



REGULAR COUNCIL MEETING MINUTES

MAY 16, 2017

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, May 16, 2017, 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: Sadhu Johnston, City Manager

CITY CLERK'S OFFICE: Janice MacKenzie, City Clerk
Nicole Ludwig, Meeting Coordinator

WELCOME

Mayor Robertson acknowledged we are on the unceded territories of the Musqueam, Squamish, and Tsleil-Waututh First Nations.

IN CAMERA MEETING

MOVED by Councillor Stevenson
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:

(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;

(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

ADOPTION OF MINUTES

1. Regular Council - May 2, 2017

MOVED by Councillor Jang
SECONDED by Councillor Louie

THAT the Minutes of the Regular Council meeting of May 2, 2017, be approved.

CARRIED UNANIMOUSLY

2. Chauffeur's Permit Appeal Hearing - May 2, 2017

MOVED by Councillor Louie
SECONDED by Councillor Carr

THAT the Minutes of the Chauffeur's Permit Appeal Hearing of May 2, 2017, be approved.

CARRIED UNANIMOUSLY

3. Regular Council (Policy and Strategic Priorities) - May 3, 2017

MOVED by Councillor Deal
SECONDED by Councillor Louie

THAT the Minutes of the Regular Council meeting following the Standing Committee on Policy and Strategic Priorities meeting of May 3, 2017, be approved.

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Deal
SECONDED by Councillor Louie

THAT Council adopt Communication 1, Administrative Reports 2 to 4, Policy Reports 1 to 7, and Other Report 1, on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

* * * * *

Prior to beginning the presentation for Report Reference 1, Mayor Robertson noted requests to speak had been received for Report Reference 2. Council agreed to deal with this matter prior to beginning the presentation for Report Reference 1.

Council also agreed to hear the presentations for Report References 1 and 3 concurrently, and ask questions of staff following both presentations.

For clarity, the minutes are recorded in chronological order.

* * * * *

2. Complete Streets Policy Framework and Related By-law Changes April 19, 2017

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the presentation and the related Administrative Report dated April 19, 2017, entitled "Complete Streets Policy Framework and Related By-law Changes", be referred to the Standing Committee on City Finance and Services meeting on Wednesday, May 17, 2017, in order to hear from speakers.

CARRIED UNANIMOUSLY (Vote No. 01929)

1. Update from the Director of Transportation

Lon LaClaire, Director of Transportation, provided an update on transportation data and priorities for the Renewable City Strategy and updates on major projects, including the Arbutus Greenway, Transportation 2040, the 2016 Walk/Bike Report Card, and the All Ages and Abilities (AAA) guidelines for cycling routes.

Note: Questions from members were addressed following the presentation for Report Reference 3.

3. Congestion Management Strategy May 2, 2017

Lon LaClaire, Director of Transportation, presented the proposed congestion management strategy.

Following the presentation on this matter, Mr. LaClaire, along with Jerry Dobrovolsky, General Manager of Engineering Services, Dale Bracewell, Branch Manager, Transportation Planning, and Winston Chou, Manager, Traffic and Data Management, responded to questions related to Report References 1 and 3.

MOVED by Councillor Reimer
SECONDED by Councillor Deal

THAT Council adopt the Congestion Management Strategy as outlined in the Administrative Report dated May 2, 2017, entitled "Congestion Management Strategy";

FURTHER THAT as part of Goal #2: Improve Road Safety, staff include a strategy to reduce "rat running" in neighbourhoods where it is an issue, to ensure arterial traffic stays on arterials.

CARRIED (Vote No. 01923)
(Councillor De Genova opposed)

4. 10th Avenue Health Precinct Street Improvements
May 9, 2017

Mayor Robertson advised requests to speak to this matter had been received.

MOVED by Councillor Deal
SECONDED by Councillor Carr

THAT the Administrative Report dated May 10, 2017, entitled "10th Avenue Health Precinct Street Improvements" be referred to the Standing Committee on City Finance and Services meeting on May 17, 2017, in order to hear from speakers;

FURTHER THAT the above-noted item will be considered starting at 2 pm at the above-noted meeting.

CARRIED UNANIMOUSLY (Vote No. 01931)

Paul Storer, Branch Manager, Transportation Design, along with Shelly Fleck, Operations Director, Strategic Initiatives, Vancouver Coastal Health, Stephanie Aldridge, Executive Director, BC Cancer Agency, and Laura Case, Chief Operating Officer, Vancouver Community, Vancouver Coastal Health, presented the consultation process and the resulting design concept for 10th Avenue between Oak and Cambie Streets.

* * * * *

During the presentation, at 12:01 pm it was

*MOVED by Councillor Deal
SECONDED by Councillor Jang*

THAT the length of the meeting be extended to complete the business on the agenda.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

Mayor Robertson noted Council would recess following the conclusion of the presentation regarding the 10th Avenue Health Precinct Street Improvements, and that members should email questions to staff for response the next day.

Council recessed at 12:10 pm and reconvened at 2:35 pm.

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COMMUNICATIONS

1. Appointment of Council Representatives to FCM

- A. THAT Council rescind the appointments of Councillor Raymond Louie as the City's Federation of Canadian Municipalities (FCM) Board member and Councillor Tim Stevenson as FCM Subcommittee member effective June 3, 2017.
- B. THAT Council appoint Councillor Tim Stevenson to the Canadian Municipalities (FCM) Board and Councillor Heather Deal as FCM Subcommittee member for the term of June 4, 2017 to November 5, 2018.

ADOPTED ON CONSENT (Vote No. 01928)

ADMINISTRATIVE REPORTS

1. 2017 Property Taxation - Taxation By-laws and Averaging Resolutions May 9, 2017

MOVED by Councillor Louie
SECONDED by Councillor Deal

- A. THAT Council adopt the 2017 rating by-laws that establish the municipal general purpose tax rate and the Metro Vancouver Regional District tax rate for each property class.
- B. THAT Council adopt the 2017 averaging resolutions that substitute the tax rates established by other taxing authorities to give effect to the targeted land assessment averaging program.

CARRIED UNANIMOUSLY (Vote No. 01932)

2. Vancouver Community Sport Hosting Grant - Summer 2017 Intake May 1, 2017

- A. THAT Council approve seven (7) new Community Sport Hosting Grants totalling \$38,000 as outlined in the Administrative Report dated May 1, 2017, entitled "Vancouver Community Sport Hosting Grant - Summer 2017 Intake".

- B. THAT the grants described in A above be subject to each grant recipient agreeing to the terms and conditions of the community sport hosting grant program as generally outlined in the Administrative Report dated May 1, 2017, entitled "Vancouver Community Sport Hosting Grant - Summer 2017 Intake" and otherwise satisfactory to the Senior Manager, Sport Hosting and the City Solicitor.
- C. THAT the grants noted in A above be funded from the 2017 Vancouver Community Sport Hosting Grant Program Budget.
- D. THAT no legal rights or obligations are created by the approval of A through C above unless and until the grant agreement letter is executive and delivered by the grant recipient.

ADOPTED ON CONSENT (Vote No. 01933)
AND A BY THE REQUIRED MAJORITY

**3. First and Second Step Report, Local Improvements by Petition, Court of Revision - June 22, 2017
April 4, 2017**

- A. THAT the five petition projects, four lane paving and one laneway lighting, listed in Appendix I of the Administrative Report dated April 4, 2017, entitled "First and Second Step Report, Local Improvements by Petition, Court of Revision - June 22, 2017" be advanced as Local Improvements and be brought before a Court of Revision on June 22, 2017.
- B. THAT the funding strategy detailed in Appendix II, of the Administrative Report dated April 4, 2017, entitled "First and Second Step Report, Local Improvements by Petition, Court of Revision - June 22, 2017", "The Local Improvements Detailed Second Step Report" be adopted. The four lane paving projects are funded by the property owners and the City. The lane lighting project is 100% funded by the property owners.

ADOPTED ON CONSENT (Vote No. 01934)

**4. Bird Friendly Design Guidelines
May 2, 2017**

- A. THAT the Bird Friendly Design Guidelines attached as Appendix A to the Administrative Report dated May 2, 2017, entitled "Bird Friendly Design Guidelines" be applied separately as 'Bird Friendly Guidelines for Building Design' and 'Bird Friendly Guidelines for Landscape Design'.
- B. THAT the Bird Friendly Design Guidelines attached as Appendix A to the Administrative Report dated May 2, 2017, entitled "Bird Friendly Design Guidelines" be applied as standard Guidelines.

- C. THAT the Bird Friendly Design Guidelines attached as Appendix A to the Administrative Report dated May 2, 2017, entitled "Bird Friendly Design Guidelines" be applied with special emphasis in the Cambie Corridor, specifically the Queen Elizabeth and Langara precincts.
- D. THAT Facilities Planning and Development projects continue to provide leadership in the application of the Bird Friendly Design Guidelines attached as Appendix A to the Administrative Report dated May 2, 2017, entitled "Bird Friendly Design Guidelines", such as the inclusion of the Bird Friendly Design Guidelines in specifications and guidelines for all city-owned buildings.
- E. THAT staff report back to Council within two years with updates on the Bird Friendly Design Guidelines.

ADOPTED ON CONSENT (Vote No. 01936)

POLICY REPORTS

1. CD-1 Rezoning and Heritage Designation: 809 West 23rd Avenue
May 2, 2017

- A. THAT the application by EDG Homes Ltd. on behalf of The Lodge on Willow Ltd., the registered owners, to rezone: 809 West 23rd Avenue [*PID 004-516-486; Lot 9 of Lot B, Block 617, District Lot 472, Plan 5325*] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 1.14 FSR and the height from 10.7 m (35 ft.) to 11.4 m (38 ft.) to permit conversion, rehabilitation and protection of the existing church building and infill residential development containing a total of 6 dwelling units, be referred to a Public Hearing together with:
 - (i) plans prepared by EDG Homes, received on September 12, 2016;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning and Heritage Designation: 809 West 23rd Avenue"; and
 - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the 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 the approval in principle of the rezoning, the existing church building, (the "heritage building") at 809 West 23rd Avenue [*PID 004-516-486; Lot 9 of Lot B, Block 617, District Lot 472, Plan 5325*] be added to the Vancouver Heritage Register in the 'C' evaluation category.
- C. THAT, subject to approval in principle of the rezoning, pursuant to Sections 593 and 594 of the *Vancouver Charter*, Council approve the designation of the heritage building as protected heritage property;

FURTHER that the Director of Legal Services be instructed to bring forward the Heritage Designation By-law generally as set out in Appendix D of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning and Heritage Designation: 809 West 23rd Avenue" for consideration at the Public Hearing.

- D. THAT, subject to the 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 May 2, 2017, entitled "CD-1 Rezoning and Heritage Designation: 809 West 23rd 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.

- E. THAT A to D above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and the expenditures of funds or incurring of costs is at the sole risk of the person making the expenditures 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.

ADOPTED ON CONSENT (Vote No. 01937)

**2. CD-1 Rezoning: 5030-5070 Cambie Street
May 2, 2017**

- A. THAT the application by Pennyfarthing Hillcrest Developments Ltd., the registered owner, to rezone 5030-5070 Cambie Street [*Lots 8, 9, and Amended Lot 10 (Explanatory Plan 8233), all of Block 840, District Lot 526, Plan 8324; PIDs: 010-152-245, 005-762-723 and 010-153-764, respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.40 FSR and the height from 10.7 m (35 ft.) to 20.3 m (67 ft.) to permit the development of a multi-family residential building containing a total of 51 market residential units, be referred to a Public Hearing together with:
- (i) plans prepared by SHIFT Architecture Inc., received on August 5, 2016;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5030-5070 Cambie Street"; and

- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the 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 the enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5030-5070 Cambie Street";

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

- 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 the expenditure of funds or incurring of costs is at the sole risk of the person making the expenditures 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 sole 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 (Vote No. 01938)

**3. CD-1 Rezoning: 5733 Alberta Street and 376-392 West 41st Avenue
May 2, 2017**

- A. THAT the application by GBL Architecture Inc. on behalf of 1011066 B.C. Ltd., the registered owners, to rezone 5733 Alberta Street and 376-392 West 41st Avenue [*Amended Lot 13 (See 231390L), Amended Lot 14 (See 231389L) and Amended Lot 15 (see 337852-L), all of: Block 857, District Lot 526, Plan 7737; PIDs: 010-337-512, 010-337-521, and 004-951-883 respectively*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.63 and the height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of a six-storey residential building, containing a total of 54 dwelling units, be referred to a Public Hearing together with:

- (i) plans prepared by GBL Architecture Inc., received on November 4, 2016;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5733 Alberta Street and 376-392 West 41st Avenue"; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions contained in Appendix B of the above-noted report;

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

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5733 Alberta Street and 376-392 West 41st Avenue";

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

- C. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended generally as set out in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 5733 Alberta Street and 376-392 West 41st 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.

- D. THAT A through C above be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditures 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 sole 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 (Vote No. 01939)

**4. CD-1 Text Amendment: 955 East Hastings Street
May 2, 2017**

A. THAT the application by GBL Architects, on behalf of 900 H.S. Holdings Ltd. (Wall Financial Corporation), to amend CD-1 (561) By-law No. 10872 for 955 East Hastings Street [*PID: 029-260-558, Lot 1, Block 62, District Lot 181, Group 1, New Westminster District Plan EPP26162*] to increase the maximum floor area for office uses from 1,150 sq. m to 1,318 sq. m be referred to a public hearing, together with:

- (i) draft by-law amendments generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Text Amendment: 955 East Hastings Street";
- (ii) revised building floor plans generally as presented in Appendix B of the above-noted report; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application;

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

B. THAT A above be adopted on the following conditions:

- (i) THAT the passage of the above resolution 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 (Vote No. 01940)

**5. CD-1 Text Amendment: 620 Cardero Street (formerly 1575 West Georgia Street)
May 2, 2017**

A. THAT the application by Henriquez Partners Architects, on behalf of 1072705 B.C. Ltd. and 1072719 B.C. Ltd. (Bosa Properties), to amend CD-1 (633) By-law No. 11577 for 620 Cardero Street (formerly 1575 West Georgia Street) [*PID 029-884-667; Lot A, Block 42, District Lot 185, Group 1, New Westminster District and of part of the public harbour of Burrard Inlet Plan EPP62321*] to increase

the floor space ratio from 10.59 to 10.85 and the residential floor space ratio from 7.86 to 8.15 be referred to a public hearing, together with:

- (i) draft by-law amendments generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Text Amendment: 620 Cardero Street (formerly 1575 West Georgia Street);
- (ii) revised building floor plans generally as presented in Appendix B of the above-noted report; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application;

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

B. THAT A above be adopted on the following conditions:

- (i) THAT the passage of the above resolution 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 (Vote No. 01941)

6. **CD-1 Rezoning: 470-486 West 58th Avenue
May 2, 2017**

A. THAT the application by Franci Architects on behalf of Vantac (W58th & W59th Ave) Properties Ltd., the registered owner, to rezone 470-486 West 58th Avenue [*Lots 29, 28, and 27, Block 1005, District Lot 526, Plan 9489. PIDs: 004-594-363, 009-672-346, and 009-672-303, respectively*] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.50 and the height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of a six-storey residential building, containing 43 units, be referred to a Public Hearing together with:

- (i) plans prepared by Franci Architects, received on October 31, 2016;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 470-486 West 58th Avenue"; and

- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions contained in Appendix B of the above-noted report;

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

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 470-486 West 58th 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 A and B above are 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 sole risk of the person making the expenditures 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 sole 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 (Vote No. 01942)

7. **CD-1 Rezoning: 469-485 West 59th Avenue**
May 2, 2017

- A. THAT the application by Franci Architects on behalf of Vantac (W58th & W59th Ave) Properties Ltd., the registered owner, to rezone 469-485 West 59th Avenue [*Lots 8, 7, and 6, Block 1005, District Lot 526, Plan 9489; PIDs: 008-172-480, 009-671-901, and 007-473-630, respectively*] from RS-1 (One-Family Dwelling) to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.50 and the height from 10.7 m (35 ft.) to 21.0 m (69 ft.) to permit the development of a six-storey residential building, containing 43 units, be referred to a Public Hearing together with:

- (i) plans prepared by Franci Architects, received on October 31, 2016;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 469-485 West 59th Avenue"; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions contained in Appendix B of the above-noted report;

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

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated May 2, 2017, entitled "CD-1 Rezoning: 469-485 West 59th 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 A and B above are 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 sole risk of the person making the expenditures 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 sole 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 (Vote No. 01943)

OTHER REPORTS

**1. Vancouver Heritage Foundation Board - Annual Report 2016
April 11, 2017**

- A. THAT Council approve the 2016 Annual Report of the Vancouver Heritage Foundation attached as Appendix A to the Other Report dated April 11, 2017, entitled "Vancouver Heritage Foundation Board - Annual Report 2016".

- B. THAT Council approve payment of a grant to the Vancouver Heritage Foundation in the amount of \$127,500 to be used as operating funds for the first year of the three-year operating agreement (2017-2019) noting that funding is included in the 2017 Operating Budget.

ADOPTED ON CONSENT AND
B BY THE REQUIRED MAJORITY (Vote No. 01945)

BY-LAWS

Mayor Robertson noted that by-law 10 had been withdrawn.

Councillor Ball advised she had reviewed the proceedings with regard to By-law 2 and would therefore be voting on the enactment.

Councillor Louie advised he had reviewed the proceedings with regard to By-law 3, and would be voting on the enactment.

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

CARRIED UNANIMOUSLY

1. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking requirements (1755 West 14th Avenue) (By-law No. 11783)
2. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (5050-5080 Joyce Street) (By-law No. 11784)
(Councillor Stevenson ineligible for the vote)
3. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (4085 Ash Street and 619-633 West King Edward Avenue) (By-law No. 11785)
(Councillor Stevenson and Mayor Robertson ineligible for the vote)
4. A By-law to levy rates on all taxable real property in the City of Vancouver, to raise a sum which added to the estimated revenue of the City of Vancouver from other sources, will be sufficient to pay all debts and obligations of the City of Vancouver falling due within the year 2017 and not otherwise provided for (By-law No. 11786)
5. A By-law to levy a rate on property to raise monies required to be paid to the Metro Vancouver Regional District (By-law No. 11787)
6. A By-law to amend Health By-law No. 9535 regarding marinas (By-law No. 11788)
7. A By-law to amend Fire By-law No. 11312 regarding fire safety, carbon monoxide alarms, smoke alarms and housekeeping (By-law No. 11789)

8. A By-law to amend Ticket Offences By-law No. 9360 regarding offences pursuant to the Fire By-law (By-law No. 11790)
9. A By-law to enact a Housing Agreement for 328 Nanaimo (By-law No. 11791)
10. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (1070 and 1090 West Pender Street) - **WITHDRAWN**

MOTIONS

A. Administrative Motions

1. Approval of Form of Development - 5349 Cambie Street

MOVED by Councillor Meggs
SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 5355-5389 Cambie Street (5349 Cambie Street being the application address) be approved generally as illustrated in the Development Application Number DE419707, prepared by GBL Architects, and stamped "Received, Community Services Group, Planning and Development Services", on January 26, 2017, 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 - 1461 Granville Street

MOVED by Councillor Meggs
SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 1429 Granville Street (1461 Granville Street being the application address) be approved generally as illustrated in the Development Application Number DP-2017-00097, prepared by DIAGLOG, and stamped "Received, Community Services Group, Development Services", on January 30, 2017, 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

3. Approval of Form of Development - 1462 Granville Street

MOVED by Councillor Meggs
SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 1410 Granville Street (1462 Granville Street being the application address) be approved generally as illustrated in the Development Application Number DP-2017-00098, prepared by

DIALOG, and stamped "Received, Community Services Group, Development Services", on January 30, 2017, 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

4. 2017 Tax Levies for Provincial Schools

MOVED by Councillor Meggs
SECONDED by Councillor Jang

WHEREAS

1. Pursuant to Section 119(3) of the *School Act*, the Lieutenant Governor in Council determines the tax rate on the net taxable value of all land and improvements in the City of Vancouver;
2. By *Orders in Council No. 185 and 186* approved on April 21, 2017, the Lieutenant Governor in Council determined the following tax rates on Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other:

Class 1 Residential	0.94890
Class 5 Light Industry	4.80000
Class 6 Business & Other	4.80000

being dollars of tax for each one thousand dollars of taxable value, for the 2017 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver would raise the following sums:

Class 1 Residential	\$301,774,167
Class 5 Light Industry	\$7,727,284
Class 6 Business & Other	\$277,792,615

3. Pursuant to provisions of the *Vancouver Charter*, on March 28, 2017, Council approved By-law No. 11759 which authorized adjustment of the net taxable value of land in Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other in the City of Vancouver;
4. Pursuant to By-law No. 11759, the net taxable value and the adjusted taxable value of land in the above-noted Classes subject to taxation under the *School Act* for the year 2017 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 Residential	\$318,025,257,714	\$307,906,007,207
Class 5 Light Industry	\$1,609,850,900	\$1,257,487,737
Class 6 Business & Other	\$57,873,461,532	\$53,287,906,559

5. Council is obliged to vary the tax rates set by the Administrator in Council to produce the same amount of revenue that would have been raised if the net taxable value of land in the above-noted Classes had not been adjusted.

THEREFORE BE IT RESOLVED THAT, in the case of Class 1 Residential, the rate of 0.98009 is hereby substituted for the rate of 0.94890; in the case of Class 5 Light Industry, the rate of 6.14502 is substituted for the rate of 4.80000; and in the case of Class 6 Business & Other, the rate of 5.21305 is substituted for the rate of 4.80000 for taxation pursuant to the *School Act* in the City of Vancouver for the 2017 taxation year.

CARRIED UNANIMOUSLY

5. Tax Levies for South Coast British Columbia Transportation Authority ("TransLink")

MOVED by Councillor Meggs
SECONDED by Councillor Jang

WHEREAS

1. Pursuant to Section 25 of the *South Coast British Columbia Transportation Authority Act*, the South Coast British Columbia Transportation Authority ("TransLink") in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property taxable for school purposes only by special act);
2. By *South Coast British Columbia Transportation Authority 2017 Property Tax By-law No. 115-2017* and *Replacement Tax By-law No. 116-2017*, TransLink levied the following tax rates on Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other:

Class 1 Residential	0.21930
Class 5 Light Industry	1.34420
Class 6 Business & Other	1.07720

being dollars of tax for each one thousand dollars of taxable value, for the 2017 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 Residential	\$69,740,187
Class 5 Light Industry	\$2,163,962
Class 6 Business & Other	\$62,126,641

3. Pursuant to provisions of the *Vancouver Charter*, on March 28, 2017, Council approved By-law No. 11759 which authorized adjustment of the net taxable value of land in Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other, in the City of Vancouver;

4. Pursuant to By-law No. 11759, the net taxable value and the adjusted taxable value of land in the above-noted Classes subject to taxation under the *South Coast British Columbia Transportation Authority Act* for the year 2017 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 Residential	\$318,012,710,714	\$307,893,460,207
Class 5 Light Industry	\$1,609,850,900	\$1,257,487,737
Class 6 Business & Other	\$57,674,193,532	\$53,091,602,226

5. Council is obliged to vary the tax rates set by TransLink in order to produce the same amount of revenue that would have been raised if the net taxable value of land in the above-noted Classes had not been adjusted.

THEREFORE BE IT RESOLVED THAT, in the case of Class 1 Residential, the rate of 0.22651 is hereby substituted for the rate of 0.21930; in the case of Class 5 Light Industry, the rate of 1.72086 is substituted for the rate of 1.34420; and in the case of Class 6 Business & Other, the rate of 1.17018 is substituted for the rate of 1.07720 for taxation pursuant to the *South Coast British Columbia Transportation Authority Act* in the City of Vancouver for the 2017 taxation year.

CARRIED UNANIMOUSLY

6. 2017 Tax Levies for British Columbia Assessment Authority

MOVED by Councillor Meggs
SECONDED by Councillor Jang

WHEREAS

1. Pursuant to Section 17(2) of the *Assessment Authority Act*, the British Columbia Assessment Authority ("BC Assessment") in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property taxable for school purposes only by special act);
2. By *2017 Assessment Authority By-law No. 60*, BC Assessment levied the following tax rates on Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other:

Class 1 Residential	0.04320
Class 5 Light Industry	0.13930
Class 6 Business & Other	0.13930

being dollars of tax for each one thousand dollars of taxable value, for the 2017 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 Residential	\$13,738,149
Class 5 Light Industry	\$224,252
Class 6 Business & Other	\$8,034,015

3. Pursuant to provisions of the *Vancouver Charter*, on March 28, 2017, Council approved By-law No. 11759 which authorized adjustment of the net taxable value of land in Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other in the City of Vancouver;
4. Pursuant to By-law No. 11759, the net taxable value and the adjusted taxable value of land in the above-noted Classes subject to taxation under the *Assessment Authority Act* for the year 2017 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 Residential	\$318,012,710,714	\$307,893,460,207
Class 5 Light Industry	\$1,609,850,900	\$1,257,487,737
Class 6 Business & Other	\$57,674,193,532	\$53,091,602,226

5. Council is obliged to vary the tax rates set by BC Assessment in order to produce the same amount of revenue that would have been raised if the net taxable value of land in the above-noted Classes had not been adjusted.

THEREFORE BE IT RESOLVED THAT, in the case of Class 1 Residential, the rate of 0.04462 is hereby substituted for the rate of 0.04320; in the case of Class 5 Light industry, the rate of 0.17833 is substituted for the rate of 0.13930; and in the case of Class 6 Business & Other, the rate of 0.15132 is substituted for the rate of 0.13930 for taxation pursuant to the *Assessment Authority Act* in the City of Vancouver for the 2017 taxation year.

CARRIED UNANIMOUSLY

7. 2017 Tax Levies for Municipal Finance Authority of British Columbia

MOVED by Councillor Meggs
SECONDED by Councillor Jang

WHEREAS

1. Pursuant to Sections 17, 18(2) and 19 of the *Municipal Finance Authority Act*, the Municipal Finance Authority of British Columbia ("MFABC") in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property taxable for school purposes only by special act);
2. By *Municipal Finance Authority of British Columbia Resolution No. 146, 2017*, MFABC levied the following tax rates on Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other:

Class 1 Residential	0.00020
Class 5 Light Industry	0.00070
Class 6 Business & Other	0.00050

being dollars of tax for each one thousand dollars of taxable value, for the 2017 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 Residential	\$63,603
Class 5 Light Industry	\$1,127
Class 6 Business & Other	\$28,837

3. Pursuant to provisions of the *Vancouver Charter*, on March 28, 2017, Council approved By-law No. 11759 which authorized adjustment of the net taxable value of land in Class 1 Residential, Class 5 Light Industry, and Class 6 Business & Other in the City of Vancouver;
4. Pursuant to By-law No. 11759, the net taxable value and the adjusted taxable value of land in the above-noted Classes subject to taxation under the *Municipal Finance Authority Act* for the year 2017 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 Residential	\$318,012,710,714	\$307,893,460,207
Class 5 Light Industry	\$1,609,850,900	\$1,257,487,737
Class 6 Business & Other	\$57,674,193,532	\$53,091,602,226

5. Council is obliged to vary the tax rates set by MFABC in order to produce the same amount of revenue that would have been raised if the net taxable value of land in the above-noted Classes had not been adjusted.

THEREFORE BE IT RESOLVED THAT, in the case of Class 1 Residential, the rate of 0.00021 is hereby substituted for the rate of 0.00020; in the case of Class 5 Light Industry, the rate of 0.00090 is substituted for the rate of 0.00070; and in the case of Class 6 Business & Other, the rate of 0.00054 is substituted for the rate of 0.00050 for taxation pursuant to the *Municipal Finance Authority Act* in the City of Vancouver for the 2017 taxation year.

CARRIED UNANIMOUSLY

8. Approval of Form of Development - 4085 Ash Street and 619-633 West King Edward Avenue

MOVED by Councillor Meggs
SECONDED by Councillor Jang

THAT the form of development for this portion of the site known as 4085 Ash Street and 619-633 West King Edward Avenue (4085 Ash Street being the application address) be approved generally as illustrated in the Development Application Number DP-2016-00230, prepared by John Wall of Public Design, and stamped "Received, Community

Services Group, Development Services", on February 17, 2017, 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

1. Improving User Access to False Creek

MOVED by Acting Mayor Louie
SECONDED by Councillor Deal

WHEREAS

1. The Federal Vessel Operation Restriction Regulations (VORR) currently do not permit restricting temporary anchoring and/or access for events on False Creek, as it is an open waterway under the Canada Shipping Act and must be available to all waterway users;
2. Vancouver City Council and Park Board, staff recently explored the possibility of the City of Vancouver temporarily restricting access to certain areas of False Creek during the 2017 Dragon Boat Festival;
3. The 2009 Memorandum of Understanding (MOU) between Transport Canada, Marine Branch Pacific Region, and the City of Vancouver was entered into allowing the City of Vancouver to:
 - Administer and enforce Federal regulations related to anchoring in False Creek
 - Ensure unrestricted access to False Creek by all users
 - Improve safety in False Creek for all users;
4. In order for the City of Vancouver to further restrict anchoring and access on False Creek, a change to Federal legislation would be required. There is a process to change the legislation, however, it will require extensive public consultation and a considerable amount of time. Additionally, prior to undertaking this work, more investigation should be done to determine the likelihood that this would be successful, as there may be underlying legal issues that are difficult to resolve;
5. Staff from Parks and Recreation and Engineering are in the process of re-establishing a pro-active working relationship with Transport Canada in an effort to review current regulations and the MOU as they relate to the current uses and needs of False Creek users. The goal is to amend the applicable legislation that will allow the City of Vancouver, as the local authority for False Creek, greater flexibility in managing waterway activities in False Creek.

THEREFORE BE IT RESOLVED THAT Council endorse the efforts of Transport Canada, Engineering Services, Park Board of Parks and Recreation staff and the Vancouver Police Marine unit to pro-actively work on short and long term solutions that will:

- achieve a balance between the needs of the various user groups;
- Prepare for any required public consultation to support Transport Canada's investigation for the possibility of amending current legislation and regulations;
- Developing a timeline to collaboratively update the current MOU.

CARRIED UNANIMOUSLY (Vote No. 01924)

2. The City of Vancouver's Commitment to Natural Gas as an Affordable Energy Source

This motion was withdrawn.

3. Change to Business License/Chauffeur's Permit Appeal Hearing of November 7, 2017

MOVED by Councillor Reimer
SECONDED by Councillor Carr

WHEREAS

1. Vancouver City Council, on November 1, 2016, appointed Councillor Louie to the Business License/Chauffeur's Permit Appeal Hearing as a Panel member, for a hearing to be held on November 7, 2017;
2. Due to civic reasons Councillor Louie is no longer able to attend the hearing on November 7, 2017. Councillor Deal has agreed to replace Councillor Louie at the Business License/Chauffeur's Permit Appeal Hearing on November 7, 2017 as a Panel member.

THEREFORE BE IT RESOLVED THAT Councillor Deal be appointed to the Panel for the Business License/Chauffeur's Permit Appeal Hearing to be held on November 7, 2017 in place of Councillor Louie.

CARRIED UNANIMOUSLY (Vote No. 01925)

NOTICE OF MOTION

1. Vancouver Waterfront Initiative

Councillor Reimer submitted a Notice of Motion on the above-noted matter. The motion will be placed on the May 30, 2017, Regular Council agenda as a Motion on Notice.

ENQUIRIES AND OTHER MATTERS

1. U2 Concert at BC Place

Councillor Reimer requested information regarding the PavCo debrief on entry process for BC Place at the recent U2 concert, and what lessons can be shared with the City. The City Manager agreed to liaise with PavCo on this matter.

2. Vancouver Park Board By-law Regarding Cetaceans at the Vancouver Aquarium

Councillor De Genova requested information related to potential legal costs to the City given the Vancouver Park Board's recent approval of a by-law that affects the Vancouver Aquarium and the Marine Mammal Rescue Centre. She also asked for information and costs related to any activities the City has participated in or will participate in regarding marine mammal rescue.

3. Final Report of Modernizing the National Energy Board

Councillor Carr noted the National Energy Board (NEB) review panel had recently submitted its final report on the NEB, which calls into question the confidence behind the Board. She asked if it would be an appropriate time to ask the government to reconsider its decision on the Kinder-Morgan Pipeline. Mayor Robertson responded, noting he will be looking at next steps.

ADJOURNMENT

MOVED by Councillor Deal
SECONDED by Councillor Carr

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

Council adjourned at 3:07 pm.

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