



## REGULAR COUNCIL MEETING MINUTES

FEBRUARY 2, 2016

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, February 2, 2016, at 9:38 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 Geoff Meggs\*  
Councillor Andrea Reimer  
Councillor Tim Stevenson\*

**ABSENT:** Councillor Raymond Louie (Leave of Absence - Civic Business)

**CITY MANAGER'S OFFICE:** Sadhu Johnston, Acting City Manager

**CITY CLERK'S OFFICE:** Janice MacKenzie, City Clerk  
Terri Burke, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

### PROCLAMATION - Lunar New Year

The Mayor proclaimed the week of February 8 to 14, 2016, as Lunar New Year Celebration Week in the city of Vancouver and invited the following to receive the proclamation and say a few words:

- Willie Chan, Chair, Vancouver Chinatown Merchants Association (VCMA)
- Grace Wong, Chair, SUCCESS
- Gilbert Tan, Chinese Freemasons
- Raymond Tam, Chair, Business Management Committee, Shon Yee Benevolent Association
- James Chu, Chair, Chinese Benevolent Association
- Fred Kwok, Chair, Chinese Cultural Centre

## IN CAMERA MEETING

MOVED by Councillor Deal  
SECONDED by Councillor Carr

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;
- (c) labour relations or other employee relations;
- (d) the security of the property of the city;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;
- (g) litigation or potential litigation affecting the city;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY  
(Councillor Meggs absent for the vote)

## ADOPTION OF MINUTES

### 1. Regular Council - January 19, 2016

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting of January 19, 2016, be approved.

CARRIED UNANIMOUSLY

**2. Public Hearing - January 19 and 21, 2016**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT the Minutes of the Public Hearing of January 19 and 21, 2016, be approved.

CARRIED UNANIMOUSLY

**3. Regular Council (Policy and Strategic Priorities) - January 20, 2016**

MOVED by Councillor Jang  
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting following the Standing Committee on Policy and Strategic Priorities meeting of January 20, 2016, be approved.

CARRIED UNANIMOUSLY

**4. Special Council (First Shaughnessy HCA Appeal Hearing) - January 26, 2016**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT the Minutes of the Special Council (First Shaughnessy HCA Appeal Hearing) of January 26, 2016, be approved.

CARRIED UNANIMOUSLY

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT Council adopt Policy Report 1 on consent.

CARRIED UNANIMOUSLY

Mayor Robertson noted requests to speak to Motion on Notice B.2 had been received. Mayor Robertson moved Motion B.2 and Councillor Meggs seconded it.

MOVED by Councillor Jang  
SECONDED by Councillor Carr

THAT Motion on Notice B.2, "New Tools Needed to Make Housing More Affordable", be referred to the Standing Committee on City Finance and Services meeting on Wednesday, February 3, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY

Mayor Robertson also noted requests to speak to Motion on Notice B.3 had been received. Councillor De Genova moved Motion B.3 and Councillor Ball seconded it.

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*At this point in the proceedings, Councillor Meggs rose on a Point of Order to inquire if the motion entitled "Moratorium on Medical Marijuana-Related Business Development Permit Applications", is in order as the City does not have the authority to impose a moratorium. The Mayor indicated that legal staff have advised that Recommendations A and B of the motion could be considered out of order, however, Recommendations C and D are not.*

\* \* \* \* \*

MOVED by Councillor Carr  
SECONDED by Councillor Ball

THAT Motion on Notice B.3, "Moratorium on Medical Marijuana-Related Business Development Permit Applications", be referred to the Standing Committee on City Finance and Services meeting on Wednesday, February 3, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY

#### COMMITTEE OF THE WHOLE

MOVED by Councillor Deal  
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

## REPORT REFERENCE

### 1. Carbon Reduction Initiatives

The Mayor noted that Council would receive presentations on Report References 1a, 1b, and 1c, followed by questions to staff on all three presentations concurrently.

#### a. Road from Paris

Doug Smith, Acting Director, Sustainability, provided a presentation on "Road from Paris - Sustainability Initiatives Post COP 21", including highlights from the Conference of Parties, initiatives going forward, communications plan overview, and the 2016 timeline.

#### b. City of Vancouver Building Portfolio Energy Management Strategy and Implementation

Craig Edwards, Manager of Energy and Utilities, provided a presentation on the "City of Vancouver Building Portfolio Energy Management Strategy and Implementation", including the City's facilities portfolio, the purpose of a Facilities Energy Management Strategy, GHG reduction progress to date, and the Civic Building Energy Management Strategy.

#### c. Building Energy Retrofit Fund - Accelerating the Implementation of the Energy Retrofit Strategy for Existing Buildings December 24, 2015

Sean Pander, Green Building Programs Manager, provided a presentation on "Building Energy Retrofit Fund - Accelerating the Implementation of the Energy Retrofit Strategy for Existing Buildings", including recommendations, context and results to date, reducing GHG emissions, purpose and benefits of the retrofit fund, and reporting tools.

Mr. Smith, Mr. Edwards and Mr. Pander, along with the Acting City Manager and Malcolm Shield, Climate Policy Manager, responded to questions on the three presentations noted above.

Council then considered the Administrative Report associated with RR-1c.

MOVED by Councillor Reimer

- A. THAT, Council approve the allocation of \$1,000,000 (\$500,000 in 2016 and \$500,000 in 2017) from the City's Innovation Fund, which will match approximately \$8M of external funding to create a Building Energy Retrofit Fund to support the implementation of the Retrofit Strategy for Existing Buildings, including new and expanded building retrofit programs such as those described in the Administrative Report dated December 24, 2015, entitled

“Building Energy Retrofit Fund: Accelerating the Implementation of the Energy Retrofit Strategy for Existing Buildings”.

- B. THAT Council approve a grant to the Vancouver Heritage Foundation of \$75,000 per year in 2016 and 2017, which is a continuation of the Pre-1940’s and Heritage Home Energy Retrofit Grant Pilot Program; source of funding is the Building Energy Retrofit Fund approved in A above.

CARRIED UNANIMOUSLY AND B  
BY THE REQUIRED MAJORITY

**2. Enhanced Solid Waste Management and Diversion By-law Authority  
January 8, 2016**

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

REFERRAL MOVED by Councillor Carr

THAT Council receive the presentation on this matter at today’s meeting and refer consideration of the related Administrative Report dated January 8, 2016, entitled “Enhanced Solid Waste Management and Diversion By-law Authority”, to the Standing Committee on City Finance and Services meeting to be held on Wednesday, February 3, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY

Albert Shames, Director, Waste Management and Resource Recovery, provided a presentation on “Enhanced Solid Waste Management and Diversion By-law Authority”, including primary objectives, regulation and enforcement, by-law enforcement, potential challenges, and outcomes.

Mr. Shames responded to questions.

\* \* \* \* \*

*At 11:50 am, it was*

*MOVED by Councillor Jang*

*THAT the length of the meeting be extended to complete the Unfinished Business Item, and Policy Report 2, prior to recessing;*

*FURTHER THAT the Council meeting reconvene at 2:30 pm.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY  
(Councillor Stevenson absent for the vote)*

\* \* \* \* \*

## UNFINISHED BUSINESS

### 1. REZONING: 1755 West 14<sup>th</sup> Avenue

A Public Hearing on the above-noted matter was held on Tuesday, January 19, 2016, and reconvened on Thursday, January 21, 2016. Following the completion of the receipt of public comments on Thursday, January 21, 2016, Council referred discussion and decision to the Regular Council meeting on February 2, 2016, as Unfinished Business.

The Mayor advised he was not present at the Public Hearing, and is therefore ineligible to participate in discussion and decision on this matter.

Kent Munro, Assistant Director of Planning, Vancouver - Midtown, provided comments.

MOVED by Councillor Meggs

- A. THAT the application by Sun Life Assurance Company of Canada, Inc. No. A58591, to rezone 1755 West 14th Avenue [*Lots 12 to 20, Block 428, DL 526, Plan 3557; PID: 012-762-130, 012-762-156, 012-762-181, 012-762-229, 012-762-237, 012-762-253, 012-762-288, 012-762-318, 012-762-334, respectively*] from RM-3 (Multiple Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 1.65 to 3.45 to permit the development of an additional residential rental building on this site with 116 new market rental housing units, and the addition of two new rental units to the existing building on site containing 134 unsecured rental units all of which will thereafter also be secured as market rental housing units, generally as presented in Appendix A of the Policy Report dated December 4, 2015, entitled "CD-1 Rezoning: 1755 West 14th 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 MCM Partnership and stamped "Received on August 7, 2015", 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:

#### **Urban Design**

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

Note to Applicant: The materials as indicated in the current submission satisfy this condition).

2. Design Development to improve the solar responsiveness of the proposed tower.

Note to Applicant: Detailed design development of the elevations should reflect their differing solar orientations to improve passive solar responsiveness of the building).

3. Design development to improve the termination of the tower.

Note to Applicant: Detailed design development should consider the termination of the tower as a skyline element and seek to improve its visual interest.

4. Consideration of design development to improve the overall sustainability strategy of the proposed development.

Note to Applicant: Recognizing that the proposed development meets LEED Gold requirements, detail design development should consider ways to improve the energy performance of the development as a whole by exploring options for double glazing in the existing tower and adding solar panels for hot water, etc.

#### **Crime Prevention through Environmental Design (CPTED)**

5. Design development to take into consideration the principles of CPTED (Crime Prevention Through Environmental Design) having particular regard to reducing opportunities for:

- (i) theft in the underground,
- (ii) break and enter,
- (iii) mischief and vandalism such as graffiti, and
- (iv) mitigate possible CPTED concerns in the parking area.



## Landscape Design

6. Design development to the successful retention of trees at the west edge.

Note to Applicant: An updated arborist report is required. To ensure tree retention at the west edge, the existing retaining wall, soil and grades should be maintained in situ.

7. Design development to grades, retaining walls, walkways and structural design to maximize soil volumes (exceed BCLNA Landscape Standard) to accommodate new and existing trees and plants.

Note to Applicant: Wherever possible, take advantage of natural soils and the water table by locating new trees at grade beyond the edge of the underground slab. It may be necessary to angle the corner of the underground slab downward (1 m across and 1.2 m) to maximize contiguous soil volumes. Planted landscapes on slab should be designed to maximize soil depths by lowering the slab, wherever possible, or providing tree wells, if necessary.

8. Design development to location of utilities.

Note to Applicant: avoid the awkward placement of utilities (e.g. pad mounted transformers, "Vista" junctions, underground venting) visible to the public realm. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

9. At time of first development permit, provision of:

- (i) Detailed Landscape Plan illustrating soft and hard landscaping.

Note to Applicant: The plans should be at 1/8":1 ft. scale minimum. Where applicable, phased development should include separate landscape plans for individual buildings and adjacent open space. The Plant list should include the common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include the public realm treatment (to the curb) and all existing or proposed street trees, adjoining walkways, surface materials, PMT/Vista transformers and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) 'Tree Removal/Protection/Replacement Plan' in coordination with arboricultural services, including the assessment of existing trees, retention value rating, retention feasibility, remediation recommendations, site supervision and letters of assurance for supervision.

Note to Applicant: given the size and complexity of the site, provide a large scale tree plan that is separate from the landscape plan. The plan should clearly illustrate all trees to be removed and retained, including any tree protection barriers and important construction management directives from the arborist report(s). Tree replacements are likely best located on the proposed phased landscape plans.

- (iii) Provision of detailed cross section through tree protection zones to indicate limits of excavation, special construction methods, footing design, grading and re-landscaping.
- (iv) Clarifications on the plan(s) for all landscape features (common areas, hardscaping, walls, trees, plantings) to be labeled as "retained" or "new".
- (v) Provision of detailed cross sections (minimum 1/4" inch scale) through all proposed common open spaces and semi-private patio areas (typical).

Note to Applicant: the sections should illustrate to scale the relationship between the underground slab, soil, tree root ball, retaining walls, steps, and part of the residential unit.

- (vi) Provision of an arborist report addendum.

- 10. Application of universal design principles in the outdoor spaces, such as wheelchair accessible walkways and site furniture.

Note to Applicant: special consideration should be given to the ground plane, including paving materials, grade changes, benches near entrances on site and at reasonable intervals for public use along streets and shared walkways. Ensure that pathways in the common amenity area allow for wheelchair manoeuvring.

- 11. Provision of the necessary supporting infrastructure to support urban agriculture, such as tool storage, hose bibs and potting benches at all common gardening locations.

12. Provision of high efficiency irrigation for all planted areas and hose bibs in proximity to the shared urban agriculture garden plots.

Note to Applicant: to encourage patio gardening, consider providing hosebibs for all private patios equal and greater to 100 sq. ft. (9.29 m<sup>2</sup>).

### Housing

13. That the proposed total unit mix of 23% studio, 48% one-bedroom and 29% two bedroom units, be included in the Development Permit drawings.

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

14. The building is to comply with the *High-Density Housing for Families with Children Guidelines*, and include a common amenity room with kitchenette (and an accessible washroom adjacent to this amenity room).
15. A common outdoor amenity area is to be provided which includes an area suitable for a range of children's play activity.

### Engineering

16. Delete the portions of trellises shown encroaching over the south property line onto City property (Drawing no. A011).
17. Provision of access doors, with automatic openers, for access into all bicycle rooms provided on-site and also on doors providing cyclist access to the building exterior.
18. Clearly identify existing and proposed garbage storage areas such that they do not obstruct the required loading areas.
19. Please identify the specific number of bins and recycling totes for the site. Please reference the Garbage and Recycling Design Supplement available on our public web site. Note the recycling room does not appear to have an access point and is above the elevation of the loading bays which appear to provide at grade access to the lane. Clarify how bins/totes will be delivered to the lane for pick up.
20. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

21. Modify the bicycle parking to meet by-law and design supplement requirements ensuring that the bicycle room(s) must not contain more than 40 bicycle spaces except where the additional bicycle spaces are comprised of lockers.
22. Label on plans, with a line and arrow, the route to be used by cyclists to travel between the bicycle rooms and the exterior of the building.
23. Provision of Class B loading spaces in compliance with the requirements of the Parking By-law. Modification of the loading bay design is required to:
  - (i) Provide a loading bay slope not exceeding 5%,
  - (ii) Provide a standard loading throat (1.6 m in width at 68 degrees) for each loading space,
  - (iii) Additional loading bay width of 3.8 m (12'6") is required for the second loading space, and
  - (iv) Provide a loading space length of 8.5 m with provision of space at the rear for unloading furniture etc.
24. An interconnected water service will be required for this development. Please contact Engineering Water Design branch for details.

#### 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 and to the Acting General Manager of Planning and Development Services, the General Manager of Engineering Services, the Chief Housing Officer and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

#### Engineering

1. Consolidation of Lots 12 to 20, Block 428, DL 526, Plan 3557 to create a single parcel and subdivision of that site to result in the dedication of the west 7 feet (the Building Line area) for road purposes.
2. Provision of a natural watercourse agreement. Records indicate a natural watercourse passes through this site, a legal agreement ensuring that should the watercourse be discovered or impact the site during development and beyond that its flow will not be obstructed.

3. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS). PBS requirements include:
  - (i) Size: At minimum, the smallest sized station at 16 m x 4 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.
  - (ii) Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing for easy access to the street. Near the corner of 14th Avenue and Burrard Street is preferred.
  - (iii) Surface treatment: A hard surface is required with no utility access points within 150 mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
  - (iv) Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
  - (v) Sun exposure: No vertical obstructions to maximize sun exposure as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.
  - (vi) Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station.
  
4. Provision of a Services Agreement to detail the on-site 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.
  - (i) Provision of improved curb ramps and curb returns at the northwest and northeast corners of Burrard Street and 14th Avenue intersection.

- (ii) Provision of a minimum 7'-0" (2.14 m) broom-finish sidewalk with saw-cut joints on Burrard Street.
- (iii) Provision of street trees adjacent the site where space permits.
- (iv) Provision of a minimum 10'-0" (3.05 m) wide front boulevard with a sod lawn and large street trees on Burrard Street for the Public Realm. Vancouver Park Board to advise on largest trees applicable to the space.
- (v) Relocation of the wood pole at the lane entry adjacent the site to provide for future unobstructed access by pedestrians to the widened sidewalks and improved public realm along Burrard Street. Confirmation that the pole can be relocated is required from all utility companies that use the pole.
- (vi) Provision of a standard concrete lane crossing at the lane south of 13th Avenue on the east side of Burrard Street including adjustment of the curb returns and sidewalk on both sides of the lane entry to accommodate the crossing installation.
- (vii) Provision of improved street lighting on both frontages of the site to LED standards and pedestrian scale lighting along the Burrard Street frontage.
- (viii) Provision of a cash contribution of \$150,000 towards a pedestrian activated signal at 14th Avenue and Burrard Street or nearby to provide improved safety for Burrard Street crossings and future bike facilities.
- (ix) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any sewer system upgrading that may be required.
- (x) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the

details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.

5. Provision of 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 Chief Housing Officer and the Director of Legal Services to enter into a Housing Agreement securing all residential units as secured market rental housing units for the longer of 60 years and life of the building(s), subject to the following additional conditions:
  - (i) A no separate-sales covenant.
  - (ii) A no-stratification covenant.
  - (iii) That none of such units will be rented for less than one month at a time.
  - (iv) Such other terms and conditions, including in respect of form of development, as the Chief Housing Officer and the Director of Legal Services may in their sole discretion 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.

### Community Amenity Contribution (CAC)

7. Pay to the City the Community Amenity Contribution of \$ 2,170,845 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services. The \$ 2,170,845 is to be allocated towards local serving amenities and the purchase of heritage density.

### Heritage Density Transfer

8. Secure the purchase and transfer of the value of \$1,085,423 of heritage density from a suitable donor site.

Note to Applicant: Given the stipulated value that the City attributes to the creation of new transferable bonus density, currently \$65.00 per buildable square foot as of this date, the City recognizes that the Owner may negotiate its best price to secure the required density at a lower cost, but in no event shall the City recognize the value of the density above \$65.00 per buildable square foot unless bona fide market conditions demonstrate transactional evidence to the contrary.

Note to Applicant: "Letter B" in the City's standard format is to be completed by both the owner(s) of the subject site, also referred to as the receiver site, and the owner of the donor(s) site, and submitted to the City prior to enactment together with receipt(s) of heritage density purchase, including the amount, sale price, and total cost of the heritage density.

### Soils

9. If applicable:
  - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
  - (ii) 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
  - (iii) 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 Planning, 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 to Applicant: 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 is 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, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City Officials and City Council.

- 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 December 4, 2015, entitled "CD-1 Rezoning: 1755 West 14th 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) and prior to enactment of the CD-1 By-law contemplated by the above-noted report.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated December 4, 2015, entitled "CD-1 Rezoning: 1755 West 14th Avenue".
- D. THAT A to C above, and E, F and G below, 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.
- E. THAT, prior to enactment of the CD-1 By-law, the registered owner shall enter into a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of three (3) Shared Vehicles and the provision and maintenance of three (3) Shared Vehicle Parking Spaces for use exclusively by such Shared Vehicles, with such parking spaces to be in addition to the minimum parking spaces required by the Parking By-law, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
- (a) Provide three (3) Shared Vehicles to the development for a minimum period of three years;
  - (b) enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicles;
  - (c) provide and maintain the Shared Vehicle Parking Spaces for use exclusively by such shared vehicles;
  - (d) make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Spaces;
  - (e) provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle; and
  - (f) registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions.
- Note to Applicant: Shared vehicle spaces are required to be a minimum width of 2.9 m.
- F. THAT Council direct the City Engineer to make changes to on-street parking regulations on the north side of the 1700 block of West 14th Avenue to better accommodate visitors, service providers and residents.

- G. THAT, prior to the enactment of the CD-1 By-law, the registered owner shall provide additional transportation demand management measures to encourage and facilitate walking, cycling, transit and the use of car share in the neighbourhood to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Potential measures to consider include enhanced cycling facilities (e.g. storage for cargo bike or bikes with trailers, bike maintenance rooms/stations), discounts on transit passes, car share memberships, etc.

CARRIED  
(Councillors Affleck, Ball, Carr and De Genova opposed)

### POLICY REPORTS

1. **CD-1 Text Amendment: 988 West Broadway  
January 19, 2016**

- A. THAT the application by Chris Dikeakos Architects Inc., on behalf of 984 Developments Inc., Inc. No. BC0961682 (Blue Sky Properties), to amend CD-1 (618) By-law No. 11317 for 988 West Broadway [PID 015-184-676; Lot B, Block 356, District Lot 526, Plan 590] to increase the floor space ratio from 5.22 to 5.52 and building height from 40.3 m (132.2 ft.) to 40.6 m (133.2 ft.) be referred to a public hearing, together with:
- (i) draft by-law amendments generally as presented in Appendix A of the Policy report dated January 19, 2016, entitled "CD-1 Text Amendment: 988 West Broadway";
  - (ii) the recommendation of the Acting General Manager of Planning and Development Services to approve the application;

FURTHER THAT the Director of Legal Services by instructed to prepare the necessary amending by-law, generally in accordance with Appendix A of the Policy Report dated January 19, 2016, entitled "CD-1 Text Amendment: 988 West Broadway", for consideration at public hearing.

- B. THAT, if the application is referred to public hearing, the registered owner shall submit, prior to the public hearing, confirmation in the form of a "Letter A" that an agreement has been reached with the registered owner(s) of the proposed donor site(s) for the purchase of heritage density as set out in Appendix B of the Policy Report dated January 19, 2016, entitled "CD-1 Text Amendment: 988 West Broadway".

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

ADOPTED ON CONSENT

**2. CD-1 Rezoning: 1575-1577 West Georgia Street and 620 Cardero Street  
January 19, 2016**

MOVED by Councillor Carr

- A. THAT the application by Henriquez Partners Architects, on behalf of ARPEG Holdings Ltd., to rezone 1575-1577 West Georgia Street [*PID: 004-321-782; Lot 1 except: Firstly; Part in Explanatory Plan 18091 now road, Secondly; Part Dedicated Road on Plan LMP 19026 Block 42 District Lot 185 Group 1 New Westminster District Plan 14048, and PID: 007-955-073; Lot 2 Block 42 District Lot 185 and of Public Harbour of Burrard Inlet Plan 14074*] from CD-1 (Comprehensive Development) District (336) By-law No. 7431 and 620 Cardero Street (with consent in writing of the registered owner, City of Vancouver) [*PID: 018-454-143; Lot 3, Except: Part Dedicated Road on Plan LMP31912, of the Public Harbour of Burrard Inlet, Plan LMP12354*] from CD-1 District (312) By-law No. 7200, both, to a new CD-1 District, to permit a floor space ratio (FSR) of 10.59 and a building height of 82.6 m (271 ft.) to allow for a 26-storey mixed-use development containing 175 market strata units, along with retail, service and office uses, be referred to a Public Hearing, together with:
- (i) plans prepared by Henriquez Partners Architects, received July 16, 2014;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 19, 2016, entitled "CD-1 Rezoning: 1575-1577 West Georgia Street and 620 Cardero Street"; and
  - (iii) the recommendation of the Acting General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B of the above-noted report;

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

- B. THAT, subject to referral of the rezoning application to Public Hearing, the Director of Legal Services be instructed to prepare a by-law to repeal CD-1 (336) By-law No. 7431 for 1575-1577 West Georgia Street for consideration at the Public Hearing.
- C. THAT, subject to referral of the rezoning application to Public Hearing, a consequential amendment to CD-1 District (312) By-law No. 7200 to remove 620 Cardero Street from the by-law, generally as set out in Appendix C of the Policy Report dated January 19, 2016, entitled "CD-1 Rezoning: 1575-1577 West Georgia Street and 620 Cardero Street", also be referred to the same Public Hearing;

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

- D. THAT, subject to referral of the rezoning application to Public Hearing, a consequential amendment to the Coal Harbour Official Development Plan (By-law No. 6754), generally as set out in Appendix C of the Policy Report dated January 19, 2016, entitled "CD-1 Rezoning: 1575-1577 West Georgia Street and 620 Cardero Street", also be referred to the same Public Hearing;

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

- E. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to:
  - (i) establish regulations for the new CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" DD], and
  - (ii) consequentially, delete CD-1 (336) By-law No. 7431 from Schedule E,generally as set out in Appendix C of the Policy Report dated January 19, 2016, entitled "CD-1 Rezoning: 1575-1577 West Georgia Street and 620 Cardero 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.

- F. THAT, subject to enactment of the new 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 19, 2016, entitled "CD-1 Rezoning: 1575-1577 West Georgia Street and 620 Cardero 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 new CD-1 By-law.

- G. THAT, subject to approval of the rezoning application after the Public Hearing, the Acting General Manager of Planning and Development Services be instructed to bring forward, at the time of enactment of the by-law to amend CD-1 (312) By-law No. 7200, a consequential amendment to the Marina Neighbourhood CD-1 Guidelines for Land Development (300 Cardero Street) (By-law No. 7200) (CD-1 No. 312), generally as set out in Appendix D of the Policy Report dated January 19, 2016, entitled "CD-1 Rezoning: 1575-1577 West Georgia Street and 620 Cardero Street", for approval by Council.
- H. THAT A to G 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 applicant; and
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY

**RISE FROM COMMITTEE OF THE WHOLE**

MOVED by Councillor Carr

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

**ADOPT REPORT OF COMMITTEE OF THE WHOLE**

MOVED by Councillor Carr

SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

\* \* \* \* \*

*Council recessed at 12:05 pm and reconvened at 2:43 pm.*

\* \* \* \* \*

## BY-LAWS

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT Council, except for those members ineligible to vote as noted below, enact the by-laws listed on the agenda for this meeting as numbers 1 to 8 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY  
(Councillors De Genova and Stevenson absent for the vote)

1. A By-law to amend Zoning and Development By-law No. 3575 to create new districts for the Apartment Transition area in accordance with the Norquay Village Neighbourhood Centre Plan. (By-law No. 11429)  
*(Mayor Robertson ineligible to vote)*
2. A By-law to Amend Sign By-law No. 6510 Regarding the RM-9, RM-9A, RM-9N and RM-9AN Districts Schedule (By-law No. 11430)  
*(Mayor Robertson ineligible to vote)*
3. A By-law to designate certain real property as protected heritage property (1060 West 15th Avenue - James Northey Residence) (By-law No. 11431)  
*(Mayor Robertson ineligible to vote)*
4. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (1060 West 15th Avenue - James Northey Residence) (By-law No. 11432)
5. A By-law to designate certain real property as protected heritage property (2024 West 15th Avenue - Ludgate Residence) (By-law No. 11433)  
*(Mayor Robertson ineligible to vote)*
6. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (2024 West 15th Avenue - Ludgate Residence) (By-law No. 11434)
7. A By-law to amend Vehicles for Hire By-law No. 6066 Housekeeping regarding part-time taxicabs (By-law No. 11435)

8. A By-law to designate certain real property as protected heritage property  
(1546 Nelson Street - Urquhart Residence) (By-law No. 11436)  
*(Councillor Ball ineligible to vote)*

## MOTIONS

### A. Administrative Motions

#### 1. RM-9, RM-9A, RM-9N and RM-9AN Guidelines

MOVED by Councillor Jang  
SECONDED by Councillor Meggs

THAT amendments to the document entitled "RM-9, RM-9A, RM-9N and RM-9AN Guidelines" be approved by Council for use by applicants and staff for development applications in RM-9, RM-9A, RM-9N and RM-9AN Districts.

CARRIED UNANIMOUSLY  
(Councillors De Genova and Stevenson absent for the vote)

#### 2. Strata Title Policies for RS, RT and RM Zones

MOVED by Councillor Jang  
SECONDED by Councillor Meggs

THAT amendments to the document entitled "Strata Title Policies for RS, RT and RM Zones" be approved by Council for use by applicants and staff for development applications in RM-9, RM-9A, RM-9N and RM-9AN Districts.

CARRIED UNANIMOUSLY  
(Councillors De Genova and Stevenson absent for the vote)

### B. Motions on Notice

#### 1. Requests for Leaves of Absence

MOVED by Councillor Ball  
SECONDED by Councillor Jang

- A. THAT Councillor Stevenson be granted a Leave of Absence for Civic Business from all meetings to be held on March 1 and 3, May 31, November 22 and 24, 2016.

FURTHER THAT Councillor Stevenson be granted a Leave of Absence for Personal Reasons from all meetings to be held on March 10, 2016.



- B. THAT Councillor Affleck be granted a Leave of Absence for Personal Reasons from all meetings to be held on March 1, 2016.
- C. THAT Councillor Carr be granted a Leave of Absence for Civic Business from all meetings to be held on March 1, 2, and 3, 2016.
- D. THAT Councillor Louie be granted a Leave of Absence for Civic Business from all meetings to be held on March 29, 2016.

CARRIED UNANIMOUSLY  
(Councillors De Genova and Stevenson absent for the vote)

## 2. New Tools Needed to Make Housing More Affordable

MOVED by Mayor Robertson  
SECONDED by Councillor Meggs

### WHEREAS

1. In 2015, according to Sotheby's International Realty Canada, the greatest increase in sales for Vancouver homes were those valued at more than \$4 million, with an increase of 67%;
2. A 2015 study by Vancity Credit Union found that Metro Vancouver housing costs increased by 63% from 2001 to 2014, a region-wide trend that is likely to trigger future labour shortages;
3. The high cost of housing makes it more difficult for local businesses to retain or recruit talent, especially in sectors such as the tech industry;
4. Other jurisdictions have tools that target demand at the high end of the housing market without impacting the equity of the majority of homeowners;
5. There have been recent proposals from researchers at the University of British Columbia and Simon Fraser University for new provincial tools to reduce housing speculation;
6. Vancouver is a global city that attracts people and investment from around the world, yet there is limited data collected on the specific impact that global investment has on Vancouver's housing prices;
7. The City of Vancouver lacks the legal authority to create new taxation categories or tools; and the Mayor has highlighted the urgent need for the provincial government to examine and implement new tools to better manage Vancouver's housing market, including by writing to the Premier.

THEREFORE BE IT RESOLVED THAT City Council support the Mayor's call for the Provincial Government to:

1. Consider measures to discourage the quick resale of new housing, to reduce speculation and help level the playing field for first-time buyers;
2. Increase the property transfer tax on the sale of the most expensive properties, with the proceeds invested back into affordable housing;
3. Accurately track information on housing purchases, both foreign and domestic;
4. Provide municipalities with the ability to track property occupancy and reduce excessive vacancies.

referred

This motion was referred to the Standing Committee on City Finance and Services meeting on Wednesday, February 3, 2016, in order to hear from speakers.

### **3. Moratorium on Medical Marijuana-Related Business Development Permit Applications**

MOVED by Councillor De Genova  
SECONDED by Councillor Ball

WHEREAS

1. On June 24, 2015, Vancouver City Council approved amendments to the City's Zoning and Development By-law pertaining to Retail Dealers - Medical Marijuana-related Uses - with new rules to regulate and control medical marijuana retail businesses in the City of Vancouver;
2. The Government of Canada's Controlled Drugs and Substances Act (CDSA) currently prohibits possession, trafficking, import and export, and production of controlled substances, including marijuana, unless authorized by regulations;
3. The Government of Canada's Marijuana for Medical Purposes Regulations (MMPR) came into force in June 2013 to meet the requirement of the courts to provide Canadians who require marijuana for medical purposes with reasonable access to a legal source of dried marijuana;
4. Neither the Government of Canada's Marijuana for Medical Purposes Regulations (MMPR) nor any other Health Canada regulations currently authorize licensed producers to provide marijuana for medical purposes through a storefront;

5. To operate a medical marijuana-related retail business or compassion club in the City of Vancouver, a development permit and business licence are required;
6. Under the City of Vancouver's amended zoning By-law, the City of Vancouver has deemed 12 applications for medical marijuana-related businesses eligible to move forward with a development permit review, with an additional 30 (thirty) applications that meet zoning requirements (except for the minimum distancing from other medical marijuana-related retail use applicants), some of which could also soon proceed to the permits and licencing process phase;
7. In accordance with the City of Vancouver By-law, the majority of development permit applications for existing medical marijuana-related retail businesses have been refused due to the fact that they do not comply with the City's Zoning and Development By-law requirements and the operators have been informed that they must close by the end of April 2016 or face enforcement actions by the City, ranging from ticketing to injunctions and prosecution;
8. On December 4, 2015, His Excellency the Right Honourable David Johnston, Governor General of Canada, opened the First Session of the Forty-second Parliament of Canada and conveyed, in the Speech from the Throne, that the Government of Canada will introduce legislation to legalize, regulate and restrict access to marijuana;
9. Prime Minister Justin Trudeau's November 2015 Mandate Letter to Minister of Justice and Attorney General of Canada, the Honourable Jody Wilson-Raybould, directs the Minister to work with the Ministers of Public Safety and Emergency Preparedness and Health to create a federal-provincial-territorial process that will lead to the legalization and regulation of marijuana;
10. The intent of the Government of Canada is to create a new regulatory framework that will remove marijuana consumption and incidental possession from the Criminal Code and create new, stronger laws to punish more severely those who provide marijuana to minors, those who operate a motor vehicle while under the influence of marijuana, and those who sell marijuana outside of the proposed new regulatory framework;
11. The intent of the Government of Canada is to create a federal/provincial/territorial task force to design a new system of strict marijuana sales and distribution, with appropriate federal and provincial excise taxes applied, and with input from experts in public health, substance abuse, and law enforcement;
12. In January 2016, it was announced that MP Bill Blair, the Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, will be the Government of Canada's point person on the legalization and regulation of marijuana;

13. Neither the outcome of the Government on Canada's upcoming process to legalize and regulate marijuana nor the form of any new regulatory framework are known at this time, and the eventual status, as well as the current legality, of storefront medical marijuana-related businesses remains unclear.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to place an immediate moratorium on all Development Permit Reviews and processes for Medical Marijuana-Related Uses in the City of Vancouver, and that no business licenses for said uses shall be issued, until such time as the Government of Canada enacts legislation to legalize, regulate and restrict access to marijuana and implements a new regulatory framework and system for marijuana sales and distribution, whether it be for medical marijuana or recreational marijuana.
- B. THAT, in accordance with existing Canadian laws, Council direct staff to proceed with the enforcement of closure orders for all existing medical marijuana-related retail businesses in the City of Vancouver, including those in compliance with the City's Zoning and Development By-law, with enforcement actions to begin no later than the end of April 2016.
- C. THAT Council direct Mayor Robertson to write to Prime Minister Justin Trudeau, and the Minister of Justice and Attorney General of Canada, the Honourable Jody Wilson-Raybould, requesting that the City of Vancouver be granted formal status in the federal-provincial-territorial process that will lead to the legalization and regulation of marijuana.
- D. THAT Council direct staff to engage with staff in other B.C. municipalities where storefront medical marijuana dispensaries have attempted to set up shop, as well as with staff in jurisdictions such as the states of Colorado and Washington, to gain from their firsthand experience with marijuana related businesses and any pitfalls they have encountered.

referred

This motion was referred to the Standing Committee on City Finance and Services meeting on Wednesday, February 3, 2016, in order to hear from speakers.

**NOTICE OF MOTION**

**1. Action to Protect Taxpayers from Soaring Assessments**

Councillor Meggs submitted a Notice of Motion on the above-noted topic. The motion will be placed on the agenda of the Regular Council meeting to be held on February 23, 2016, as a Motion on Notice.

## ENQUIRIES AND OTHER MATTERS

### 1. Biodiversity Strategy

Councillor Reimer inquired if Council could receive a briefing at a future Council meeting on the Park Board's Biodiversity Strategy and its significant overlap with the Greenest City Strategy. The Acting City Manager agreed to bring this issue forward in the near future.

### 2. Affordable Housing Sites

Councillor Carr requested an update on the City of Vancouver's offer of land to the Federal Government in exchange for the construction of social housing on the land. The Mayor provided information on the affordable housing sites and the Acting City Manager agreed to brief Council on the details of the sites and the opportunity to leverage them.

### 3. Downtown Eastside Street Market

Councillor De Genova requested a memorandum on the Downtown Eastside Street Market, specifically regarding its funding shortfall and whether the City could offer partnerships. The Acting City Manager advised that a briefing on this matter has been prepared for Council.

### 4. Affordable Home Ownership

Councillor De Genova inquired when the staff report regarding her Affordable Home Ownership motion would be brought back to Council. The Acting City Manager noted this would be done by the end of March 2016.

## ADJOURNMENT

MOVED by Councillor Stevenson  
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Council adjourned at 3:00 pm.

\* \* \* \* \*