 million sharks are killed primarily for their fins, threatening one-third of open ocean sharks with extinction;
3. Despite being considered a delicacy, the Chinese Government has announced the phasing out of serving shark fins at official celebratory banquets within 3 years;
4. Top restaurants throughout the world, most notably in Hong Kong have voluntarily withdrawn all shark fin products from their menus;
5. The municipalities of Port Moody and Coquitlam have banned shark fin products for sale in local businesses;
6. The largest number of businesses selling shark fin products are located in Vancouver, Richmond, and Burnaby;
7. The cities of Burnaby and Richmond have recently passed motions directing their respective staff to report back on a range of local bylaw changes and work with the City of Vancouver staff to develop a regional approach to ban the sale of shark fin in local businesses.

THEREFORE BE IT RESOLVED THAT Vancouver City Council instruct staff to work directly with the Cities of Richmond and Burnaby in order to develop a common approach to ban the sale of Shark Fin in our cities and report back to City Council on these options.

CARRIED UNANIMOUSLY

2. Family Court/Youth Justice Committee - 2013 Appointments

MOVED by Councillor Reimer
SECONDED by Councillor Deal

WHEREAS

1. The Family Court/Youth Justice Committee (FCYJC) is a citizen's advisory committee created by provincial statute.
2. The 2012 FCYJC undertook a review of their mandate and determined that:
 - the mandated work of the FCYJC is largely undertaken by service providers, government agencies and non-profit organizations in Vancouver;
 - many cities in the province are reviewing their Family Court committees; and
 - in consultation with youth serving organizations there is an identified need for a family, children and youth advisory committee on a broader range of issues in the City of Vancouver;
3. The 2012 FCYJC will be completing their full report by the end of October 2012 with recommendations for moving forward;
4. The FCYJC is intended to be appointed every year by way of advertising for new members which must take place by late September in order for a committee to be appointed by the end of the year;

THEREFORE BE IT RESOLVED THAT Council extend the appointments of current Family Court/Youth Justice Committee members into 2013, pending a report from the 2012 FCYJC and Council's consideration of the recommendations in that report.

CARRIED UNANIMOUSLY
(Councillor Jang absent for the vote)

3. Expansion of Civic Event Status

MOVED by Councillor Stevenson
SECONDED by Councillor Louie

WHEREAS

1. Festivals in Vancouver are largely driven by small non-profit organizations that are responsible for external fundraising and dependent on large numbers of volunteers;
2. Historically, fees and city requirements have been designated on an event-by-event, year-by-year basis that has been frustrating for non-profit organizations;

3. Civic status is currently granted annually to the Celebration of Light and Remembrance Day events;
4. Large-scale events such as the Pride Parade, Vaisakhi, and Lunar New Year bring out crowds of tens of thousands of people;
5. Large festivals and parades are major economic drivers for Vancouver, with the Pride Festival boosting Vancouver's economy by over \$30 million;
6. Tax revenue from the benefits of major festivals and parades goes to the provincial and federal governments, not the city;

THEREFORE BE IT RESOLVED THAT City staff report back by January 2013 on:

1. Options for granting civic status to the Pride, Vaisakhi, and Lunar New Year parades by working with the event organizers to identify priority needs, and providing options for increasing city support and leveraging funding from external partners;
2. Recommendations on how the City can better ensure all festivals benefit from:
 - timely communications between staff and festival organizers;
 - transparency in City and VPD process for decision making, post-event evaluation and decision-making timelines;
 - transparency in City and VPD fee schedules, and up-front invoicing in order for organizers to budget appropriately;
3. Best practices from other cities in funding and revenue sharing for major events.

referred

The Mayor noted that a request to speak to this motion had been received.

MOVED by Councillor Ball
SECONDED by Councillor Deal

THAT the motion be referred to the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, September 19, 2012, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

4. Impacts of \$1.1 Billion in Building Permits on City Costs and Community Plans

MOVED by Councillor Carr

SECONDED by Councillor Ball

WHEREAS

1. The City of Vancouver issued \$1.1 billion in building permits during the first six months of 2012, the first time since 2007 that development plans have exceed a billion dollars for the first half of a year;
2. Metro Vancouver's 2040 Regional Growth Strategy projects that Vancouver's population will increase by 148,800 by 2041 (approximately 50,000 more people every decade);
3. There is no available analysis on whether the current volume of building permit approvals is accommodating growth or driving growth;
4. Growth costs money, and the 2011 Annual Report on Development Cost Levies, presented to Council on May 27, 2012, notes that the City of Vancouver's actual cost of development is not fully covered by Development Cost Levies;
5. The City of Vancouver is currently undertaking community plans in the West End, Marpole, Grandview-Woodland and Downtown Eastside with terms of reference that call for plans to align with city and regional policies including Vancouver's Housing and Homelessness Strategy and Metro Vancouver's 2040 Regional Growth Strategy;
6. Statements have been made in support of every building permit approval to date in 2012 that an increased supply of housing will result in increased affordability of housing in Vancouver;

THEREFORE BE IT RESOLVED THAT staff report back to Council on:

1. To what extent the building permits issued in the first six months of 2012 accommodate Vancouver's projected growth over the period up to when the planned housing units expect to be available;
2. To what extent the Development Cost Levies and Community Amenity Contributions from these building permits cover the estimated actual cost of development to the City;
3. Criteria to determine population growth targets for areas undertaking community plans, including "limits to growth" criteria that can determine when an area is "built out";
4. A mechanism to track the amount of population growth accommodated by any new development, including cumulative data, and that this be incorporated into rezoning and other similar reports to Council; and
5. A mechanism to track the impact of new market housing, especially rental and condo housing, on housing pricing.

BE IT FURTHER RESOLVED THAT this report be received in sufficient time to inform the 2013 capital planning process.

AND BE IT FURTHER RESOLVED THAT these reports be forwarded to the four community planning groups to inform their second stage of planning.

referred

The Mayor noted that a request to speak to this motion had been received.

MOVED by Councillor Carr
SECONDED by Councillor Ball

THAT the motion be referred to the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, September 19, 2012, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Jang absent for the vote)

5. Renewing Support by the City of Vancouver for the Children's Family House Society Development at BC Women's and Children's Hospital

The following motion contains revisions to the original Motion on Notice, which were accepted by the Council.

MOVED by Councillor Affleck
SECONDED by Councillor Ball

WHEREAS

1. The City of Vancouver supports patients and families in need;
2. The Children's Family House Society of BC (CFHSBC), known as Ronald McDonald House, is a non-profit organization serving families of sick children who are receiving treatment at BC Children's Hospital;
3. The CFHSBC is building a new affordable short term rental facility in conjunction with the redevelopment of the BC Women's & Children's Hospital;
4. The facility is estimated to house 2,475 families in its 73 suites annually;
5. The City of Vancouver has assessed Development Cost Levies (DCLs) of approximately \$812,000 on the new facility;

6. The City of Vancouver currently has a policy to waive DCLs on several private development projects in the city in order to create more affordable housing in Vancouver.

THEREFORE BE IT RESOLVED THAT staff are requested to report back as follows:

1. Recommendations as to a means of allowing waivers of the Development Cost Levies on projects that involve families with children who are being cared for in hospital;
2. A listing of all cases where Development Cost Levies have been waived in the last 4 years, including projects and amount of waiver.

CARRIED UNANIMOUSLY

ENQUIRIES AND OTHER MATTERS

1. Policy Regarding the Use of CCTV Footage

Councillor Reimer asked for an information memo that clarifies the current policy with regard to the use of CCTV, including monitoring, release of information, and any challenges staff may have with the current process.

2. Float Plane Facility on Coal Harbour

Councillor Affleck noted the recent settlement with regard to the float plane facility on Coal Harbour and requested an information memo on the impact of those negotiations to the citizens living near the proposed facility.

Councillor Stevenson rose on a Point of Order and noted that in the absence of general consent among the Council, a request for staff to undertake work must be voted on by Council Members. The Mayor agreed and advised Councillor Affleck to consider bringing forward a motion with his request.

Councillor Reimer requested clarification from the City Manager regarding the agreement between PavCo, Harbour Air and the Federal Government, and asked that a previous memo on this matter be recirculated to Council members. The City Manager provided information regarding the agreement, and agreed to recirculate the memo.

ADJOURNMENT

MOVED by Councillor Stevenson
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Council adjourned at 12:35 pm

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