



REGULAR COUNCIL MEETING MINUTES

FEBRUARY 23, 2016

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, February 23, 2016, at 9:36 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 Tim Stevenson*

ABSENT: Councillor Andrea Reimer (Medical Leave)

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

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

*Denotes absence for a portion of the meeting.

IN CAMERA MEETING

MOVED by Councillor Louie
SECONDED by Councillor Deal

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;

(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 Ball absent for the vote)

ADOPTION OF MINUTES

1. Regular Council - February 2, 2016

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting of February 2, 2016, be approved.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

2. Chauffeur's Permit Appeal Hearing - February 2, 2016

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Chauffeur's Permit Appeal Hearing of February 2, 2016, be approved.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

3. Regular Council (City Finance and Services) - February 3, 2016

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting following the Standing Committee on City Finance and Services meeting of February 3, 2016, be approved.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

4. Court of Revision (BIAs) - February 3, 2016

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Court of Revision meeting of February 3, 2016, be approved.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

MATTERS ADOPTED ON CONSENT

The Mayor noted that requests to speak to Administrative Reports 2 and 3 had been received.

MOVED by Councillor Jang
SECONDED by Councillor Carr

THAT Administrative Reports 2 and 3 be referred to the Standing Committee on Policy and Strategic Priorities meeting to be held on Wednesday, February 24, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

The Mayor noted that By-law 15 would be withdrawn from this agenda and considered at the Regular Council meeting following the Standing Committee on Policy and Strategic Priorities meeting to be held on February 24, 2016, as it was subject to approval of Administrative Report 3.

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Council adopt Administrative Report 1 on consent.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

The Mayor also noted that requests to speak to Motions on Notice B1, B3, B4, and B6 had been received.

Motion B1 - Actions to Protect Taxpayers from Soaring Assessments

MOVED by Councillor Meggs
SECONDED by Councillor Jang

WHEREAS

1. Very large increases in property assessments, in some cases up to 65 percent, on commercial properties in certain areas of the city could pose the risk of business failures by self-employed business owners on fixed term triple-net leases who have limited ability to pass on increases to customers or to renegotiate the lease prior to expiry or renewal;
2. Increases in residential assessments by the BC Assessment Authority (BCAA) have also been very high, causing real concern and hardship to homeowners where those increases are above average and sometimes must be managed on fixed incomes;
3. Increases for some non-profit and co-op housing societies are high enough to threaten affordability for residents in certain locations;
4. The City of Vancouver has implemented land assessment averaging solutions to assist property owners and businesses that may only partially mitigate the impact of these very high assessment increases;
5. The BC Supreme Court ruling in the Amacon case, on the application of split assessments, released February 1, 2016, should clarify the assessment and classification of properties that could be the subject of mixed use development;
6. Staff, in response to Council's motion of July 2014, have requested that BC Assessment Authority undertake a review of split class assessment and value in use.

THEREFORE BE IT RESOLVED THAT Vancouver City Council call on the BC Assessment Authority (BCAA) to:

- a. Justify the very large increases established in many areas of the city and urge a careful review of the assessment methodology;
- b. Make their methodology available in open data format so the public can better understand what factors most affect increases;

- c. Take steps to complete its review of split assessments once the court verdict is received and "value in use as going concern" based on the court ruling;
- d. Provide clarification on applications for split assessments and "value in use as going concern"; and

BE IT FURTHER RESOLVED THAT that Council direct staff to report back on the outcomes of the BCAA work, the implications of the BC Supreme Court ruling and any other steps that could be taken by the Province to mitigate these increases, especially the impact of triple net leases on property tax payments for tenants.

referred

REFERRAL MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the motion be referred to the Standing Committee on Policy and Strategic Priorities meeting to be held on Wednesday, February 24, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

Motion B3. Explore Options for Increasing City Support for Music and Musicians

MOVED by Councillor Deal
SECONDED by Councillor Carr

WHEREAS

1. Vancouver is home to a vibrant, multicultural music ecology, including the number of musicians, live music performances, independent music producers and recordings;
2. The City of Vancouver has been focusing efforts on supporting the arts, including music, through policy changes such as arts events licensing and creating new arts spaces;
3. The City of Vancouver gave out over \$2.5 million in grants to music organizations in 2015 and more to multi-disciplinary organizations that include music;
4. The City of Vancouver owns multiple performance venues including the Civic Theatres, and recently purchased St. James Community Square for \$6.8 million;

5. Music Canada has recently published reports on the health of BC's music sector and the elements of a music city, both of which contain recommendations for municipalities;
6. The recent Mandate Letter of the Ministry of Canadian Heritage contains the following:
 - Double investment in the Canada Council for the Arts
 - Work with the Minister of Infrastructure and Communities to make significant new investments in cultural infrastructure as part of our investment in social infrastructure;
7. The Province of BC recently announced \$15 million of funding for the BC music industry.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to explore and report back on options for leveraging support for local musicians and the local music industry, which may include:
 - creating a working group focused on music,
 - advocating for and supporting music education,
 - exploring a multi-city music alliance with other cities with a strong music community,
 - working with Tourism Vancouver and Business Improvement Areas to identify and support tourism opportunities,
 - seeking further opportunities to leverage city-owned properties for use by artists, including musicians,
 - continuing to reduce unnecessary processes and regulations which affect music production and performance.
- B. THAT the work outlined in A above be done in consultation with the City of Vancouver's Arts and Culture Policy Council, the Vancouver Economic Commission, and other music stakeholders; and

FURTHER THAT staff report back with options by May 30, 2016.

referred

REFERRAL MOVED by Councillor Deal
SECONDED by Councillor Carr

THAT the motion be referred to the Standing Committee on Policy and Strategic Priorities meeting to be held on Wednesday, February 24, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

Motion B4 - Preparing Vancouver for Autonomous and Driverless Vehicles

MOVED by Councillor Meggs
SECONDED by Mayor Robertson

WHEREAS

1. The City of Vancouver's Transportation 2040 plan, adopted in 2012 and now only four years old, is already showing important progress in supporting the City's planning and transportation goals, particularly in shifting the share of trips made by automobile to transit and active transportation, especially walking and cycling;
2. Technology for autonomous or driverless vehicles was then virtually unknown and in its early development stages, with only a single jurisdiction in the world with legislation to permit the use of such technology;
3. Driverless or autonomous vehicle technology is now progressing so rapidly that Ontario has permitted testing of such vehicles in 2016 and may allow regular use in the near future;
4. This new technology poses new challenges to protection of privacy in its collection of data, and offers new margins of safety, dramatic improvements in efficiency and the potential to free large areas of urban land for better use;
5. The widespread implementation of this technology, which several manufacturers have indicated that they expect to have fully automated vehicles available by 2020-2025, is forecast to reach as much as 75 percent of sales by 2040.

THEREFORE BE IT RESOLVED THAT Council direct staff to report back on:

- the implications, both positive and negative, of this technology on the City's transportation, land use, economic and sustainability plans, as well as the steps necessary to update those plans; and
- the views of the City's planning, transportation and technology experts on the best ways to maximize the benefits of this technology for the city and its economy while mitigating potential negative impacts.

referred

REFERRAL MOVED by Councillor Meggs
SECONDED by Mayor Robertson

THAT the motion be referred to the Standing Committee on Policy and Strategic Priorities meeting to be held on Wednesday, February 24, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

Motion B.6 - Urgent Actions to Combat the Growing Homelessness Crisis

MOVED by Councillor Carr
SECONDED by Councillor De Genova

WHEREAS

1. Vancouver's homelessness crisis persists, with the highest ever homeless count last year in the Downtown Eastside (836 individuals living on the street or in shelters) and the city's overall homeless count only slightly decreasing by 57 in 2015 despite 615 new housing units being opened up that year with 458 specifically targeted for the homeless;
2. Vancouver's homeless count is likely to go up by hundreds in 2016 based on the rise in rents of Single-Residence Occupancy (SRO) units, fewer private SRO units being available at the welfare/disability/basic pension shelter rate of \$375 per month, and the loss of temporary housing, specifically the expiration in November of 2016 of the City's lease for the 157-room Quality Inn where many homeless people who had set up camp in Oppenheimer Park have been living;
3. Homelessness is also likely to increase even more with the potential conversion of SRO hotels and other affordable housing in Chinatown, Strathcona and the Downtown Eastside in anticipation of the demand for short-term stay accommodation associated with the move of St. Paul's Hospital from the West End to the False Creek Flats;
4. Solutions to the homelessness crisis depend on provincial and federal support which has been slow in coming, thus just 152 units of new social housing are opening in 2016 and 819 units are scheduled to open by next year, of which 176 units are currently targeted for the most vulnerable population--those who are homeless or at risk of homelessness and only able to afford the welfare/disability/basic pension shelter rate of \$375 per month, with that number increasing depending on additional senior government support;

5. The ability of the City to formulate solutions to homelessness also depends on timely information, for example, regarding the numbers of people at risk of homelessness;
6. The City of Vancouver has offered the federal government 20 sites of city land worth \$250 million with a request for \$500 million over five years to build 3,500 units of social housing, and the Province has pledged \$355 million over five years to construct and renovate 2,000 units of affordable housing, however it takes years to complete such housing projects and, because the level of affordability depends on contributions from senior levels of government, it is uncertain how many units will be targeted for Vancouver's homeless.

THEREFORE BE IT RESOLVED

- A. THAT the Mayor, on behalf of Council, write to Prime Minister Justin Trudeau and Premier Christy Clark, thank them for their commitment to tackle the issue of housing affordability and request that their efforts focus on the needs of the homeless and providing the funding needed to amplify the City's efforts to acquire, upgrade and build sufficient social and supportive housing to end the city's growing homelessness crisis.
- B. THAT the Mayor, on behalf of Council, write to the Province requesting that:
 - a. the Province provides the City with data for the Vancouver area that can help the City better mitigate homelessness, including the numbers of people receiving rent supplements, children leaving care, people being released from prisons and hospital discharges of people with no fixed address.
 - b. the Province increase the number of rent supplements in order to meet the need of tenants at risk of homelessness to pay rents at income assistance rates and the need of landlords to receive rents that cover operating and maintenance costs.
- C. THAT Council direct staff to assess the short term need for housing to mitigate the growing homelessness crisis in 2016, and report back to Council within 2 months on specific mitigative actions, with options including those that will require senior government support to supply sufficient housing, estimated at a minimum of 500 units, at the welfare/disability/basic pension shelter rate of \$375 per month.
- D. THAT Council direct staff to provide ongoing data in the reports on housing and homelessness that identify how many units of social housing in the city are available at the welfare/disability/basic pension shelter rate (currently \$375 per month) and how many at HILs (Housing Income Limits) rates.

referred

REFERRAL MOVED by Councillor Carr
SECONDED by Councillor De Genova

THAT the motion be referred to the Standing Committee on Policy and Strategic Priorities meeting to be held on Wednesday, February 24, 2016, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

COMMITTEE OF THE WHOLE

MOVED by Councillor Carr
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY
(Councillor Ball absent for the vote)

REPORT REFERENCE

1. Update on Public Bicycle System

Jerry Dobrovolny, General Manager of Engineering Services, provided an overview of the upcoming Vancouver public bike share system, including review of the newly signed five-year agreement with CycleHop Corp Canada, bicycles and docking equipment, expected distribution of rental locations, financial summary, and next steps. Mr. Dobrovolny responded to questions, and noted ongoing monitoring of the system will take place, and adjustments made as needed.

ADMINISTRATIVE REPORTS

1. 601 West Hastings Street - Lease of Volumetric Portion of Lane January 18, 2016

- A. THAT Council authorize the Director of Legal Services to apply and raise title in the name of the City of Vancouver to that portion of City lane, as shown generally in bold outline on the plan attached as Appendix B to the Administrative Report dated January 18, 2016, entitled "601 West Hastings Street - Lease of Volumetric Portion of Lane" (the "City Lane"), to contain the underground access from the existing parkade at 333 Seymour Street to the parking levels of the development proposed to be constructed under the CD-1 Rezoning of 601 West Hastings Street (the "601 West Hastings Rezoning").

- B. THAT Council close, stop-up and authorize the Director of Real Estate Services to enter into a lease for the volumetric portion of the City Lane (the "Leased Premises") with the owner of 601 West Hastings Street, legally described as Lot B, Block 14, District Lot 541 Plan 20200; PID: 006-979-530 ("Lot B"), being 675158 British Columbia Ltd. ("675158"), as shown generally within bold outline and illustrated isometrically on the plan attached as Appendix C to the Administrative Report dated January 18, 2016, entitled "601 West Hastings Street - Lease of Volumetric Portion of Lane" (the "City Lane"), subject to the terms and conditions as noted in Appendix D of that report.
- C. THAT the annual lease payments for the Leased Premises be based on the annual charges as prescribed in the *Encroachment By-law* based on the lease area of approximately 3,660 square feet (subject to change after final survey) and also that rent in lieu of property taxes be charged for the term of the lease as additional rent.
- D. THAT Council authorize the General Manager of Engineering Services to approve minor and inconsequential amendments to the dimensions of the Leased Premises upon provision of legal survey plans and as-built surveys prepared by a British Columbia Land Surveyor.

ADOPTED ON CONSENT

**2. Single Room Accommodation Permit for Star Beach Haven (658 Alexander Street)
January 26, 2016**

This item was referred to the Standing Committee on Policy and Strategic Priorities meeting to be held on February 24, 2016, in order to hear from speakers.

**3. Freedom of Information and Protection of Privacy By-law Amendments
February 4, 2016**

This item was referred to the Standing Committee on Policy and Strategic Priorities meeting to be held on February 24, 2016, in order to hear from speakers.

POLICY REPORTS

**1. Amendments to Zoning and Development By-law and Business License By-law
Regarding Urban Farming
February 9, 2016**

MOVED by Councillor Deal

- A. THAT the Acting General Manager of Planning and Development Services be instructed to make application to amend the Zoning and Development By-law

to allow Urban Farming - Class A in residential districts and Urban Farming - Class B in commercial and industrial districts, subject to regulations, generally in accordance with Appendix A of the Policy Report dated February 9, 2016, entitled "Amendments to Zoning and Development By-law and Business License By-law Regarding Urban Farming", and that this application be referred to a public hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law for consideration at public hearing.

- B. THAT, subject to enactment of the amendments to the Zoning and Development By law, the License By-law be amended to add a definition, regulations and license fee for urban farming, generally in accordance with Appendix B of the Policy Report dated February 9, 2016, entitled "Amendments to Zoning and Development By-law and Business License By-law Regarding Urban Farming".
- C. THAT, subject to enactment of the amendments to the Zoning and Development By law, Urban Farming Guidelines generally as set out in Appendix C of the Policy Report dated February 9, 2016, entitled "Amendments to Zoning and Development By-law and Business License By-law Regarding Urban Farming" be adopted for use in consideration of applications for urban farms.
- D. THAT, subject to enactment of the amendments to the Zoning and Development By law, the Managing Director of Social Policy and Projects be instructed to report back to Council on the effectiveness of these initiatives following the 2017 growing season.

CARRIED UNANIMOUSLY
(Councillors Affleck, Jang, and Stevenson 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 Affleck absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY
(Councillor Affleck absent for the vote)

BY-LAWS

The Mayor noted that By-law 15 had been withdrawn from this agenda and will be considered at the Regular Council meeting following the Standing Committee on Policy and Strategic Priorities meeting to be held on February 24, 2016.

MOVED by Councillor Louie
SECONDED by Councillor Deal

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 14 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Affleck absent for the vote)

1. A By-law to amend Heritage Designation By-law No. 11358 re housekeeping amendment to legal description (458 East 10th Avenue - Mason House) (By-law No. 11437)
2. A By-law to amend Heritage Revitalization Agreement By-law No. 11359 regarding a housekeeping amendment to correct the legal description in the heritage revitalization agreement (458 East 10th Avenue - Mason House) (By-law No. 11438)
3. A By-law to enact a Housing Agreement for 3699 Marine Way (By-law No. 11439)
4. A By-law to amend the Zoning And Development By-law No. 3575 to rezone an area to CD-1 (6929-6969 Cambie Street and 515 West 54th Avenue) (By-law No. 11440)
(Councillor Reimer *ineligible for the vote*)
5. A By-law to amend Ticket Offences By-law No. 9360 regarding certain offences under the Solid Waste By-law and the Street and Traffic By-law (By-law No. 11441)
6. A By-law to amend Solid Waste By-law No. 8417 regarding enforcement and diversion of waste (By-law No. 11442)

7. A By-law to amend License By-law 4450 regarding organic waste and recycling (By-law No. 11443)
8. A By-law to amend Street and Traffic By-law No. 2849 regarding litter and fines (By-law No. 11444)
9. A By-law to amend Impounding By-law No. 3519 regarding container storage fees (By-law No. 11445)
10. A By-law to enact a Housing Agreement for 1529 Comox Street (By-law No. 11446)
11. A By-law to enact a Housing Agreement for 3819 Boundary Road (By-law No. 11447)
12. A By-law to enact a Housing Agreement for 1546 Nelson Street (By-law No. 11448)
13. A By-law to amend Street and Traffic By-law No. 2849 regarding skateboards etc. on bike lanes (By-law No. 11449)
14. A By-law to amend the Green Demolition By-law regarding fees and incentives for salvage (By-law No. 11450)
15. A By-law to provide for the Administration of the Freedom of Information and Protection of Privacy Act for the City of Vancouver - **WITHDRAWN**

MOTIONS

A. Administrative Motions

1. Approval of Form of Development - 401 Southwest Marine Drive

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the form of development for this portion of the site known as 445 Southwest Marine Drive (401 Southwest Marine Drive being the application address) be approved generally as illustrated in the Development Application Number DE418980, prepared by GBL Architects Inc., and stamped "Received, Community Services Group, Development Services", on October 6, 2015, 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

2. Approval of Form of Development - 3289 Riverwalk Avenue

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the form of development for this portion of the site known as 8B (3289 Riverwalk Avenue being the application address) be approved generally as illustrated in the Development Application Number DE418718, prepared by Shift Architecture for Polygon Homes, and stamped "Received, Community Services Group, Development Services", on January 21, 2016, 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

B. Motions on Notice

The Mayor noted that Motions on Notice 1, 3, 4 and 6 had previously been referred to Standing Committee on February 24, 2016, in order to hear from speakers, and Motion on Notice 5 had been withdrawn from this agenda.

2. Requests for Leaves of Absence

MOVED by Councillor Carr
SECONDED by Councillor Ball

- A. THAT Councillor Louie be granted Leave of Absence for Civic Business from meetings to be held on June 28, 29, and October 18, 19, and 20, 2016.
- B. THAT Councillor Jang be granted Leave of Absence for Civic Business from meetings to be held on April 14, 2016.
- C. THAT Councillor Deal be granted Leave of Absence for personal reasons from meetings to be held on March 31, 2016.
- D. THAT Mayor Robertson be granted Leave of Absence for personal reasons from the Public Hearing to be held on February 23, 2016.

CARRIED UNANIMOUSLY

5. Moratorium on Demolition of Homes until Measures to Protect Character Homes in Place - WITHDRAWN

ENQUIRIES AND OTHER MATTERS

1. South Vancouver Bus Route Changes

Councillor Ball noted that the Seniors' Advisory Committee was planning to communicate with Council regarding proposed changes by TransLink to South Vancouver bus routes, as the changes will impact a large percentage of seniors and lead to their isolation. She also acknowledged Councillor Meggs for raising this issue several months ago.

2. Comments Regarding Conflict of Interest

Councillor Stevenson rose in regard to comments he made at a meeting earlier this month about whether another Council member was in a conflict of interest on a matter being considered. He acknowledged that the Council member was aware of the regulations regarding conflict of interest and that it is up to each individual Council member to declare conflict of interest for themselves. He therefore apologized for his previous comments.

ADJOURNMENT

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Council adjourned at 10:55 am.

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