



## REGULAR COUNCIL MEETING MINUTES

SEPTEMBER 24, 2013

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, September 24, 2013, at 9:36 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 Andrea Reimer  
Councillor Tim Stevenson  
Councillor Tony Tang

**ABSENT:** Councillor Geoff Meggs (Sick Leave)

**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 welcoming comments read by Councillor Louie.

### ACKNOWLEDGEMENT - Former Members of the Vancouver Athletic Commission

The Mayor recognized the following former members of the Vancouver Athletic Commission, and presented certificates of appreciation for their dedication and hard work:

Dave Rudberg, former Chair  
Michael Pattenaude  
Dr. Jerome Yang  
Troy Gienger  
Robert Gatto  
Donald McIntyre.

The Mayor also thanked former members of the Commission who were unable to attend the acknowledgement.

## CONDOLENCES

### **George Angelomatis, Past Chair, Vancouver Athletic Commission:**

The Mayor expressed condolences to the family and friends of George Angelomatis, past Chair of the Vancouver Athletic Commission, and noted his many contributions in the Vancouver boxing community and the many accomplishments achieved when he was the head coach of the Astoria Boxing Club.

The Mayor invited Dr. Cheryl Angelomatis to the podium to receive a certificate of appreciation in recognition of her husband's work with the Vancouver Athletic Commission.

### **Sister Elizabeth Kelliher:**

The Mayor expressed condolences to the Sisters of Atonement and all those whose lives were touched by Sister Elizabeth Kelliher. He noted her activism and many contributions in Vancouver's Downtown Eastside where she advocated tirelessly on behalf of the most vulnerable in the community.

### **Waldo Brino, Engaged City Task Force, and Multicultural Advisory Committee Member:**

The Mayor expressed condolences to the family and friends of Waldo Brino and noted his many contributions as a key member of the City's Multicultural Advisory Committee and Engaged City Task Force. He also noted his volunteer work and activism in the community.

## "IN CAMERA" MEETING

MOVED by Councillor Stevenson

SECONDED by Councillor Jang

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;

(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;

(g) litigation or potential litigation affecting the city;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(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

#### ITEM ARISING FROM THE "IN CAMERA" MEETING OF JULY 23, 2013

Council appointed Mike Shannon as the Deputy City Electrician.

#### ADOPTION OF MINUTES

##### 1. Regular Council - July 23, 24 and 29, 2013

MOVED by Councillor Louie  
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting of July 23, 24 and 29, 2013, be approved.

CARRIED UNANIMOUSLY

##### 2. Regular Council (City Finance and Services) - July 23, 25, 26, 27 and 29, 2013

MOVED by Councillor Louie  
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting following the City Finance and Services meeting of July 23, 25, 26, 27 and 29, 2013, be approved.

CARRIED UNANIMOUSLY

**3. Regular Council (Planning, Transportation and Environment) - July 24, 2013**

MOVED by Councillor Reimer  
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting following the Planning, Transportation and Environment meeting of July 24, 2013, be approved.

CARRIED UNANIMOUSLY

**4. Special Council - August 1, 2013**

MOVED by Councillor Deal  
SECONDED by Councillor Carr

THAT the Minutes of the Special Council meeting of August 1, 2013, be approved.

CARRIED UNANIMOUSLY

**5. Special Council - September 12, 2013**

MOVED by Councillor Ball  
SECONDED by Councillor Louie

THAT the Minutes of the Special Council meeting of September 12, 2013, be approved.

CARRIED UNANIMOUSLY

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Stevenson  
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

#### **MATTERS ADOPTED ON CONSENT**

The Mayor noted requests to speak to Policy Report 6 had been received.

REFERRAL MOVED by Councillor Deal

THAT the Policy Report dated September 11, 2013, entitled "Heritage Amenity Bank and Transfer of Density Update", be referred to the Standing Committee on City Finance and Services meeting on Wednesday, September 25, 2013, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

MOVED by Councillor Stevenson

THAT Council adopt Administrative Reports A1 and A2, and Policy Reports P3 and P5, on consent.

CARRIED UNANIMOUSLY

#### **REPORT REFERENCE**

**1. New Edition of the Building By-law (2014 Building By-law)  
September 11, 2013**

Will Johnston, Director of Licenses and Inspections and Chief Building Official, provided a presentation regarding a proposed new Building By-law for the design and construction of buildings in the city, including objectives, alignment with national and provincial codes, development process, industry stakeholder engagement, summary of changes, implementation and next steps.

Mr. Johnston, along with Mark Hartman, Green Building Program Manager, Sustainability Group, and Sadhu Johnston, Deputy City Manager, responded to questions.

Councillor Carr requested a report back on steps for achieving carbon neutrality by 2020.

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

REFERRAL MOVED by Councillor Louie

THAT the Policy Report dated September 11, 2013, entitled "New Edition of the Building By-law (2014 Building By-law)", be referred to the Standing Committee on City Finance and Services meeting on Wednesday, September 25, 2013, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

### ADMINISTRATIVE REPORTS

1. **8 West Pender Street - Facade Grant - DE 416362  
September 11, 2013**
  - A. THAT Council approve a facade grant of up to \$100,000 for the rehabilitation of the principal facades at 8 West Pender Street (PID: 015-092-321, Lot 1, Except Part in Reference Plan 636, Block 17, District Lot 541, Plan 854) as contemplated by Development Application Number DE 416362 (the "Application"), the source of funding being the 2012 Capital Budget for the Heritage Facade Rehabilitation Program.
  - B. THAT Council authorize the City to enter into an agreement with World's Famous Building Corporation, the owner of 8 West Pender Street, to be registered in the Land Title Office as a covenant under Section 219 of the Land Title Act, which agreement shall require the rehabilitation to be overseen by a qualified Heritage Consultant and will require the owner to maintain the 8 West Pender Street facades in good appearance and good repair for a minimum of fifteen years.
  - C. THAT the agreement described above shall be prepared, registered and given priority to the satisfaction of the Director of Legal Services in consultation with the General Manager of Planning and Development Services.

ADOPTED ON CONSENT AND  
BY THE REQUIRED MAJORITY

2. **2014 Interest Rate on Property Tax Arrears  
August 1, 2013**
  - A. THAT City Council set an interest rate of 7.00% for property tax arrears to be effective January 1, 2014.
  - B. THAT the Director of Legal Services be instructed to bring forward a by-law regarding the 2014 interest rate on property tax arrears, for consideration by Council on or before September 30, 2013, in accordance with the provisions of Section 415(2) of the Vancouver Charter.

ADOPTED ON CONSENT

## POLICY REPORTS

### 1. CD-1 Rezoning: 33-49 East Hastings Street September 10, 2013

MOVED by Councillor Jang

- A. THAT the application by Atira Development Society, to rezone 33-49 East Hastings Street [Lots 25, 26, 27 and 28, Block 8, District Lot 196, Plan 184; PIDs: 015-691-284, 015-691-292, 015-691-314 and 015-691-322 respectively] from Downtown-Eastside Oppenheimer District (DEOD) to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio from 5.00 to 8.28 and building height from 29.8 m (98 feet) to 38.7 m (127 feet) to allow construction of a 14 storey mixed-use building, with commercial uses at grade and residential uses above, be referred to a Public Hearing, together with:
- (i) plans prepared by Perkins+Will, received November 2, 2012;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 33-49 East Hastings Street";
  - (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 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, 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" (DEOD)], generally as set out in Appendix C of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 33-49 East Hastings 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 Appendix C of the aforementioned report 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 10, 2013, entitled "CD-1 Rezoning: 33-49 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 the 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 10, 2013, entitled "CD-1 Rezoning: 33-49 East Hastings Street"; and

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 Agreements described in section (c) of Appendix B of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 33-49 East Hastings Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement by-laws, one for the proposed social/supportive housing and one for the proposed market rental housing, for enactment prior to enactment of CD-1 By-law contemplated in the aforementioned report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.

- 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; 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

2. CD-1 Rezoning: a) 1412-1480 Howe Street, 1429 Granville Street, and 710 Pacific Street, and b) 1410 Granville Street  
September 13, 2013

MOVED by Councillor Louie

- A. THAT the application by DIALOG, on behalf of Howe Street Ventures Ltd.:
- (i) to rezone the following lands (the "Howe Street Lands") from False Creek Comprehensive Development District (FCCDD) to CD-1 (Comprehensive Development) District:



- (a) 1412 Howe Street;
- (b) 1420-1450 Howe Street;
- (c) 1460 Howe Street;
- (d) 1480 Howe Street;
- (e) 1429 Granville Street;
- (f) 710 Pacific Street; and
- (g) that portion of lane, adjacent to 1412-1480 Howe Street (if closed and conveyed to the registered owner the above lands);

(see Appendix E, Part I, of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and b) 1410 Granville Street", for the legal descriptions of the above lands)

to permit two mixed-use buildings containing market strata and rental residential units, retail, service and office uses, with a floor area of 60,645.7 m<sup>2</sup> (652,806 sq. ft.) and a maximum height of 151.5 m (497 ft.); and

- (ii) to rezone 1410 Granville Street (see Appendix E, Part II of the aforementioned report, for legal descriptions of these lands) from BC Place/Expo District (BCPED) to CD-1 (Comprehensive Development) District to permit a commercial building containing retail, service and office uses, with a floor area of 5,264.7 m<sup>2</sup> (56,671 sq. ft.) and a maximum height of 26.2 m (86 ft.);

be referred to a Public Hearing, together with:

- (i) plans prepared by DIALOG in conjunction with Bjarke Ingels Group, received December 17, 2012;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendices A1 and A2 of the aforementioned report; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendices B1 and B2 of the aforementioned report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-laws generally in accordance with Appendices A1 and A2 of the aforementioned report 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 these CD-1s 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 13, 2013, entitled "CD-1 Rezoning: a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and b) 1410 Granville Street", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws generally as set out in Appendix C of the aforementioned report 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 these CD-1s in Schedule A, generally as set out in Appendix C of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and b) 1410 Granville 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-laws.

- D. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include these CD-1s and to provide parking regulations generally as set out in Appendix C of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and b) 1410 Granville 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-laws.

- E. THAT, if after public hearing Council approves in principle the rezoning application contemplated in A(i) above and the Housing Agreement described in section (c) of Appendix B1 of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and b) 1410 Granville 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 for the Howe Street Lands contemplated by the aforementioned report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.

- F. THAT, if the application is referred to Public Hearing, prior to the Public Hearing, Howe Street Ventures Ltd. shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner(s) of the proposed donor site(s) for the purchase of heritage bonus density as set out in Appendix B1 of the Policy Report dated September 13, 2013, entitled "CD-1 Rezoning: a) 1412-1480 Howe Street, 1429 Granville Street and 710 Pacific Street, and b) 1410 Granville Street".

- 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 any by-law rezoning the properties, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of Howe Street Ventures Ltd.; 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

**3. CD-1 Rezoning - 4412-4488 Cambie Street  
September 10, 2013**

- A. THAT the application by Fougere Architecture Inc., on behalf of Parc Elise Project Inc., to rezone 4412-4488 Cambie Street (Lots 1 to 4, Block 741 DL 526 Plan 6539; PIDs 010-864-202, 010-864-229, 010-864-245 and 010-864-253 respectively) from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.60 to 2.60 FSR and the height from 10.6 m (35 ft.) to 21.1 m (69.2 ft.) to permit the development of two six-storey residential buildings, as well as lane-fronting two-storey townhouses, containing a total of 102 residential units, be referred to a Public Hearing, together with:
- (i) plans prepared by Fougere Architecture Inc., received December 24, 2012;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning - 4412-4488 Cambie Street";
  - (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 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 CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning - 4412-4488 Cambie Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision 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 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

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At noon it was,

MOVED by Councillor Stevenson

THAT Council extend the length of the meeting in order to complete the items on the agenda.

CARRIED UNANIMOUSLY

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**4. CD-1 Rezoning: 2290 Main Street  
September 10, 2013**

REFERRAL MOVED by Councillor Carr

THAT the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 2290 Main Street", be referred to the Regular Council meeting on October 8, 2013, in order to allow additional time for public comments.

LOST

(Councillors Deal, Jang, Reimer, Stevenson, Tang and Mayor Robertson opposed)  
(Councillor Louie absent for the vote)

MOVED by Councillor Reimer

- A. THAT the application, by Arno Matis Architecture on behalf of Main Street Commercial Holdings Inc., to rezone 2290 Main Street [Lots 4, 5 and 6, Block 38, District Lot 200A, Plan 197; , PIDs: 005-626-153, 005-626-277 and 005-626-285 respectively] from IC-2 (Light Industrial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.00 to 4.92 and the building height from 18.3 m (60 feet) to 30.0 m (98.5 feet) in order to permit the development of a nine-storey mixed-use building containing commercial spaces and market residential units, be referred to a Public Hearing together with:
- (i) plans received December 24, 2012;
  - (ii) draft CD-1 By-law provisions, generally as set out in Appendix A of the Policy Report dated September 10, 2013, entitled 'CD-1 Rezoning: 2290 Main 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 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, 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" (C-3A)], generally as set out in Appendix C of the Policy Report dated September 10, 2013, entitled 'CD-1 Rezoning: 2290 Main 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 Appendix C of the aforementioned report 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 10, 2013, entitled 'CD-1 Rezoning: 2290 Main 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 A through C 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.

CARRIED

(Councillor Carr opposed)

(Councillor Louie absent for the vote)

**5. CD-1 Rezoning: 1526-1560 Kingsway  
September 10, 2013**

- A. THAT the application by GBL Architects Group Inc., on behalf of John & May Wong Holdings Ltd. and Allan & Sylvia Wong Holdings Ltd., to rezone 1526-1560 Kingsway [Lots A, B, C, D, E, F and G, except part in Reference Plan 2394 of Lots 19 and 20 Block 5 District Lot 352 Plan 3082; PIDs: 003-239-012, 003-239-071, 003-239-144, 003-239-179, 003-239-713, 013-190-903 and 013-190-946 respectively] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.85 and the building height from 13.8 m (45.3 ft.) to 23.6 m (77.5 ft.) to permit the development of a six-storey mixed-use development containing commercial space at grade and market rental units on upper levels, be referred to a Public Hearing, together with:
- (i) plans received June 19, 2013;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 1526-1560 Kingsway";
  - (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 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, if after Public Hearing Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 1526-1560 Kingsway", 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 aforementioned report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.

C. 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 [assigning Schedule "B" (C 2)], generally as set out in Appendix C of the Policy Report dated September 10, 2013, entitled "CD-1 Rezoning: 1526-1560 Kingsway", 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 Appendix C of the aforementioned report, for consideration at the Public Hearing.

D. 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 10, 2013, entitled "CD-1 Rezoning: 1526-1560 Kingsway";

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.

E. THAT A through D 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 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

**6. Heritage Amenity Bank and Transfer of Density Update  
September 11, 2013**

This item was referred to the to the Standing Committee on City Finance and Services meeting on Wednesday, September 25, 2013, in order to hear from speakers.

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

**BY-LAWS**

MOVED by Councillor Deal  
SECONDED by Councillor Reimer

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

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

1. A By-law to amend Noise Control By-law No. 6555 (1388 Continental Street)  
(By-law No. 10777)
2. A By-law to amend Sign By-law No. 6510 (1388 Continental Street) (By-law No. 10778)  
*(Mayor Robertson ineligible for the vote)*
3. A By-law to amend Noise Control By-law No. 6555 (6361-6385 Cambie Street)  
(By-law No. 10779)



4. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking Requirements (6361-6385 Cambie Street) (By-law No. 10780)
5. A By-law to amend Sign By-law No. 6510 (6361-6385 Cambie Street) (By-law No. 10781)  
*(Councillor Jang ineligible for the vote)*
6. A By-law to amend Noise Control By-law No. 6555 (1265-1281 Howe Street and 803-821 Drake Street) (By-law No. 10782)
7. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking Requirements (1265 Howe Street and 803-821 Drake Street) (By-law No. 10783)
8. A By-law to amend Sign By-law No. 6510 (1265-1281 Howe Street and 803-821 Drake Street) (By-law No. 10784)
9. A By-law to provide for the imposition of interest on delinquent property taxes (By-law No. 10785)
10. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking Requirements (2001 West 10<sup>th</sup> Avenue) (By-law No. 10786)
11. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (633 Main Street) (By-law No. 10787)  
*(Mayor Robertson ineligible for the vote)*
12. A By-law to amend Subdivision By-law No. 5208 (4595 West 6<sup>th</sup> Avenue) (By-law No. 10788)
13. A By-law to enact a Housing Agreement for 245 East Georgia Street (By-law No. 10773)
14. A By-law to adopt the Regional Context Statement Development Plan as an Official Development Plan (By-law No. 10789)  
*(Councillor Louie ineligible for the vote)*
15. A By-law to enact a Housing Agreement for 1981 Highbury Street (By-law No. 10774)
16. A By-law to enact a Housing Agreement for 557 East Cordova Street (By-law No. 10775)
17. A By-law to enact a Housing Agreement for 3002-3036 West Broadway (By-law No. 10776)

## MOTIONS

### A. Administrative Motions

None.

**B. Motions on Notice**

**1. Request for Leave of Absence - Councillor Geoff Meggs**

MOVED by Councillor Jang  
SECONDED by Councillor Stevenson

THAT Councillor Meggs be granted Leave of Absence for Civic Business from the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, October 9, 2013.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

**2. Amendment to Deputy and Acting Mayor Roster**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT Councillor Tony Tang be named in place of Councillor Tim Stevenson as the Deputy Mayor and Acting Mayor for the month of December, 2013; and

FURTHER THAT Councillor Tim Stevenson be named in place of Councillor Tony Tang as the Deputy Mayor and Acting Mayor for the month of February, 2014.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

**3. Request for Leave of Absence - Councillor Raymond Louie**

MOVED by Councillor Ball  
SECONDED by Councillor Deal

THAT Councillor Louie be granted Leave of Absence for Civic Business from meetings to be held on September 26 and 27, 2013.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

**4. Request for Leave of Absence - Mayor Gregor Robertson**

MOVED by Councillor Ball

SECONDED by Councillor Stevenson

THAT Mayor Robertson be granted Leave of Absence for Civic Business from meetings to be held on October 8 and 9, 2013.

CARRIED UNANIMOUSLY

(Councillor Louie absent for the vote)

**5. Media Access to City of Vancouver Staff**

The following motion contains amendments to the original Motion on Notice.

MOVED by Councillor Affleck

SECONDED by Councillor Ball

WHEREAS

1. The City of Vancouver values openness and transparency;
2. Media has an important role in communicating the actions of the City of Vancouver, and are crucial to ensuring informed, engaged citizens;
3. The budget allocated to the Communications Department has increased from \$1.25 million to \$1.94 million, and staffing has increased from 9 to 20 positions over the past four years;
4. Local media have raised concerns regarding open access to officials, timely interviews with officials, and the ability to receive information on city policies, activities, strategies, programs and spending;
5. City departmental staff are professional, have good judgement and are generally very knowledgeable in their fields of expertise;
6. Past policy permitted City Hall staff to communicate directly with members of the media at the discretion of their direct managers with no noticeable negative effects.

THEREFORE BE IT RESOLVED THAT staff provide a report to Council within three months which will explain:

- (i) Current policy relating to media access to Department Heads and City staff in the context of current global best practices;
- (ii) Clear and concise policy around timely access to information by media;

- (iii) How the commensurate workload of the Communications Department could be monitored with the view to cutting costs in that department as part of continued efforts of the Shared Services Review;
- (iv) Clear and concise policy related to elected officials criticizing staff in the media, in light of Council's legal responsibility as the Employer; and
- (v) Clear and concise policy related to the City's legal responsibilities to Employees who are libelled in the media in the course of their employment duties.

CARRIED UNANIMOUSLY

## 6. Opposing New Tax on Small Music Venues

MOVED by Councillor Deal

SECONDED by Councillor Reimer

WHEREAS

1. The Government of Canada recently changed the requirements for a Labour Market Opinion as part of changes to the Temporary Foreign Worker program;
2. The changes by the Government of Canada will now require that each employer, such as a venue or music promoter, must now pay an additional \$275 processing fee for each international musician hired to play at a bar, pub or restaurant in Canada;
3. Concert venues are exempt from this work permit requirement, but smaller venues that occasionally host musicians will not be;
4. The new requirements will significantly increase the financial burden on small venues and music promoters;
5. The changes will have a negative impact on Vancouver's music scene, as local bands and performers often get the chance to open for musicians touring from outside Canada;
6. The City has recently taken steps to make it easier for venues to host music shows and performances with a simplified licensing process for live performances in smaller venues;
7. Over 130,000 people have signed a petition urging Minister of Employment, Social Development and Multiculturalism Jason Kenney to amend the regulation and permit artists to perform in bars, restaurants, and coffee shops without requiring each venue to pay the additional processing fees to get a Labour Market Opinion.

THEREFORE BE IT RESOLVED THAT the Mayor write on behalf of City Council to Minister Kenney, stating the City's opposition to the new regulation, and urge the Federal Government to amend it to allow for an exemption for non-concert venues such as bars and restaurants.

CARRIED UNANIMOUSLY

**7. Apology for the City of Vancouver's Role in the 1942 Internment of Japanese-Canadians**

MOVED by Mayor Robertson  
SECONDED by Councillor Jang

WHEREAS

1. The year 2013 marks the 71st year since the War Measures Act was invoked and all residents of Japanese descent were forcibly removed from coastal British Columbia;
2. The Vancouver City Council in 1942 unanimously passed a motion attached as Appendix A to Motion on Notice B7 entitled "Apology for the City of Vancouver's Role in the 1942 Internment of Japanese-Canadians", calling for "the removal of the enemy alien population from the Pacific coast to central parts of Canada", specifically anyone of Japanese descent without any consideration for place of birth or citizenship;
3. These residents of Japanese descent were unable to return to the City of Vancouver until April 1, 1949, four years after the end of the Second World War;
4. The year 2013 marks the 25th anniversary of the signing of the historic Japanese Canadian Redress Agreement with the Government of Canada and one year since the Province of British Columbia's apology for its complicity and support of the internment;
5. The year 2013 marks one year since the University of British Columbia's recognition of and granting of honorary degrees to students of Japanese descent who were forced to leave their UBC studies in 1942;
6. Since 2010 the City of Vancouver has been working with Canadians of Japanese descent to preserve the history of the internment for future generations;
7. On October 5, 2010, the City of Vancouver joined the Canadian Coalition of Municipalities against Racism and Discrimination thereby committing to taking action to combat racism and discrimination;

8. June 21, 2013, to June 20, 2014, has been proclaimed the Year of Reconciliation in the City of Vancouver in an ongoing effort to heal deep historical wounds, and build new relationships that bring all communities together based on mutual respect, dignity and hope.

THEREFORE BE IT RESOLVED THAT the City of Vancouver does hereby take full responsibility for its actions. With humility and respect, the City of Vancouver formally apologizes for its complicity, its inaction, and for failing to protect her residents of Japanese descent;

BE IT FURTHER RESOLVED THAT the City of Vancouver pledges to do all it can to ensure such injustices will not happen again to any of its residents, thereby upholding the principles of human rights, justice and equality now and in the future.

referred

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

REFERRAL MOVED by Councillor Jang  
SECONDED by Councillor Ball

THAT the motion be referred to the Standing Committee on City Finance and Services meeting on Wednesday, September 25, 2013, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

## ENQUIRIES AND OTHER MATTERS

### 1. Reconciliation Week

Councillors Carr, Stevenson, Reimer, and Mayor Robertson provided comments and stories from Reconciliation Week in the city of Vancouver which took place from September 16-22, 2013.

Councillor Reimer presented Mayor Robertson with a glass paddle, a gift given to the City of Vancouver from Chief Ian Campbell and Chief Gibby Jacobs, both of the Squamish First Nation.

### 2. Independent Truck Drivers

Councillor Carr requested information regarding a review of the rate structure for Independent Truck Drivers. The City Manager agreed to follow up.

**ADJOURNMENT**

MOVED by Councillor Stevenson  
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillor Louie absent for the vote)

The Council adjourned at 12:58 pm.

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