



REGULAR COUNCIL MEETING MINUTES

JANUARY 21, 2014

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, January 21, 2014, at 9:38 am, in the Council Chamber, Third Floor, City Hall.

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| PRESENT: | Mayor Gregor Robertson* Councillor George Affleck Councillor Elizabeth Ball Councillor Adriane Carr Councillor Heather Deal Councillor Kerry Jang Councillor Geoff Meggs, Acting Chair Councillor Andrea Reimer Councillor Tim Stevenson* Councillor Tony Tang |
| ABSENT: | Councillor Raymond Louie (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 welcoming comments read by Councillor Jang.

PROCLAMATION - Lunar New Year

The Mayor proclaimed the week of January 31 to February 6, 2014, as Lunar New Year Celebration Week in the city of Vancouver and invited the following individuals to the podium to accept the proclamation and say a few words:

- Mike Jang, Chair, Chinese Cultural Centre
- William Chan, Chair, Vancouver Chinatown Merchants Association
- Doug Purdie, Chair, and Queenie Choo, CEO, SUCCESS
- Garry Jang, President, Shon Yee Athletic Club, Shon Yee Benevolent Association.

CONDOLENCES - Tim Jones, North Shore Search and Rescue

The Mayor expressed condolences on behalf of Vancouver City Council to the family, friends and colleagues of Tim Jones. He noted his many contributions as a leader for over twenty years with the North Shore Search and Rescue Team where his leadership and dedication made a profound difference in the lives and families of those he helped bring to safety on the local mountains.

"IN CAMERA" MEETING

MOVED by Councillor Stevenson

SECONDED by Councillor Jang

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

- (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;
- (b) personal information about an identifiable individual who is being considered for an award or honour, or who has offered to provide a gift to the city on condition of anonymity;
- (c) labour relations or other employee relations;
- (k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF DECEMBER 18, 2013

- Council appointed Harley Machielse as the Acting Deputy Chief Licence Inspector effective February 1, 2014;
- Council appointed Steve Simmonds as a second Deputy Chief Licence Inspector effective immediately for a six month term;
- Council made appointments to the following Civic Agencies:
 - Chinatown Historic Area Planning Committee
 - Gastown Historic Area Planning Committee

- Development Permit Board Advisory Panel
- First Shaughnessy Advisory Design Panel
- Public Art Committee
- Urban Design Panel
- Vancouver City Planning Commission
- Vancouver Civic Theatres Board
- Vancouver Heritage Commission
- Vancouver Public Library Board
- YVR Aeronautical Noise Management Committee
- Pacific National Exhibition Board of Directors
- Children, Youth and Families Advisory Committee
- Persons with Disabilities Advisory Committee
- Multicultural Advisory Committee
- Women's Advisory Committee
- LGBTQ Advisory Committee
- Urban Aboriginal Peoples' Advisory Committee
- Vancouver Food Policy Council

Names of those appointed are available on the City's website.

ADOPTION OF MINUTES

1. Regular Council - December 17, 2013

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting of December 17, 2013, be approved.

CARRIED UNANIMOUSLY

2. Public Hearing - December 17, 2013

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the Minutes of the Public Hearing of December 17, 2013, be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Finance and Services) - December 18, 2013

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting following the City Finance and Services meeting of December 18, 2013, be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Tang

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Carr

THAT Council adopt Communication 1, Administrative Reports A1 to A4, and Policy Report P3, on consent.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

1. Heritage Designation/Heritage Revitalization Agreement: 304 East 28th Avenue

At the Public Hearing on December 17, 2013, Vancouver City Council concluded hearing from speakers on the above-noted application, and referred discussion and decision to the Regular Council meeting to be held January 21, 2014, as Unfinished Business.

The Mayor noted that Councillor Tang was absent for a portion of the item at Public Hearing and may only vote on the matter if he confirms he has reviewed the proceedings for the portion of the public hearing he missed, including the video recording.

Councillor Tang advised he had reviewed the proceedings and would therefore be participating in the discussion and vote.

The Mayor advised Councillor Reimer was absent for the entire Public Hearing for this item and therefore would not be participating in the vote or discussion on this matter.

* * * * *

At 10:00 am, Mayor Robertson left the meeting and Councillor Meggs assumed the Chair for the remainder of the meeting.

* * * * *

MOVED by Councillor Deal

- A. THAT Council add to the Vancouver Heritage Register in the 'B' evaluation category the residential building at 304 East 28th Avenue [PID: 014-713-527; Lot 32, Blocks 65 to 68, District Lot 632, Plan 1329] (the "site"), known as the Walden House (the "heritage building").
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 593 of the Vancouver Charter, a by-law to designate the Walden House as a protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the Vancouver Charter, a by-law for the City to enter into a Heritage Revitalization Agreement in respect of the Walden House to:
 - i. secure its rehabilitation and long-term preservation; and
 - ii. vary the Subdivision By-law to allow for the creation of two new parcels for the site, one which is to contain the heritage building, and one which is to contain a new One-Family Dwelling with Secondary Suite, and to vary the Zoning and Development By-law in respect of the site to permit the rehabilitation of the heritage building and the construction of the new building, as proposed under Development Permit Application Nos. DE416945 and DE416946 and as more particularly described in the Policy Report dated November 4, 2013, entitled "304 East 28th Avenue - Walden House - Heritage Revitalization Agreement and Heritage Designation".
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered, and given priority on title to the site, to the satisfaction of the Director of Legal Services and the Director of Planning.

- 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 in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - ii. THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED

(Councillors Affleck and Ball opposed)
(Mayor Robertson absent for the vote)
(Councillor Reimer ineligible to vote)

COMMUNICATIONS

1. **Revision to 2014 Council Meetings Schedule**

THAT Council approve additional meetings in March and April 2014, as follows:

| Meeting | Proposed 2014 Schedule | |
|--|------------------------|----------|
| | Date | Time |
| Public Hearing | Monday, March 10 | 2:00 pm |
| Public Hearing back-up - Tentative | Friday, March 14 | 9:30 am |
| Standing Committee back-up - Tentative | Saturday, March 15 | 10:00 am |
| Public Hearing | Tuesday, April 1 | 6:00 pm |

ADOPTED ON CONSENT

ADMINISTRATIVE REPORTS

1. **FCM Sustainable Communities Conference - February 2014 - Councillor Louie December 9, 2013**

THAT Council authorize Councillor Raymond Louie to attend the 2014 FCM Sustainable Communities Conference from February 11-13, 2014, to be held in Charlottetown, PEI, with expenses estimated at \$707.00, to be funded from the 2014 Councillors Travel Budget.

ADOPTED ON CONSENT

**2. FCM Sustainable Communities Conference - February 2014 - Councillor Reimer
January 7, 2014**

THAT Council authorize Councillor Andrea Reimer to attend the 2014 FCM Sustainable Communities Conference from February 11-13, 2014, to be held in Charlottetown, PEI, with expenses estimated at \$2,303.00, to be funded from the 2014 Councillors Travel Budget.

ADOPTED ON CONSENT

**3. 2014 Advance Grant Installments to Cultural Operating Organizations
December 2, 2013**

- A. THAT Council approve advance grant installments to cultural operating organizations in the amount of \$1,092,240 to 83 organizations, in advance of their 2014 annual operating review, as listed in Appendix A of the Administrative Report dated December 2, 2013, entitled "2014 Advance Grant Installments to Cultural Operating Organizations" .
- B. THAT Council approve the first quarter grant installments in the amount of \$988,600 to the five major exhibiting institutions beginning January 2014, in advance of their 2014 annual operating review, as listed in Table 1 of the Administrative Report dated December 2, 2013, entitled "2014 Advance Grant Installments to Cultural Operating Organizations" .

Source of funds for A and B above is the 2014 Cultural Grants budget.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**4. Lease to Non-Profit Tenant and Approval of Lease Terms for City-owned Property
Known as Heritage Hall (3102 Main Street)
November 22, 2013**

- A. THAT Council authorize the Director of Real Estate Services to negotiate and execute a lease (the "Lease") to the Heritage Hall Preservation Society for the City-owned property known as Heritage Hall, situated at 3102 Main Street, legally known as PID: 015-289-427, Lot 1, Block 56, District Lot 302 Plan 424 ("Heritage Hall"), on the following terms and conditions (and as set out in the basic lease terms attached as Appendix A to the Administrative Report dated November 22, 2013, entitled "Lease to Non-Profit Tenant and Approval of Lease Terms for City-owned Property Known as Heritage Hall (3102 Main Street)", and upon such other terms and conditions to the satisfaction of the General Manager of Real Estate and Facilities Management, the General Manager of Community Services, and the Director of Legal Services.

Term: Ten (10) years
Option to Renew: Two (2) options to renew, each for ten (10) years
Basic Rent: Nominal Rent of ten dollars (\$10.00) per term, (inclusive of rent in lieu of property taxes), plus applicable sales taxes.

- B. THAT the Lease is to be provided on the City's standard lease agreement, drawn to the satisfaction of the Director of Legal Services and Director of Real Estate Services, it being noted that no legal right or obligation will be created and none shall arise until the Lease document is fully executed by both parties.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

POLICY REPORTS

1. **CD-1 Rezoning: 563-571 West King Edward Avenue
January 7, 2014**

MOVED by Councillor Carr

- A. THAT the application by GBL Architects Inc., on behalf of 0961456 B.C. Ltd. (Regent International Developments Ltd.), to rezone 563-571 West King Edward Avenue [Lots 25 to 27, Block 660, District Lot 526, Plan 2976; PIDs: 013-272-730, 013-272-748 and 013-272-756 respectively] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.43 and the height from 10.7 m (35 ft.) to 21.6 m (71 ft.) to permit the development of a six-storey residential building and two-storey townhouses fronting the rear lane, containing a total of 70 dwelling units, be referred to a Public Hearing, together with:
- (i) plans prepared by GBL Architects Inc., received on August 9, 2013;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 7, 2014, entitled "CD-1 Rezoning: 563-571 West King Edward Avenue"; 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 January 7, 2014, entitled "CD-1 Rezoning: 563-571 West King Edward Avenue";

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 January 7, 2014, entitled "CD-1 Rezoning: 563-571 West King Edward Avenue";

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, 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 January 7, 2014, entitled "CD-1 Rezoning: 563-571 West King Edward Avenue".

- 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; 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
(Mayor Robertson absent for the vote)

**2. CD-1 Rezoning: 1412-1424 East 41st Avenue
January 14, 2014**

MOVED by Councillor Carr

- A. THAT the application, by Matthew Cheng Architect Inc. on behalf of Christa Vina Investment Ltd., to rezone 1412 East 41st Avenue [PID 024-729-604; Parcel 1 Block 1 DL 715 Group 1 NWD Plan LMP45258] from C-1 (Commercial) District and 1424 East 41st Avenue [PID 003-168-590; Lot D Block 1 DL 715 Plan 8370] from RS-1 (One-Family Dwelling) District, both to a CD-1 (Comprehensive

Development) District to increase the floor space ratio from 1.20 in C-1 and from 0.70 in RS-1 to an overall floor space ratio of 2.42 FSR and height from 9.2 m (30.1 ft.) to 14.35 m (47.1 ft.) to permit the development of a four storey mixed-use commercial and residential building, with all 42 dwelling units secured as for-profit affordable rental housing, be referred to a Public Hearing, together with:

- (i) plans prepared by Matthew Cheng Architect Inc., received July 17, 2013;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 14, 2014, entitled "CD-1 Rezoning: 1412-1424 East 41st Avenue"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to conditions contained in Appendix B of the above-noted report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A of the above-noted report for consideration at the 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 January 14, 2014, entitled "CD-1 Rezoning: 1412-1424 East 41st Avenue", 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.
- 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 January 14, 2014, entitled "CD-1 Rezoning: 1412-1424 East 41st Avenue";

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, 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-1)], generally as set out in Appendix C of the Policy Report dated January 14, 2014, entitled "CD-1 Rezoning: 1412-1424 East 41st Avenue", 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 above-noted report, for consideration at the Public Hearing.

- E. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated January 14, 2014, entitled "CD-1 Rezoning: 1412-1424 East 41st Avenue";

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.

- F. THAT A through E above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the 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
(Mayor Robertson absent for the vote)

**3. CD-1 Rezoning: 4139-4187 Cambie Street
January 10, 2014**

- A. THAT the application by F. Adab Architects Inc., on behalf of 0923466 B.C. Ltd. (Dava Developments Ltd.), to rezone 4139-4187 Cambie Street (Lots 9 to 11, Block 680 DL 526 Plan 6539; PIDs 010-870-920, 010-870-938 and 010-870-946 respectively) from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.60 to 2.51 FSR and the height from 10.6 m (35 ft.) to 21.8 m (71.5 ft.) to permit the development of two six-storey residential buildings, as well as lane-fronting two-storey townhouses, containing a total of 75 dwelling units, be referred to a Public Hearing, together with:
- (i) plans prepared by F. Adab Architects Inc., received October 15, 2013;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 10, 2014, entitled "CD-1 Rezoning: 4139-4187 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 January 10, 2014, entitled "CD-1 Rezoning: 4139-4187 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 January 10, 2014, entitled "CD-1 Rezoning: 4139-4187 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, 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 January 10, 2014, entitled "CD-1 Rezoning: 4139-4187 Cambie Street".

- 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; 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

4. CD-1 Rezoning: 960-968 Kingsway and 955 East 19th Avenue
January 14, 2014

MOVED by Councillor Carr

- A. THAT the application by Matthew Cheng Architect Inc., on behalf of Vishi Construction Ltd., to rezone 960-968 Kingsway and 955 East 19th Avenue [Lots 7 to 9 Block 65 District Lot 301 Plan 3640; PIDs 008-736-898, 008-736-910 and 008-736-936 respectively] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.39 and building height from 13.8 m (45 ft.) to 19.4 m (63.7 ft.) to permit the development of a six storey mixed-use commercial and residential building with all 44 dwelling units secured as for-profit affordable rental housing under the STIR Program, be referred to a Public Hearing, together with:
- (i) plans prepared by Matthew Cheng Architect Inc., received July 16, 2013;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 14, 2014, entitled "CD-1 Rezoning: 960-968 Kingsway and 955 East 19th Avenue"; and
 - (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to conditions contained in Appendix B of the above-noted report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A of the above-noted report for consideration at the 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 January 14, 2014, entitled "CD-1 Rezoning: 960-968 Kingsway and 955 East 19th Avenue", 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.
- 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 January 14, 2014, entitled "CD-1 Rezoning: 960-968 Kingsway and 955 East 19th Avenue", 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 above-noted 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 B, generally as set out in Appendix C of the Policy Report dated January 14, 2014, entitled "CD-1 Rezoning: 960-968 Kingsway and 955 East 19th Avenue";

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.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Carr

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Carr

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

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

BY-LAWS

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Council 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
(Mayor Robertson absent for the vote)

1. A By-law to amend Noise Control By-law No. 6555 (3002-3036 West Broadway) (By-law No. 10849)
2. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking Requirements (3002-3036 West Broadway) (By-law No. 10850)
3. A By-law to amend Sign By-law No. 6510 (3002-3036 West Broadway) (By-law No. 10851)
4. A By-law to amend Building By-law No. 9419 regarding a new energy standard for Part 3 and Part 9 buildings, excluding one and two-family dwellings and residential buildings three storeys or less in height (By-law No. 10852)
5. A By-law to amend Graffiti By-law No. 7343 regarding a housekeeping matter (By-law No. 10853)

MOTIONS

A. Administrative Motions

1. East Fraser Lands Area 1 Subdivision - Wide Area Site Road Establishment

MOVED by Councillor Jang
SECONDED by Councillor Tang

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All of Lot 42 District Lot 330 and 331 Group 1 New Westminster District Plan EPP31354 as shown on Subdivision Plan prepared by Gary Sundvick, B.C.L.S., completed on the 17th day of December, 2013.

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes.

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of road.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

B. Motions on Notice

1. Impact of Postal Delivery Changes to Residents of Vancouver

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

MOVED by Councillor Affleck
SECONDED by Councillor Ball

WHEREAS

1. Canada Post has announced plans to cease home delivery to single family dwellings in Vancouver;
2. Many citizens of Vancouver, especially Seniors and Persons with Disabilities, will be impacted by this change;
3. Issues of concern for the City of Vancouver related to the placement of the new community mail boxes may include but not be limited to: access for Seniors and Persons with Disabilities, the location of the boxes, traffic, parking, land use policy, street lighting, littering, snow and ice clearance, theft and vandalism.

THEREFORE BE IT RESOLVED

- A. THAT staff report back to Council on the potential implications of the loss of Canada Post delivery to the citizens of Vancouver, especially Seniors and Persons with Disabilities.
- B. THAT the City of Vancouver, given all the potential implications, call on Canada Post, through the Federation of Canadian Municipalities to suspend the cancellation of home delivery pending a full consultation with affected communities and other stakeholders.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

2. Request for Leave of Absence - Councillor Deal

MOVED by Councillor Jang
SECONDED by Councillor Reimer

THAT Councillor Deal be granted Leave of Absence for Civic Business from meetings to be held on February 5, and April 2, 2014.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

3. Request for Leave of Absence - Mayor Robertson

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Mayor Robertson be granted Leave of Absence for Civic Business from all meetings to be held on February 4 and 5, 2014.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

4. Request for Leave of Absence - Councillor Stevenson

MOVED by Councillor Carr
SECONDED by Councillor Jang

THAT Councillor Stevenson be granted Leave of Absence for Civic Business from all meetings to be held on January 28, February 4 and 5, 2014.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

5. Response to Provincial Government on Municipal Campaign Finance Reform

MOVED by Councillor Reimer
SECONDED by Councillor Jang

WHEREAS

1. On December 24, 2013, members of Vancouver City Council received a request from the Provincial Government requesting feedback on campaign finance rules by January 31, 2014;

2. In 2005, 2009, 2010, 2012, and in 2013, via a motion endorsed near unanimously by the UBCM, the City of Vancouver has brought forward formal requests to the Province requesting changes to the Vancouver Charter to allow Vancouver to create appropriate rules for municipal election campaign finance;
3. The funds used to campaign for elected office in Vancouver have grown 175% in the eight years Vancouver has waited for Provincial action on this issue, with the unprecedented case in the 2011 Vancouver municipal election of \$960,000 donated to one electoral organization from a single corporation and more than \$5.2 million spent by all parties;
4. City Council has previously unanimously agreed (on March 25, 2010 and again on January 31, 2012) to a set of minimum rules for campaign finance in Vancouver elections. These rules are attached as Appendix A.

THEREFORE BE IT RESOLVED THAT the City of Vancouver respond to the Provincial Government's request for feedback by reiterating the request for changes to the Vancouver Charter as outlined in Appendix A and which allow for limits on campaign spending and contributions, bans on donations from corporations and unions, and provide for greater disclosure.

referred

The Acting Chair noted that requests to speak to this motion had been received.

MOVED by Councillor Reimer
SECONDED by Councillor Jang

THAT the motion be referred to the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, January 22, 2014, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

6. FCM Resolution Regarding Proclaiming a Year of Reconciliation

MOVED by Councillor Reimer
SECONDED by Councillor Jang

THAT the City of Vancouver submit the following motion to the Federation of Canadian Municipalities (FCM) for consideration at the 2014 Annual General Meeting:

PROCLAIMING A YEAR OF RECONCILIATION WITH ABORIGINAL PEOPLES

WHEREAS reconciling past injustice, and strengthening shared understanding and awareness of history is vital to both Aboriginal and non-Aboriginal communities in building a successful future for communities across Canada;

WHEREAS for over 100 years, Aboriginal children were removed from their families and sent to institutions called residential schools. The government-funded, church-run schools were located across Canada and established with the purpose to eliminate parental involvement in the spiritual, cultural and intellectual development of Aboriginal children. The last residential schools closed in the mid-1990s;

WHEREAS the Truth and Reconciliation Commission of Canada (TRC) is a court-ordered commission established as part of the Indian Residential Schools Settlement Agreement reached by legal counsel for former students, the Churches, the Assembly of First Nations and other Aboriginal organizations, and the Government of Canada, and is expected to complete its report, compiled in part from residential school survivor testimony and documentation from and about the schools, in June 2015;

WHEREAS the City of Vancouver, City of Toronto and Union of BC Municipalities have all proclaimed a Year of Reconciliation to acknowledge the impact of residential schools and recognize the important work of reconciliation.

THEREFORE BE IT RESOLVED THAT the Federation of Canadian Municipalities proclaim June 21, 2014, (National Aboriginal Day) to June 20, 2015, as a Year of Reconciliation.

CARRIED UNANIMOUSLY
(Councillor Stevenson and Mayor Robertson absent for the vote)

7. National Health and Fitness Day - Bill S-211

MOVED by Councillor Reimer
SECONDED by Councillor Deal

WHEREAS

1. The Parliament of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and to encourage Canadians to increase their level of physical activity and their participation in recreational sports and fitness activities;
2. It is in Vancouver's interest to improve the health of Canadians and to reduce the burden of illness on Canadian families and on the Canadian health care system;
3. The City of Vancouver and the Vancouver Board of Parks and Recreation has many public facilities to promote the health and fitness of our citizens;
4. The Vancouver Board of Parks and Recreation has created the OneCard to provide universal access to the Park Board's pools, rinks, and fitness centres, and participating community centres available to everyone at no charge and it also includes a built-in 50 percent Leisure Access program subsidy for qualified low income residents;
5. BILL S-211 has been introduced by the Honourable Nancy Greene Raine and completed first reading in the Senate to encourage local governments to facilitate Canadians' participation in healthy physical activities;
6. BILL S-211 also wishes to encourage the country's local governments, non-governmental organizations, the private sector, and all Canadians to recognize the first Saturday in June as National Health and Fitness Day and to mark the day with local events and initiatives celebrating and promoting the importance and use of local health, recreational, sports and fitness facilities;
7. Canadian Environment Week is observed throughout the country in early June, and walking and cycling are great ways to reduce vehicle pollution and improve physical fitness;
8. Declaring the first Saturday in June to be National Health and Fitness Day will further encourage Canadians to participate in physical activities and contribute to their own health and well-being and align with the City of Vancouver's Greenest City goals.

THEREFORE BE IT RESOLVED THAT Vancouver City Council endorse BILL S-211 for the annual designation of the first Saturday in June as "NATIONAL HEALTH AND FITNESS DAY" to be enacted as follows:

SHORT TITLE

Short title

1. This Act may be cited as the *National Health and Fitness Day Act*.

NATIONAL HEALTH AND FITNESS DAY

National Health and Fitness Day

2. Throughout Canada, in each and every year, the first Saturday in June shall be known as "National Health and Fitness Day".

Not a legal holiday

3. For greater certainty, National Health and Fitness Day is not a legal holiday or a non-judicial day.

CARRIED UNANIMOUSLY

(Councillor Stevenson and Mayor Robertson absent for the vote)

NEW BUSINESS

1. Chocolates as Gifts

Councillor Ball submitted the following Motion. Councillor Affleck 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 February 4, 2014, as a Motion on Notice.

MOVER: Councillor Ball

SECONDER: Councillor Affleck

WHEREAS

1. On January 17, 2006, Council approved the terms of reference for the Roles, Relationships and Responsibilities Review and established a committee of community members to undertake the Review;
2. As part of the Review, the Committee developed a proposed Code of Conduct to apply to Council, advisory bodies and City staff;
3. On July 20, 2006, at the Standing Committee on Planning and Environment, Council considered the recommendations put forward by the Review Committee and adopted in principle the Code of Conduct put forward by the Review Committee;

4. In relation to the question of gifts and personal benefits, many people - representatives of staff and members of the public - appeared before Council to speak to the importance of being able to celebrate City staff and volunteers with reasonable gifts of chocolate for holidays and special observances;
5. At the July 2006 meeting, Council approved the wording of section 9.5 as proposed by the Review Committee with the exception that the word 'chocolates' was removed as an example of a gift or personal benefit of token value in order to respect the views of the public;
6. At the May 15, 2008, Standing Committee of Council on Planning and Environment, Council approved amended wording to the Code of Conduct and gift policy to ensure that it complied with the Vancouver Charter and other existing laws and collective agreements;
7. At the March 3, 2011, Standing Committee of Council on City Services and Budgets, Council approved amendments to the City's Code of Conduct and gift policy;
8. Recently there has been some confusion as to the intent of the Code of Conduct regarding gifts of chocolate for staff and volunteers;
9. It is not the intention of the City to be Scrooge-like during the festive season.

THEREFORE BE IT RESOLVED THAT Council direct staff to revisit the City's Code of Conduct and gift policy to make it clear that staff and volunteers may accept reasonable gifts of chocolate regardless of whether or not the individual is at an event or on paid time.

notice

2. Request for Leave of Absence - Mayor Robertson

MOVED by Councillor Reimer

SECONDED by Councillor Deal

THAT Mayor Robertson be granted Leave of Absence for Civic Business from all meetings to be held on Wednesday, January 22, 2014.

CARRIED UNANIMOUSLY

(Mayor Robertson absent for the vote)

3. Request for Leave of Absence - Councillor Louie

MOVED by Councillor Tang
SECONDED by Councillor Reimer

THAT Councillor Louie be granted Leave of Absence for Civic Business from meetings to be held on January 21, 2014.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

ADJOURNMENT

MOVED by Councillor Ball
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Mayor Robertson absent for the vote)

The Council adjourned at 11:00 am.

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