



## REGULAR COUNCIL MEETING MINUTES

FEBRUARY 3, 2015

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, February 3, 2015, 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 Melissa De Genova\*  
Councillor Heather Deal\*  
Councillor Kerry Jang\*  
Councillor Raymond Louie  
Councillor Geoff Meggs\*  
Councillor Andrea Reimer\*  
Councillor Tim Stevenson

**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.

\* \* \* \* \*

*The meeting was called to order by Deputy Mayor Reimer.*

\* \* \* \* \*

### "IN CAMERA" MEETING

MOVED by Councillor Deal  
SECONDED by Councillor Stevenson

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:

(g) litigation or potential litigation affecting the city;

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

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

CARRIED UNANIMOUSLY  
(Mayor Robertson absent for the vote)

#### **ADOPTION OF MINUTES**

##### **1. Regular Council - January 20, 2015**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting of January 20, 2015, be approved.

CARRIED UNANIMOUSLY  
(Mayor Robertson absent for the vote)

##### **2. Regular Council (Planning, Transportation and Environment) - January 21, 2015**

MOVED by Councillor Deal  
SECONDED by Councillor Stevenson

THAT the Minutes of the Regular Council meeting following the Standing Committee on Planning, Transportation and Environment meeting of January 21, 2015, be approved.

CARRIED UNANIMOUSLY  
(Mayor Robertson absent for the vote)

##### **3. Chauffeur's Permit Appeal Hearing - January 27, 2015**

MOVED by Councillor Carr  
SECONDED by Councillor Jang

THAT the Minutes of the Chauffeur's Permit Appeal Hearing of January 27, 2015, be approved.

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

## COMMITTEE OF THE WHOLE

MOVED by Councillor Louie  
SECONDED by Councillor Stevenson

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

CARRIED UNANIMOUSLY  
(Mayor Robertson absent for the vote)

## MATTERS ADOPTED ON CONSENT

MOVED by Councillor Deal

THAT Council adopt Policy Reports P2 and P6 on consent.

CARRIED UNANIMOUSLY  
(Mayor Robertson absent for the vote)

## REPORT REFERENCE

### 1. Actions to Support Transit Funding Plebiscite

*Mayor Robertson arrived shortly after the start of this item and assumed the Chair.*

Jerry Dobrovlny, Director of Transportation, Engineering Services, provided a presentation regarding Actions to Support the Transportation and Transit Referendum, including an overview of the Mayors' Council Plan and the benefits for Vancouver, and a communications strategy. Mr. Dobrovlny, along with Rena Kendall-Craden, Director, Corporate Communications, Brian Jackson, General Manager, Planning and Development Services, Mike Buda, Interim Executive Coordinator, Mayors' Council on Regional Transportation, and Charles Gauthier, President and CEO, Downtown Vancouver BIA, responded to questions regarding the plan.

## UNFINISHED BUSINESS

### 1. Review of the 2014 City of Vancouver Civic Election

Vancouver City Council, at its Regular Council meeting on January 20, 2015, referred a Motion on Notice on the above-noted matter to the Standing Committee on Planning, Transportation and Environment meeting on January 21, 2015, in order to hear from a speaker.

Subsequently, on January 21, 2015, Council referred consideration of the motions set out below to the Regular Council meeting on February 3, 2015, as Unfinished Business.

Councillor Affleck requested the components of the motion be separated for the vote.

MOVED by Councillor Reimer

- A. THAT staff report back to Council to provide analysis on what factors were considered most significant to the 26% increase in voter turnout between the 2011 and 2014 municipal elections.
  
- B. THAT staff report back to Council to provide recommendations for the membership and terms of reference for an independent committee with a broad mandate to:
  - (i) survey candidates and parties as to their experience in the election;
  - (ii) review whether the allocation of resources from Council is sufficient to meet expectations in an election; and
  - (iii) create a plan for advancing previous Council directives to staff regarding electoral procedures including:
    - (a) Request to Province for ability to implement campaign finance reforms including limits to contributions and a ban on corporate and union donations;
    - (b) Request to Province for ability to use proportional voting systems;
    - (c) Request to Province to make anonymous balloting data available in open data format after an election;
    - (d) Request to Province to conduct an online voting pilot;
    - (e) Priority Actions 14-18 from the Engaged City Task Force, and recommendation 07.2 from the Healthy City Strategy (set out below):

***Engaged City Task Force - Priority Actions 14-18:***

- 14. Increase the number of "positive cues" to encourage voting
- 15. Target Voter Registration
- 16. Investigate extending voting rights to permanent residents
- 17. Use the election ballot to get feedback on voter satisfaction with the current voting system
- 18. Take Action on campaign finance reform

***Healthy City Strategy - 07.2:***

- 2. By 2025, increase municipal voter turnout to at least 60 per cent.

CARRIED

(Councillors Affleck and Ball opposed to B(iii))

## POLICY REPORTS

### 1. CD-1 Rezoning - 5080, 5060, 5040 and 5030 Quebec Street January 20, 2015

\* \* \* \* \*

*Councillor De Genova declared Conflict of Interest in regard to this matter as her personal residence is in very close proximity to the proposed rezoning. Councillor De Genova left the meeting at 11:22 am, and did not return until after the vote on the matter had been concluded.*

\* \* \* \* \*

MOVED by Councillor Louie

- A. THAT the application by Taylor Kurtz Architecture + Design Inc., on behalf of BOFFO Homes (Main Street) Inc., to rezone 5080, 5060, 5040 and 5030 [Lots 15 to 18, Block 4, District Lot 637, Plan 7030; PIDs 004-397-991, 010-747-583, 010-747-591, 010-747-605 respectively] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.7 to 2.3 FSR and the height from 9.5 m (35 ft.) to 18.9 m (62 ft.) to permit the development of a five-storey residential building, containing a total of 38 dwelling units, be referred to a Public Hearing together with:
- i. plans prepared by Taylor Kurtz Architecture + Design Inc., received May 2, 2014;
  - ii. draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 20, 2015, entitled "CD-1 Rezoning - 5080, 5060, 5040 and 5030 Quebec 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 Policy 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 Policy Report for consideration at Public Hearing.

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated January 20, 2015, entitled "CD-1 Rezoning - 5080, 5060, 5040 and 5030 Quebec 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 Bylaw.

- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City;

- and expenditure of funds or incurred costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY  
(Councillor De Genova absent for the vote due to Conflict of Interest)

2. **CD-1 Rezoning - 2095 West 43<sup>rd</sup> Avenue  
January 26, 2015**

- A. THAT the application by Rositch Hemphill Architects, on behalf of 0964707 B.C. Ltd. (Bogner Development Group), to rezone 2095 West 43rd Avenue [PID 006-838-146; Lot B of Lot 3, Block 15, District Lot 526, Plan 20159] from RM-3A (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.35 to 2.30 and the building height from 10.7 m (35 ft.) to 14.6 m (48 ft.) to permit the development of a four-storey mixed-use building containing commercial space at grade and 17 dwelling units, be referred to a Public Hearing, together with:
- (i) plans prepared by Rositch Hemphill Architects, received July 31, 2014;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 2095 West 43<sup>rd</sup> 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 Policy 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 Policy Report for consideration at the Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigning Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 2095 West 43<sup>rd</sup> 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 Policy Report, for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, Schedule A to the Parking Meter By-law be amended to extend the parking meter zone "F", as shown on the map of Kerrisdale, to include the 5800 block of East Boulevard and the 2000 block of West 43rd Avenue between East Boulevard and the lane east of East Boulevard, thereby allowing parking meters to be installed in front of the proposed development;

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

- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at 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 - 408-488 West King Edward Avenue  
January 26, 2015**

\* \* \* \* \*

*Councillor Ball declared Conflict of Interest on this matter as she lives in close proximity to the proposed rezoning. Councillor Ball left the meeting at 11:23 am, and did not return until after the vote on the matter had been concluded.*

*Councillor De Genova returned to the meeting at 11:24 am.*

\* \* \* \* \*

MOVED by Councillor Carr

- A. THAT the application by Norr Architects Planners, on behalf of Care Pacific (The Gardens at Villa Royale) Inc., to rezone 408-488 West King Edward Avenue [Lots 5 to 12 Block 681 District Lot 526 Plan 6853; PIDs 010-795-316, 010-795-341, 003-502-015, 010-795-359, 010-795-367, 010-795-383, 010-795-413 and 010-795-448 respectively] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.27 and height from 10.7 m (35.1 ft.) to 20.3 m (66.5 ft.) to permit a

6-storey seniors residential development comprised of 32 community care bedrooms and 103 Seniors Supportive or Assisted Housing units of which 47 will be strata titled and 56 will be secured as market rental, be referred to a Public Hearing, together with:

- (i) plans prepared by Norr Architects Planners, received June 5, 2014;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 408-488 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 Policy 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 Policy Report for consideration at Public Hearing.

- B. THAT subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 408-488 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.

- C. THAT, subject to enactment of the CD-1 By-laws, the Parking By-law be amended to include the CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 408-488 West King Edward Avenue".
- D. 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 26, 2015, entitled "CD-1 Rezoning - 408-488 West King Edward Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment to authorize the City to enter into the Housing Agreement, after it has been signed by the developer and its mortgagee(s), and prior to enactment of the CD-1 By-law contemplated by this report.
- E. 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 26, 2015, entitled "CD-1 Rezoning - 408-488 West King Edward Avenue".

- F. THAT A to E above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY  
(Councillor Jang absent for the vote)  
(Councillor Ball absent for the vote due to Conflict of Interest)

\* \* \* \* \*

*Councillor Ball returned to the meeting at 11:33 am.*

\* \* \* \* \*

**4. CD-1 Rezoning - 1070 and 1090 West Pender Street  
January 22, 2015**

During questions to staff from Councillor Carr, Councillor Louie rose on a Point of Order to note that Councillors should limit their comments to asking clarifying questions or requesting information that will help them to make a decision at Public Hearing. The Mayor agreed.

MOVED by Councillor Deal

- A. THAT the application by Musson Cattell Mackey Partnership to rezone:
- (i) 1070 West Pender Street (PID: 024-551-945, Lot 1, Block 2, District Lot 185, Group 1, New Westminster District Plan LMP42705) on behalf of Bentall Kennedy Prime Canadian Property Fund Ltd., and
  - (ii) 1090 West Pender Street (PID: 004-920-392, Lot 10, Block 2, District Lot 185, Plan 92) on behalf of 1090 Pender Properties Ltd.,
- from Downtown District (DD) to a Comprehensive Development (CD-1) District, to increase the floor space ratio from 11.0 to 18.22 (with the proviso that these lands will not be developed to a floor space ratio greater than 17.5, as discussed in this report) to allow for the construction of a 52,222 m<sup>2</sup> (562,135 sq. ft.) 31-storey office building, with retail uses at grade, be referred to a Public Hearing, together with:

- (i) plans prepared by Musson Cattell Mackey Partnership, received November 27, 2013;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 22, 2015, entitled "CD-1 Rezoning - 1070 and 1090 West Pender 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 Policy 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 Policy Report for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated January 22, 2015, entitled "CD-1 Rezoning - 1070 and 1090 West Pender 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 the above-noted Appendix C for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule A, generally as set out in Appendix C of the Policy Report dated January 22, 2015, entitled "CD-1 Rezoning - 1070 and 1090 West Pender Street";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law at the time of enactment of the CD-1 By law.

- D. THAT, 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 22, 2015, entitled "CD-1 Rezoning - 1070 and 1090 West Pender 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.

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

CARRIED UNANIMOUSLY  
(Councillors Jang and Reimer absent for the vote)

5. CD-1 Rezoning - 1600, 1600A and 1620 West 6<sup>th</sup> Avenue  
January 23, 2015

MOVED by Councillor Carr

- A. THAT the application by Austerville Properties Limited to rezone 1600, 1600A and 1620 West 6th Avenue [Lots 8, 9, and 10, Block 289, District Lot 526, New Westminster District, Plan 590; PIDs: 012-521-299, 012-521-302 and 012-521-311 respectively] from C-3A (Commercial/Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.30 to 4.37 and the height from 30.5 m (100 ft.) to 31.44 m (103.2 ft.) to permit the development of a 12-storey residential building containing 99 secured market rental housing units, be referred to a Public Hearing, together with:
  - (i) plans prepared by W.T. Leung Architects Inc. received on September 29, 2014;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 23, 2015, entitled "CD-1 Rezoning - 1600, 1600A and 1620 West 6<sup>th</sup> 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 Policy 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 Policy Report for consideration at Public Hearing.

- B. THAT, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated January 23, 2015, entitled "CD-1 Rezoning - 1600, 1600A and 1620 West 6<sup>th</sup> Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s), prior to enactment of the CD-1 By-law contemplated by this report.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated January 23, 2015, entitled "CD-1 Rezoning - 1600, 1600A and 1620 West 6<sup>th</sup> 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.

- D. 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 costs;
  - (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  
(Councillors Deal, Jang and Reimer absent for the vote)

6. CD-1 Rezoning - 450 Gore Avenue  
January 26, 2015

- A. THAT the application by Gair Williamson Architect, on behalf of GMC (450 Gore) Properties Inc., to rezone 450 Gore Avenue [Lots 31 to 33, Block 71, District Lot 196, Plan 196, PIDs: 015-577-457, 015-577-481, 015-577-490 respectively] from RT-3 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.6 to 4.5, to allow for the construction of a six-storey mixed-use building with retail at grade and all residential units secured by a Housing Agreement as for profit affordable rental housing, be referred to a Public Hearing, together with:
- (i) plans prepared by Gair Williamson Architect, received November 28, 2014;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 450 Gore 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 Policy 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 Policy Report for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (C-2)], generally as set out in Appendix C of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 450 Gore 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 Policy Report for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 450 Gore 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.

- D. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated January 26, 2015, entitled "CD-1 Rezoning - 450 Gore 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.

- E. 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 26, 2015, entitled "CD-1 Rezoning - 450 Gore Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s), prior to enactment of the CD-1 By-law contemplated by this report.

- F. THAT A through E above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and

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

ADOPTED ON CONSENT

**7. CD-1 Rezoning - 445 Southwest Marine Drive (Marine Gardens)  
January 27, 2015**

MOVED by Councillor Carr

- A. THAT the application by GBL Architects on behalf of 0881269 B.C Ltd. (Concord Pacific) to amend CD-1 (71) By-Law No. 4570 for 445 Southwest Marine Drive [PID 007-971-338, Lot 1, District Lots 311 and 323, Plan 13979] to increase the floor space ratio (FSR) from 0.60 to 4.21 and the maximum height from two storeys to 71.63 m (235 ft.), to permit a development comprised of two residential towers at 27- and 21-storeys, and a seven-storey residential building including a 37-space childcare at grade, be referred to a Public Hearing, together with:
  - (i) plans prepared by GBL Architects received March 12, 2013,
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 27, 2015, entitled "CD-1 Rezoning - 445 Southwest Marine Drive (Marine Gardens)", 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 Policy 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 Policy 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 27, 2015, entitled "CD-1 Rezoning - 445 Southwest Marine Drive (Marine Gardens)";

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, 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 27, 2015, entitled "CD-1 Rezoning - 445 Southwest Marine Drive (Marine Gardens)".
- D. 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 27, 2015, entitled "CD-1 Rezoning - 445 Southwest Marine Drive (Marine Gardens)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment after the Housing Agreement has been agreed to and signed by the applicant and its mortgagee(s), prior to enactment of the CD-1 By-law contemplated by the above-noted Policy Report.
- 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  
(Councillor Reimer 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 Reimer absent for the vote)

#### ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie  
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY  
(Councillor Reimer absent for the vote)

#### BY-LAWS

Councillors Jang and Stevenson advised they had reviewed the proceedings of the portion of meeting which they missed in relation to By-law 1, and they would therefore be voting on its enactment.

MOVED by Councillor Louie  
SECONDED by Councillor Jang

THAT Council, except for those members ineligible to vote as noted below, enact the by-law listed on the agenda for this meeting as number 1, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY  
(Councillor Reimer absent for the vote)

1. A By-law to amend Zoning and Development By-law No. 3575 to Rezone an area to CD-1 (960-968 Kingsway and 955 East 19<sup>th</sup> Avenue) (By-law No. 11159)  
(*Councillor De Genova ineligible for the vote*)

## MOTIONS

### A. Administrative Motions

1. Approval of Form of Development - 55 Expo Boulevard

MOVED by Councillor Jang  
SECONDED by Councillor Louie

THAT the form of development for this portion of the site known as 55 Expo Boulevard be approved generally as illustrated in the Development Application Number DE417537, prepared by Francl Architecture, and stamped "Received, Community Services Group, Planning and Development Services", on June 17, 2014, 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 Reimer absent for the vote)

### B. Motions on Notice

1. Request for Leave of Absence - Councillor Stevenson

MOVED by Councillor Deal  
SECONDED by Councillor Louie

THAT Councillor Stevenson be granted Leave of Absence for Civic Business from the Standing Committee on City Finance and Services meeting to be held on February 4, 2015, and all meetings to be held on March 4, 2015, and July 8, 2015.

FURTHER THAT Councillor Stevenson be granted Leave of Absence for Personal Reasons from the Public Hearing back-up scheduled for March 5, 2015.

CARRIED UNANIMOUSLY  
(Councillor Reimer absent for the vote)

## 2. Vancouver Outdoor Lighting Strategy

The following motion contains amendments to the original Motion on Notice, which were accepted by the Council.

MOVED by Councillor Ball  
SECONDED by Councillor De Genova

Towards enacting a healthy, safe and energy efficient outdoor lighting strategy in order to control harmful outdoor lighting, set standards for outdoor lighting and provide for the designation of dark-sky preserves.

### WHEREAS

1. Careful management of outdoor lighting is necessary to protect the health, safety, energy, security, environment and general welfare of citizens. Until the turn of the nineteenth century, evening brought an end to many of mankind's activities. The introduction of incandescent lamps dramatically increased the range of pursuits possible after dark. As the science of lighting evolved, technical advancements gradually outstripped the basic requirement of providing illumination simply for the task at hand. Today, in the case of outdoor lighting, there is growing recognition that the consequences are not always benign;
2. Scientific evidence demonstrates that misdirected, unshielded, excessive or unnecessary outdoor night lighting has detrimental effects on humans, animals and birds. Energy is wasted when illumination is used excessively and inefficiently. The human eye automatically adjusts to the brightest light in view, and the glare from unshielded or excessively bright outdoor lighting can actually interfere with the clear perception of other objects in one's field of vision;
3. Inappropriate use of outdoor lighting can have a negative impact on the natural environment, interfering with normal patterns of activity, behavior and physiology of flora and fauna. Recent research has indicated that exposure to light at night can upset normal human circadian rhythms, thereby disrupting hormone secretions and weakening the body's immune system;
4. Cost-efficient means and practices exist through which appropriate use of shielded luminaires provide adequate night lighting that is safe and effective with minimal light trespass, glare, and sky glow;
5. Vancouver City Council adopted the Clouds of Change report in 1990;
6. Vancouver City Council adopted the Greenest City Action Plan in 2011;
7. The City of Vancouver has adopted the British Columbia Building Code (By-Law No 10908), which in turn references the Energy Efficiency requirements of

- ASHRAE 90.1. The exterior lighting requirements outlined in Section 9 Lighting of ASHRAE 90.1 do not, however, specifically address Dark Sky issues;
8. The City of Vancouver has adopted LEED Gold criteria for all new City buildings and, although LEED includes a possible point for Light Pollution Reduction, this is not a mandatory requirement;
  9. The City of Vancouver Bird Strategy Initiative and Design Guidelines includes recommendation 2.3 - "Explore solutions to the impact of light pollution on birds";
  10. The International Dark Sky Association and the Illuminating Engineering Society have prepared a Model Lighting Ordinance to assist municipalities in the implementation of appropriate Dark Sky lighting legislation. The Royal Astronomical Society of Canada has also created guidelines for Outdoor Lighting and public education programs;
  11. Other jurisdictions including New York City, and the State of New York have recently adopted Lighting Ordinances. Dozens of Canadian cities and several Provinces have and are developing strategies and legislation to deal with light pollution.

THEREFORE BE IT RESOLVED

- A. THAT Vancouver City Council direct staff to consult with stakeholders, including industry, architects, lighting designers, naturalists, Council Advisory Committees including the Women's, Seniors', Persons with Disabilities, and Public Art Committees, the Active Transportation and Arts and Culture Policy Councils, appropriate non-profit agencies and the general public, in order to develop a Vancouver Outdoor Lighting Strategy based on best international practices, with specific local recommendations and observations.
- B. THAT the purpose of this planned Outdoor Lighting Strategy is to provide directions for outdoor lighting that will address the following measures:
  - a. Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for nighttime safety, utility, security, productivity, enjoyment, and commerce;
  - b. Consider the inclusion of illuminated signs and their effects on the environment;
  - c. Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light;
  - d. Curtail outdoor light pollution, reduce sky glow and improve the nighttime environment for astronomy;
  - e. Help protect the natural environment from the adverse effects of night lighting from gas or electric sources;
  - f. Conserve energy and resources to the greatest extent possible;
  - g. Limit light pollution in Vancouver in a cost-effective and socially feasible manner in order to protect public health, safety and the

environment and yet still allow for artistic and creative design and events.

- C. THAT Council requests staff to report back within two months on a budget for the preparation of the strategy and that staff consider the appointment of a steering committee of local experts to assist in the preparation of recommendations in order to move forward as soon as possible with the strategy.

CARRIED UNANIMOUSLY

### 3. Review of Compensation for Members of Council and Park Board

The following motion contains an addition to the original Motion on Notice, which was accepted by the Council.

MOVED by Councillor Meggs

SECONDED by Councillor Stevenson

WHEREAS

1. Council decided on December 8, 2014, to change the allocation of Council duties in response to the evolving and increasing responsibilities expected of Council members;
2. The new structure approved by Council includes, for the first time, the full-time appointment of a Deputy Mayor and an Acting Mayor, as well as a roster of Councillors to represent Council in a protocol role;
3. The Vancouver Charter mandates Council to establish compensation for Park Board Commissioners;
4. Questions of compensation for Councillors and Park Board Commissioners, as well as the resources necessary for them to perform their duties, have historically been based on the recommendations of an independent review;
5. The workload for Councillors and Park Board Commissioners has been significantly increased by the rising volume of citizen e-mails and phone calls, each meriting prompt and full reply;
6. The methodology used in the By-law for calculating Councillor salaries is no longer valid as a result of changes to the Long Form Census;
7. There has been no review of these matters since 1995 for Councillors and 1993 for Park Board Commissioners.

THEREFORE BE IT RESOLVED THAT Council direct staff to recommend an independent, qualified individual and an appropriate budget, which includes the capacity for related research, to conduct a review of Council compensation and resources, with a goal of reporting back to Council by June 30, 2015, including recommendations for:

1. Changes to the current formula for calculating wages and benefits for Councillors and Park Board Commissioners, if appropriate, taking into account best practices in other jurisdictions of similar size as well as relevant benchmarks for comparison;
2. Clarifying the duties and appropriate additional compensation for the Deputy Mayor and Acting Mayor in view of the change in duties contemplated by Council, as well as for the duty Councillor on call; and
3. Changes, if required, to the resources available to Councillors, including staff, to ensure Councillors are able to respond to citizens' needs in an appropriate and timely way.

CARRIED UNANIMOUSLY

#### NEW BUSINESS

1. **Request for Leave of Absence - Mayor Robertson**

MOVED by Councillor Louie  
SECONDED by Councillor Ball

THAT Mayor Robertson be granted Leave of Absence for Civic Business from the Standing Committee on City Finance and Services meeting to be held on Wednesday, February 4, 2015.

CARRIED UNANIMOUSLY

#### NOTICE OF MOTION

1. **Park Board-led Consultation and Development of the Southeast Vancouver Seniors Centre**

Councillor De Genova submitted a Notice of Motion for the next Regular Council meeting regarding the development of the Southeast Vancouver Seniors Centre. The motion will be placed on the agenda of the Regular Council meeting on February 17, 2015, as a Motion on Notice.

## ENQUIRIES AND OTHER MATTERS

### 1. Tiny Homes

Councillor Reimer noted that she has been receiving numerous enquiries regarding "tiny homes", and enquired whether staff had looked at this issue. The City Manager confirmed that it is something that staff was looking into.

## ADJOURNMENT

MOVED by Councillor Jang  
SECONDED by Councillor Ball

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillors Affleck, Carr and Meggs absent for the vote)

The Council adjourned at 12:33 pm

\* \* \* \* \*