



REGULAR COUNCIL MEETING MINUTES

NOVEMBER 13, 2012

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, November 13, 2012, at 9:37 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 Raymond Louie Councillor Geoff Meggs* Councillor Andrea Reimer Councillor Tim Stevenson Councillor Tony Tang*
ABSENT:	Councillor Kerry Jang (Leave of Absence - Civic Business)
CITY MANAGER'S OFFICE:	Penny Ballem, City Manager Sadhu Johnston, Deputy City Manager
CITY CLERK'S OFFICE:	Janice MacKenzie, City Clerk Terri Burke, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The proceedings in the Council Chamber were opened with remarks by Councillor Affleck.

The Mayor noted that Diwali, also known as the Festival of Lights, takes place on this day and that he presented a Proclamation over the weekend at the 9th Annual Vancouver Celebrates Diwali event at the Roundhouse in Yaletown.

PROCLAMATION - RED RIBBON MONTH

The Mayor proclaimed November as Red Ribbon Month in the city of Vancouver and invited Brian Chittock, Executive Director, AIDS Vancouver, to the podium to receive the proclamation and say a few words about the month.

"IN CAMERA" MEETING

MOVED by Councillor Deal
SECONDED by Councillor Carr

THAT Council will go into a meeting later this day, 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;
- (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
(Councillor Meggs absent for the vote)

ADOPTION OF MINUTES

1. Regular Council - October 30, 2012

MOVED by Councillor Deal
SECONDED by Councillor Tang

THAT the Minutes of the Regular Council meeting of October 30, 2012, be approved.

CARRIED UNANIMOUSLY
(Councillor Meggs absent for the vote)

2. Regular Council (City Finance and Services) - October 30, 2012

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council (City Finance and Services) meeting of October 30, 2012, be approved.

CARRIED UNANIMOUSLY
(Councillor Meggs absent for the vote)

3. Special Council (Public Hearing) - October 30, 2012

MOVED by Councillor Stevenson
SECONDED by Councillor Ball

THAT the Minutes of the Regular Council (Public Hearing) meeting of October 30, 2012, be approved.

CARRIED UNANIMOUSLY
(Councillor Meggs absent for the vote)

4. Regular Council (Planning, Transportation and Environment) - October 31, 2012

MOVED by Councillor Reimer
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council (Planning, Transportation and Environment) meeting of October 31, 2012, be approved.

CARRIED UNANIMOUSLY
(Councillor Meggs absent for the vote)

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY
(Councillor Meggs absent for the vote)

UNFINISHED BUSINESS

**1. Rezoning/Heritage Designation/Heritage Revitalization Agreement:
475 Howe Street and 819 West Pender Street**

At the Public Hearing on October 30, 2012, Vancouver City Council concluded hearing from speakers on the above-noted application, and referred discussion and decision to the Regular Council meeting on November 13, 2012, as Unfinished Business.

The Mayor advised that additional written comments which were received on the last evening of the Public Hearing, including that which was received during the 15 minutes following the close of the speakers list, had been circulated to all Council members.

Also before Council was a memorandum dated October 29, 2012, from Kent Munro, Assistant Director, Current Planning, which recommended that Recommendation F from the Summary and Recommendation regarding the Heritage Revitalization Agreement (the "HRA") be deleted as the HRA for the site does not need to be considered at public hearing as it does not propose to vary use or density as those provisions are included in the draft CD-1 By-law.

Planning staff also recommended that Council move the following, as the new F, in addition to the recommendations in the Summary and Recommendation:

- F. THAT Recommendations A through E 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.

Staff from Current Planning and Central Area Planning responded to questions.

MOVED by Councillor Louie

- 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, 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", be approved subject to the following conditions:

(Note: amended condition is denoted by italics).

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 Iredale Architecture Group, and stamped "Received City Planning Department, October 6, 2011", provided that the General Manager of Planning and Development Services 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 General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to the upper portion of the building to further refine and enhance its architectural contribution to the city skyline and the public view corridor.

Note to Applicant: The proposed building elements, including the architectural screen must be contained within the view shadow of the Fairmont Pacific Rim Building. Design development should further refine and architecturally integrate the rooftop mechanical penthouse, elevator override service volumes, other service equipment including window washing infrastructure and/or photovoltaic panels, if proposed, to minimize any incursion beyond the view shadow.

2. Design development to further refine the detailing of the tower façade to fully demonstrate the design intent of the passive design features (solar shade fins) in combination with the mullion details, glass color and transparency, fritting and expected energy performance.

Note to Applicant: Superior detailing and execution of the façade details are critical to achieving the proposed building aesthetic. Detailed sections and elevations demonstrating high quality material treatments are required. Glass samples along with full performance specifications are also required.

3. Design development to fully demonstrate the various green wall treatments' viability and longevity, as one of the important components to the overall building design and composition.

Note to Applicant: Measures such as adequate soil depth, plant selection, maintenance, water, and sunlight access are critical aspects that must be demonstrated to ensure their viability and longevity.

4. Design development to northwest corner to improve the proximity between the proposed office tower and the existing residential units in Jameson House across the lane.

Note to Applicant: This can be achieved by modifying the northwest corner of the office building for the portion of the tower that overlaps with Jameson House, with the remaining tower floor-plate providing a 1'-6" setback as illustrated within Appendix E of the aforementioned report, page 12. Floor area

can be reallocated to other areas of the building provided that it does not further compromise Jameson House or increase the amount of building bulk over the former Stock Exchange Building. See also condition 7.

5. *Design Development to address privacy impacts by eliminating direct sight lines from distances of 60 ft. or closer between the proposed office building and the existing residential units in the Jameson House.*

Note to Applicant: These privacy measures between the two occupancies must be implemented as a permanent component externally integrated with the glazing treatment.

6. Design development to minimize the lighting impacts of the office occupancy on the existing residential units in Jameson House.

Note to Applicant: In addition to measures that significantly reduce direct sight lines between the two occupancies, building features that reduce light impacts from the office occupancy, particularly during late-night hours should be implemented.

7. Design development to the proposed new building massing to lessen its visual impact over the former Stock Exchange Building.

Note to Applicant: Design development should consider reduction of level 14 to be consistent with levels 12 and 13 below and should also include the treatment of the soffit with high quality materials as to not distract from the prominence of the former Stock Exchange Building. See also condition 4.

8. Design development to the lower massing to better integrate into the overall tower composition.
9. Provision of a conceptual lighting strategy to ensure appropriate lighting levels and CPTED performance, while minimizing glare for nearby residents.
10. Provision of a pedestrian wind study.

Sustainability

11. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Platinum, including a minimum of 80 points in the LEED® rating system and, specifically, a minimum of 13 points under Optimize Energy Performance.

Note to Applicant: Provide a LEED® checklist confirming the above; a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project are also required under the policy.

12. Confirmation that the building demonstrates and advances the City's objective for carbon neutrality in achieving a 40% to 50% reduction in energy consumption from 2010 levels.

Note to Applicant: Under the Higher Buildings Policy, the building must be designed to meet the energy performance target of 115 kwh/m2/year of energy on the site.

Crime Prevention Through Environmental Design (CPTED)

13. 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; and
 - (iv) mischief in alcove and vandalism, such as graffiti.

Landscape

14. Provision of a diversity of high-quality landscape types incorporating all season greenery to create vibrant interior and exterior environments to improve the livability of building occupants.
15. Design development to the enhancements of the public realm interface to provide landscaped open spaces with substantial greenery and visual interest to benefit the pedestrian environment.
16. Provision of adequate planting-medium depth within planters on slab to meet the BCSLA latest standard.
17. Provision of a legal survey.
18. Provision of a fully labeled Landscape Plan, Sections and Details at the complete Development Permit submission stage in the spirit of the submission presented as part of the Rezoning application, October 2011.

19. Provision of a detailed and comprehensive landscape design rationale to be coordinated with the landscape plan drawings.
20. Proposed plantings to be consistent with the City of Vancouver Waterwise Planting Guidelines.
21. Provision of a high-efficiency automatic irrigation system specified in all common areas at all building locations and hose bibs in private patios 100 sq. ft. or greater.

Note to Applicant: The irrigation system design and installation shall be in accordance with the Irrigation Association of BC Standards and Guidelines latest standard. Notation to this affect should be added to the drawings.

22. Illustration on the Landscape Plan and the Site Plan of all at-grade utilities such as gas meters, electrical transformers, and mechanical vents.

Note to Applicant: All utilities should be located, integrated, and fully screened in a manner that minimizes their impact on the architectural expression and the building's open space and public realm.

23. Protection of existing street trees or the provision of new street trees adjacent to the development site in consultation with Park Board and to the satisfaction of the City Engineer.

Note to Applicant: Provide a notation on the Landscape Plan, "Final spacing, quantity, tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6 cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet in length and 18 inches in depth. Call the Park Board for inspection after tree planting completion, phone: 311". Contact Eileen Curran, Streets Engineering, ph: 604.871.6131 to confirm tree planting locations and Amit Gandha, Park Board, ph: 604.257.8587 for tree species selection and planting requirements.

Engineering

24. Prior to submission of a Development Permit Application, the applicant is requested to engage the services of a transportation consultant to review the parking design and provide recommendations for improvements to the following: a) measures to assign right-of-way to either the inbound or outbound vehicle; b) measures to manage the inability of two vehicles travelling in opposite directions to pass each other; and c) the suitability of the transition slope at the top and bottom of the parking ramps.

25. Clarification is required for the small projection above the 3rd floor level of the new building which is encroaching over Pender Street (see elevation A402, and section A502). This doesn't appear on the plan view, and might possibly be a sun screen.
26. Delete the two stairwell door-swings out over the lane (A301).

Areaway Details

27. A BC Land Surveyor building location certificate is required post construction showing the location of all encroachments.

Note to Applicant: The location of the exterior wall for the areaway is required.

Note to Applicant: An application to the City Surveyor is required.

28. The reconstructed areaway must meet the following criteria:
 - (i) the minimum areaway roof slab loading shall be in accordance with the loading requirement in the Vancouver Building By-Law Division B - Part 4 - 4.1.5 (12kpa distributed load and 54kN concentrated load);
 - (ii) the walking surface of the areaway roof structure if not broom finished concrete (glass prisms blocks), shall have a minimum coefficient of friction of 0.6, and a minimum wet coefficient of friction of 0.6;
 - (iii) Engineering will require originally signed and sealed copies of the structural drawings (Job No: MSC-1467 SK-1 of 1) for the proposed modifications to the areaway roof structure and for the precast concrete glass paver panels (from Circle Redmont), as per the note on SK-1 of 1, for our review and records prior to construction;
 - (iv) Engineering will require a Product Data Sheet from the supplier of the glass blocks (Circle Redmont) including specifications for loading, slip resistance and shatter resistance;
 - (v) the walking surface of the exterior areaway roof structure exclusive of the precast glass paver panels and any adjacent sidewalk repairs shall be finished in accordance with the City of Vancouver Street Restoration Manual and shall match adjacent sidewalk standard for the area;
 - (vi) the areaway shall be waterproofed to the satisfaction of the property owner;
 - (vii) the top surface of the areaway roof shall be installed at grade to match the adjacent sidewalk;

- (viii) the property owner shall be responsible for obtaining all the required permits for the reconstruction work. A Street Use Permit from Engineering Services will be required for the exterior reconstruction work within the street right-of-way;
- (ix) no uses deemed essential to the operation of the building or any of its tenants shall be allowed in the areaway;
- (x) no new equipment shall be installed in the areaway that would preclude its removal in the future, i.e., heating systems (boilers), electrical systems, water valves, utilities etc.; and
- (xi) no hazardous materials shall be stored in the areaway.

Heritage

29. Submission of an updated Statement of Significance and Heritage Conservation Plan for the former Stock Exchange building that complies with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Note to Applicant: The updated Conservation Plan should include the following:

- (i) detailed window inventory and rehabilitation schedule;
- (ii) details and interpretation plan for the reconstructed trading floor area; and
- (iii) retention and rehabilitation of historic areaways and prism lights.

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 and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services and Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

1. Consolidation of Lot A, Plan 20419, and Lots 11, 12 and 13, Plan 210; All of Block 21, DL 541 to form a single parcel.
2. Release of Easement and Indemnity Agreements L72784 (existing building encroachments from Lot A onto City street) and N28008 (existing horizontal lighting encroaching from Lot A onto City street); prior to building occupancy. Note a letter of undertaking

will be required at zoning enactment with discharge prior to building occupancy.

3. Provision of an updated, amended or replacement encroachment agreement for all existing and/or proposed encroachments onto City property prior to building occupancy.

Note to Applicant: A letter of undertaking will be required at zoning enactment with an updated, amended or replacement encroachment agreement completed prior to building occupancy.

Note to Applicant: Agreement #G76847 covers only existing ground-level encroachments from Lots 11 to 13. Upon completion of the proposed exterior work, a new BC Land Surveyor's Location Certificate will be required to confirm the extent of all building encroachments at that time, following which an application to the City Surveyor will be required to initiate the new agreement.

4. Clarification of the construction details of the existing canopies (E&I BG30714) adjacent the site and provision of an encroachment agreement should they not meet existing Vancouver Building By-law requirements.
5. Provision of a Site Services Agreement to detail the on- 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.
 - (a) Upgrading of the areaways adjacent the site on Pender and Howe Streets to meet or exceed the Vancouver Building By-law requirements including the provision of an updated or replacement areaway legal agreement (see details to be addressed at the development permit stage in section (b) of Appendix B of the aforementioned report).
 - (b) Arrangements for the proposed sidewalk level areaway glass lights to replicate the historical areaway surface treatment. Legal arrangements will be required for the proposed areaway lights.
 - (c) Provision of standard sidewalk treatments around the site. Standard exposed aggregate banding, 4-piece exposed aggregate tree surrounds and broom finished sidewalks are required with deletion of non-standard treatments where they encroach onto public property.

- (d) Provision of upgraded curb ramps at the intersection of Howe and Pender Streets (adjacent the site).
- (e) Provision of street trees adjacent the site where space permits.
- (f) Provision of \$15,000 in funding towards the installation of countdown timers and audible signals at the intersection of Howe Street and West Pender Street.
- (g) Provision of a standard concrete lane entry at the lane south of Hastings Street on the west side of Howe Street.
- (h) Upgrading of the existing sanitary sewer adjacent the site from 250 mm to 300 mm. A significant upgrade to the sanitary sewer and removal and replacement of the existing storm sewer (due to construction needs) or alternate arrangements to manage the sanitary flows from the site, all to the full satisfaction of the General Manager of Engineering Services, is required.

Note: Sewers impacted are located in the lane west of Hornby from the lane south of Hastings to Hastings Street and in Hastings Street from the lane west of Hornby to Burrard Street, approximately 130 m in total. Upgrades are estimated at \$700,000.00.

- 6. 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 as determined by the applicants' mechanical consultant to determine if water 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 water system upgrading that may be required.
- 7. 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 are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) and are to be located on private property with no reliance on public property for placement of these features. 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. The applicant may be required to show details of how the site will be provided with all services being underground.

Heritage

8. Prior to enactment of the rezoning by-law, the former Stock Exchange building is to be designated under the provisions of the Vancouver Charter as a protected heritage property including the exterior envelope and the elevator lobby located on the main floor, including the following fixtures and features:
 - a) high vaulted plaster ceiling with 48 brightly painted (dark blue, crimson red and gold) coffer panels that feature fleurs-de-lis, climbing foliage and provincial coats of arms;
 - b) pointed archways flanking the lobby that are constructed of plaster and incised to resemble stone;
 - c) the walls with burgundy coloured marble baseboards with caramel coloured marble floor tiles;
 - d) the gilded silver and gold frieze (leaf design) on the north and south walls with simple cornice moulding above; and
 - e) rectangular panels directly above the elevator doors featuring a scroll pattern with a central shield (numbered one to three).

9. Prior to enactment of the rezoning by-law, the property owner shall enter into a Heritage Revitalization Agreement (HRA), which, among other things, ensures the rehabilitation and long-term protection of the former Stock Exchange building, to the satisfaction of the General Manager of Planning and Development Services and the Director of Legal Services, including the following:
 - a) that all heritage rehabilitation work is to be carried out in compliance with, among other things, a Heritage Conservation Plan approved by the City;
 - b) that the Building not be occupied until the rehabilitation work associated with the HRA is completed;
 - c) that the Building be secured from vandalism during construction and that the appropriate professional or professionals experienced in rehabilitation and restoration work be retained to provide services to all aspects of the rehabilitation work; and

- d) that the rehabilitation of the Building be completed in a timely manner to the satisfaction of the General Manager of Planning and Development Services and the Director of Legal Services.

Public Art

- 10. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to Applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

Note to Applicant: 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 Covenants pursuant to Section 219 of 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 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 approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, 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".

- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, 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".
- 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.
- 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 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

AMENDMENT MOVED by Councillor Ball

THAT the following be added as G:

THAT staff report back to Council on the results of the mitigation strategies on the application at 475 Howe Street and 819 West Pender Street.

LOST

(Councillors Deal, Louie, Meggs, Reimer, Stevenson, Tang and Mayor Robertson opposed)

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During discussion on this item, Council recessed at 10:23 am and reconvened at 11:23 am with the same members present.

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PRESENTATION - CULTURAL HARMONY AWARDS 2012

Mayor Gregor Robertson and Commissioner Sarah Blyth, Chair, Park Board, recognized the following 2012 Cultural Harmony Award recipients and invited Moshe Denburg, Vancouver Inter-Cultural Orchestra, and Joyce Lam, Vancouver Asian Canadian Theatre, to the podium to receive the awards and say a few words:

- | | |
|--------------------------------------|--------------------|
| • Vancouver Inter-Cultural Orchestra | Organization Award |
| • Joyce Lam | Individual Award |

The Mayor invited Council and guests to a reception in honour of the Cultural Harmony Awards recipients.

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*Council recessed at 11:41 am, and, following a reception in the foyer,
reconvened at 12:18 pm with the same members present.*

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UNFINISHED BUSINESS (continued)

Rezoning/Heritage Designation/Heritage Revitalization Agreement: 475 Howe Street and 819 West Pender Street (continued)

After further discussion, the motion was put and CARRIED with Councillor Carr opposed.

ADMINISTRATIVE REPORTS

1. **Appointment of External Auditor for 2013 October 26, 2012**

MOVED by Councillor Louie

- A. THAT the accounting firm of KPMG LLP be confirmed as the City's External Auditor for the fiscal year 2013.
- B. THAT the audit fee be set at \$124,900 (exclusive of applicable taxes). Funding is included in the operating budget.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

POLICY REPORTS

1. CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple Street) November 2, 2012

MOVED by Councillor Louie

- A. THAT the application by Bingham Hill Architects, on the behalf of 6098941 Canada Inc. (Pinnacle International), to rezone 2001 West 10th Avenue (PID: 009-165-517, Lot D, Block 345, DL 526, Plan 11084;) from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of a 7 storey residential building and a 6-storey residential building including a child day-care at grade with a density of 2.5 FSR and a maximum height of 22.70 m (74.5 ft.), be referred to a Public Hearing, together with:
- (i) plans received June 30, 2010;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple 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 aforementioned 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 aforementioned report for consideration at the Public Hearing.

- B. 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 November 2, 2012, entitled "CD-1 Rezoning: 2001 West 10th Avenue (2555 Maple 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.

- C. THAT A and B 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 Tang absent for the vote)

2. CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)
November 2, 2012

MOVED by Councillor Deal

- A. THAT the application, by DYS Architecture Inc. on behalf of Children's and Women's Health Centre of British Columbia Branch, to amend the use, height and density provisions of CD-1 (Comprehensive Development) District (126) (By law No. 5091) for 4500 Oak Street (PID 009-471-278; Block 1009, except those portions in Plan 12393, 12719 and Reference Plan 14318, District Lot 526, Group 1, New Westminister District Plan 10359), to increase the floor space ratio from 0.85 to 1.05, among other things, to permit the development of a new Acute Care building and an expanded heat plant, be referred to a public hearing, together with:
 - (i) plans prepared by DYS Architecture Inc. received March 7, 2012 and amended May 9, 2012;
 - (ii) a new Master Plan, prepared by DYS Architecture Inc., dated March 6, 2012 and revised May 9, 2012, generally as presented in Appendix J of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)";
 - (iii) Design Standards dated June 19, 2012 generally as presented in Appendix E of the aforementioned report;
 - (iv) draft CD-1 By-law amendments generally as presented in Appendix A of the aforementioned report; and
 - (v) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to conditions contained in Appendix B of the aforementioned 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 aforementioned report for consideration at the public hearing.

- B. THAT, subject to enactment of the rezoning by-law, the new Master Plan be approved subject to it being updated as set out in Appendix B of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)" and that this Master Plan replace the Master Plan Council adopted in 1999;

FURTHER THAT the General Manager of Planning and Development Services be instructed to bring forward the updated Master Plan at the time of enactment of the rezoning by law.

- C. THAT, subject to enactment of the rezoning by-law, the Design Standards, generally as presented in Appendix E of the Policy Report dated November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)", be approved subject to being updated as set out in Appendix B of the aforementioned report;

FURTHER THAT the General Manager of Planning and Development Services be instructed to bring forward the updated Design Standards at the time of enactment of the rezoning by law.

- D. THAT, subject to enactment of the rezoning 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 November 2, 2012, entitled "CD-1 Rezoning: 4500 Oak Street (Children's and Women's Health Centre of British Columbia)";

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 rezoning by law.

- E. THAT A to D above are 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 hearings shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

3. CD-1 Text Amendment - 851-951 Boundary Road (Taylor Manor)
October 23, 2012

MOVED by Councillor Louie

A. THAT the application by Merrick Architecture - Borowski Fligg Sakumoto Limited on behalf of the City of Vancouver, for a Text Amendment to By-law CD-1 (300) for the City-owned sites at 851-951 Boundary Road (PID: 024-039-411 and 024-039-420, Lots A and B Section 27 Town of Hastings Suburban Lands New Westminster District Plan LMP36733) to increase the floor space ratio from 0.6 to 0.8 and the permissible height from two-and-a-half storeys to four-storeys to permit an addition to, and renovation of, the building ("Taylor Manor") to facilitate its use for housing with supports, be referred to a Public Hearing, together with:

- (i) plans prepared by Merrick Architecture - Borowski Fligg Sakumoto Limited, received July 27, 2012 and landscape plans prepared by Durante Kreuk Ltd, received September 12, 2012;
- (ii) draft CD-1 By-law amendments, generally as presented in Appendix A of the Policy Report dated October 23, 2012, entitled "CD-1 Text Amendment - 851-951 Boundary Road (Taylor Manor)"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B of the aforementioned 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 aforementioned report for consideration at Public Hearing.

B. THAT, subject to enactment of the Text Amendment to By-law CD-1 (300), the Parking By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C of the Policy Report dated October 23, 2012, entitled "CD-1 Text Amendment - 851-951 Boundary Road (Taylor Manor)";

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 text Amendment.

C. THAT A and B 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 Tang absent for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Ball

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

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

BY-LAWS

Councillors Affleck and Stevenson advised they had reviewed the proceedings with regard to By-law 5, and they would therefore be voting on the by-law.

MOVED by Councillor Ball
SECONDED by Councillor Carr

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

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

1. A By-law to amend Area Specific Development Cost Levy By-law No. 9418, regarding types of projects and estimated costs in the Grandview Boundary Industrial Area (By-law No. 10602)
2. A By-law to amend Street and Traffic By-Law No. 2849 regarding lane parking and large trucks (By-law No. 10603)

3. A By-law to amend Water Works By-law No. 4848 regarding Schedule F fees (By-law No. 10604)
4. A By-law to amend Street Vending By-law No. 4781 regarding housekeeping (By-law No. 10605)
5. A By-law to enact a Housing Agreement for 4867 Cambie Street (By-law No. 10606) (*Mayor Robertson ineligible for the vote*)

MOTIONS

A. Administrative Motions

None.

B. Motions on Notice

1. Request for Leave of Absence - Councillor Tim Stevenson

MOVED by Councillor Ball
SECONDED by Councillor Deal

THAT Councillor Stevenson be granted Leave of Absence for Personal Reasons from all meetings to be held on December 10, 11 and 12, 2012.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

NEW BUSINESS

1. Request for Leave of Absence - Councillor Raymond Louie

MOVED by Councillor Meggs
SECONDED by Councillor Ball

THAT Councillor Louie be granted Leave of Absence for Civic Business from the Standing Committee on Planning, Transportation and Environment meeting to be held on November 28, 2012.

CARRIED UNANIMOUSLY
(Councillor Tang absent for the vote)

2. Support the Taxi Industry

Councillor Ball submitted the following Motion which was recognized by the Chair. Councillor Carr called Notice under Section 10.3(d) of the Procedure By-Law. Accordingly, the motion will be placed on the agenda of the next Regular Council meeting to be held on Tuesday, November 27, 2012, at 9:30 am, as a "Motion on Notice".

MOVER: Councillor Elizabeth Ball

SECONDER: Councillor George Affleck

WHEREAS

1. The Passenger Transportation Board has recently allowed non-Vancouver taxi companies certain rights to pick up passengers in Vancouver;
2. Vancouver City Council has not supported such applications in the past and may wish to re-examine these applications now;
3. The Round Table of industry representatives and the city has devoted considerable time to issues relating to taxi service in Vancouver; and
4. Evidence suggests a high rate of non-compliance by out-of-town taxis in Vancouver.

THEREFORE BE IT RESOLVED THAT staff are requested to report back to Council with the following:

1. A summary of all licenses currently issued for Vancouver;
2. A discussion of service gaps, if any, in Vancouver;
3. Recent rulings of the Passenger Transportation Board relating to licenses in Vancouver and their implications for companies and service in Vancouver;
4. Recommendations as to the optimum configuration of licenses in Vancouver; and
5. Recommendations as to additional enforcement measures which may be undertaken in Vancouver.

notice

ENQUIRIES AND OTHER MATTERS

1. Anonymous Donations

Councillor Affleck requested Council be provided information on the City's process for receiving anonymous donations.

2. In Camera Release Information

Councillor Affleck requested that the City Clerk provide Council with information on releasing In Camera reports and decisions and the reasons for In Camera meetings.

3. Leaf Blower Regulation

Councillor Stevenson requested a report back on prohibiting gas powered leaf blowers in the city. He noted the prohibition was a success in the West End and that the report speak to this success.

ADJOURNMENT

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillors Meggs and Tang absent for the vote)

The Council adjourned at 1:19 pm.

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