



REGULAR COUNCIL MEETING MINUTES

NOVEMBER 19, 2013

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, November 19, 2013, at 9:34 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: Sadhu Johnston, Deputy City Manager
Mukhtar Latif, Chief Housing Officer

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 from Councillor Affleck.

"IN CAMERA" MEETING

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT Council will go into a meeting later this day and/or on Wednesday, November 20, 2013, which is closed to the public, pursuant to Section 165.2(1) of the Vancouver Charter, to discuss matters related to paragraphs:

(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 Stevenson absent for the vote)

ADOPTION OF MINUTES

1. Regular Council - November 5, 2013

MOVED by Councillor Deal
SECONDED by Councillor Reimer

THAT the Minutes of the Regular Council meeting of November 5, 2013, be approved.

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

2. Regular Council (Planning, Transportation and Environment) - November 6, 2013

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting following the Planning, Transportation and Environment meeting of November 6, 2013, be approved.

CARRIED UNANIMOUSLY
(Councillor Meggs absent for the vote)

3. Chauffeurs' Permit Appeal Hearing - November 12, 2013

MOVED by Councillor Meggs
SECONDED by Councillor Ball

THAT the Minutes of the Chauffeurs' Permit Appeal Hearing of November 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

MOVED by Councillor Stevenson

THAT Council adopt Administrative Report 2 and Policy Report 1, on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. Vancouver Public Library - 2013-2015 Strategic Plan

Catherine Evans, Chair, Vancouver Public Library Board, provided a presentation on the 2013-2015 Vancouver Public Library Strategic Plan, including library use, an updated vision and mission, strategic goals and priorities, upcoming work in the next three years, and highlights of initiatives accomplished in 2013.

Ms. Evans, along with Sandra Singh, Chief Librarian, responded to questions.

2. City of Vancouver Disaster Management Update - Emergency Management and Canada Task Force Deployment to Calgary

Katie McPherson, Manager, Emergency Planning, Emergency Management Office, along with John McKearney, Fire Chief, and Jim Young, Assistant Chief, Emergency Planning, Vancouver Fire and Rescue Services, provided a presentation on the City of Vancouver Disaster Management Update - Emergency Management and Canada Task Force One (HUSAR) Deployment to Calgary. The presentation included an overview of the Calgary flood and its impacts, a timeline of the City of Vancouver response, Canada Task Force One deployment, City of Vancouver staff observer roles, and lessons for Vancouver Emergency Management.

The presenters, along with the Deputy City Manager, responded to questions.

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At noon it was,

MOVED by Councillor Louie

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

CARRIED UNANIMOUSLY

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ADMINISTRATIVE REPORTS

**1. 2014 Land Assessment Averaging Program: Notice to BC Assessment Authority
November 12, 2013**

MOVED by Councillor Louie

- A. THAT, pursuant to Section 374.4 (4b) of the Vancouver Charter, the City Clerk be instructed to notify the BC Assessment Authority, before January 1, 2014, of Vancouver City Council's intent to consider the adoption of land assessment averaging for the purpose of property tax calculations for 2014.

It should be noted that this notice of intent is revocable should Council, at a later date, decide not to proceed with this mechanism.

- B. THAT the Director of Finance be instructed to provide the required two weeks' notice to the public in advance of Council's consideration of the use of land assessment averaging and, before March 31, 2014, report on the projected taxation impacts of the land assessment averaging program based on the assessed values provided by the BC Assessment Authority in the 2014 Completed Roll.
- C. THAT the Area Assessor for Vancouver be invited to address Council on the assessment trends in the 2014 Completed Roll.

CARRIED UNANIMOUSLY
(Councillor Deal absent for the vote)

**2. Application for Payment-in-Lieu of Parking at 475 Howe Street
November 14, 2013**

- A. THAT Council approve in principle the offer of payment-in-lieu in the amount of \$606,000 for the waiver of 30 commercial parking spaces required by Section 4.1.2 of the Parking By-law for the development application at 475 Howe Street and direct payment to the Pay-in-Lieu Parking Reserve: Off-Street Parking.
- B. THAT the Director of Legal Services be requested to bring forward a By-law to amend Schedule A of the Parking By-law pursuant to Section 4.12.5 to effect this waiver.

ADOPTED ON CONSENT

POLICY REPORTS

**1. CD-1 Rezoning - 516 West 50th Avenue and 6629-6709 Cambie Street
November 5, 2013**

- A. THAT the application by Mosaic Avenue Lands Ltd. on behalf of the registered owners, Kitty Siu-Wei Chan, James Cha and Kazuko Kemanai Cha, Oscar Hanks and Ai Fung Toh, Brent Shi-Lin Chen and Amy Ming-Chun Chang, Kenden Marr Foo, and Bill Yui-Chi Wong and Anna Ngan-Sheung Wong, to rezone 516 West 50th Avenue and 6629-6709 Cambie Street (Lots 36 to 41, Block 896, District Lot 526, Plan 10198; PIDs: 009-593-012, 009-593-021, 009-593-047, 008-224-749, 009-593-055 and 006-739-059 respectively) from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.49 and the building height from 10.7 m (35 ft.) to 20.1 m (66 ft.) to permit the development of two six-storey residential buildings as well as two two-storey townhouses and amenity buildings along the rear lane, containing a total of 128 residential units, be referred to a Public Hearing, together with:
 - (i) plans prepared by Ramsay Worden Architects Ltd., received June 14, 2013;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 516 West 50th Avenue and 6629-6709 Cambie 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 report;

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

- B. THAT, 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 November 5, 2013, entitled "CD-1 Rezoning - 516 West 50th Avenue and 6629-6709 Cambie 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, 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 November 5, 2013, entitled "CD-1 Rezoning - 516 West 50th Avenue and 6629-6709 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.

- D. THAT A to 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.

ADOPTED ON CONSENT

**2. CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and
5688 Heather Street
November 5, 2013**

MOVED by Councillor Meggs

- A. THAT the application by IBI Group, on behalf of Feng Yun Shao, to rezone 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street (Lots 1 to 5, Block 872, District Lot 526, Plan 8313; PIDs: 008-636-923, 010-166-033, 010-166-050, 010-166-068 and 010-166-076 respectively) from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.60 to 2.87 and the building height from 10.6 m (35 ft.) to 22.3 m (73 ft.) to permit the development of two six-storey

residential buildings containing a total of 114 dwelling units, be referred to a Public Hearing, together with:

- (i) plans prepared by IBI Group, received October 4, 2013;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather 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 report;

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

- B. THAT, 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 November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather 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, if the application is referred to Public Hearing, prior to the Public Hearing, the registered owner 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 B of the Policy Report dated November 5, 2013, entitled "CD-1 Rezoning - 5675 Manson Street, 665-685 West 41st Avenue and 5688 Heather Street".

- D. THAT A to 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)

**3. CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street
November 8, 2013**

MOVED by Councillor Louie

- A. THAT the application by Jim Pattison Developments Ltd. and Reliance Properties Ltd. on behalf of the owners listed in Appendix F of the Policy Report dated November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street":
 - (i) to rezone 1262-1290 Burrard Street from Downtown District (DD) to CD-1 (Comprehensive Development) District (see Appendix F, 1, Part I of the above-noted report, for the legal descriptions of the above lands) to permit a building containing retail, service and office uses, with a floor area of 19,715.4 m² (212,222 sq. ft.) and a maximum height of 55.5 m (182 ft.); and
 - (ii) to rezone 1229-1281 Hornby Street from Downtown District (DD) to CD-1 (Comprehensive Development) District (see Appendix F, 1, Part II of the above-noted report, for the legal descriptions of the above lands) to permit a mixed-use development comprised of two residential towers connected by a podium and containing market strata and rental residential units, and office, retail, and service uses, with a floor area of 67,430 m² (725,837 sq. ft.) and a maximum height of 167.6 m (550 ft.);

be referred to a Public Hearing, together with:

- (i) plans prepared by IBI/HB Architects and Bing Thom Architects, received March 13, 2013;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendices A1 (for the Burrard Street site) and A2 (for the Hornby Street site) of the above-noted report; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendices B1 (for the Burrard Street site) and B2 (for the Hornby Street site) of the above-noted 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 above-noted 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 November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby 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 above-noted 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 November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby 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 November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby 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(ii) above and the Housing Agreement described in section (c) of Appendix B2 of the Policy Report dated November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the CD-1 By-law contemplated by the above-noted report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.

- F. THAT, if the application is referred to Public Hearing, prior to the Public Hearing, the property owner 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 density as set out in Section (c) Appendix B2 of the Policy Report dated November 8, 2013, entitled "CD-1 Rezoning: a) 1262-1290 Burrard Street and b) 1229-1281 Hornby 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(s) 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 the applicants; 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

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Carr

SECONDED by Councillor Ball

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Tang
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 and 2, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (2220 Kingsway) (By-law No. 10827)
(Councillors Louie and Stevenson ineligible to vote)
2. A By-law to amend Parking By-law No. 6059 (475 Howe Street) (By-law No. 10828)

MOTIONS

A. Administrative Motions

None.

B. Motions on Notice

1. Request for Leave of Absence - Councillor Meggs

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Councillor Meggs be granted Leave of Absence for Personal Reasons from meetings to be held on December 4, 2013.

CARRIED UNANIMOUSLY

2. Civic Artist Registry

MOVED by Councillor Ball
SECONDED by Councillor Affleck

WHEREAS

1. The City of Vancouver respects and values the professional artists living and working in our communities;
2. The City of Vancouver aims to assist professional artists in their ability to work and earn a living from their professional endeavours;
3. The City of Vancouver has established strategies in support of the arts including fostering innovation in our cultural policies, programs and services, embedding cultural awareness, instruction and programming within all our institutions and systems to engage citizen participation in cultural activities, and working with the non-profit arts and cultural sector, cultural industries, business and public sectors to develop new and innovative ways to highlight and profile the creative sector to the citizens of Vancouver and promote Vancouver's reputation as a creative city;
4. The City of Vancouver website supports an existing Public Art Registry of public artworks located throughout Vancouver with photos and biographies of the artists;
5. Cities such as Ottawa, Brooklyn, Whistler, Provincetown, Atlanta, Detroit and other municipalities have created successful Artist Registries that have proven to benefit artists and encourage the awareness of arts and culture in those communities;
6. Working artists need as much public exposure as possible to benefit and thrive from their professional work.

THEREFORE BE IT RESOLVED

- A. THAT the City of Vancouver establish a comprehensive professional Artist Registry for a wide variety of performing and visual artists living in Vancouver. The Registry would be accessible on the City's website.
- B. THAT the City of Vancouver direct staff to consult with the City's Arts and Culture Policy Council, the arts and culture community, the City's website and communications staff, and other stakeholders to develop criteria and registration methods.
- C. THAT staff report back to Council within six months as to implementation of the registry.

amended

AMENDMENT MOVED by Councillor Deal

THAT the resolves be struck and replaced with the following:

THEREFORE BE IT RESOLVED

- A. THAT Council request the Arts and Culture Policy Council to strike a working group to consider the benefits and costs of creating a Vancouver Artists' Registry, including surveying literature and best practices.
- B. THAT Councillors Elizabeth Ball and Heather Deal be named liaisons to that working group.
- C. THAT the working group consult with City staff including cultural services, communications, and website management, as well as with the wider cultural community, and report back on their findings to Council within six months.
- D. THAT staff investigate any non-profit partners that could assist/host/or manage the Registry.

CARRIED UNANIMOUSLY

NEW BUSINESS

1. Review of Vancouver Bike Share Program

Councillor Affleck submitted the following Motion. Councillor Deal called Notice under Section 10.3(d) of the Procedure By-law. The Motion will be placed on the agenda of the Regular Council meeting to be held on December 3, 2013, as a Motion on Notice.

MOVER: Councillor Affleck
SECONDER: Councillor Ball

WHEREAS

1. Council has a fiduciary responsibility to the City of Vancouver taxpayers;
2. Council approved a bike-share program with Bixi/Alta earlier this year with an estimated minimum cost of \$20 million over the next ten years;
3. The latest news from Toronto and Montreal on the troubled financial state of Bixi is cause for concern and insolvency could potentially have financial implications for the City of Vancouver and the city taxpayers.

THEREFORE BE IT RESOLVED

- A. THAT City of Vancouver staff immediately review the Bike Share Program's financial viability in light of recent events related to the suppliers.
- B. THAT City of Vancouver staff provide a detailed financial report on all expenses accrued to date related to the implementation of the Bike Share Program.

notice

ENQUIRIES AND OTHER MATTERS

1. Doorknob Replacement

Councillor Meggs enquired what staff will be doing with the old City Hall doorknobs which are soon to be replaced with lever handles, and noted he is receiving requests from the public for the old doorknobs. The Deputy City Manager agreed to follow-up.

ADJOURNMENT

MOVED by Councillor Tang
SECONDED by Councillor Ball

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillor Reimer absent for the vote)

The Council adjourned at 1:19 pm.

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