



REGULAR COUNCIL MEETING MINUTES

JANUARY 29, 2019

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, January 29, 2019, at 9:38 am, in the Council Chamber, Third Floor, City Hall.

PRESENT:

- Mayor Kennedy Stewart
- Councillor Rebecca Bligh
- Councillor Christine Boyle*
- Councillor Adriane Carr
- Councillor Melissa De Genova*
- Councillor Lisa Dominato
- Councillor Pete Fry
- Councillor Colleen Hardwick* (Leave of Absence – Medical Leave after 6:30 pm)
- Councillor Sarah Kirby-Yung*
- Councillor Jean Swanson
- Councillor Michael Wiebe

CITY MANAGER'S OFFICE: Sadhu Johnston, City Manager

CITY CLERK'S OFFICE: Katrina Leckovic, City Clerk
Terri Burke, Meeting Coordinator

* Denotes absence for a portion of the meeting.

WELCOME

The Mayor acknowledged we are on the unceded territories of the Musqueam, Squamish, and Tsleil-Waututh Nations and we thank them for having cared for this land since time immemorial.

CONDOLENCES – Constable Nicole Chan

Mayor Stewart expressed condolences to Constable Nicole Chan and requested a moment of silence to remember her service to the community.

PROCLAMATION – Lunar New Year

The Mayor proclaimed the week of February 5 to 12, 2019, as Lunar New Year Celebration Week in the city of Vancouver and invited the following people to the podium to accept the Proclamation and say a few words:

- Chinese Benevolent Association - Jun Ing
- Vancouver Chinatown Merchants' Association - Syrus Lee

- SUCCESS - Terry Yung
- Chinese Freemasons - Cecil Fung

IN CAMERA MEETING

MOVED by Councillor Wiebe
SECONDED by Councillor Dominato

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;

(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;

(h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the city, other than a hearing to be conducted by the Council or a delegate of Council;

(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 – January 15, 2019

MOVED by Councillor Bligh
SECONDED by Councillor Carr

THAT the Minutes of the Regular Council meeting of January 15, 2019, be approved.

CARRIED UNANIMOUSLY

2. Regular Council (City Finance and Services) – January 16, 2019

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT the Minutes of the Regular Council meeting following the Standing Committee on City Finance and Services meeting of January 16, 2019, be approved.

CARRIED UNANIMOUSLY

3. Public Hearing – January 15 and 17, 2019

MOVED by Councillor Dominato
SECONDED by Councillor De Genova

THAT the Minutes of the Public Hearing of January 15 and 17, 2019, be approved.

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

The Mayor noted requests to speak to Administrative Report 1, entitled “City Participation in Women Deliver 2019 Conference”, had been received.

REFERRAL MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

THAT Council hear the staff presentation for Administrative Report 1, entitled “City Participation in Women Deliver 2019 Conference”, and refer the related report to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, January 30, 2019, to hear from speakers.

CARRIED UNANIMOUSLY

Note: The referral above was subsequently reconsidered later in the meeting.

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

THAT Council adopt Administrative Report 2 on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. 2019 Assessment Roll

Edward Shum, Acting Assessor and Niko Papoutsakis, Deputy Acting Assessor, BC Assessment, provided a presentation on the 2019 Assessment Roll, including the relationships between BC Assessment and local governments, assessment cycle and key dates, property classification, the appeal process, 2019 market hot spots, and assessment searches.

Mr. Shum and Mr. Papoutsakis, along with staff from Financial Planning and Analysis, responded to questions.

* * * * *

MOVED by Councillor De Genova
SECONDED by Councillor Carr

THAT Council recess for five minutes.

CARRIED UNANIMOUSLY

* * * * *

Council recessed at 10:56 am and reconvened at 11:04 am.

* * * * *

2. 2019 Housing Work Plan

Dan Garrison, Assistant Director, Housing Policy and Regulation, Planning, Urban Design and Sustainability, provided an update on the Housing Work Program for 2019, including aligning with Council early directions, housing targets, the City's role in housing, strategies, challenges, enhancing renter protections, monitoring and reporting, and initiatives.

Mr. Garrison, along with Gil Kelley, General Manager, Planning, Urban Design and Sustainability, Abi Bond, Managing Director of Homelessness Services and Affordable Housing Programs, Sandra Singh, General Manager, Arts, Culture and Community Services, and the City Manager responded to questions.

* * * * *

During questions to staff, Council recessed at 12 pm and reconvened at 3:09 pm.

* * * * *

UNFINISHED BUSINESS

1. **Deterring and Preventing Money Laundering and the Business of Organized Crime in the City of Vancouver**

On January 16, 2019, Vancouver City Council, at its meeting immediately following the Standing Committee on City Finance and Services, referred debate and decision on the above-noted motion to the Regular Council meeting to be held January 29, 2019, as Unfinished Business.

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

WHEREAS

1. The Attorney General commissioned Peter German's report titled "Dirty Money: An Independent Review of Money Laundering in Lower Mainland Casinos conducted for the Attorney General of British Columbia";
2. The media reported that Mr. German estimates over \$100 million dollars has been laundered in B.C.;
3. In Fall 2018, Attorney General David Eby and Minister of Finance Carole James, announced the Expert Panel on Money Laundering will be reviewing British Columbia's real estate sector and offering solutions to prevent market manipulation and money laundering. The panel consists of three members, who offer experience and knowledge pertaining to government policy, real estate and money laundering;
4. Page 16 of the Dirty Money Report, recommendation "R45" suggests "That the Province undertake research into allegations of organized crime penetration of the real estate industry";
5. In "Dirty Money" Mr. German states "79. Part 2 overviews the phenomenon of transnational organized crime and the unique position in which Vancouver finds itself. It describes the 'Vancouver Model', which provides a very practical framework for what has occurred in recent years. A primer is included on money laundering";
6. Mr. German also states in his report the most lucrative crimes in Vancouver are related to illegal drug sales. The drugs of choice cover the spectrum, from natural products such as cannabis, cocaine and heroin, to chemical creations such as opioids and hallucinogens;
7. The City of Vancouver Empty Homes Tax (Vacancy Tax By-law No. 11674) was implemented in 2017 by City Council, collecting 1% of the property's assessed taxable value if the property is left vacant. Currently, there is no system to confirm if the money collected by the City is directly or indirectly linked to money laundering.

THEREFORE BE IT RESOLVED

- A. THAT the Mayor write a letter on behalf of Council to the Attorney General of British Columbia and affirm the City of Vancouver's support to work with the B.C. Provincial government and when appropriated, the Vancouver Police Department and the Royal Canadian Mounted Police and appropriate investigative teams to prevent money laundering that could be directly or indirectly linked to businesses operating with or without a business licence in the city of Vancouver.
- B. THAT Council direct staff to work with the Attorney General's Office, the Province of B.C. and the appropriate police authorities to identify a system where the City of Vancouver can share pertinent information with the appropriate authorities to prevent and deter money laundering.
- C. THAT Council direct staff to review the powers available in the *Vancouver Charter*, including but not limited to:
 - i) The ability of the City of Vancouver to require voluntary stringent financial reporting; including but not limited to requiring audited financial statements, from businesses, individuals, corporations and companies when paying specific taxes, business licensing or any type of fee charged by the City of Vancouver in areas of business or property ownership that are more likely to attract money laundering and/or organized crime;
 - ii) The ability of the City of Vancouver to share information related to property ownership, and the collection of fees collected by the City of Vancouver, with senior levels of government, and appropriate agencies, including police agencies and specific investigative teams, in the interest of preventing and deterring money laundering.
- D. THAT staff report back to Council by the end of Q4 2019, including any recommendations.

amended

* * * * *

During debate it was,

*MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung*

THAT Council vary the agenda in order to deal with Administrative Report 1 after the completion of Unfinished Business 1.

**CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY**

Note: For clarity the minutes are recorded in chronological order.

* * * * *

AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT the motion be amended as follows:

- i. In B, insert the words "Vancouver Police Department" after the words "THAT Council direct staff to work with the";
- ii. In C i. strike the word "voluntary";
- iii. THAT D be struck and replaced with the following:
 - G. THAT staff report back to Council with their findings and any recommendations by the end of Q4 2019.
- vi. THAT the following be adding at the end of the motion, before G:
 - iii) The creation of by-laws to regulate the use and operation of cryptocurrency ATMs, including the requirement for a business licence, requirement for signage to advertise common frauds, requirement for identifications to be used to verify the sender and receiver of funds, and requirement of security features.
 - D. THAT Council direct staff to work with the Vancouver Police Department to explore possible ways the City of Vancouver can implement a by-law(s) or policy (or policies), to require all reporting entities involved in property-related transactions in the City of Vancouver to provide specific information to the City of Vancouver in the interest of deterring money laundering and the business of organized crime in the City of Vancouver.
 - E. THAT Council direct staff to work directly with the Vancouver Police Department to consider ways the City of Vancouver can legally require information from individuals and businesses that own property or apply for a business licence in the City of Vancouver, in the interest of preventing and deterring money laundering.
 - F. THAT Council direct staff to immediately review and take necessary action considering security protocols and processes involved with cash payments, and:
 - i) Authorize staff to take any necessary security measures in the interest of public safety; and
 - ii) In consultation with the Vancouver Police Department, review the process and methods of payment accepted by the City of Vancouver.

CARRIED UNANIMOUSLY (Vote No. 03827)

Following the vote on the amendment, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 03828).

FINAL MOTION AS APPROVED

WHEREAS

1. The Attorney General commissioned Peter German's report titled "Dirty Money: An Independent Review of Money Laundering in Lower Mainland Casinos conducted for the Attorney General of British Columbia";
2. The media reported that Mr. German estimates over \$100 million dollars has been laundered in B.C.;
3. In Fall 2018, Attorney General David Eby and Minister of Finance Carole James, announced the Expert Panel on Money Laundering will be reviewing British Columbia's real estate sector and offering solutions to prevent market manipulation and money laundering. The panel consists of three members, who offer experience and knowledge pertaining to government policy, real estate and money laundering;
4. Page 16 of the Dirty Money Report, recommendation "R45" suggests "That the Province undertake research into allegations of organized crime penetration of the real estate industry";
5. In "Dirty Money" Mr. German states "79. Part 2 overviews the phenomenon of transnational organized crime and the unique position in which Vancouver finds itself. It describes the 'Vancouver Model', which provides a very practical framework for what has occurred in recent years. A primer is included on money laundering";
6. Mr. German also states in his report the most lucrative crimes in Vancouver are related to illegal drug sales. The drugs of choice cover the spectrum, from natural products such as cannabis, cocaine and heroin, to chemical creations such as opioids and hallucinogens;
7. The City of Vancouver Empty Homes Tax (Vacancy Tax By-law No. 11674) was implemented in 2017 by City Council, collecting 1% of the property's assessed taxable value if the property is left vacant. Currently, there is no system to confirm if the money collected by the City is directly or indirectly linked to money laundering.

THEREFORE BE IT RESOLVED

- A. THAT the Mayor write a letter on behalf of Council to the Attorney General of British Columbia and affirm the City of Vancouver's support to work with the B.C. Provincial government and when appropriate, the Vancouver Police Department and the Royal Canadian Mounted Police and appropriate investigative teams to

prevent money laundering that could be directly or indirectly linked to businesses operating with or without a business licence in the city of Vancouver.

- B. THAT Council direct staff to work with the Vancouver Police Department, the Attorney General's Office, and the Province of B.C. to identify a system where the City of Vancouver can share pertinent information with the appropriate authorities to prevent and deter money laundering.
- C. THAT Council direct staff to review the powers available in the Vancouver Charter, including but not limited to:
 - i) The ability of the City of Vancouver to require stringent financial reporting; including but not limited to requiring audited financial statements, from businesses, individuals, corporations and companies when paying specific taxes, business licensing or any type of fee charged by the City of Vancouver in areas of business or property ownership that are more likely to attract money laundering and/or organized crime;
 - ii) The ability of the City of Vancouver to share information related to property ownership, and the collection of fees collected by the City of Vancouver, with senior levels of government, and appropriate agencies, including police agencies and specific investigative teams, in the interest of preventing and deterring money laundering; and
 - iii) The creation of by-laws to regulate the use and operation of cryptocurrency ATMs, including the requirement for a business licence, requirement for signage to advertise common frauds, requirement for identifications to be used to verify the sender and receiver of funds, and requirement of security features.
- D. THAT Council direct staff to work with the Vancouver Police Department to explore possible ways the City of Vancouver can implement a by-law(s) or policy (or policies), to require all reporting entities involved in property-related transactions in the City of Vancouver to provide specific information to the City of Vancouver in the interest of deterring money laundering and the business of organized crime in the City of Vancouver.
- E. THAT Council direct staff to work directly with the Vancouver Police Department to consider ways the City of Vancouver can legally require information from individuals and businesses that own property or apply for a business licence in the City of Vancouver, in the interest of preventing and deterring money laundering.
- F. THAT Council direct staff to immediately review and take necessary action considering security protocols and processes involved with cash payments, and:
 - i) Authorize staff to take any necessary security measures in the interest of public safety; and

- ii) In consultation with the Vancouver Police Department, review the process and methods of payment accepted by the City of Vancouver.
- G. THAT staff report back to Council with their findings and any recommendations by the end of Q4 2019.

ADMINISTRATIVE REPORTS

1. **City Participation in Women Deliver 2019 Conference January 22, 2019**

Cheryl Nelms, Deputy General Manager, Engineering Services, along with Evelyne Guindon, Managing Director, External Relations, Women Deliver, Ellen Woodsworth, Founder and Co-Chair, Women Transforming Cities International Society, and Michelle Collens, Manager, Sport Hosting Vancouver, provided a presentation on the Women Deliver Conference taking place in Vancouver from June 3 to 6, 2019. The presentation included City participation, the Legacy Housing Project, Culture Night, city and community engagement, and women's equity programming. The presenters, along with the City Manager, and Mary Clare Zak, Managing Director, Social Policy and Projects, responded to questions.

* * * * *

*MOVED by Councillor Carr
SECONDED by Councillor Dominato*

THAT the meeting be extended until 6 pm and Council take a recess at that time.

CARRIED UNANIMOUSLY

* * * * *

*MOVED by Councillor Carr
SECONDED by Councillor Fry*

THAT Council reconsider the decision to refer Administrative Report 1, "City Participation in Women Deliver 2019 Conference", to the Standing Committee on Policy and Strategic Priorities meeting on January 30, 2019.

CARRIED UNANIMOUSLY

* * * * *

MOVED by Councillor Carr
SECONDED by Councillor Fry

THAT Council agree to hear the registered speaker for this item.

CARRIED UNANIMOUSLY

* * * * *

Council heard from one speaker who spoke in support of the recommendations.

MOVED by Councillor De Genova
SECONDED by Councillor Carr

- A. THAT Council direct staff to continue investigating and scoping the Women Deliver Legacy Housing Project.
- B. THAT Council refer the Administrative Report dated January 22, 2019, entitled "City Participation in Women Deliver 2019 Conference", to the Vancouver Board of Parks and Recreation, Vancouver Public Library Board, and Vancouver Police Department Board for information and to request their support of these strategic initiatives related to the City's participation in the Women Deliver Conference.

Grant to Sponsor Culture Night Public Event at Conference:

- C. THAT Council approve a grant comprised of funding and in-kind value of up to \$90,000 to provide sponsorship support to the Metro Vancouver Convention and Visitors Bureau (doing business as "Tourism Vancouver") for the City's participation in the Culture Night event (described in section 2 of the Administrative Report dated January 22, 2019, entitled "City Participation in Women Deliver 2019 Conference") at the Women Deliver 2019 Conference to be held in the City of Vancouver from June 3 to 6, 2019.
- D. THAT the General Manager of Engineering Services and the Director of Legal Services be authorized to enter into a sponsorship agreement with Tourism Vancouver subject to each of them being satisfied with the terms and conditions of such agreement.
- E. THAT no legal rights or obligations will be created by Council's adoption of these recommendations unless and until the sponsorship agreement is executed by the City's authorized signatories.

City and Community Engagement Grant:

- F. THAT Council approve a grant comprised of cash and in-kind value of up to \$45,000 to be disbursed in accordance with criteria established by staff to engage with, and to enhance the benefits of the conference to the community

including the purposes described below in Section 3 of the Administrative Report dated January 22, 2019, entitled “City Participation in Women Deliver 2019 Conference”.

- G. THAT Council approve a new program stream of “Honouring Community Sport Champions” to fill a gap in the Community Sport Hosting Grants Program that recognizes and champions citizens who are making sport accessible in our community.
- H. THAT Council approve an allocation of \$35,000 from the 2019 Sport Hosting Program budget to launch the new program stream of “Honouring Community Sport Champions” that will align with the themed Women Deliver objectives. Funds will be used to market and promote this new grant initiative, develop content, and award 5 inaugural grants to local non-profit organizations who champion girls and women to participate at every level in sport.

Women’s Equity Programming Budget:

- I. THAT Council approve additional budget up to \$115,000 for the reasons set out in the Background section of the Administrative Report dated January 22, 2019, entitled “City Participation in Women Deliver 2019 Conference”, to support complementary programming related to women’s equity before, during, and after the conference.

amended

AMENDMENT MOVED by Councillor Boyle
SECONDED by Councillor Bligh

THAT the motion be amended by adding the following:
(Note: Lettering of the motion changes with the amendment)

- C. THAT a gender intersectional lens be placed on A through H, ensuring that all aspects of the City’s involvement, whether in sports, culture, world development goals, climate change, or housing, recognize the way that gender intersects with other barriers to participation and success for women and gender-diverse people;

FURTHER THAT the group of organizations who have begun convening around this event be consulted in an ongoing way as planning continues.

- G. THAT local not-for-profit organizations focused on gender-based violence, poverty, disability, housing, childcare, immigration, LGBTQ2S+ and Indigenous women’s leadership, be consulted and given avenues for showcasing their best practices work through participation during the conference and at the Culture Night;

FURTHER THAT the City ensure that the Cultural Night hire and showcase Indigenous women and culturally diverse women.

- H. THAT local not-for-profit organizations focused on gender-based violence, poverty, disability, housing, childcare, immigration, LGBTQ2S+ and Indigenous women's leadership receive free or subsidized tickets or other financial support, to ensure that the conference helps strengthen local grassroots women's organizations.

amended

AMENDMENT TO THE AMENDMENT MOVED by Councillor Boyle
SECONDED by Councillor De Genova

THAT, in G above, the word "given" be struck between the words "and" and "avenues" and the words "that the City seek" be substituted, and the word "ensure" be struck and the word "recommend" be substituted.

FURTHER THAT, in H above, the words "and that the City seek support from external funders to make this possible", be added at the end.

CARRIED UNANIMOUSLY (Vote No. 03829)

AMENDMENT TO THE AMENDMENT MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

THAT the words "sport equity and women in the arts" be inserted to the list of organizations in G and H above.

CARRIED UNANIMOUSLY (Vote No. 03830)

AMENDMENT TO THE AMENDMENT MOVED by Councillor Carr
SECONDED by Councillor Dominato

THAT, in B, the words "School Board" be added.

CARRIED UNANIMOUSLY (Vote No. 3831)

The amendments to the amendments having carried, the amendment was put and CARRIED UNANIMOUSLY (Vote No. 3832). Following the vote, the amended motion was put and CARRIED UNANIMOUSLY AND D AND I BY THE RQUIRED MAJORITY (Vote No. 03833).

FINAL MOTION AS APPROVED

- A. THAT Council direct staff to continue investigating and scoping the Women Deliver Legacy Housing Project.

- B. THAT Council refer the report to the Vancouver Board of Parks and Recreation, Vancouver Public Library Board, School Board, and Vancouver Police Department Board for information and to request their support of these strategic initiatives related to the City's participation in the Women Deliver Conference.
- C. THAT a gender intersectional lens be placed on A through H, ensuring that all aspects of the City's involvement, whether in sports, culture, world development goals, climate change, or housing, recognize the way that gender intersects with other barriers to participation and success for women and gender-diverse people;

FURTHER THAT the group of organizations who have begun convening around this event be consulted in an ongoing way as planning continues.

Grant to Sponsor Culture Night Public Event at Conference:

- D. THAT Council approve a grant comprised of funding and in-kind value of up to \$90,000 to provide sponsorship support to the Metro Vancouver Convention and Visitors Bureau (doing business as "Tourism Vancouver") for the City's participation in the Culture Night event (described in Section 2 below) at the Women Deliver 2019 Conference to be held in the City of Vancouver from June 3 to 6, 2019.
- E. THAT the General Manager of Engineering Services and the Director of Legal Services be authorized to enter into a sponsorship agreement with Tourism Vancouver subject to each of them being satisfied with the terms and conditions of such agreement.
- F. THAT no legal rights or obligations will be created by Council's adoption of these recommendations unless and until the sponsorship agreement is executed by the City's authorized signatories.
- G. That local not-for-profit organizations focused on gender-based violence, poverty, disability, housing, childcare, immigration, LGBTQ2S+, Indigenous women's leadership, sport equity and women in the arts, be consulted and that the City seek avenues for showcasing their best practices work through participation during the conference and at the Culture Night;

FURTHER THAT the City recommend that the Cultural Night hire and showcase Indigenous women and culturally diverse women.

City and Community Engagement Grant:

- H. THAT local not-for-profit organizations focused on gender-based violence, poverty, disability, housing, childcare, immigration, LGBTQ2S+, Indigenous women's leadership, sport equity and women in the arts, receive free or subsidized tickets or other financial support, to ensure that the conference helps strengthen local grassroots women's organizations;

FURTHER THAT the City seek support from external funders to make this possible.

- I. THAT Council approve a grant comprised of cash and in-kind value of up to \$45,000 to be disbursed in accordance with criteria established by staff to engage with, and to enhance the benefits of the conference to the community including the purposes described below in Section 3 of the Administrative Report dated January 22, 2019, entitled "City Participation in Women Deliver 2019 Conference".
- J. THAT Council approve a new program stream of "Honouring Community Sport Champions" to fill a gap in the Community Sport Hosting Grants Program that recognizes and champions citizens who are making sport accessible in our community.
- K. THAT Council approve an allocation of \$35,000 from the 2019 Sport Hosting Program budget to launch the new program stream of "Honouring Community Sport Champions" that will align with the themed Women Deliver objectives. Funds will be used to market and promote this new grant initiative, develop content, and award 5 inaugural grants to local non-profit organizations who champion girls and women to participate at every level in sport.

Women's Equity Programming Budget:

- L. THAT Council approve additional budget up to \$115,000 for the reasons set out in the Background section of the Administrative Report dated January 22, 2019, entitled "City Participation in Women Deliver 2019 Conference", to support complementary programming related to women's equity before, during, and after the conference.

* * * * *

MOVED by Councillor Wiebe
SECONDED by Councillor Bligh

THAT the meeting be extended until the completion of Motion B.3.

FURTHER THAT Council recess for 30 minutes.

CARRIED
(Councillor Kirby-Yung opposed)

* * * * *

Council recessed at 6 pm and reconvened at 6:31 pm.

* * * * *

UNFINISHED BUSINESS

2. REZONING 2542-2570 Garden Drive and 2309-2369 East 10th Avenue

On January 17, 2019, Vancouver City Council held a Public Hearing on the above-noted matter, and following the close of the speakers list and receipt of public comments, referred debate and decision to the Regular Council Meeting to be held January 29, 2019, as Unfinished Business.

Councillor Dominato advised she had reviewed the proceedings she had missed and would therefore be participating in discussion and decision on this matter.

Councillor Kirby-Yung advised she had not reviewed the proceedings and would therefore not be participating in discussion and decision on this matter.

MOVED by Councillor Carr

SECONDED by Councillor De Genova

- A. THAT the application by Rositch Hemphill Architects on behalf of Bucci Garden Homes Limited, the registered owner, to rezone:
- 2542 Garden Drive [PID 006-925-081; Lot G of Lot 1, Block 165, District Lot 264A, Plan 20006];
 - 2560 Garden Drive [PID 003-249-018; Lot 5, Except the East 2 Feet, Now Lane, of Lot 1, Block 165, District Lot 264a, Plan 2654];
 - 2570 Garden Drive [PID 013-551-671; Lot 6 of Lot 1, Block 165, District Lot 264A, Plan 2654]; and
 - 2309-2369 East 10th Avenue [Lots A, B, C and D, all of Lot 1, Block 165, District Lot 264A, Plan 2676; PIDs 013-584-499, 013-584-537, 005-096-413 and 003-406-989 respectively];

all from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.65 and the maximum building height from 10.7 m (35 ft.) to 20.8 m (68 ft.) to permit the development of a six-storey residential building containing 68 strata-titled units, generally as presented in Appendix A of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Rositch Hemphill Architects and received on December 15, 2017, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report including, strengthening the Condition of Approval contained in Appendix B of the same report to emphasize a four-storey building base with modest additions on the fifth

and sixth floor (including balconies) to be generally in line with the central to north and east portions of the building, in consultation with local residents through the Development Permit process, noting this may result in a commensurate reduction in floor area;

AND FURTHER THAT, the Director of Legal Services be instructed to bring forward commensurate amendments to the height and the floor area and density provisions of the draft By-law at time of enactment.

- 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 of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue";

AND 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 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.

amended

* * * * *

Council recessed at 6:38 pm and reconvened at 6:48 pm.

* * * * *

AMENDMENT MOVED by Councillor De Genova

THAT, in A, in the first AND FURTHER THAT, the words "staff exploring with the applicant", be inserted between the words "to" and "the", as follows:

“AND FURTHER THAT the above approvals be subject to staff exploring with the applicant the Conditions of Approval...”

not put

Having not received a second, and following staff comments on the above amendment, Councillor De Genova withdrew her amendment.

AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT, in A, in the first AND FURTHER THAT, the words “at the discretion of the Director of Planning” be inserted after the words “AND FURTHER THAT”.

CARRIED UNANIMOUSLY (Vote No. 03834)
(Councillor Hardwick absent for the vote due to Medical Leave)
(Councillor Kirby-Yung ineligible and absent for the vote)

* * * * *

Prior to the vote on the amendment above, Council recessed at 6:55 pm and reconvened at 7:02 pm.

* * * * *

AMENDMENT MOVED by Councillor Carr
SECONDED by Councillor De Genova

THAT, in A, in the first AND FURTHER THAT, the words “to reduce the appearance of the upper two floors” be inserted before the words “to emphasize a four-storey...”

CARRIED UNANIMOUSLY (Vote No. 03835)
(Councillor Hardwick absent for the vote due to Medical Leave)
(Councillor Kirby-Yung ineligible and absent for the vote)

Following the votes on the amendments, the motion as amended was put and CARRIED (Vote No. 03836), with Councillor Swanson opposed, and Councillor Hardwick absent for the vote due to Medical Leave, and Councillor Kirby-Yung ineligible and absent for the vote.

FINAL MOTION AS APPROVED

- A. THAT the application by Rositch Hemphill Architects on behalf of Bucci Garden Homes Limited, the registered owner, to rezone:

- 2542 Garden Drive [PID 006-925-081; Lot G of Lot 1, Block 165, District Lot 264A, Plan 20006];
- 2560 Garden Drive [PID 003-249-018; Lot 5, Except the East 2 Feet, Now Lane, of Lot 1, Block 165, District Lot 264a, Plan 2654];
- 2570 Garden Drive [PID 013-551-671; Lot 6 of Lot 1, Block 165, District Lot 264A, Plan 2654]; and
- 2309-2369 East 10th Avenue [Lots A, B, C and D, all of Lot 1, Block 165, District Lot 264A, Plan 2676; PIDs 013-584-499, 013-584-537, 005-096-413 and 003-406-989 respectively];

all from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.65 and the maximum building height from 10.7 m (35 ft.) to 20.8 m (68 ft.) to permit the development of a six-storey residential building containing 68 strata-titled units, generally as presented in Appendix A of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Rositch Hemphill Architects and received on December 15, 2017, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT at the discretion of the Director of Planning, the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report including, strengthening the Condition of Approval contained in Appendix B of the same report, to reduce the appearance of the upper two floors to emphasize a four-storey building base with modest additions on the fifth and sixth floor (including balconies) to be generally in line with the central to north and east portions of the building, in consultation with local residents through the Development Permit process, noting this may result in a commensurate reduction in floor area;

AND FURTHER THAT, the Director of Legal Services be instructed to bring forward commensurate amendments to the height and the floor area and density provisions of the draft By-law at time of enactment.

- 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 of the Policy Report dated October 30, 2018, entitled "CD-1 Rezoning: 2542-2570 Garden Drive and 2309-2369 East 10th Avenue";

AND 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 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.

ADMINISTRATIVE REPORTS

2. 2019 Cultural Grants (First Quarter Instalments, Advance, Arts Capacity, Music Fund) January 2, 2019

- A. THAT Council approve 5 first quarter instalment grants, totaling \$990,850, to the Agencies listed under “Major Institutions” in the amounts recommended for each Agency in the “2019 Advance” column, in Appendix A of the Administrative Report dated January 2, 2019, entitled “2019 Cultural Grants (First Quarter Instalments, Advance, Arts Capacity, Music Fund)”. Source of funding is the 2019 Cultural Grants Operating budget.
- B. THAT Council approve 59 advance operating grants, totaling \$1,084,920, to the Agencies listed under “Operating Organizations” in the amounts recommended for each Agency in the “2019 Advance” column, in Appendix A of the Administrative Report dated January 2, 2019, entitled “2019 Cultural Grants (First Quarter Instalments, Advance, Arts Capacity, Music Fund)”. Source of funding is the 2019 Cultural Grants Operating budget.
- C. THAT Council approve 64 advance annual assistance grants, totaling \$446,200, to the Agencies listed under “Annual Assistance Organizations” in the amounts recommended for each Agency in the “2019 Advance” column, in Appendix A of the Administrative Report dated January 2, 2019, entitled “2019 Cultural Grants (First Quarter Instalments, Advance, Arts Capacity, Music Fund)”. Source of funding is the 2019 Cultural Grants Operating budget.
- D. THAT Council approve a grant of \$20,000, to Vantage Point Strategies Society for delivery of arts capacity development support to cultural grantees of the City. Source of funding is the 2019 Cultural Grants Operating budget.
- E. THAT Council approve a Music Fund grant of \$300,000, payable jointly to both Creative BC Society and Music BC Industry Association to augment some of the existing programs being delivered by each of these entities which align with the City’s Music Strategy recommendations as further described in the Administrative

Report dated January 2, 2019, entitled "2019 Cultural Grants (First Quarter Instalments, Advance, Arts Capacity, Music Fund)". Source of funding is the 2019 Cultural Grant Operating Budget.

- F. THAT the General Manager of Arts, Culture and Community Services (GM of ACCS) is authorized to negotiate and execute agreements to disburse the grants described in the Administrative Report dated January 2, 2019, entitled "2019 Cultural Grants (First Quarter Instalments, Advance, Arts Capacity, Music Fund)" on the terms and conditions generally set out below and on such other terms and conditions as are satisfactory to the GM of ACCS and the City Solicitor.
- G. THAT no legal rights or obligations are created by the approval of A through E above unless and until the applicable grant agreement or letter of agreement is approved by the City in accordance with F above and executed and delivered by both the grant recipient and GM of ACCS (or their designate).
- H. THAT, pursuant to Section 206 (1) (j) of the *Vancouver Charter*, Council deems any organization listed in Appendix A of the Administrative Report dated January 2, 2019, entitled "2019 Cultural Grants (First Quarter Instalments, Advance, Arts Capacity, Music Fund)", which is not otherwise a registered charity with Canada Revenue Agency, to be contributing to the culture of the city.

ADOPTED ON CONSENT (Vote No. 03853)
AND A TO E BY THE REQUIRED MAJORITY

3. New Sublease for People's Law School at #150 - 900 Howe Street January 14, 2019

MOVED by Councillor De Genova
SECONDED by Councillor Bligh

- A. THAT Council authorize the Director of Real Estate Services to negotiate and execute a sublease agreement (the "Sublease") with People's Law School: The Public Legal Education Society ("PLS") as the subtenant and operator of the social facility at #150 – 900 Howe Street (the "Premises"), being a portion of the building situated on lands legally described as Lots 1 to 6, Block 72, District Lot 541, Plan 210, on the following terms and conditions and as set out in the key sublease terms attached to Appendix A (the "Term Sheet") of the Administrative Report dated January 14, 2019, entitled "New Sublease for People's Law School at #150 - 900 Howe Street", and upon such other terms and conditions as are satisfactory to the Director of Legal Services in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services:
 - i) Term and Renewal Options:
Two (2) years commencing March 1, 2019. No renewal options;
 - ii) Rent and Operating Costs:

Nominal base rent of Ten Dollars (\$10.00) for the term, payable in advance, plus applicable taxes;

PLS is responsible for paying building operating expenses directly to the head landlord (approx. \$63,000/annum);

As the Rent for the Premises will be below the applicable market rate, A above constitutes a grant valued at approximately \$133,000/annum based on the first year of the Term.

- B. THAT no legal rights or obligations will arise or be created by Council's adoption of A and B unless and until the Sublease is signed by the City and Public Legal Education Society ("PLS").

amended

AMENDMENT MOVED by Councillor Fry
SECONDED by Councillor Carr

THAT the following be added as A iii.

THAT staff work with PLS to determine if and how the objectives of Vancouver Social Infrastructure Plan intersects with the Public Legal Education Society's education and advocacy including but not limited to programs for seniors, youth, new Canadians, renters, tenants, civic by-laws and items specific to the creation of a Renters Office and other tenant support services.

amended

AMENDMENT TO THE AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Fry

THAT the word "or" be inserted before the word "how".

CARRIED UNANIMOUSLY (Vote No. 03854)
(Councillor Swanson abstained from the vote)
(Councillor Hardwick absent for the vote due to Medical Leave)

Section 145.1 of the Vancouver Charter states "Where a member present at a meeting abstains from voting, they are deemed to have voted in the affirmative."

The amendment to the amendment having carried, the amendment was put and CARRIED (Vote No. 03837) with Councillors De Genova and Kirby-Yung opposed and Councillor Hardwick absent for the vote due to Medical Leave.

Council agreed to separate the vote based on the components of the motion.

The amended motion was put and CARRIED AND A BY THE REQUIRED MAJORITY, with Councillors De Genova and Kirby-Yung opposed to A iii (Vote No. 03838), and A, A i, A ii, and B CARRIED UNANIMOUSLY (03839), and Councillor Hardwick absent for the votes due to Medical Leave.

FINAL MOTION AS APPROVED

- A. THAT Council authorize the Director of Real Estate Services to negotiate and execute a sublease agreement (the "Sublease") with People's Law School: The Public Legal Education Society ("PLS") as the subtenant and operator of the social facility at #150 – 900 Howe Street (the "Premises"), being a portion of the building situated on lands legally described as Lots 1 to 6, Block 72, District Lot 541, Plan 210, on the following terms and conditions and as set out in the key sublease terms attached to Appendix A (the "Term Sheet") of the Administrative Report dated January 14, 2019, entitled "New Sublease for People's Law School at #150 - 900 Howe Street", and upon such other terms and conditions as are satisfactory to the Director of Legal Services in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services:
- i) Term and Renewal Options:
Two (2) years commencing March 1, 2019. No renewal options;
 - ii) Rent and Operating Costs:
Nominal base rent of Ten Dollars (\$10.00) for the term, payable in advance, plus applicable taxes;

PLS is responsible for paying building operating expenses directly to the head landlord (approx. \$63,000/annum);

As the Rent for the Premises will be below the applicable market rate, Recommendation A constitutes a grant valued at approximately \$133,000/annum based on the first year of the Term;
 - iii. THAT staff work with PLS to determine if and or how the objectives of Vancouver Social Infrastructure Plan intersects with the Public Legal Education Society's education and advocacy including but not limited to programs for seniors, youth, new Canadians, renters, tenants, civic by-laws and items specific to the creation of a Renters Office and other tenant support services.
- B. THAT no legal rights or obligations will arise or be created by Council's adoption of A and B unless and until the Sublease is signed by the City and Public Legal Education Society ("PLS").

**4. Funding Application to Investing in Canada Infrastructure Program – Community, Culture and Recreation Infrastructure for the Archives Research Room and Specialty Vault Project
January 15, 2019**

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT Council approve the application to the Community, Culture and Recreation Infrastructure Stream of the Investing in Canada Infrastructure Program for up to \$3.7 million of funding towards the \$5.1 million Shared Research Room and Specialty Vault components of the Archives Renewal and Relocation project included in the 2019-2022 Capital Plan.

CARRIED UNANIMOUSLY (Vote No. 03840)
(Councillor Hardwick absent for the vote due to Medical Leave)

**5. 2018 City of Vancouver Costs for Vancouver Police Department DNA Analysis and Services
January 11, 2019**

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

THAT Council approve funding of \$554,000 for the 2018 DNA analysis costs associated with Vancouver Police Department (VPD); Source of funding is the 2018 Council Contingency;

FURTHER THAT Council request Mayor Stewart write a letter to Prime Minister Trudeau and the Federal Minister of Public Safety on behalf of Vancouver City Council requesting that the Federal Government reinstate full funding for DNA analysis costs; in the amount of \$554,000 for 2018, with consideration to reviewing the possibility of annually funding DNA testing for the Vancouver Police Department and other Canadian municipalities, in the interest of public safety in the city of Vancouver and countrywide.

CARRIED UNANIMOUSLY (Vote No. 03841)
(Councillor Boyle absent for the vote)
(Councillor Hardwick absent for the vote due to Medical Leave)

POLICY REPORTS

1. **CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue January 15, 2019**

MOVED by Councillor De Genova

SECONDED by Councillor Bligh

- A. THAT the application by HDR|CEI Architecture Associates Inc. on behalf of British Columbia Housing Management Commission ("BC Housing") to rezone 1636 Clark Drive and 1321-1395 East 1st Avenue [Lot 22 and Lot 23, Except Part in Explanatory Plan 17378, Block 60, District Lot 264A, Plans 383 and 1771; PIDs 013 004-581 and 013-004-590 respectively; Lot 24, Except (A) Part in Plan 4123 and (B) part in Explanatory Plan 17378, Block 60, District Lot 264A, Plans 383 and 1771; PID 013-004-638], [Lot 21, Block 60, District Lot 264A, Plans 383 and 1771; PID 006-747-884], [Lot 20, Block 60, District Lot 264A, Plans 383 and 1771; PID: 013-359-932], [Lot 19, Except the South 7 Feet Now Road, Block 60, District Lot 264A, Plans 383 and 1771; PID:015-327-345], [Lot 18, Except the South 7 Feet Now Road, Block 60, District Lot 264A, Plans 383 and 1771; PID:015-327-337],[Lot 15, Block 60, District Lot 264 A, Plans 383 and 1771; PID: 015-213-552], [Lot 14, Block 60, District Lot 264 A, Plans 383 and 1771; PID 015-327-329],[Lot 13, Block 60, District Lot 264A Plans 383 and 1771; PID: 012-694-029], [Strata Lots 1 to 13, District Lot 264A, Strata Plan VR. 1149; PIDs 006-282-881, 006-282-911, 006-282-938, 006-282-962, 006-282-989, 006-283-012, 006-283-039, 006-283-055, 006-283-179, 006-283-195, 006-283-233, 006-283-268, 006-283-276] , from I-2 (Industrial) and RM-4N (Multiple Dwelling) Districts to CD-1 (Comprehensive Development) District to increase the permitted floor space ratio (FSR) to 3.22 and the maximum building height to 36.6 m (120 ft.) to permit the development of a 10-storey mixed-use building which would contain 90 social housing units, social enterprise space and a withdrawal management centre, including up to 20 short term transitional beds, be referred to a Public Hearing, together with:

- (i) plans prepared by HDR/CEI Architecture Associates Inc., received August 23, 2018;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue"; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, including in principle of the form of development, subject to the Conditions of Approval 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 the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to bring forward a by-law to amend the

Regional Context Statement Official Development Plan By-law generally in accordance with Appendix D of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue".

- C. THAT, if after Public Hearing, Council approves in principle the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the zoning by-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Arts, Culture and Community Services.
- D. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated January 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary Bylaw, generally as set out in Appendix C of the above-noted report, for consideration at the Public Hearing.

- E. THAT, subject to approval of the rezoning application, 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 15, 2019, entitled "CD-1 Rezoning: 1636 Clark Drive and 1321-1395 East 1st Avenue";

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

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

CARRIED UNANIMOUSLY (Vote No. 03842)
(Councillor Hardwick absent for the vote due to Medical Leave)

BY-LAWS

The Mayor noted by-law 7 had been withdrawn.

MOVED by Councillor Carr

SECONDED by Councillor Bligh

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 1 to 6 and 8 and 9, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

(Councillor Hardwick absent for the vote due to Medical Leave)

1. A By-law to Amend Zoning and Development By-law No. 3575 regarding miscellaneous amendments to address floor area exclusions for high-performance exterior walls, and housekeeping amendments (By-law No. 12355)
2. A By-law to amend Downtown Eastside/Oppenheimer Official Development Plan By-law No. 5532 regarding Housekeeping Amendments (By-law No. 12356)
3. A By-law to amend Sign By-law No. 11879 regarding Site Specific Regulations for 1133-1155 Melville Street (By-law No. 12357)
4. A By-law to amend Sign By-law No.11879 regarding Site Specific Regulations for Higher Building Sites and Housekeeping (By-law No. 12358)
5. A By-law to designate certain real property as protected heritage property (1290 Homer Street, MacPherson and Teetzel Co. Building) (By-law No. 12359)
6. A By-law to designate certain real property as protected heritage property (1860 Barclay Street, Mason Residence) (By-law No. 12360)
7. A By-law to amend CD-1 (13A) By-law No. 3914 (2130-2288 Harrison Drive) - WITHDRAWN
8. A By-law to amend Street Name By-law No. 4054 regarding naming of two new streets and street extensions within the Pearson Dogwood Development (By-law No. 12361)
9. A By-law to amend the Ticket Offences By-law No. 9360 regarding housekeeping amendments (By-law No. 12362)

MOTIONS

A. Administrative Motions

Councillor De Genova declared conflict of interest on Administrative Motion 1, as she has an immediate family member directly involved in the project. She left the Chamber at 8:27 pm and returned at 8:28 pm, at the completion of the vote on Motion A1.

1. Approval of Form of Development: 521 - 525 West 8th Avenue

MOVED by Councillor Carr
SECONDED by Councillor Fry

THAT the form of development for this portion of the site known as 521 – 525 West 8th Avenue be approved generally as illustrated in the Development Application Number DP-2017-01346, prepared by Djam Shakirin of Musson Cattell Mackey Partnership, and stamped “Received, Community Services Group, Development Services”, on October 15, 2018, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY

(Councillor De Genova absent for the vote due to conflict of interest)
(Councillor Hardwick absent for the vote due to Medical Leave)

2. Approval of Form of Development – 375 East 1st Avenue (Formerly 399 East 1st Avenue)

MOVED by Councillor Carr
SECONDED by Councillor Fry

THAT the form of development for this portion of the site known as 375 East 1st Avenue be approved generally as illustrated in the Development Application Number DE420195, prepared by Onni Group, and stamped “Received, Community Services Group, Development Services”, on November 2, 2018, 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

(Councillor Wiebe opposed)
(Councillor Hardwick absent for the vote due to Medical Leave)

* * * * *

MOVED by Councillor Carr
SECONDED by Councillor Boyle

THAT Council recess for 10 minutes.

CARRIED UNANIMOUSLY
(Councillor Hardwick absent for the vote due to Medical Leave)

* * * * *

Council recessed at 8:32 pm and reconvened at 8:43 pm.

* * * * *

B. Motions on Notice

1. Requests for Leaves of Absence

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT Councillor Wiebe be granted Leave of Absence for Civic Business from 9:30 am to 12 pm on the following dates in 2019:

- *March 13*
- *April 3*
- *May 15*
- *June 12*
- *July 10*

FURTHER THAT Councillor Bligh be granted Leave of Absence for Civic Business for all meetings held March 12-14, 2019.

AND FURTHER THAT Councillor De Genova be granted Leave of Absence for Civic Business for the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, January 30, 2019.

CARRIED UNANIMOUSLY (Vote No. 03855)
(Councillor Hardwick absent for the vote due to Medical Leave)

2. Improving the Effectiveness of the Empty Homes Tax

MOVED by Mayor Stewart

SECONDED by Councillor De Genova

WHEREAS

1. On November 16, 2016, Vancouver City Council approved the Empty Homes Tax (EHT) program and enacted the Vacancy Tax By-law No. 11674 to impose a tax on empty and under-utilized class 1 residential properties within the City of Vancouver;
2. The City of Vancouver created the EHT to help return empty and under-utilized properties to the market as long-term rental homes for people who live and work in Vancouver;
3. Homes that are determined or deemed to be vacant are subject to a tax of 1% of the property's assessed taxable value. In order to determine which properties were subject to EHT, all homeowners are required to make an annual EHT declaration, confirming the status of their property as occupied;
4. Most residential properties are not subject to the tax, including homes that are principal residences for at least six months of the year; homes that are rented out for at least six months of the year; or homes that are eligible for one of eight exemptions as set out in the EHT by-law;
5. In the Empty Homes Tax Annual Report for the 1st year of the tax, City staff reported that a total of 7,923 homes were found to be vacant, of which 5,385 qualified for an exemption and 2,538 were charged the vacancy tax meaning that over 67% of the vacant properties were exempt from the tax. Staff also noted that audit work was ongoing and these numbers were likely to change;
6. On November 27, 2018, the Provincial Budget Measures Implementation (Speculation and Vacancy Tax) Act, 2018 came into force, which is aimed at preventing housing speculation and helping to turn vacant and underutilized properties in certain regions of the province into homes for people who live and work in B.C. This act applies in Vancouver and homeowners will be required to make an annual declaration to the province by March 31st of each year, starting in 2019, in addition to the EHT declaration;
7. The CMHC 2018 Rental Market Report showed vacancy rates for purpose built rentals and rented condo stock fell slightly between 2017 and 2018 after improving slightly from 2016 to 2017;
8. The declarations for the second year of the EHT program are currently underway with a due date of February 4, 2019;
9. During the election, there was support for an increase in the EHT rate.

THEREFORE BE IT RESOLVED THAT Council direct City staff to report back to Council by the end of March 2019 with a plan to review and improve the fairness and effectiveness of the Empty Homes Tax in achieving the objective of returning empty and underutilized properties to the market as long term rental homes for people who live and work in Vancouver;

FURTHER THAT the plan would include:

- i. a review of the fairness and effectiveness of exemptions and definitions, considering as well the Provincial Speculation Tax definitions;
- ii. a proposed timeline to provide information on the potential impact of increasing the Empty Homes Tax rate including program benefits and potential drawbacks; and
- iii. recommendations for public consultation and further internal analysis.

referred

The Mayor noted requests to speak had been received.

REFERRAL MOVED by Councillor De Genova
SECONDED by Councillor Carr

THAT the motion entitled "Improving the Effectiveness of the Empty Homes Tax" be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, January 30, 2019, to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Hardwick absent for the vote due to Medical Leave)

3. Persian New Year

MOVED by Councillor Swanson
SECONDED by Councillor Boyle

WHEREAS

1. Nowruz is the celebration of Spring Equinox, marking the beginning of the year for hundreds of millions of people worldwide, celebrated in more than 15 countries from Eastern Europe to Central and South Asia, is a public holiday in over 10 countries, and included in the UNESCO List of Intangible Cultural Heritage of Humanity;
2. In 2009, the Parliament of Canada passed a bill to officially add Nowruz to the national calendar of Canada, and the province of British Columbia proclaimed March 20 as the day of Nowruz in B.C.;

3. Nowruz is a holiday that is about connecting people of diverse cultures and backgrounds with nature, and Vancouver is proud of its diversity and its connection to nature;
4. Iran is in the top ten countries that send immigrants to Vancouver, and Persian is in the top ten non-official languages that Vancouverites speak.

THEREFORE BE IT RESOLVED

- A. THAT the City of Vancouver add Nowruz, the Persian New Year, to its official celebrations and observations calendar.
- B. THAT the City reaches out to the Persian community and collaborates to hold a brief mid-day Nowruz celebration on or around March 20 at City Hall, with participation from Mayor and Council.

referred

The Mayor noted requests to speak had been received.

REFERRAL MOVED by Councillor Swanson
SECONDED by Councillor Boyle

THAT the motion entitled "Persian New Year" be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, January 30, 2019, to hear from speakers, beginning at 6 pm.

carried

AMENDMENT MOVED Councillor De Genova
SECONDED by Councillor Dominato

THAT the words "beginning at 6 pm" be struck.

CARRIED
(Councillors Swanson and Boyle opposed)

The amendment having carried, the amended motion was put and CARRIED UNANIMOUSLY with Councillor Hardwick absent for the vote due to Medical Leave.

* * * * *

Prior to the start of item 4, it was

MOVED by Councillor Dominato
SECONDED by Councillor Kirby-Yung

THAT Motion B4 entitled “Expanding Parking Options at EasyPark Lots and Parkades to Help Drivers Get Home Safe, Support the Night Economy”, and Motion B5 entitled “Increasing Support for Councillors for Constituency Work and Responding to Public Concerns”, be referred to the Standing Committee on Policy and Strategic Priorities meeting on January 30, 2019, as Unfinished Business.

LOST (Tie Vote)
(Councillors Boyle, Carr, Swanson, Wiebe and Mayor Stewart opposed)
(Councillor Hardwick absent for the vote due to Medical Leave)

* * * * *

4. Expanding Parking Options at EasyPark Lots and Parkades to Help Drivers Get Home Safe, Support the Night Economy

MOVED by Councillor Dominato
SECONDED by Councillor De Genova

WHEREAS

1. The City of Vancouver manages parking to balance the needs of residents, commuters, and visitors;
2. The City of Vancouver’s parkades and parking lots are managed and operated by the Parking Corporation of Vancouver (EasyPark), a non-profit public authority governed by a board of two appointed and eight elected directors;
3. EasyPark’s stated mission is “to provide safe, clean, friendly, convenient and affordable parking to the Greater Vancouver community”;
4. EasyPark operations encompass more than 125 parking facilities;
5. EasyPark facilities are intended to act as an integral component of Vancouver's transportation infrastructure, and their use is intended to be complementary to the vitality of the downtown business community;
6. EasyPark prides itself on being a modern, innovative organization that constantly upgrades its facilities to better serve public needs;
7. At the Wednesday, December 18, 2013, Standing Committee of Council on City Finance and Services, Vancouver City Council unanimously supported a motion

directing City staff “to immediately implement a Pre-Paid Parking Program” in order to create an incentive for people who have consumed more alcohol than expected to a) leave their car behind, b) pay in advance for street parking for the next morning, c) take a safe transportation option home, and d) retrieve their vehicle safely the next day;

8. On July 16, 2018, the City of Vancouver introduced a “Park Until” feature on the PayByPhone mobile app, offering users of the app the convenience to leave their car overnight at a City parking meter and the ability to pay in advance for parking the next morning;
9. The “Park Until” feature allows a driver to leave their vehicle overnight for up to the maximum stay at the meter after paid parking comes into effect the next morning – for example, where meters have a 3 hour limit, drivers can park their vehicle until noon the next day – instead of having to come back first thing in the morning to move their vehicle or add time;
10. The PayByPhone “Park Until” feature not only ensures that people are able to enjoy all the night life Vancouver has to offer, while ensuring they can get home safely, it also complements TransLink’s NightBus Hub initiative and offers an important option for workers who may have been kept behind late after their night shift ends;
11. Consistent with Council’s direction in 2013 to implement a “Pre-Paid Parking Program”, the “Park Until” option on the City’s PayByPhone app helps to reduce the harms and dangers associated with driving under the influence of alcohol and/or other substances;
12. Impaired driving continues to be a public safety issue - last year the Vancouver Police Department (VPD) undertook over 2,000 investigations where drugs or alcohol were determined to be present in drivers of motor vehicles;
13. The convenient “Park Until” option available on the City’s PayByPhone system does not appear to be available to those who make use of the City’s EasyPark parking facilities.

THEREFORE BE IT RESOLVED THAT Vancouver City Council direct staff to work with EasyPark to explore the potential to expand the “Park Until” option to the City’s parkades and parking lots managed and operated by the Parking Corporation of Vancouver (EasyPark) and report back to Council by the end of Q1; and

FURTHER THAT staff’s report back to Council include background information on the City’s EasyPark system, as well as recommendations for low-cost and no-cost ways in which the City of Vancouver can help to promote and incentivize responsible

transportation choices for those who may have consumed more alcohol or other substances than expected, including recommendations relating to any potential opportunities there may be to work with other partners in the interest of public safety.

CARRIED UNANIMOUSLY (Vote No. 03847)
(Councillor Hardwick absent for the vote due to Medical Leave)

5. Increasing Support for Councillors for Constituency Work and Responding to Public Concerns

MOVED by Mayor Stewart
SECONDED by Councillor Carr

WHEREAS

1. Vancouver City Councillors receive high volumes of communications from the public, including emails, phone calls, requests to meet and requests for help on constituency issues, regularly numbering in the hundreds per week;
2. Recognizing the need to provide Councillors with support outside the scope of the duties performed by administrative assistants, a staff report of June 1, 2016, recommended that Councillors receive a discretionary fund of \$6,000 per Councillor per year to carry out constituency activities which may include communication expenses, fees for consulting or other contracted services, cost of research and information gathering, and costs of community outreach and events;
3. Under the by-law, Councillors may jointly incur discretionary expenses. All Councillors' discretionary expenses are publicly reported quarterly;
4. The \$6,000 that Vancouver provides each Councillor for their constituency work is greatly exceeded in other large Canadian cities: for example Toronto, due to the decrease in number of Councillors from 44 to 25, just increased the budget for each Councillor from \$241,000 to \$482,000 for their constituency work;
5. Communications from the public, including requests for help on issues, have increased with the election of the new City Council in October of 2018;
6. The discretionary fund of \$6,000 per Councillor per year is insufficient to contract the services needed to meet constituency needs and ensure timely response to public communications and requests for help.

THEREFORE BE IT RESOLVED THAT to better serve public needs, each Councillor's discretionary fund be immediately increased from \$6,000 to \$30,000 per year;

FURTHER THAT the source of funds for Councillors' discretionary expenses in 2019 shall be the budgeted contingency fund;

AND FURTHER THAT this increase be reviewed during the next budgeting process.

carried

AMENDMENT MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT the motion be struck and inserted with the following:

THEREFORE BE IT RESOLVED THAT to better serve the public, Council direct staff to examine a process for assessing Council members support and staffing needs; like the committee convened by four independent and qualified individuals, in reviewing Council members compensation in 2016;

FURTHER THAT this committee, be comprised of qualified individuals with experiences in areas including Human Resources and hiring personnel at executive levels possibly in the private, public and non-profit sectors;

AND FURTHER THAT areas of the 2020 operating budget, be examined and any recommendations to increase staff support for members of Council be reallocated from other areas of the budget;

AND FURTHER THAT the mandate and purpose of any committee or research be to review and provide recommendations on the staff support and other resources provided to Council in the execution of their official duties;

AND FURTHER THAT the Committee report back before the 2020 budget to Vancouver City Council with any findings and any recommendations;

AND FURTHER THAT this committee consider and examine any issues and implications, including but not limited to:

- i) No majority representation by any one political party is represented among the eleven members of Council;
- ii) The size of different caucuses and the needs of individuals Councillors;
- iii) The Mayor's vote is weighed the same as any other member of Council;
- iv) The current staff support (political and non-political) the Mayor's Office receives in comparison to City Councillors;
- v) Cities and municipalities similar in size to the City of Vancouver and the staffing and support budget allocated to Council members.

LOST (Vote No. 03848)

(Councillors Boyle, Carr, Dominato, Fry, Kirby-Yung, Swanson, Wiebe, and Mayor Stewart opposed)

(Councillor Hardwick absent for the vote due to Medical Leave)

Council agreed to separate the vote on the components of the motion.

The amendment having lost, the motion was put with Councillors Bligh, De Genova, Dominato and Kirby-Yung opposed to the THEREFORE BE IT RESOLVED (Vote No. 03849), and the FURTHER THAT (Vote No. 03849), and Councillors Bligh and Dominato opposed to the AND FURTHER THAT, and Councillor Hardwick absent for the votes due to Medical Leave.

NEW BUSINESS

1. Request for Leave of Absence – Councillor Fry

MOVED by Councillor De Genova
SECONDED by Councillor Boyle

THAT Councillor Fry be granted Leave of Absence for Civic Business for meetings the evenings of February 20 and 21, 2019.

CARRIED UNANIMOUSLY (Vote No. 03856)

ENQUIRIES AND OTHER MATTERS

1. Vancouver School Board Funding for School Food Program

Councillor Boyle requested an update on the Vancouver School Board funding for the Food Program. The City Manager agreed to recirculate the most recent information.

2. False Creek Flats Community Panel

Councillor Carr requested information on the False Creek Flats Community Panel regarding the inclusion of Prior Street. The City Manager provided a response and agreed to recirculate the most recent information.

3. Joint Childcare Council

Councillor De Genova requested information on meeting dates of the Joint Childcare Council. The City Manager agreed to follow-up.

ADJOURNMENT

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

Council adjourned at 9:58 pm.

* * * * *