



## REGULAR COUNCIL MEETING MINUTES

MARCH 11, 2014

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, March 11, 2014, at 9:35 am, in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Mayor Gregor Robertson  
Councillor George Affleck  
Councillor Elizabeth Ball  
Councillor Adriane Carr  
Councillor Heather Deal  
Councillor Raymond Louie  
Councillor Geoff Meggs  
Councillor Andrea Reimer\*  
Councillor Tony Tang\*

**ABSENT:** Councillor Kerry Jang (Medical Leave)  
Councillor Tim Stevenson (Leave of Absence)

**CITY MANAGER'S OFFICE:** Penny Ballem, City Manager  
Mukhtar Latif, Chief Housing Officer

**CITY CLERK'S OFFICE:** Janice MacKenzie, City Clerk  
Laura Kazakoff, Meeting Coordinator

\*Denotes absence for a portion of the meeting.

### WELCOME

The proceedings in the Council Chamber were opened with welcoming comments read by Councillor Meggs.

### ACKNOWLEDGEMENT - MURRAY WIGHTMAN - RETIREMENT

The Mayor extended congratulations to Murray Wightman, Superintendent of Streets, Traffic and Electrical Operations Branch, on his retirement and thanked him for his 42 years of service to the City of Vancouver.

### PROCLAMATION - INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

The Mayor proclaimed March 21, 2014, as International Day for the Elimination of Racial Discrimination in the city of Vancouver.

## "IN CAMERA" MEETING

MOVED by Councillor Deal  
SECONDED by Councillor Ball

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;
- (g) litigation or potential litigation affecting the city;
- (k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

## ITEMS ARISING FROM THE "IN CAMERA" MEETING OF FEBRUARY 18, 2014

Council made appointments to the following Civic Agencies:

- Civic Asset Naming Committee
- Development Permit Board Advisory Panel
- Children, Youth and Families Advisory Committee
- Gastown Historic Area Planning Committee
- Persons with Disabilities Advisory Committee
- Active Transportation Policy Council
- First Shaughnessy Advisory Design Panel

Names of those appointed can be obtained from the City's website.

## ADOPTION OF MINUTES

### 1. Regular Council - February 18, 2014

MOVED by Councillor Deal  
SECONDED by Councillor Reimer

THAT the Minutes of the Regular Council meeting of February 18, 2014, be approved.

CARRIED UNANIMOUSLY

**2. Public Hearing - February 18, 2014**

MOVED by Councillor Deal  
SECONDED by Councillor Tang

THAT the Minutes of the Public Hearing of February 18, 2014, be approved.

CARRIED UNANIMOUSLY

**3. Regular Council (Planning, Transportation and Environment) - February 19, 2014**

MOVED by Councillor Reimer  
SECONDED by Councillor Carr

THAT the Minutes of the Regular Council meeting following the Standing Committee on Planning, Transportation and Environment meeting of February 19, 2014, be approved.

CARRIED UNANIMOUSLY

**4. Court of Revision - February 19, 2014**

MOVED by Councillor Deal  
SECONDED by Councillor Reimer

THAT the Minutes of the Court of Revision meeting of February 19, 2014, be approved.

CARRIED UNANIMOUSLY

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Tang  
SECONDED by Councillor Meggs

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

CARRIED UNANIMOUSLY

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor Deal

THAT Council adopt Administrative Reports A1 to A5 and Policy Report P2 on consent.

CARRIED UNANIMOUSLY

## UNFINISHED BUSINESS

### 1. Rezoning: 960-968 Kingsway and 955 East 19<sup>th</sup> Avenue (DE413541)

On February 18, 2014, Vancouver City Council concluded the Public Hearing on the above-noted rezoning application and referred discussion and decision to the Regular Council meeting on March 11, 2014, as Unfinished Business.

Planning and Engineering Services staff responded to questions.

MOVED by Councillor Louie

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

#### CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Matthew Cheng Architect Inc. and stamped "Received City Planning Department, July 16, 2013", subject to the following conditions, provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

#### Design Development

1. Architectural expression will employ a palette of high quality durable materials and a refined detail finish.

Note to Applicant: The materials as proposed in this revised application, particularly with regard to the use of alternating brick and panel expression to the east and west elevations, are recognized as assisting in the above condition.

2. Provision of more planting along the laneway to green the rear elevation.

Note to Applicant: The intent is to reduce the visual scale of the new building relative to the neighbours across the lane by reducing exposed concrete. To better meet the intent, landscape proposals for a trellis or similar planting measure, along the face of the exposed architectural concrete on the lane toward the junction with 19th Avenue, should be developed. The landscaping measures, at the second-floor deck level adjacent to the lane and at the ground floor adjacent to the secondary residential entry on 19th Avenue, are recognized as assisting in the above condition.

3. Design development to mitigate direct overlook from upper floors to nearby residential neighbours.

Note to Applicant: This can be accomplished with the use of translucent glazing to a 36 inch height at the balcony guard rail and windows, or similar measures. As per condition 1.4 Part B below, clarification of balcony and rail details is required to determine whether this condition is met in the revised application.

#### Crime Prevention Through Environmental Design (CPTED)

4. Design development to consider the principles of CPTED, having particular regard for security in the underground parking.

Note to Applicant: Consider how lighting strategies can be used to improve perceived safety in underground areas. Accessible exterior walls should be noted as having anti-vandal coating. Design features that address CPTED principles should be noted on the development permit application.

#### Landscape Design

5. Design development provide a more substantial lane edge planting by adding a 4.0 ft. wide planter to the south of the two small car spaces and by adding a small tree to the larger planter to the east.

6. Clarification of the configuration of the lane edge planters.

Note to Applicant: The architectural plans and the Landscape Plans are not coordinated.

7. Provision of large-scale (1/4" = 1'-0") sections illustrating the soil depths for all planters, including the east side yard, the second-floor deck planter and the lane edge planter.

Note to Applicant: The sections should include the adjacent building structure.

8. Design development to locate, integrate and fully screen any emergency generator, exhaust ventilation, electrical substation and gas meter in a manner that minimizes their impact on the architectural expression, and the building's open space and public realm.

Note to Applicant: In order to prevent contaminated air from being drawn into the building, all fresh-air intake portals must be located away from driveways, and parking or loading areas.

#### Sustainability

9. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving LEED® Silver, including a minimum of 36 points in the LEED® rating system, three optimize energy performance points, one water efficiency point and one storm water point.

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

#### Engineering

10. Provision of increased parking ramp width, through the sections of the ramp which deflect, to enable two vehicles to pass by each other.
11. Provision of a minimum 3.0 m wide Class B loading space with direct access to the CRUs from the rear of the loading space.

Note to Applicant: It is expected that the truck must be backed into the loading space and exit only in a forward direction.

12. Provision of a redesigned commercial parking area that facilitates vehicles egress without excessive vehicle manoeuvring.

## CONDITIONS OF BY-LAW ENACTMENT

- (c) That prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services, the General Manager of Planning and Development Services, the General Manager of Engineering Services, the Managing Director of Social Development and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

### Engineering

1. Provision of a 5.5.m distance from the back of the City curb to the building face to be achieved through dedication and subdivision. A legal survey of the existing dimension from the back of the City curb to the existing property line is required and dedication of a portion of the site to achieve a 5.5 m distance is required. All portions of the building above and below grade are to be deleted from the dedication area.
2. Consolidation of Lots 7, 8 and 9, Block 65, DL 301, Plan 3940 to create a single parcel and subdivision of that site to result in the dedication of the south 6 feet for lane purposes.
3. Release of Easement & Indemnity Agreement 387050M (commercial crossing) prior to building occupancy.

Note to applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

4. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
  - (a) Provision of relocation of the wood pole at the lane entry. Confirmation that it can be relocated is required from all utility companies that are connected to the pole.
  - (b) Provision of improved sidewalks adjacent the site to the current commercial standards for the area.

- (c) Provision of a new concrete curb returns at the lane entry on 19th Avenue including a standard concrete crossing at the same location.
  - (d) Provision of street trees adjacent the site where space permits.
5. All utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

#### Housing

6. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to secure all residential units as for-profit affordable rental housing units pursuant to the City's Short Term Incentives for Rental Housing (STIR) Program for 60 years or life of the building, whichever is greater, subject to a no separate-sales covenant and a non-stratification covenant, and subject to all such units being made available as rental housing for a term of not less than one month at a time, and on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may require for such residential units to comply with the requirements of the STIR Program and in particular section 3.1A of the applicable Development Cost Levy By-Law.

The Housing Agreement to secure the rental units will include:

- a. A rent roll indicating the initial monthly rents for each rental unit;
- b. A covenant from the owner to submit, prior to issuance of an occupancy permit, a finalized rent roll to the satisfaction of the Managing Director of Social Development and Director of Legal Services that reflect the rental rates in the Housing Agreement on either a per unit or a per square foot basis in order to address potential changes in unit mix and/or sizes between the rezoning and development permit stage; and



- c. Such other terms and conditions as the Director of Legal Services may require.

Note to Applicant: this condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

#### Soils

7. If applicable:
  - (a) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
  - (b) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
  - (c) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as are considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, and letters of credit, and provide for the withholding of permits, as deemed appropriate by, and in the form and content satisfactory to, the Director of Legal Services.

- B. THAT, subject to approval in principle of the 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 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 approved.
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, 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".
- 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.
- F. THAT Council direct staff to investigate potential modifications to the Kingsway, Windsor Street and 19th Avenue intersection that would address neighbourhood traffic, bikeway and safety issues, for consideration in future capital plan funding allocations and to report back to Council.

CARRIED

(Councillors Affleck, Ball and Carr opposed)

## ADMINISTRATIVE REPORTS

**1. Local Improvement Flat Rates - 2013  
January 30, 2014**

THAT the flat rates (referred to as the "Actual P.O. Share Rate per ft.") shown on the "Local Improvement List of Projects Certified Complete in 2013", attached as Appendix A to the Administrative Report dated January 30, 2014, entitled "Local Improvement Flat Rates - 2013", be approved.

ADOPTED ON CONSENT

**2. Closure and Sale of a Portion of Lane Adjacent to 1041 SW Marine Drive  
February 11, 2014**

THAT Council close, stop-up and convey to the owners of 1041 SW Marine Drive and 8866 Osler Street (legally described as [PID: 017-459-273] Lot J of Lots 21 and 23, Block C, District Lot 319, Plan LMP1426; and, [PID: 008-249-016] Lot 14 and [PID:008-249-032] Lot 15 both Except part in Explanatory Plan 18601 of Lot 13, Block C, District Lots 319, 323 and 324, Plan 3509 (collectively the "Abutting Lands")):

1. that approximately 61.3 square metre portion of abutting lane, the same as generally shown shaded in grey on the sketch attached as Appendix B to the Administrative Report dated February 11, 2014, entitled "Closure and Sale of a Portion of Lane Adjacent to 1041 SW Marine Drive";
2. that approximately 30.7 square metre portion of abutting lane being: [PID: 008-260-290] That Part of Lot 14 included in Explanatory Plan 18601, the same as generally shown cross-hatched on the sketch attached as Appendix B to the above-noted report;
3. that approximately 35.3 square metre portion of abutting lane being: [PID: 008-260-311] That Part of Lot 15 included in Explanatory Plan 18601, the same as generally shown dotted on the sketch attached as Appendix B to the above-noted report; and
4. that approximately 245.3 square metre portion of abutting lane being: [PID: 012-812-757] the North 20 Feet of Lot 16, the same as generally shown hatched on the sketch attached as Appendix B to the above-noted report;

all together referred to as the "Old Lane", to be consolidated with the Abutting Lands subject to the terms and conditions as noted in Appendix A of the above-noted report.

ADOPTED ON CONSENT

**3. Federation of Canadian Municipalities (FCM), Union of British Columbia Municipalities (UBCM) and Lower Mainland Local Government Association (LMLGA) Membership Fees for 2014 to 2015  
January 21, 2014**

- A. THAT grants to the following organizations for the 2014 to 2015 membership fees be approved; the source of funds from the 2014 Operating Budget:
- |     |   |               |
|-----|---|---------------|
| (a) | Federation of Canadian Municipalities (FCM)         | \$82,884.07   |
| (b) | Union of British Columbia Municipalities (UBCM)     | \$50,375.05   |
| (c) | Lower Mainland Local Government Association (LMLGA) | \$ 3,000.00 * |
- (\* estimate)
- B. THAT a grant to the Federation of Canadian Municipalities be approved in the amount of \$10,561.29 representing an optional contribution to "BC's Travel Fund", to support the participation of elected officials from small communities on FCM's National Board of Directors.

ADOPTED ON CONSENT AND  
BY THE REQUIRED MAJORITY

**4. Contract Amendment (to add a second phase) to the Bloedel Conservatory Roof Panel Replacement Construction  
February 19, 2014**

- A. THAT Council authorize City staff to amend the existing contract with Spectrum Skyworks (2008) Partnership to add a second phase to the Bloedel Conservatory Roof Panel Replacement Construction Project in the amount of \$1,342,750, for a total contract award of \$2,382,477 (plus applicable taxes), to the satisfaction of the City's General Manager of Real Estate and Facilities Management, General Manager of Parks and Recreation, Chief Purchasing Official, General Manager of Financial Services and Director of Legal Services.
- B. THAT the Director of Legal Services be authorized to execute on behalf of the City the contract amendment contemplated by A above.
- C. THAT no legal rights or obligations will be created by Council's adoption of A and B above unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

5. **2013 Council Remuneration and Expenses  
February 21, 2014**

THAT the Administrative Report dated February 21, 2014, entitled "2013 Council Remuneration and Expenses" be received for information.

ADOPTED ON CONSENT

**POLICY REPORTS**

1. **CD-1 Text Amendment: 968-988 Howe Street  
February 25, 2014**

MOVED by Councillor Carr

- A. THAT the application by CEI Architecture, on behalf of The Manufacturers Life Insurance Company (Manulife), to amend CD-1 (Comprehensive Development) District (546) By-law No. 10688 for 968-988 Howe Street [PID: 028-846-915; Lot A Block 72 District Lot 541 Group 1 New Westminster District Plan EPP20143] to increase the permitted floor space ratio from 11.21 to 11.26 to allow for an additional 114.1 m<sup>2</sup> (1,228 sq. ft.) of floor area for uses that are accessory to office use within the below-grade parking garage, be referred to public hearing together with:
- i. plans prepared by CEI Architecture received December 4, 2013;
  - ii. draft by-law provisions, generally as presented in Appendix A of the Policy Report dated February 25, 2014, entitled "CD-1 Text Amendment: 968-988 Howe Street"; and
  - iii. the recommendation of the General Manager of Planning and Development Services to approve the application;

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

- B. THAT A 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  
(Councillor Reimer absent for the vote)

**2. CD-1 Rezoning: 4099 Cambie Street  
February 21, 2014**

- A. THAT the application by Yuanheng CKE Station Developments Ltd., to rezone 4099 Cambie Street (*PID: 027-575-926; Parcel 1, Block 660, District Lot 526, Group 1 New Westminster District, Plan BCP37294*) from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.51 and the height from 13.8 m (45 ft.) to 28.7 m (94 ft.) to permit the development of an eight-storey mixed-use building, with commercial uses on the ground floor and a total of 65 dwelling units on floors two to eight, be referred to a Public Hearing, together with:
  - (i) plans prepared by W. T. Leung Architects Inc., received on July 9, 2013;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated February 21, 2014, entitled "CD-1 Rezoning: 4099 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, 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 February 21, 2014, entitled "CD-1 Rezoning: 4099 Cambie 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 above-noted report, for consideration at the Public Hearing.

- 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 February 21, 2014, entitled "CD-1 Rezoning: 4099 Cambie Street".
- D. THAT, subject to the enactment of the 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 February 21, 2014, entitled "CD-1 Rezoning: 4099 Cambie 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.

- E. THAT A to 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

- 3. **CD-1 Rezoning: (a) 706-774 West 13<sup>th</sup> Avenue and (b) 755-799 West 14<sup>th</sup> Avenue (Heather Place)**  
February 25, 2014

MOVED by Councillor Meggs

- A. THAT the application by NSDA Architects Inc., on behalf of Metro Vancouver Housing Corporation, to rezone:
  - (i) 706-774 West 13th Avenue [PID: 007-043-881; Lot B, Block 438, District Lot 526, Plan 19390] (the "north lot") from CD-1 (Comprehensive Development) District 147 to a new CD-1 District to allow for development of a seven-storey residential building and a 10-storey residential building containing a total of 163 units of social housing and at a maximum floor space ratio (FSR) of 2.84; and

- (ii) 755-799 West 14th Avenue [PID: 007-043-899; Lot C, Block 438, District Lot 526, Plan 19390] (the "south lot") from CD-1 (Comprehensive Development) District 147 to a new CD-1 District to allow for development of a five-storey residential building containing a total of 67 units of social housing at a maximum floor space ratio (FSR) of 1.60,

be referred to a Public Hearing, together with:

- (iii) plans prepared by NSDA Architects, received June 12, 2013;
- (iv) draft CD-1 By-law provisions, generally as presented in Appendices A1 (for the 13th Avenue lot) and A2 (for the 14th Avenue lot) of the Policy Report dated February 25, 2014, entitled "CD-1 Rezoning: (a) 706-774 West 13<sup>th</sup> Avenue and (b) 755-799 West 14<sup>th</sup> Avenue (Heather Place)"; and
- (v) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendices B1 (for the 13th Avenue lot) and B2 (for the 14th Avenue lot) 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 the Public Hearing.

- B. THAT, subject to enactment of the CD-1 By-laws, 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 February 25, 2014, entitled "CD-1 Rezoning: (a) 706-774 West 13<sup>th</sup> Avenue and (b) 755-799 West 14<sup>th</sup> Avenue (Heather Place)";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendments to the Parking By-law at the time of enactment of the CD-1 By-laws.

- C. THAT, if after Public Hearing Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendices B1 and B2 of the Policy Report dated February 25, 2014, entitled "CD-1 Rezoning: (a) 706-774 West 13<sup>th</sup> Avenue and (b) 755-799 West 14<sup>th</sup> Avenue (Heather Place)", 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-laws 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.

- 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 bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of Metro Vancouver Housing Corporation; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY  
(Councillor Tang absent for the vote)

#### RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY  
(Councillor Tang absent for the vote)

#### ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal  
SECONDED by Councillor Reimer

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

CARRIED UNANIMOUSLY  
(Councillor Tang absent for the vote)

#### BY-LAWS

MOVED by Councillor Louie  
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 8 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY  
(Councillor Tang absent for the vote)

1. A By-law to repeal Street Vending By-law No. 4781 and to enact a new Street Vending By-law (By-law No. 10868)

2. A By-law to enact a Housing Agreement for 508 Helmcken Street (By-law No. 10869)
3. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (508 Helmcken Street) (By-law No. 10870)  
*(Councillor Meggs ineligible for the vote)*
4. A By-law to amend CD-1 By-law No. 5091 (4500 Oak Street - Children's and Women's Health Centre of British Columbia) (By-law No. 10871)  
*(Councillors Ball and Tang ineligible for the vote)*
5. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (955 East Hastings Street) (By-law No. 10872)
6. A By-law to amend Election By-law No. 9070 (By-law No. 10873)
7. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (1396 Richards Street) (By-law No. 10874)  
*(Councillors Affleck and Deal ineligible for the vote)*
8. By-law to enact a Housing Agreement for 1729-1735 East 33<sup>rd</sup> Avenue (By-law No. 10875)

#### MOTIONS

##### A. Administrative Motions

1. Approval of Form of Development: CD-1 (552) - 2001 West 10<sup>th</sup> Avenue

MOVED by Councillor Reimer

SECONDED by Councillor Meggs

THAT the form of development for this portion of the site known as 2001 West 10<sup>th</sup> Avenue (2555 Maple Street) be approved generally as illustrated in the Development Application Number DE416498, prepared by Bingham Hill Architects, and stamped "Received, Community Services Group, Planning and Development Services", on December 19, 2013, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY

*(Councillor Tang absent for the vote)*

## 2. Closure and Sale of a Portion of Lane Adjacent to 1041 SW Marine Drive

MOVED by Councillor Reimer  
SECONDED by Councillor Meggs

### THAT WHEREAS

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. There is a proposal to re-develop:
  - a) [PID: 017-459-273] Lot J of Lots 21 and 23 Block C District Lot 319 Plan LMP1426;
  - b) [PID: 008-249-016] Lot 14 Except Part in Explanatory Plan 18601 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509; and
  - c) [PID: 008-249-032] Lot 15 Except Part in Explanatory Plan 18601 of Lot 13, Block C District Lots 319, 323 and 324 Plan 3509;hereinafter defined as (the "Block C Lots");
3. The proposal requires the closure of:
  - a) a portion of lane west of Oak Street, north of Southwest Marine Drive (the "Oak West Lane") dedicated by the deposit of Plan 15279 on February 15, 1974;
  - b) the portion of lane described as [PID: 008-260-290] That Part of Lot 14 Included in Explanatory Plan 18601 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509 (the "Lot 14 Lane") established as lane by document R70651, deposited in the Land Title Office on July 27, 1987;
  - c) the portion of lane described as [PID: 008-260-311] That Part of Lot 15 Included in Explanatory Plan 18601 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509 (the "Lot 15 Lane") established as lane by document R70651, deposited in the Land Title Office on July 27, 1987; and
  - d) the portion of lane described as [PID: 012-812-757] The North 20 Feet of Lot 16 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509 (the "Lot 16 Lane") established as lane by document filed 43118, deposited in the Land Title Office in 1946, and by document E79556 deposited in the Land Title Office on November 17, 1977;
4. The said portions of lane to be closed are no longer required for municipal purposes, except for a part of the Lot 14 Lane that is to be dedicated back to the City;

5. The said portions of lane to be closed will be conveyed to the abutting owner and subdivided with the Block C Lots to form a single parcel, road and lane.

THEREFORE BE IT RESOLVED THAT

Firstly, the 61.4 square metre portion of lane dedicated by the deposit of Plan 15279 adjacent to [PID: 017-459-273] Lot J of Lots 21 and 23 Block C District Lot 319 Plan LMP1426 the same as shown in heavy outline on Plan EPP32332 completed by Edmund Theodore Wong, B.C.L.S., on the 21st day of June, 2013;

Secondly, [PID: 008-260-290] That Part of Lot 14 Included in Explanatory Plan 18601 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509, established as lane, see R70651;

Thirdly, [PID: 008-260-311] That Part of Lot 15 Included in Explanatory Plan 18601 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509, established as lane, see R70651; and

Fourthly, [PID: 012-812-757] The North 20 Feet of Lot 16 of Lot 13 Block C District Lots 319, 323 and 324 Plan 3509, established as lane, see E79556 and document filed 43118;

all to be closed stopped-up and conveyed to the owner of the Block C Lots.

BE IT FURTHER RESOLVED THAT the said portions of lane to be closed be subdivided with the Block C Lots to form a single parcel, road and lane as shown within the heavy bold outline on Plan EPP32333 completed by Edmund Theodore Wong, B.C.L.S., on the 21st day of June, 2013, to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer.

CARRIED UNANIMOUSLY  
(Councillor Tang absent for the vote)

**B. Motions on Notice**

**1. Protecting Vancouver's Public Green Space**

MOVED by Councillor Reimer  
SECONDED by Mayor Robertson

WHEREAS

1. The Greenest City Action Plan adopted by Council in 2011 sets a target that every person in Vancouver lives within a five-minute walk of a park, greenway or other public green space by 2020;
2. The Greenest City Action Plan did not set a target for the quality of biodiversity in Vancouver, but this goal is important for maintaining and enhancing local ecology;

3. Access to green space supports the City's draft Healthy City Strategy goals of Active Living & Getting Outside, and Environments to Thrive In;
4. Recent community planning processes such as the West End Community Plan, the Downtown Eastside Local Area Plan, Grandview Woodland Community Plan and the Marpole Community Plan all point to a strong desire from the public to maintain, and where possible increase, public access to green space;
5. The City of Vancouver, Vancouver Park Board and Vancouver School Board are all custodians of significant amounts of public green space.

THEREFORE BE IT RESOLVED THAT Council direct staff to:

- Work with the Vancouver Park Board and the Vancouver School Board to develop a strategy of no net loss of public green space in the city of Vancouver;
- Continue to increase public green space guided by the Greenest City Action Plan target, but also through other opportunities as they arise;
- Recommend a strategy, as part of the next Annual Greenest City Action Plan Update, to ensure biodiversity targets are set as part of the Greenest City Action Plan.

amended

AMENDMENT MOVED by Councillor Affleck  
SECONDED by Councillor Ball

THAT the motion be amended by adding the following at the end:

FURTHER THAT the overall goal of the City of Vancouver will be to expand Park space in the city at the same percentage increase as the city's population growth.

referred

REFERRAL MOVED BY Councillor Louie  
SECONDED by Councillor Reimer

THAT the above amendment be referred to the Park Board for their consideration.

CARRIED UNANIMOUSLY

AMENDMENT MOVED by Councillor Carr  
SECONDED by Councillor Ball

THAT the motion be amended in the first bullet of the RESOLVED to insert the words "and land-based parks" after the words "public green space", to read as follows:

- "Work with the Vancouver Park Board and the Vancouver School Board to develop a strategy of no net loss of public green space and land-based parks in the city of Vancouver;

LOST

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

The amendment having lost, Councillor Reimer requested to amend her motion in the first bullet of the RESOLVED by inserting the words "land-based" before the words "public green space".

The motion, as amended, was put and CARRIED UNANIMOUSLY.

FINAL MOTION AS APPROVED:

WHEREAS

1. The Greenest City Action Plan adopted by Council in 2011 sets a target that every person in Vancouver lives within a five-minute walk of a park, greenway or other public green space by 2020;
2. The Greenest City Action Plan did not set a target for the quality of biodiversity in Vancouver, but this goal is important for maintaining and enhancing local ecology;
3. Access to green space supports the City's draft Healthy City Strategy goals of Active Living & Getting Outside, and Environments to Thrive In;
4. Recent community planning processes such as the West End Community Plan, the Downtown Eastside Local Area Plan, Grandview Woodland Community Plan and the Marpole Community Plan all point to a strong desire from the public to maintain, and where possible increase, public access to green space;
5. The City of Vancouver, Vancouver Park Board and Vancouver School Board are all custodians of significant amounts of public green space.

THEREFORE BE IT RESOLVED THAT Council direct staff to:

- Work with the Vancouver Park Board and the Vancouver School Board to develop a strategy of no net loss of land-based public green space in the city of Vancouver;
- Continue to increase public green space guided by the Greenest City Action Plan target, but also through other opportunities as they arise;

- Recommend a strategy, as part of the next Annual Greenest City Action Plan Update, to ensure biodiversity targets are set as part of the Greenest City Action Plan.

AND FURTHER THAT the following be referred to the Park Board for their consideration:

THAT the overall goal of the City of Vancouver will be to expand Park space in the city at the same percentage increase as the city's population growth.

## 2. Traffic Safety and Increased Traffic Volume - 4th Avenue West of Macdonald

MOVED by Councillor Affleck  
SECONDED by Councillor Ball

WHEREAS

1. Keeping Vancouver streets safe for everyone - pedestrians, cyclists, and drivers, is a goal of the City of Vancouver;
2. On January 18, 2014, City crews closed Point Grey Road at Macdonald Street to through traffic vehicles, making Point Grey Road west of Macdonald Street a local street and forcing Westbound traffic south on Macdonald Street;
3. According to staff reports, closing Point Grey Road at Macdonald Street now diverts approximately 10,000 vehicles per day onto other arterial roads, including West 4th Avenue, and to a lesser degree, Broadway, West 10th Avenue and West 16<sup>th</sup> Avenue, as the remaining east-west connectors;
4. Residents in the neighbourhood north of 4th Avenue report that travelling south on any of the neighbourhood side streets (Balaclava, Trutch, Blenheim, Dunbar) and attempting to turn left onto 4th Avenue during the morning rush has now become difficult and dangerous due to the diversion of vehicles from Point Grey Road;
5. The City is currently monitoring traffic volumes in this neighbourhood, reviewing sight lines at the intersections, and reviewing other options including adding vehicle detection loops to activate existing signals along 4th Avenue.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to install appropriate traffic signals on 4th Avenue as soon as possible to mitigate the impacts of traffic that has been diverted from Point Grey Road and allow safe egress from the neighbourhood.

- B. THAT funds for appropriate traffic signals on 4th Avenue, and any other mitigations that may be needed, be found within the up to \$6.0 million budget previously approved by Council for Phase 1 of the completion of the Seaside Greenway and creation of the York Bikeway.

referred

REFERRAL MOVED by Councillor Louie  
SECONDED by Councillor Tang

THAT the motion be referred to staff for consideration as part of their on-going monitoring process on this matter.

CARRIED UNANIMOUSLY

### 3. Develop an Art Cart Programme

MOVED by Councillor Deal  
SECONDED by Councillor Meggs

WHEREAS

1. The Vancouver street food program has become hugely successful, attracting national and international media attention;
2. There are currently 34 non-food street vending carts with permits in the City of Vancouver;
3. Vancouver is home to a high concentration of artists and artisans who are often challenged finding local places to sell their products;
4. The current non-food vending guidelines define handcrafts as "original work, non-manufactured products";
5. There are a variety of mobile art vendor programs in other cities, including craft tables run by the Craft Council of British Columbia at YVR.

THEREFORE BE IT RESOLVED

- A. THAT Council request staff to develop recommendations for options to refine and expand the non-food street vending program to encourage the sale of locally-made crafts and arts.
- B. THAT staff consult with the Arts and Culture Policy Council, existing vendors and other stakeholders on potential changes.



- C. THAT staff report back with recommendations prior to the implementation of the 2015 program in spring 2015.

CARRIED UNANIMOUSLY

4. Proposed Service Cuts on TransLink Bus Route 49 UBC/Metrotown Station

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

MOVED by Councillor Meggs  
SECONDED by Councillor Reimer

WHEREAS

1. TransLink is considering changes to the 49 UBC/Metrotown Station bus route under the Service Optimization Program that would eliminate long-standing service to Champlain Heights and 14 stops in that section of the route;
2. This community, which includes a high proportion of seniors, young families and people with disabilities who rely on transit service to work, go to school and complete essential daily tasks, has had service on this route since the 1970s;
3. The Route 26 Joyce Station/29th Ave. Station, the only other route through the area, has already seen service reductions, has much less frequent service and does not serve most of the affected area; and
4. More than 150 residents turned out to a TransLink consultation on February 18, 2014, to oppose the changes.

THEREFORE BE IT RESOLVED THAT Council direct staff:

- to advise TransLink that the City of Vancouver opposes any reduction of service to the Champlain Diversion neighbourhood;
- to work with TransLink to ensure continued access to transit service for the neighbourhood; and
- to recommend to TransLink that service be increased on Route 49 to reduce pass-ups and overcrowding.

CARRIED UNANIMOUSLY

## 5. Support for Greater Vancouver Food Bank Society

MOVED by Councillor Reimer  
SECONDED by Councillor Deal

### WHEREAS

1. Greater Vancouver Food Bank Society (GVFBS) is a charitable food provider located in East Vancouver;
2. GVFBS was founded in 1982 with the intention of being a temporary relief to the hunger crisis resulting from the economic recession;
3. Since its founding, demand for the GVFBS has only grown, and it now provides assistance to over 28,000 people weekly through 15 food depots and over 100 community agencies located in Vancouver, Burnaby, New Westminster and North Vancouver;
4. In 2013, the GVFBS undertook its first ever strategic planning session which acknowledged that emergency food provision as a standalone is not a long-term solution and charts a five-year plan to move to a model of food education, empowerment and sustainability;
5. Also in 2013, the City of Vancouver adopted the Vancouver Food Strategy which commits the City to achieving similar goals in partnership with community food organizations;
6. GVFBS must move from its leased 33,000 square foot warehouse location by June 30, 2017 providing an opportunity for exploring partnerships to achieve shared goals between GVFBS and the City of Vancouver.

THEREFORE BE IT RESOLVED THAT staff work with the Greater Vancouver Food Bank Society to:

- identify possible solutions and partnerships, including with other community food organizations, to support achieving shared food policy goals and increasing food assets as outlined in the GVFBS strategic plan and Vancouver Food Strategy;
- support the GVFBS in relocating to a new space such that it supports shared goals, and integrating other food assets, including components of a food hub as envisioned by the Vancouver Food Strategy, while allowing for continuity of service provision.

CARRIED UNANIMOUSLY

**6. Request of the Province: Benchmarking Tools for Building Energy Use**

*The following motion contains additional wording to the second WHEREAS from the original Motion on Notice.*

MOVED by Councillor Louie  
SECONDED by Councillor Reimer

WHEREAS

1. As study by the United States Environmental Protection Agency has shown that energy benchmarking has resulted in an average 7% reduction in energy use of participating buildings over a period of 3 years;
2. On September 24, 2013 Vancouver City Council endorsed: *F. THAT as part of a comprehensive strategy on building retrofit to enable reaching Greenest City GHG goals, Council direct City staff to develop recommendations for Council consideration on energy reporting requirements for larger existing buildings in the City of Vancouver, and staff have identified Provincial action as important to achieving this goal;*
3. Energy benchmarking is a low cost practice that enables building owners to identify savings opportunities;
4. Nine municipalities in the US require energy benchmarking for larger buildings (typically 50,000 square feet or larger);
5. Energy benchmarking software called ENERGY STAR Portfolio Manager is available for free through Natural Resources Canada and is the same platform being used by all 9 municipalities in the US that are currently regulating energy benchmarking;
6. Energy benchmarking identifies the highest energy consuming buildings to target building energy performance support and inform public policy and program design;
7. Energy benchmarking enables evaluation of the effectiveness of municipal strategies to reduce energy use in existing buildings (measure progress over time) that are developed in response to the *Local Government Act section 877(3): An official community plan must include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets.*

THEREFORE BE IT RESOLVED

- A. THAT City Council request provincial amendments to the Vancouver Charter, Local Government Act and the Community Charter in order to empower local governments to require annual reporting of building energy use data to be submitted by building owners or designate, that enables normalized comparison benchmarking between similar buildings (area, use, type of equipment, etc.).
- B. THAT City Council request additional amendments to grant local governments the authority to enable the public release of non-confidential and non-competitive building energy benchmarking information via a municipal website or that of a delegated organization, two years following the submission of reporting data by building owners to local governments and following an accuracy review by owners.
- C. THAT this resolution be forwarded to the Lower Mainland Local Government Association Annual General Meeting and the Union of British Columbia Municipalities Annual Convention for consideration and adoption.

CARRIED UNANIMOUSLY

7. Request for Leave of Absence - Councillor Deal

MOVED by Councillor Reimer  
SECONDED by Councillor Tang

THAT Councillor Deal be granted Leave of Absence for Civic Business from all meetings to be held on April 29 and 30, 2014.

CARRIED UNANIMOUSLY

NEW BUSINESS

1. Request for Leave of Absence - Councillor Meggs

MOVED by Councillor Louie  
SECONDED by Councillor Deal

THAT Councillor Meggs be granted Leave of Absence for Civic Business from the Standing Committee on City Finance and Services meeting to be held on Wednesday, March 12, 2014.

CARRIED UNANIMOUSLY

**2. Request for Leave of Absence - Councillor Stevenson**

MOVED by Councillor Louie  
SECONDED by Councillor Deal

THAT Councillor Stevenson be granted Leave of Absence for Personal Reasons from all meetings to be held on March 14 and 15, 2014.

CARRIED UNANIMOUSLY

**3. Request for Leave of Absence - Councillor Reimer**

MOVED by Councillor Deal  
SECONDED by Councillor Louie

THAT Councillor Reimer be granted Leave of Absence for Civic Business from meetings to be held on March 13, 2014.

CARRIED UNANIMOUSLY

**ADJOURNMENT**

MOVED by Councillor Ball  
SECONDED by Councillor Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Council adjourned at 12:11 pm.

\* \* \* \* \*