



## REGULAR COUNCIL MEETING MINUTES

OCTOBER 1, 2019

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, October 1, 2019, at 9:30 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\*
- Councillor Sarah Kirby-Yung
- Councillor Jean Swanson\*
- Councillor Michael Wiebe

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

**CITY CLERK'S OFFICE:** Rosemary Hagiwara, Deputy 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 and look forward to working with them in partnership as we continue to build this great city together.

The Mayor also recognized the immense contributions of the City of Vancouver's staff who work hard every day to help make our city an incredible place to live, work, and play.

**PUBLIC NOTICE** – Mayor Stewart advised that pursuant to Section 164.1(2) of the *Vancouver Charter*, public notice is hereby given that Council will give consideration to amend Procedure By-law No. 9756 at the Standing Committee meeting on October 23, 2019.

## **IN CAMERA MEETING**

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT Council will go into meetings later this week which are closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraphs:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the city or another position appointed by the city;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;

(g) litigation or potential litigation affecting the city;

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

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

CARRIED UNANIMOUSLY

## **ADOPTION OF MINUTES**

### **1. Regular Council – September 10, 2019**

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT the Minutes of the Regular Council meeting of September 10, 2019, be approved.

CARRIED UNANIMOUSLY

### **2. Public Hearing – September 10, 2019**

MOVED by Councillor Carr  
SECONDED by Councillor De Genova

THAT the Minutes of the Public Hearing of September 10, 2019, be approved.

CARRIED UNANIMOUSLY

**3. Regular Council (Policy and Strategic Priorities) – September 11, 2019**

MOVED by Councillor Wiebe  
SECONDED by Councillor Boyle

THAT the Minutes of the Regular Council meeting following the Standing Committee on Policy and Strategic Priorities meeting of September 11, 2019, be approved.

CARRIED UNANIMOUSLY

**4. Public Hearing – September 12 and 17, 2019**

MOVED by Councillor Carr  
SECONDED by Councillor Wiebe

THAT the Minutes of the Public Hearing of September 12 and 17, 2019, be approved.

CARRIED UNANIMOUSLY

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT Council adopt Communication 1, Administrative Report 1, Policy Reports 1 to 9 and 11, and Other Report 1, on consent.

CARRIED UNANIMOUSLY (Vote No. 04898)

Subsequent to this vote, at approximately 4 pm, it was

MOVED by Councillor Carr  
SECONDED by Councillor Hardwick

THAT Council adopt Policy Reports 10 and 12, on consent.

CARRIED UNANIMOUSLY (Vote No. 04899)  
(Councillors Dominato and Fry absent for the vote)

**REPORT REFERENCE**

**1. False Creek Flats Grade-Separated Road Alignment  
September 24, 2019**

Lon LaClaire, Director of Transportation, and Carol Kong, Senior Transportation Planning Engineer, along with Jerry Dobrovlny, General Manager of Engineering Services, provided an

overview on the False Creek Flats Grade-Separated Road Alignment report, including a summary of recommendations and considerations, the arterial street network, the rail corridor strategy, the growing need to grade-separate, the False Creek Flats Area Plan and the Flats Arterial Community Panel, public and stakeholder input, and Malkin, William, and National Overpass options.

\* \* \* \* \*

*MOVED by Councillor Carr  
SECONDED by Councillor Kirby-Yung*

*THAT under Section 6.8 of the Procedure By-law, Council suspend rule 13.7 of the Procedure By-law, to allow public delegation's permission to speak to Report Reference 1.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY  
(Councillors Fry and Swanson absent for the vote)*

*MOVED by Councillor De Genova  
SECONDED by Councillor Carr*

*THAT under Section 6.8 of the Procedure By-law, Council suspend rule 13.8 of the Procedure By-law, to allow members of the public to speak up to three minutes;*

*FURTHER THAT under Section 6.8 of the Procedure By-law, Council suspend rule 13.9 of the Procedure By-law, to allow Council members up to three minutes for questions and answers of public speakers.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY  
(Councillors Bligh, Fry and Swanson absent for the vote)*

\* \* \* \* \*

Council heard from 19 speakers in opposition to the recommendations and seven speakers in support.

\* \* \* \* \*

*During the hearing of speakers, Council recessed at 11:58 am and reconvened at 2:21 pm.*

\* \* \* \* \*

Mr. LaClaire, Ms. Kong and Mr. Dobrovolny, responded to questions.

MOVED by Councillor Fry  
SECONDED by Councillor Carr

THAT Council refer discussion and decision on the Policy Report dated September 24, 2019, entitled "False Creek Flats Grade-Separated Road Alignment" to the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, as item 6;

FURTHER THAT, should Council refer member's motions to the Standing Committee on City Finance and Services meeting on October 2, 2019, to hear from speakers, those speakers will begin at 6 pm, rather than 3 pm.

CARRIED UNANIMOUSLY

MOVED by Councillor De Genova  
SECONDED by Councillor Fry

THAT Council refer questions to staff, discussion and decision on the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 1002 Station Street and 250-310 Prior Street (New St. Paul's Hospital and Health Campus)", to the Regular Council meeting following the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, as Unfinished Business.

CARRIED UNANIMOUSLY

## COMMUNICATIONS

### 1. Deputy Mayor and Roster of Councillors to Represent Council

THAT the following roster for Deputy Mayors in accordance with Section 207 of the *Vancouver Charter* for the terms indicated below to have all the powers and duties of the Mayor, if at any time during each such rotating term the Mayor is absent, or signifies his intention of being absent from his duties through illness, departure from the city, or other cause, or his seat is vacated, provided, however, that at the expiry of each of the following rotating terms, that Deputy Mayor's powers and duties will end (at midnight) and the next listed Deputy Mayor will assume the above powers and duties until the expiry of their rotating term:

2019	November	Councillor Hardwick
2019	December	Councillor Wiebe
2020	January	Councillor Boyle
	February	Councillor Dominato
	March	Councillor Kirby-Yung
	April	Councillor Bligh
	May	Councillor Carr
	June	Councillor De Genova

	July	Councillor Fry
	August	Councillor De Genova
	September	Councillor Wiebe
	October	Councillor Boyle
	November	Councillor Dominato
	December	Councillor Bligh

THAT the following roster of Duty Councillors in accordance with the *Mayor and Councillor Remuneration By-law No. 11483* for the terms indicated below to be reasonably available at all times during their respective terms to represent Council in a ceremonial capacity on behalf of the Mayor whenever requested by the Mayor:

2019	November	Councillor Wiebe
2019	December	Councillor Boyle
2020	January	Councillor Dominato
	February	Councillor Kirby-Yung
	March	Councillor Bligh
	April	Councillor Fry
	May	Councillor De Genova
	June	Councillor Carr
2020	July	Councillor Hardwick
	August	Councillor Wiebe
	September	Councillor Boyle
	October	Councillor Dominato
	November	Councillor Bligh
	December	Councillor Kirby-Yung

ADOPTED ON CONSENT (Vote No. 04898)

### ADMINISTRATIVE REPORTS

- Travel Approval Request – Livable Cities Forum: Building Better Communities Through Resilience – October 28, 2019  
 September 5, 2019**

THAT Council authorize Councillor Pete Fry to attend the Livable Cities Forum: Building Better Communities through Resilience on October 28, 2019, in Victoria, BC with expenses estimated at \$660.00 to be funded from the Councillors' Travel Budget.

ADOPTED ON CONSENT (Vote No. 04898)

## POLICY REPORTS

**1. CD-1 Text Amendment: 3560-3570 Hull Street and 2070-2090 East 20th Avenue  
September 17, 2019**

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to amend the text of CD-1 (Comprehensive Development) District (738) By-law No. 12537 for 3560-3570 Hull Street and 2070-2090 East 20th Avenue [PID: 030-882-621, Lot A Block 16 District Lot 195 Group 1 New Westminster District Plan EPP86002], generally in accordance with Appendix A of the Policy Report dated September 17, 2019, entitled "CD-1 Text Amendment: 3560-3570 Hull Street and 2070-2090 East 20th Avenue", to correct the site area;

FURTHER THAT the application be referred to a Public Hearing;

AND 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 the Public Hearing.

ADOPTED ON CONSENT (Vote No. 04898)

**2. Rezoning: 376-392 West 45th Avenue  
September 17, 2019**

A. THAT the application by 376-392 West 45th Avenue GP Ltd. on behalf of 376-392 West 45th Avenue Holdings Ltd., the registered owner, to rezone 376-392 West 45th Avenue [Lots 12 and 11 of Lot 1, Block 999, District Lot 526, Plan 5531; PIDs: 011 138 726 and 008 404-585 respectively] all from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District, be referred to a Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, subject to the Conditions of Approval contained in Appendix B of the Policy Report dated September 17, 2019, entitled "Rezoning: 376-392 West 45th Avenue";

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 the Public Hearing.

B. THAT, subject to the enactment of the amending by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated September 17, 2019, entitled "Rezoning: 376-392 West 45th 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 amending 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.

ADOPTED ON CONSENT (Vote No. 04898)

**3. Rezoning: 643-683 West 31st Avenue  
September 17, 2019**

- A. THAT the application by Belford (31st) Nominee Ltd., the registered owner of 643-683 West 31st Avenue [Lots 16, 17, 18, and 19, all of Block 779, District Lot 526, Plan 7206; PIDs: 010-201-629, 008 527-237, 006 713-084, 010 691 618 respectively] all from RS-1 (One Family Dwelling) District to RM-8A (Multiple Dwelling) District, be referred to a Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, subject to the Conditions of Approval contained in Appendix B of the Policy Report dated September 17, 2019, entitled "Rezoning: 643-683 West 31st Avenue";

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 the Public Hearing.

- B. THAT, subject to the enactment of the amending by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated September 17, 2019, entitled "Rezoning: 643-683 West 31st 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 amending 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.

ADOPTED ON CONSENT (Vote No. 04898)

**4. Rezoning: 6288-6290 Ash Street  
September 17, 2019**

- A. THAT the application by Wiedemann Architectural Design on behalf of TP Homes Ltd., the registered owner, to rezone 6288-6290 Ash Street [Lot 25 of Lot B, Block 1008, District Lot 526, Plan 10803; PID: 009-301-259] from RT-1 (Two-Family Dwelling) District to RM-8A (Multiple Dwelling) District, be referred to a Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, subject to the Conditions of Approval contained in Appendix B of the Policy Report dated September 17, 2019, entitled "Rezoning: 6288-6290 Ash Street";

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 the Public Hearing.

- B. THAT A 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.

ADOPTED ON CONSENT (Vote No. 04898)

**5. Rezoning: 5512-5538 Willow Street  
July 9, 2019**

- A. THAT the application by Matthew Cheng Architects on behalf of 1127616 B.C. Ltd., the registered owner, to rezone 5512-5538 Willow Street [Lots 10 and 9 of Lot 2, Block 998 District Lot 526, Plan 9894; PIDs: 009-430-466 and 009-430-458 respectively] all from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District, be referred to a Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, subject to the Conditions of Approval contained in Appendix B of the Policy Report dated July 9, 2019, entitled "Rezoning: 5512-5538 Willow Street";

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 the Public Hearing.

- B. THAT, subject to the enactment of the amending by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated July 9, 2019, entitled "Rezoning: 5512-5538 Willow 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 amending 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.

ADOPTED ON CONSENT (Vote No. 04898)

**6. Rezoning: 615-623 West 31st Avenue  
July 9, 2019**

- A. THAT the application by JTA Development Consultants on behalf of Abdul Saboor Khudayar and Fauzia Khudayar, the registered owners, to rezone 615-623 West 31st Avenue [Lot 14 and 15, Block 779, District Lot 526, Plan

7206; PIDs 006-637-272 and 010-691-570 respectively] all from RS-1 (One-Family Dwelling) District to RM-8A (Multiple Dwelling) District, be referred to a Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, subject to the Conditions of Approval contained in Appendix B of the Policy Report dated July 9, 2019, entitled "Rezoning: 615-623 West 31st Avenue";

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 the Public Hearing.

- B. THAT, subject to the enactment of the amending by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated July 9, 2019, entitled "Rezoning: 615-623 West 31st 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 amending 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.

ADOPTED ON CONSENT (Vote No. 04898)

**7. CD-1 Rezoning: 2601-2619 East Hastings Street  
September 17, 2019**

- A. THAT the application by Studio One Architecture Inc. and JTA Development Consultants, on behalf of Nicolaou Properties, to rezone 2601-2619 East Hastings Street [Lots 30, 31, and 32, all of District Lot 52, Town of Hastings Suburban Lands, Plan 410, PIDs: 015-296-211, 015-296-237, and 015-296-253 respectively] from C-2C to CD 1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 3.0 FSR to 3.74 FSR and the building height from 13.8 m (45.3 ft.) to 21.9 m (71.9 ft.) to permit the development of a six-storey mixed-use building including 46 rental housing units, be referred to a

Public Hearing, together with:

- (i) Plans prepared by Studio One Architecture Inc., received on May 16, 2019;
- (ii) Draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 2601-2619 East Hastings Street"; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval 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, if after Public Hearing, Council approves in principle this rezoning and the Housing Agreement described in Part 2 of Appendix B of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 2601-2619 East Hastings Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the CD-1 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.
- C. 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 September 17, 2019, entitled "CD-1 Rezoning: 2601-2619 East Hastings Street", be referred to the same Public Hearing;

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

- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended generally as set out in Appendix C of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 2601-2619 East Hastings Street";

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

- 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 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. 04898)

**8. CD-1 Rezoning: 835-837 East Hastings Street  
September 17, 2019**

A. THAT the application by Terra Housing Consultants Ltd., on behalf of Lee's Benevolent Association of Canada, to rezone 835-837 East Hastings Street [PID: 027-090-256; Lot G, Block 61, District Lot 181, Group 1, New Westminster District Plan BCP30460] from M-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit development of a six-storey mixed-use building consisting of commercial use at grade and a total of 39 seniors social housing units at a floor space ratio (FSR) of 4.33 and building height of 22.4 m (73.6 ft.), be referred to public hearing together with:

- (i) plans prepared by Patrick R. Stewart Architect, received July 10, 2018;
- (ii) draft by-law provisions, generally as presented in Appendix A of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 835-837 East Hastings Street"; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval 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 the public hearing.

B. THAT, if after public hearing, Council approves in principle the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 835-837 East Hastings Street", 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.

C. THAT 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

September 17, 2019, entitled "CD-1 Rezoning: 835-837 East Hastings Street", be referred to the same public hearing;

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

- D. THAT, subject to enactment of the CD-1 by-law, the Noise Control By-law be amended to include the CD-1, noted in C above, in Schedule B, generally as set out in Appendix C of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 835-837 East Hastings Street";

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

- E. THAT A to D 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, 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.

ADOPTED ON CONSENT (Vote No. 04898)

**9. CD-1 Rezoning: 620-644 King Edward Avenue and 4111 Ash Street  
September 17, 2019**

- A. THAT the application by W.T. Leung Architects Inc., on behalf of Western King Edward Holdings Ltd., the registered owner, to rezone 620-644 King Edward Avenue and 4111 Ash Street [Lots 5 to 8, Block 679, District Lot 526, Plan 2976; PIDs: 013-272-411, 013-272-420, 013-272-438 and 011-051-558 respectively] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 1.82 and the building height from 10.7 m (35 ft.) to 13.95 m (45.8 ft.) to permit the development of two four-storey residential buildings with 57 strata residential units in total, including townhouses at the lane, be referred to a Public Hearing together with:
- (i) plans prepared by W.T. Leung Architects Inc., received June 21, 2019;

- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 17, 2019, entitled “CD-1 Rezoning: 620-644 King Edward Avenue and 4111 Ash Street”; and
- (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval 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, 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 September 17, 2019, entitled “CD-1 Rezoning: 620-644 King Edward Avenue and 4111 Ash 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 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;
- (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. 04898)

**10. Miscellaneous and Housekeeping Amendments – Zoning and Development By-law, Sign By-law and Rental Housing Stock Official Development Plan By-law September 17, 2019**

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law, generally as presented in Appendix A of the Policy Report dated September 17, 2019, entitled “Miscellaneous and Housekeeping Amendments – Zoning and Development By-law, Sign By-law and Rental Housing Stock Official Development Plan By-law”, to:

- (i) amend the definition of Rental Housing Unit in Section 2 to exclude equity co-op units and to clarify requirements for exclusion of stratified buildings;
- (ii) amend Section 4.17.43 (e) of the RS-6 and the RS-7 District Schedule to add periods that were inadvertently omitted;
- (iii) amend Section 2.2.1.A of the RT-5 and RT-5N Districts Schedule to correct an error in numbering;
- (iv) amend Section 2.2.2 of the C-5, C-5A and C-6 Districts Schedule to delete a section that is no longer in use;

and that the application be referred to a Public Hearing;

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 the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Sign By-law, generally as presented in Appendix B of the Policy Report dated September 17, 2019, entitled "Miscellaneous and Housekeeping Amendments – Zoning and Development By-law, Sign By-law and Rental Housing Stock Official Development Plan By-law", to:

- (i) amend Section 1.3 to delete duplication of a definition;
- (ii) amend Section 12.20 to correct an incorrect building corner reference;
- (iii) amend Sections 9.3, 10.3, 11.3, 12.3, 13.3 and 14.3 to align awning sign regulations with the Vancouver Building By-law;

and that the application be referred to a Public Hearing;

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

- C. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Rental Housing Stock Official Development By-law, generally as presented in Appendix C of the Policy Report dated September 17, 2019, entitled "Miscellaneous and Housekeeping Amendments – Zoning and Development By-law, Sign By-law and Rental Housing Stock Official Development Plan By-law", to:

- (i) amend the definition in Section 1.1 to exclude equity co-op units and to clarify requirements for exclusion of stratified buildings;

and that the application be referred to Public Hearing;



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

CARRIED UNANIMOUSLY (Vote No. 04899)

**11. CD-1 Rezoning: 582-588 West King Edward Avenue  
September 17, 2019**

- A. THAT the application by RWA Architecture, on behalf of Aragon (Cambie Station) Properties Ltd., the registered owner, to rezone 582-588 West King Edward Avenue [Lots 1 and 2, Block 680, District Lot 526, Plan 6539; PIDs: 007-826-346 and 010-870-849 respectively], from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 1.96 and the building height from 10.7 m (35 ft.) to 18.6 m (61 ft.) to permit the development of a four-and-a-half storey residential building with 36 market residential units in total including townhouses at the lane, be referred to a Public Hearing, together with:
- (i) plans prepared by RWA Architecture, received September 28, 2018;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated September 17, 2019, entitled "CD-1 Rezoning: 582-588 West King Edward Avenue"; and
  - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval 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, 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 September 17, 2019, entitled "CD-1 Rezoning: 582-588 West King Edward Avenue";

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

- C. THAT 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;
- (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. 04898)

**12. Amendments to Repair and Clarify Basement and Cellar Regulations for New Houses in RS Zones  
October 1, 2019**

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law, generally as set out in Appendix A of the Policy Report dated October 1, 2019, entitled "Amendments to Repair and Clarify Basement and Cellar Regulations for New Houses in RS Zones", to amend:
- (i) the RS-1, RS-3 and RS-3A, RS-5, RS-6, and RS-7 District Schedules to clarify the regulations for basements and cellars in new houses;
- (ii) Section 3 to introduce relaxations for sites with soil or hydrological conditions that are not suitable for basement construction; and
- (iii) Section 10 to clarify the regulations that control the location secondary suites, bedrooms and other habitable rooms in basements;

FURTHER THAT the application be referred to a public hearing;

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

- B. THAT A above be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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. 04899)

**13. CD-1 Rezoning: 1002 Station Street and 250-310 Prior Street  
(New St. Paul's Hospital and Health Campus)  
September 17, 2019**

This item was referred to the Regular Council meeting following the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, as Unfinished Business.

**OTHER REPORTS**

**1. Street Naming – New Public Street – Choy Yuen Crescent  
September 4, 2019**

THAT the new public street which runs between West 41st Avenue and West 45th Avenue and as shown in heavy black outline on the graphic attached as Appendix A of the Other Report dated September 4, 2019, entitled "Street Naming – New Public Street – Choy Yuen Crescent", be named "Choy Yuen Crescent";

FURTHER THAT the Director of Legal Services be instructed to bring forward the appropriate amendments to the Street Name By-law.

ADOPTED ON CONSENT (Vote No. 04898)

**BY-LAWS**

Councillors Kirby-Yung and Wiebe advised they had reviewed the proceedings of the meeting related to by-law 10 and would be voting on the enactment.

MOVED by Councillor Carr  
SECONDED by Councillor De Genova

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

CARRIED UNANIMOUSLY  
(Councillors Dominato and Fry absent for the vote)

1. A By-law to authorize the Boundary Road maintenance agreement between City of Vancouver and City of Burnaby (By-law No. 12544)
2. A By-law to designate certain real property as protected heritage property (2441 Trinity Street – David Crawford House) (By-law No. 12545)  
*(Councillor Bligh ineligible to vote)*
3. A By-law to designate certain real property as protected heritage property (1517 Comox Street – George Residence) (By-law No. 12546)  
*(Councillor Bligh ineligible to vote)*
4. A By-law to amend CD-1 (255) By-law No. 6713 (321 Princess Street)  
(By-law No. 12546)  
*(Councillor Bligh ineligible to vote)*
5. A By-law to amend CD-1 (60) By-law No. 4491 (3595 Kingsway) (By-law No. 12548)  
*(Councillor Bligh ineligible to vote)*
6. A By-law to amend Parking By-law No. 6059 (5805 Wales Street) (By-law No. 12549)
7. A By-law to amend CD-1 (562) By-law No. 10870 (508 Helmcken Street)  
(By-law No. 12550)  
*(Councillor Bligh ineligible to vote)*
8. A By-law to amend the License By-law No. 4450 Regarding Donation Bin Regulations  
(By-law No. 12551)
9. A By-law to amend Street Name By-law No. 4054 regarding the naming of a new street  
(Choy Yuen Crescent) (By-law No. 12552)
10. A By-law to amend Sign By-law No.11879 (58 West Hastings Street) (By-law No. 12553)  
*(Councillors Bligh and Swanson ineligible to vote)*
11. A By-law to amend Noise Control By-law No. 6555 (58 West Hastings Street)  
(By-law No. 12554)
12. A By-law to amend Parking By-law No. 6059 with regard to CD-1 District Parking requirements (58 West Hastings Street) (By-law No. 12555)

## MOTIONS

### A. Administrative Motions

#### 1. Approval of Form of Development: 128 West Woodstock Avenue

MOVED by Councillor Dominato  
SECONDED by Councillor Kirby-Yung

THAT the form of development for this portion of the site known as 119 – 133 West 41st Avenue (128 West Woodstock Avenue being the application address) be approved generally as illustrated in the Development Application Number DP-2018-00834, prepared by DYS Architecture, and stamped “Received, Development Services”, on March 22, 2019, 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 Fry absent for the vote)

#### 2. Approval of Form of Development: 6 West 17th Avenue

MOVED by Councillor Dominato  
SECONDED by Councillor Kirby-Yung

THAT the form of development for this portion of the site known as 6 West 17th Avenue be approved generally as illustrated in the Development Application Number DP-2018-00466, prepared by AIR Studio., and stamped “Received, Development Services”, on April 10, 2019, 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 Fry absent for the vote)

#### 3. Approval of Form of Development – 58 West Hastings Street

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT the form of development for this portion of the site known as 58 West Hastings Street be approved generally as illustrated in the Development Application Number DP 2018-00630, prepared by W.T. Leung Architects Inc., and stamped “Received, Development, Buildings & Licensing”, on August 14, 2019, 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 Swanson opposed)  
(Councillors Fry and Hardwick absent for the vote)

\* \* \* \* \*

*Council recessed at 4:08 pm and reconvened at 4:14 pm.*

\* \* \* \* \*

**B. Motions on Notice**

\* \* \* \* \*

*MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe*

*THAT under section 6.8 of the Procedure By-law, Council suspend rule 10.6 of the Procedure By-law to allow members two minutes to introduce motions and one minute to ask questions of the mover.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

**1. Requests for Leaves of Absence**

*MOVED by Councillor De Genova  
SECONDED by Councillor Boyle*

- A. THAT Councillor Bligh be granted a leave of absence for civic business for meetings from November 26 to 29, 2019.
- B. THAT Councillor Fry be granted a leave of absence for civic business from meetings during the hours of 5:30 to 8:30 pm, on October 2, 2019;

*FURTHER THAT Councillor Fry be granted a leave of absence for personal reasons from meetings after 6 pm on November 6, 2019.*

CARRIED UNANIMOUSLY (Vote No. 04913)

**2. Reimbursement of Councillor's Legal Costs for Code of Conduct Complaints Where Vancouver City Council Member is Not at Fault**

\* \* \* \* \*

*MOVED by Councillor De Genova  
SECONDED by Councillor Dominato*

*THAT Council vary the order of the agenda to deal with this item after completion of Motion on Notice 9.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

*For ease of reference, the minutes are recorded in numerical order.*

\* \* \* \* \*

*The motion below contains changes from the original Notice of Motion.*

\* \* \* \* \*

*Prior to discussion and debate on this item Councillor Swanson rose to declare a conflict of interest as she has retained a lawyer and could benefit from approval of the motion. Councillor Hardwick also rose and declared conflict of interest on this item as she has gone through a complaint and would be affected by the result of the motion. Both Councillors left the Chamber at 5:46 pm and did not return until the completion of the item.*

\* \* \* \* \*

*MOVED by Councillor De Genova  
SECONDED by Councillor Dominato*

**WHEREAS**

1. The City of Vancouver Corporate Policy SUBJECT: Code of Conduct CATEGORY: Employment POLICY NUMBER: AE-028-01 in section (8) titled Breaches, Complaint Handling and Disciplinary Action (the "Code of Conduct") states:

**"General:**

*8.1 Council officials, Advisory Body Members and Staff are to abide by the requirements of the Vancouver Charter and this Code of Conduct, and shall endeavor to resolve interpersonal disputes in good faith.*

**Council Officials**

*8.2 Alleged breaches of this Code of Conduct by Council Officials shall be submitted in a written complaint addressed to the Mayor and/or the City Manager*

*within six (6) months of the last alleged breach. In the event that the Mayor is the subject of, or is implicated in a complaint, the complaint shall be addressed to the Deputy Mayor.*

*8.3 Upon receipt of a complaint under Section 8.2, the Mayor or Deputy Mayor shall, within thirty (30) days, appoint an independent third party identified and agreed between the Complainant(s) and Respondent(s) as having the necessary professional skills, knowledge and experience to investigate the complaint (the "Third Party Investigator"). The Third Party Investigator:*

*8.3.1 May conduct a preliminary assessment of the complaint, at the conclusion of which the Investigator may determine to continue the investigation or make a written recommend that the complaint be dismissed as unfounded, beyond jurisdiction or unlikely to succeed;*

*If the Third Party Investigator determines to continue the complaint, the Third Party Investigator shall:*

*8.3.2 Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;*

*8.3.3 Provide an investigation update within ninety (90) days of his or her appointment to the Mayor or Deputy Mayor, as applicable, and to the Complainant and the Respondent;*

*8.3.4 Provide a written, confidential report (the "Report") of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct, to the Mayor or Deputy Mayor, as applicable, and to the Complainant and the Respondent; and*

*8.3.5 Provide recommendations in the Report as to the appropriate resolution of the complaint, which recommendations may include:*

*a) dismissal of the complaint; or*

*b) public censure of a Council Official or Officials for misbehaviour or a breach of this Code of Conduct;*

*c) a requirement that a Council Official or Officials apologize to any person adversely affected by a breach of this Code of Conduct;*

*d) counselling of a Council Official or Officials, and/or*

*e) such other recommendations as are deemed appropriate in the professional judgment of the Third Party Investigator.”;*

2. The Code of Conduct allows any person, including staff, the public and/or any other elected official to file a complaint against another elected official;



3. Any and all complaints must be dealt with by the Mayor or Deputy Mayor by appointing a “Third Party Investigator”;
4. Section 8.3 of the Code of Conduct requires the Third Party Investigator to have the necessary professional skills, knowledge and experience to investigate the complaint and, pursuant to Section 8.3.2, must conduct the investigation in accordance with the legal principles of “due process and natural justice”;
5. Accordingly, a practicing lawyer with significant experience conducting workplace investigations is typically appointed by the Mayor under the Code of Conduct to be the Third Party Investigator;
6. Since the process is a formal legal investigation, Council members very often need legal advice when named as a Respondent and would also benefit from legal advice when considering making a complaint as a Complainant under the Code of Conduct;
7. Since this a formal legal process involving interests separate from the City’s, the City’s in-house legal counsel are not permitted to provide legal advice to individual Councillors in these matters;
8. Thus, Councillors have in the past and continue to incur legal costs on legal counsel in defending Code of Conduct complaints, whether or not such complaints are dismissed by the Third Party Investigator. Councillors quite rightly decide that it is in their best interests to have proper legal advice on such matters even though they must bear such costs personally and even where they are of the view that the complaint is without merit;
9. These legal costs can be significant and arise solely from a Councillor faithfully carrying out their duties as a Councillor. Where the complaint is dismissed, it can be a financial hardship for a Councillor to bear the legal costs of defending a complaint that may have been motivated solely by personal or political reasons;
10. As with other expenses incurred by Councillors in the course of faithfully carrying out their duties such legal costs should be recoverable by Councillors subject to appropriate financial limits and conditions on eligibility.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to review the operation of the current Code of Conduct and report back with recommendations to Council as to how the Code of Conduct could be improved to better promote and enforce ethical standards.
- B. THAT Council direct staff to also consider the inclusion of provisions for the reimbursement of legal costs for Mayor and Councillors who are complainants or respondents in a Code of Conduct complaint.
- C. THAT, in reviewing the Code of Conduct and developing recommendations as provided for in A and B above, Council direct staff to consider:

- i) best practices in ethics regimes; and
- ii) ethics regimes implemented in other Canadian jurisdictions.

CARRIED UNANIMOUSLY (Vote No. 04914)  
(Councillor Kirby-Yung abstained from the vote)  
(Councillors Hardwick and Swanson absent for the vote due to conflict of interest)

*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.”*

### **3. Improving Transportation Safety Around Vancouver Schools**

MOVED by Councillor Bligh  
SECONDED by Councillor Kirby-Yung

#### WHEREAS

1. The City of Vancouver recognizes that the safety and wellbeing of children is of the utmost importance;
2. The city is growing. Over the next 30 years, we’re expecting about 130,000 new residents and close to 90,000 new jobs, bringing more trips and more life to the city. The street infrastructure is largely built out, leaving few opportunities for building new roads;
3. The increased use of non-arterial roads adjacent to schools and parks is creating increased concerns over the safety of children and pedestrians;
4. The City of Vancouver’s Transportation 2040 Plan, envisioned a city with a smart and efficient transportation system that supports a thriving economy while increasing affordability; healthy citizens who are mobile in safe, accessible, and vibrant city; and a city that enhances its natural environment to ensure a healthy future for its citizens and the planet. The Transportation 2040 Plan identified the following goals:
  - a. Move toward zero traffic-related fatalities;
  - b. Promoting healthy citizens in a safe, accessible, and vibrant city;
  - c. Promoting a city that enhances its natural environment, ensuring a healthy future for its people and the planet;
5. The City’s Engineering department has a School Active Travel Planning (SATP) program, and school safety is part of the City’s “Moving Towards Zero” traffic-related fatalities program as well as the “Grandma on the Move” traffic safety campaign;
6. The City and the Vancouver School Board recently signed an MOU for a two-year pilot for a school active travel coordinator, after a couple years of

discussion and work to figure out scope and details. This City-funded position will work closely with the district to improve active travel within our schools;

7. In May 2019, Council unanimously approved a Pilot project for 30km/hour speed limits on select streets;
8. Despite being involved in fewer than 2% of collisions, pedestrians make up the majority of transportation related fatalities (45%);
9. The financial burden of physical inactivity is substantial, costing the provincial health care system more than \$570 million in 2005. We can help reverse this trend by making active transportation choices like walking and cycling more convenient and comfortable, so that physical activity becomes part of the daily rhythm of life;
10. Increasing the visibility and viability of walking or rolling to secondary and elementary schools decreases accessibility barriers to vulnerable and minority communities;
11. The promotion and introduction of walking and rolling transportation options at an early age promotes active lifestyles later in life;
12. Climate change is already having impacts around the world, and conditions will worsen unless greenhouse gas emissions are sharply reduced. Replacing vehicle trips with safe walking, rolling, and cycling modes would reduce the probability of vehicle accidents, help reduce carbon emissions, increase physical activity, and promote vibrant neighbourhoods;
13. In the City of Vancouver, vehicles account for over 30% of greenhouse gas emissions;
14. The Transportation 2040 Plan. The 2012 Pedestrian Safety Report provided useful transportation safety information, but did not focus explicitly on school zones;
15. Vancouver City Council is considering launching a City-wide Planning Process, where prior, City Council has expressed key goals and objectives to guide a city-wide planning effort, which includes:
  - a. Maintaining Vancouver as a diverse and inclusive community;
  - b. Enhancing social well-being;
  - c. Addressing the city's transportation needs;
  - d. Improving public amenity provisions;
  - e. Rapidly reducing green-house gas emissions to help tackle the climate crisis;
  - f. Enhancing sociable and safe places for people and vibrant livable, well-designed neighbourhoods.

THEREFORE BE IT RESOLVED THAT City Council direct staff to collaborate with the Vancouver School Board and report back on recommendations for improving transportation safety in Vancouver's school zones, while actively promoting walking or rolling to schools. This report should include:

- a. A review of current infrastructure and City policies pertaining to pedestrian and cyclist safety around Vancouver's schools, any necessary infrastructure or policy changes to ensure increased safety of children, staff and families, and proposed budgets and timelines;
- b. Engagement and consultation with the public, schools and Parent Advisory Councils (PACs), the District Parent Advisory Council (DPAC), local and Provincial Public Health authorities, and the City's Transportation Advisory Committee;
- c. Specific standards that can be applied to all schools including for speed zone reductions, traffic calming, pedestrian crossings, and cycling infrastructure;
- d. Where recommendations for future work (particularly speed zones) could require support from Legal staff or from the Vancouver Police Department, that should be outlined in the report;
- e. This report back happen within the 2019/2020 school year;

FURTHER THAT Council direct the Mayor to write a letter to the Provincial Ministers of Education and Transportation informing them of Council's goal of improving transportation safety around schools, and request their support and participation.

referred

Mayor Stewart noted requests to speak had been received.

REFERRAL MOVED by Councillor Carr  
SECONDED by Councillor Boyle

THAT the motion entitled "Improving Transportation Safety Around Vancouver Schools" be referred to the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, in order to hear from speakers, scheduled to begin at 6 pm.

CARRIED UNANIMOUSLY  
(Councillor Bligh absent for the vote)

#### **4. Emergency Action to Support Vancouver's Homeless People, Including Those in Oppenheimer Park**

MOVED by Councillor Swanson

##### WHEREAS

1. There are currently numerous tents of people sleeping in Oppenheimer Park;
2. The housing units offered by BC Housing to residents of Oppenheimer Park are now all taken;
3. Many people staying in the park state that it is safer than staying alone on the street or in an alley;
4. Many people state that they prefer to stay in the park than in a shelter that is not safe and is not able to meet the needs of campers with partners, pets or belongings;
5. Most residents are living with makeshift shelters, lack of proper nutrition, no storage facilities, and no formal source of heat;
6. There are many elderly and vulnerable residents already living with chronic illnesses and ill-health;
7. The Overdose Prevention Site (OPS) at Oppenheimer Park operates 24 hours per day and serves over 100 people per day without paid staff, proper supports or electricity;
8. There is no proper sanitation at the park to support those who are employed or seeking employment, and to promote good health of all residents;
9. The field house was closed this summer, but could provide a space for safe food preparation and serving, storage of harm reduction and food preparation supplies and equipment, electricity, and a resting place for OPS volunteers;
10. While most people agree that tent cities are not a good way to live, when there is no housing or shelter available people can be safer in a tent city than being alone on the street;
11. 2223 homeless people were counted in the last homeless count which is recognized as an undercount, and over 600 of these people were unsheltered, and all of them continue to need housing as soon as possible;
12. Social and modular housing will take years (social) and months (modular) to build if there is funding for it, and people who are homeless deserve safety, warmth, and sanitation now, especially with winter coming;
13. Oppenheimer Park is on unceded territory, and Grand Chief Stewart Phillip,

President of the Union of BC Indian Chiefs, says, "A disproportionately high number of the vulnerable park residents facing the loss of a safe and stable living situation are Indigenous. Any move to forcefully evict them is callous and insensitive to the mental health, addictions, and poverty that they are battling as a result of an ongoing colonial legacy of systemic discrimination and oppression. The City of Vancouver stands to violate the basic rights of Indigenous peoples articulated in the United Nations Declaration on the Rights of Indigenous People, as well as blatantly ignore the call for safe housing that is appropriate to the cultural and economic needs of Indigenous peoples set out in the National Inquiry's Calls for Justice";

14. The UN Special Rapporteur on the Right to Housing, Leilani Farha, says, "In order for the City's actions to be compliant with human rights, the residents of Oppenheimer Park need to be meaningfully consulted and included in the development of any plans related to their living situations. This includes working with the residents so that together they can find ways to address issues around fire safety, community clean-up, and violence"; and
15. In April, Council passed a motion to 'temporarily implement a warming station in Oppenheimer Park or other city owned land within close proximity,' to 'provide washroom facilities for park patrons including 24 hour access,' and to 'communicate about other possible solutions to help end and humanize homelessness.

THEREFORE BE IT RESOLVED

- A. THAT Council acknowledge that homelessness in Vancouver is a humanitarian crisis that requires immediate action above and beyond what has been done until now.
- B. THAT Council direct staff to work with partners and consult with Oppenheimer Park residents about an accessible alternate site that ensures health and safety, access to services and supports, and is acceptable and appropriate for people currently living in Oppenheimer Park, including access to a community kitchen, electricity, funding for peer support, storage facilities, 24-hour sanitation facilities with running water, and a warming tent in Oppenheimer Park or other indoor site near downtown eastside services.
- C. THAT Council direct city officials to attend weekly resident led safety meetings and that the City encourage representatives of other jurisdictions including VPD staff and the Park Board to do this too.
- D. THAT the City convene emergency homelessness task force meetings of elected Federal, Provincial, City, Park Board members, and invite the Union of BC Indian Chiefs and people who are homeless and their representatives, to make short and longer term plans to ensure that all currently unsheltered people without homes have a place to be safe and warm for the winter and to get proper housing as soon as possible.

FURTHER THAT the work of the emergency homelessness task force includes:

- i. Providing new housing options for Oppenheimer park residents and other unsheltered people who are homeless, and/or buying or leasing one or more hotels while ensuring appropriate housing for women and for Indigenous women and children, until proper housing can be built;
- ii. Securing land and government funding for modular homes, social and co-op housing to drastically reduce homelessness in Vancouver.

not put

Prior to Councillor Swanson introducing her motion, or receiving a seconder, the Mayor advised he was ruling the motion out of order as per sections 4.3 (d) and (f) of the *Procedure By-law* as it conflicts with a resolution previously passed on March 14, 2019, and still in force, and is frivolous as it is written.

Councillor Swanson challenged the ruling of the Chair.

MOVED by Councillor Swanson  
SECONDED by Councillor Fry

THAT the Chair's ruling of Councillor Swanson's motion as out of order be challenged.

LOST

(Councillors Bligh, Carr, De Genova, Fry, Kirby-Yung and Mayor Stewart opposed)  
(Councillors Boyle and Hardwick abstained from the vote)

*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."*

Following the vote on the Challenge to the Chair, the motion was not put.

## **5. Back to Basics: Prioritizing Public Realm Maintenance and Cleanliness in Vancouver**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Bligh

WHEREAS

1. The maintenance and cleanliness of roads, street medians, and sidewalks, as well as the management of litter and litter receptacles in the public realm, are among the core – most basic – jurisdictional responsibilities of local governments such as the City of Vancouver;

2. Under the heading “Street and sidewalk cleaning and maintenance”, the City of Vancouver website states that “Keeping our streets, sidewalks, and green spaces safe and clean for everyone to enjoy is a City priority.”;
3. In recent years, the people who live and work in Vancouver, as well as visitors to our city, have noted and openly commented on a significant decline in the physical state and cleanliness of our city, offering up and reporting on numerous examples such as streets with potholes, overgrown street medians, and neglected sidewalks that represent a variety of safety hazards, and the increased amount of litter on sidewalks, overflowing garbage cans, and discarded food items that attract insects and other pests, all of which has resulted in the diminishment of basic civic pride and confidence in the day-to-day management of the City;
4. In July 2019, Vancouver City Council approved the 2020-2024 Budget Outlook, signalling the start of the annual budget process that seeks to align available funds with the priorities and service level expectations of the people who live and work in Vancouver;
5. The City of Vancouver regularly refocuses its spending in response to changes in service demands and priorities over time, and, when necessary and informed by feedback from the public, public consultation and other valued sources, the City makes new investments in emerging issues;
6. Residents and businesses in Vancouver are genuinely dismayed that while the taxes and fees levied by the City of Vancouver constantly go up, services appear to continually diminish, and that the city appears dirty and neglected from the perspective of basic maintenance and commonly accepted standards of cleanliness;
7. The majority of the funds to cover the cost of the annual City of Vancouver budget – i.e. the money the City uses to run the city – come from property taxes and utility fees collected from homeowners and businesses, as well as from renters through the rent paid to landlords;
  - NOTE: Under the City of Vancouver 2019 Operating Budget, a median single-family home assessed at \$1,832,000 paid an estimated \$3,805 in total City of Vancouver taxes and fees in 2019 while a median business property assessed at \$618,000 paid an estimated \$5,512 in total City taxes and fees (this amount does not include Provincial taxes and fees collected by the City for the Province);
8. The people who live and work in Vancouver have a reasonable expectation that the taxes and fees they pay to the City of Vancouver will be used to appropriately maintain Vancouver’s roads, sidewalks and street medians, and to keep them in a state of good repair and cleanliness, along with prompt attention to the removal of litter and attending to public litter receptacles in a timely manner;
9. In 2017, Dillon Consulting Limited conducted a “Street Litter Audit” for the City of



Vancouver at 108 pre-selected locations in the city and observed that the most common categories for large litter were cups (20%) and paper/fibre material (19%) while the most common categories for small litter were cigarette butts/debris (37%) and chewing gum (25%), with large litter items being equal to or larger than 4 square inches and small litter items being smaller than 4 square inches;

10. The City of Vancouver website prominently lists “Improved street cleaning, including more litter and recycling receptacles” and “Cleaner parks with improved litter pick-up” as being among the many benefits derived from the City’s annual budgets – notably stating that the benefits from taxes and fees paid to the City accrue “in your home, on your street, in your community, and throughout your city”;
11. The Vancouver Board of Parks and Recreation plays a key role, and is a key partner of the City of Vancouver, in keeping the city’s public realm clean and in a good state of repair, notably the city’s traffic medians and shared spaces that the Park Board maintains for the City of Vancouver under a contract service arrangement;
12. Gaining physical access to street medians has become increasingly difficult for the Park Board (e.g. Knight Street), as has access to the necessary financial resources to achieve a proper standard of maintenance;
13. In 2017, the City of Vancouver implemented a new “Street Cleaning Utility fee” with the stated purpose to reduce illegal dumping and create cleaner and safer public realm spaces;
14. The City’s website states: “Garbage illegally dumped in a laneway – if not cleaned up promptly – attracts more garbage. Abandoned garbage can also cause health and environmental risks, sends a message that illegal activity is tolerated in our neighbourhoods and costs taxpayers over a million dollars a year.”;
15. The City’s stated commitment to “Keeping our streets, sidewalks, and green spaces safe and clean for everyone to enjoy” as a City priority is best demonstrated through action and a jurisdictionally appropriate emphasis and prioritization of maintenance and cleanliness standards in conjunction with the most prudent and effective use of taxpayer dollars.

**THEREFORE BE IT RESOLVED**

- A. THAT Vancouver City Council direct staff to elevate the priority given to the maintenance of the City’s roads, street medians, and sidewalks, and that this be a key guiding element in the preparation of the City’s 2020 Budget, with an aim to improve the state of good repair and safety and cleanliness of these assets, including direction to staff to take immediate steps to elevate the priority given to sidewalk repair and street litter removal and public litter receptacles in accordance with the reasonable expectations of the people who live and work in

Vancouver for the public realm to be well maintained, safe and clean;

FURTHER THAT Council direct staff to bring forward as part of the 2020 Budget process the expenditures required to achieve the maintenance and cleanliness objectives noted above, including a proposed reallocation of funds from other City of Vancouver budget items of lesser public impact and effectiveness (noting that such reallocation of funds need not be restricted to the streets and sanitation portion of the City's Budget), that would not add to the total tax load imposed on the City's taxpayers through taxes and fees that are yet to be levied in the City's 2020 Budget.

- B. THAT Council direct staff to report back prior to the presentation of the 2020 Proposed Budget with an update on any and all impediments that may exist for the Park Board as it relates to its ability to fulfill the contracted maintenance of the city's street medians, including recommendations for how these impediments can be overcome in a timely and cost-effective manner.
- C. THAT Council direct staff to report back prior to the presentation of the 2020 Proposed Budget on the "Street Cleaning Utility fee" implemented in 2017, a fee that sought to reduce illegal dumping and create cleaner and safer public realm spaces, including information on how the funds have been applied, results achieved, and an identification of areas where additional support is required to achieve the desired results, such that the level of safety and cleanliness in the public realm is fully consistent with the reasonable expectations of those who live and work and pay taxes and fees in Vancouver.
- D. THAT Council signal its ongoing commitment to the timely and sufficient maintenance and cleanliness of the city's roads, sidewalks and street medians to keep them in a state of safety and good repair, as well as the effective and prompt management of street litter and litter receptacles in the public realm, by directing staff to include language in the City's proposed 2020 Operating Budget that keeping our streets, sidewalks, and public spaces safe and clean for everyone to enjoy is a Council priority and among the core jurisdictional responsibilities of the City of Vancouver.

referred

Mayor Stewart noted requests to speak had been received.

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT the motion entitled "Back to Basics: Prioritizing Public Realm Maintenance and Cleanliness in Vancouver" be referred to the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, in order to hear from speakers, scheduled to begin at 6 pm, following the previously referred motion.

CARRIED UNANIMOUSLY

## 6. Establishing an Independent Auditor General Office for the City of Vancouver

MOVED by Councillor Hardwick  
SECONDED by Councillor Bligh

### WHEREAS

1. Good governance in the municipal sector, and ensuring that a municipal government achieves its intended results while always acting in the public interest, is essential to satisfying the public's expectation that a municipality is providing effective stewardship over public assets, value-for-money in operations, transparent administration, and accountability for results;
2. Ensuring that the City of Vancouver is financially healthy and administratively effective, including a commitment to service excellence, are chief among the governance goals of the City – as articulated prominently in the City's 2019 Corporate Plan;
3. The City of Vancouver's organizational structure serves to support the community through various departments, services, and groups, including departments, services, and groups responsible for Finance, Risk, and Business Planning functions;
4. Each year, the City of Vancouver prepares a combined annual budget and five-year financial plan, made up of operating and capital budgets and department service plans, with approximately three quarters of the annual funds required to run the City coming directly from property taxes and utility fees;
5. Section 230 (1) of the *Vancouver Charter* requires that Council shall, "not later than the first Council meeting in each year, appoint a firm of chartered professional accountants to audit the accounts and transactions of the city and of every other administrative body." <sup>i</sup>
6. There are three types of municipal audit functions: Auditors General, external City Auditors, and Internal Auditors, each of which plays a different but interdependent role, and all of which can add significant value to a municipality despite the fact that the differences between them are not always well understood by members of a City Council or Audit Committee;
7. The City of Vancouver is the only major Canadian city that does not have an Auditor General's office (or a comparable "City Auditor" office) that is independent of the City's management – one that is capable of providing an essential layer of independent financial and performance oversight of the City's financial and operational affairs;
8. The City of Vancouver currently has an internal audit process and internal audit division that "reports to the internal audit management team consisting of the city manager, deputy city manager, director of finance, and director of legal services,"

9. The City's Internal Audit (IA) Division consists of "a team of five certified internal audit professionals" dedicated to completing a variety of audits focused on "effectiveness, efficiency, and economy" to provide "an independent and objective assurance function which helps promote the City's efficiency, effectiveness, and accountability."; <sup>ii</sup>
10. In contrast to the City of Vancouver's existing internal audit processes, Auditors General at the municipal level report directly to a City Council, or a Committee of Council, and have a mandate to set their own audit plan, publicly report the results of audits, serve independently from City management, and greatly assist Councils in holding themselves and City administrators accountable for the stewardship of public funds and the achievement of value-for-money within municipal operations;
11. The establishment of an Auditor General Office in the City of Vancouver, consistent with Auditor General offices in other major Canadian cities, and operating independent of the City's internal audit processes, would offer an enhanced standard of audit independence and objectivity and help to ensure that the City is providing effective stewardship over public assets, value-for-money in operations, transparent administration, and accountability for results, consistent with the public's reasonable expectations; <sup>iii</sup>
12. In July 2011, prior to the Province of British Columbia establishing the Auditor General for Local Government (AGLG) office (NOTE: BC's AGLG currently has an annual budget of \$2.6 million and serves 190 local governments ranging in size from 250 to over 500,000 people), the Union of British Columbia Municipalities (UBCM) issued a Context Paper entitled, "Municipal Auditor General Context Paper: Background and context to the proposed Office of the Municipal Auditor General under consideration by the Province of British Columbia," with the intention to: <sup>iv</sup>
  - Inform discussions of local government Councils and Boards as they considered responses to a survey on the proposed BC Municipal Auditor General from the Minister of Community, Sport and Cultural Development.
  - Present UBCM's initial research relating to a) Auditors General and Municipal Auditors General across Canada, b) the local government financial accountability framework in British Columbia, and c) considerations relating to further policy development work.
  - Assist UBCM members as they prepared for a broader public discussion of the initiative within their communities;
13. UBCM's 2011 Context Paper variously notes the existence of Municipal Auditors General in Nova Scotia, Quebec (for municipalities over 100,000 population), in Ontario (with a specific requirement for the City of Toronto), and Manitoba, as well as "generalized statutory powers in Alberta and BC" that allow a local

government to establish a Municipal Auditor General and “assign duties to the Office.”; <sup>v</sup>

14. Examples of Canadian municipalities that have Municipal Auditors General independent of a city’s management and administrators (or alternatively a “City Auditor” with much the same function, mandate, and reporting structure as an Auditor General) include the following: <sup>vi</sup>
- Sudbury, Ontario: “The Auditor General reports directly to Greater Sudbury Council and is responsible for assisting Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations. By performing duties in an independent manner, and making reports available to the public, the Auditor General’s Office plays an important role in promoting transparency, accountability and trust in municipal operations.”;
  - Edmonton, Alberta: “The City Auditor is appointed by City Council to provide internal audit services. The delegated powers, duties, and functions of this position are established under the City Auditor Bylaw. In providing services to the corporation, the Office of the City Auditor performs the key roles of guardian and agent of change.” (City of Edmonton City Auditor By-law 12424);
  - Montréal, Québec: (Bureau du vérificateur general) “The Auditor General assists City Council in the execution of its governance duties by keeping it updated on the diligent and optimal use of public funds by Municipal Administration. By means of fully independent audits and the publication of reports which are available to the public, the Auditor General plays a critical role in promoting the transparency and accountability of municipal operations.”;
    - NOTE: Report of The Auditor General of The Ville De Montréal for the year ended December 31, 2018 – Our mission is to “provide city council and citizens with an objective and independent view of the quality of public funds management, including the economic, efficient and effective use of resources, legal and regulatory compliance, and the reliability of financial statements.”
  - Halifax, Nova Scotia: “The Auditor General is responsible for assisting Council in holding itself and the Municipality’s administrators accountable for the quality of stewardship over the public funds and for achievement of value for money in the Municipality’s operations.”;
  - Winnipeg, Manitoba: “The City Auditor is a statutory officer appointed by City Council under *The City of Winnipeg Charter* and is independent of the Public Service. Powers and authorities granted through the *City of Winnipeg Charter*, By-laws and Council motions support the position and mandate of the City Auditor.... The City Auditor conducts examinations

of the operations of the City and its affiliated bodies to assist Council in its governance role of ensuring the accountability of the Public Service for the quality of stewardship over public funds and for the achievement of value for money in City operations. The City Auditor is directly accountable to City Council through the Audit Committee which is comprised of Executive Policy Committee members.”;

- NOTE: Mission – “To support City Council and the Public Service by providing objective and independent advice and assurance with respect to governance, risk management, performance and accountability.”;
  - Calgary, Alberta: “The City Auditor’s Office is responsible for assisting Council in its oversight of the City Manager’s Administration, accountability for stewardship over public funds, and accountability for the achievement of value for money in City operations. The City Auditor is a designated officer appointed by Council and is independent of The City’s Administration. The City Auditor reports to Council through the Audit Committee. The City Auditor’s duties, responsibilities and authority are established by Bylaw 30M2004.”;
  - Toronto, Ontario: “The Auditor General is responsible for assisting City Council in holding itself and City administrators accountable for the quality of stewardship over public funds and for achievement of value for money in City operations. The Auditor General’s Office is independent of management and has the authority to conduct financial, operational, compliance, information systems, forensic and other special reviews” of most City departments, City agencies and corporations, local boards provided for under the *City of Toronto Act*, and other entities the City is related to or has an interest in;
15. UBCM’s 2011 Context Paper states that “While there is no specific authority for a BC local government to appoint a MAG [Municipal Auditor General], the audit provisions relating to both municipalities and regional districts allow Councils and Boards to require reports (in addition to the required financial statement reports) from their auditors. This would allow Councils/Boards to require such things as performance audits. In addition, the natural persons powers’ of municipalities and broad corporate powers of regional districts should be sufficient for Councils/Boards to establish an Office of the MAG and assign duties to that Office, if they so choose.”; <sup>vii</sup>
  16. Section 162 of the *Vancouver Charter* states that “The Council (a) may establish and equip such departments and offices as it may from time to time deem expedient in the exercise of its powers, and may assign such functions and duties to the persons employed in such departments and offices as the Council may from time to time decide.”; <sup>viii</sup>
  17. Growth in the size, scope, and nature of the City of Vancouver’s operating and capital budgets, which have a combined total that now approaches \$2 billion

annually, along with many competing budget priorities, necessitates that Vancouver City Council explore and seriously consider governance best practices observed in other major Canadian cities, such as an Independent Auditor General, that can serve to strengthen the City of Vancouver's audit functions and inspire public confidence that the City of Vancouver and Vancouver City Council are providing the best possible stewardship over public funds while actively and continuously seeking to better identify and mitigate risks the City faces, improve accountability, strengthen management controls, and enhance the efficiency and effectiveness of City operations;

18. The City of Vancouver (see: Internal audit reports: <https://vancouver.ca/your-government/internal-audit-reports.aspx>) subscribes to the notion that "An independent audit function is essential to government accountability." ix

THEREFORE BE IT RESOLVED

- A. THAT Vancouver City Council establish an Independent Auditor General Office for the City of Vancouver, one that would report directly to Council independent of the City's management and internal audit functions, to assist City Council in holding itself and City administrators accountable, and for this office to be based on the best practices, insights, and experience observed in other major Canadian cities that have municipal Auditors General, the intention of which will be to further strengthen the City's audit and financial functions and inspire public confidence and faith among taxpayers that the City of Vancouver and Vancouver City Council are providing the best possible stewardship over public funds while actively and continuously seeking to:

- better identify and mitigate risks the City faces,
- improve accountability,
- strengthen management controls, and
- enhance the efficiency and effectiveness of City operations;

FURTHER THAT a target date of March 1, 2020, be set for the appointment of an Independent Auditor General, with an initial office budget of \$1 million annually, and with the funds to be integral to the City's 2020 Operating Budget and recouped from savings and efficiencies identified by the Auditor General in subsequent City of Vancouver Budget years.

- B. THAT a committee of Council be formed, comprised of all eleven elected members of Council, and consistent with Section 161 of the *Vancouver Charter*, x to direct the establishment and implementation of an Independent Auditor General Office for the City of Vancouver, including directing the search for and appointment of an Auditor General, in consultation with, and based upon recommendations from such bodies as the Canadian Audit and Accountability Foundation (CAAF) as well as other relevant authorities that Council may deem appropriate (e.g., consultation with BC's Auditor General for Local Government, offices of Auditors General across Canada), with a target date of no later than January 1, 2020, for the committee of Council to have met to review initial

recommendations for the implementation of an Auditor General office and appointment of an Auditor General.

- C. THAT Vancouver City Council direct staff to obtain three independent outside legal opinions, as well as advice from appropriate provincial ministries and advisory bodies such as the Union of British Columbia Municipalities etc., regarding the existing legislative provisions (such as those in the *Vancouver Charter* and any specified provisions of the *Community Charter* and the *Local Government Act* that apply to Vancouver), under which an Independent Auditor General office could operate without further enabling legislation, and for staff to report back to Council on this specific question by December 1, 2019.
- D. THAT Vancouver City Council request that the City's Internal Audit (IA) Division, which reports to the internal audit management team consisting of the city manager, deputy city manager, director of finance, and director of legal services, make a presentation to Council before the end of October 2019 with an overview of the findings and recommendations of the City's Internal Audit (IA) Division over the past six years, with specific reference to performance / operational, financial and compliance audits of various programs and business processes, and related recommendations to City departments, including those specific to the effectiveness of internal controls and efficiency of business processes.
- E. THAT Vancouver City Council direct and/or otherwise empower the Mayor, on behalf of Vancouver City Council and the City of Vancouver, to write to the Premier of British Columbia with a formal request to the Provincial government, should that prove to be necessary upon due consideration and evaluation of any and all independent legal and advisory recommendations regarding existing legislative frameworks surrounding the establishment of an Independent Auditor General Office in the City of Vancouver, to initiate any legislative process or processes provincially that may be required to provide for, but not be limited to, any specific legal protections or powers that a City of Vancouver Auditor General may require for the effective operation of an Independent Auditor General office that may not otherwise be provided for in the *Vancouver Charter* or other existing legislation, such as questions relating to:
- protection from legal liability related to the contents of an audit report (when acting in good faith) ;
  - the power to compel documents or examine a person under oath;
  - provisions to ensure that privileged solicitor-client information disclosed to an Auditor-General is not a waiver of privilege appropriate protection from disclosure under freedom of information legislation.

**Endnotes:**

<sup>i</sup> The external Auditors appointed by Vancouver City Council are responsible for auditing the City's Financial Statements, the purpose of which is "to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report." (2018 Annual Financial Report).



The City's Management is "responsible for the preparation and fair presentation of the [City's] financial statements in accordance with Canadian public sector accounting standards organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error." (2018 Annual Financial Report).

As noted by the City's external Auditors in the City's most recent Annual Financial Report (2018): "Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists" and further that "Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements."

<sup>ii</sup> The City of Vancouver Internal Audit (IA) Division is a member of the Canadian Audit and Accountability Foundation (CAAF) as well as the Association of Local Government Auditors (ALGA), the Municipal Internal Auditors Association (MIAA), and the Institute of Internal Auditors (IIA).

<sup>iii</sup> As part of the UBCM process in 2011, the Executive (2011) respectfully asked the Minister for clarity and "to identify the problem [a provincial] MAG was intended to resolve, how [a provincial] MAG fits into the overall local government accountability system, what gaps there were in that system, if any, and whether any consideration had been given to strengthening existing mechanisms as an alternative to developing a new Office of the MAG if there were gaps."

The UBCM Executive (2011) suggested to the Minister that MAG "policy development could benefit from a broader perspective, and consideration of additional principles," such as:

- Respect for local government policy choices
- Respect for jurisdiction
- Build on existing systems, and
- Maximize public accountability benefits while respecting local autonomy and recognizing local capacity.

<sup>iv</sup> Specifically, UBCM's 2011 Context Paper notes the following:

- "Nova Scotia legislation requires a MAG for all municipalities, although only the legislation specific to Halifax has been implemented. Discussions are ongoing between the Union of Nova Scotia Municipalities and the Province about how best to implement the 2008 legislation for all other municipalities."
- "The only other MAG requirements in Canada are for municipalities with populations greater than 100,000 in Quebec, and for the City of Toronto."
- "... Ontario municipalities and the City of Winnipeg are specifically empowered to appoint a MAG, but are not required to do so (examples of those that have are Ottawa and Oshawa)."

- “More generalized legislative authority allows Alberta and BC local governments to appoint a MAG, and this power has been used by Edmonton and Calgary.”

<sup>v</sup> UBCM’s 2011 scan did not indicate a specific requirement for a Municipal Auditor General, or specific municipal empowerment to appoint a MAG, for local governments in the provinces of Saskatchewan, Manitoba (except Winnipeg), Quebec (under 100,000), New Brunswick, Prince Edward Island, and Newfoundland, UBCM expressed the opinion that these jurisdictions “may have sufficient generalized powers to appoint a MAG, under the same types of authorities as are available in Alberta and BC.” (see table below):

MAG Required	Local government is empowered to appoint MAG	No provision for MAG (TBD) <sup>2</sup>
Nova Scotia (all)	BC (through general corporate powers)	Saskatchewan
Quebec (over 100,000)	Alberta (through general officer powers)	Manitoba (except Winnipeg)
Toronto	Ontario (specific provisions)	Quebec (under 100,000)
	Winnipeg (specific provisions)	New Brunswick
		Prince Edward Island
		Newfoundland

<sup>vi</sup> In 2012, the Government of British Columbia established an Auditor General for Local Government (AGLG) office by means of the *Auditor General for Local Government Act*.

The role of British Columbia’s Auditor General for Local Government is advisory, not supervisory, and as such the office does not comment on the policy decisions or objectives of locally elected officials, impose requirements, or duplicate existing financial accountability mechanisms;

British Columbia’s *Auditor General for Local Government Act* states that the specific purpose of the Auditor General for Local Government is “to conduct performance audits of the operations of local governments in order to provide local governments with objective information and relevant advice that will assist them in their accountability to their communities for the stewardship of public assets and the achievement of value for money in their operations.”

Performance audits, as performed by the office of the Auditor General for Local Government, largely serve to identify “value-for-money” best practices that can be highlighted for the benefit of all local governments in the province and are not the same as traditional financial audits.

British Columbia’s Office of the Auditor General for Local Government has an annual budget of just \$2.6 million and serves 190 local governments ranging in size from 250 to over 500,000 people, with 10 municipalities having populations greater than 100,000 people.

The Annual Report of the Auditor General for Local Government, covering the period April 1, 2018 through March 31, 2019, indicates that there were five audit-related reports released during 2018/19 (i.e., two performance audits, three AGLG perspectives booklets, and the substantial completion of one other complex audit on drinking water).

British Columbia's Auditor General for Local Government, Gordon Ruth, has publicly stated that his office does not have the resources to conduct more than a few selected performance audits each year.

<sup>vii</sup> UBCM's research in 2011 noted that, as with provincial Auditors General who are appointed by the elected body representing the government entity being audited, "and report to that body," most Municipal Auditors General in Canada have this same appointment and reporting structure (i.e. they are appointed by, and report to, the municipal Council), with the one exception being Nova Scotia (in 2011) where implementation had not yet taken place and where Municipal Auditors General were to be appointed by the Minister and report to the Council(s) being audited, with a copy of all reports to the Minister.

<sup>viii</sup> Section 180 (4) of the *Vancouver Charter* (Indemnification of employees) states that "The council may by by-law provide that the city will, to the extent therein set out, indemnify its officers and employees, members of its council or any public service organization against a claim for damages against an officer or employee, members of its council or public service organizations or any of them arising out of the performance of his or its duties and, in addition, pay legal costs incurred in a court proceeding arising out of the claim."

<sup>ix</sup> The City of Vancouver is a member of the Canadian Audit and Accountability Foundation and thereby subscribes to the Foundation's inherent belief "that accountability is best served by auditors with the knowledge and skills to produce reports that make an impact, oversight bodies able to effectively discharge their responsibilities, and managers who can implement audit recommendations to improve their organization's performance."

The Canadian Audit and Accountability Foundation is a not-for-profit organization dedicated to promoting and strengthening public sector performance audit, oversight, and accountability in Canada and abroad through research, education, and knowledge sharing.

The Canadian Audit and Accountability Foundation has worked since 1980, with the support of its members and stakeholders, to assist all parties to the accountability relationship (i.e., oversight bodies, management, and the auditors who serve the accountability relationship) to improve the performance and accountability of public bodies, with resources, tools, and training to carry out their respective responsibilities, and by providing a national focal point for knowledge sharing and networking that fosters Canada-wide collaboration and discussion on issues of mutual interest;

<sup>x</sup> Section 161 of the *Vancouver Charter* requires a 2/3 vote of all members of Council in order to delegate any executive or administrative powers exercisable by Council to a committee comprised of members of Council.

\* \* \* \* \*

referred

Mayor Stewart noted requests to speak had been received.

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT the motion entitled “Establishing an Independent Auditor General Office for the City of Vancouver”, be referred to the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, in order to hear from speakers, scheduled to begin at 6 pm, following the previously referred motions.

CARRIED UNANIMOUSLY

## 7. Expediting an Elementary School for the Olympic Village Community – the City’s Role

MOVED by Councillor Dominato  
SECONDED by Councillor Boyle

WHEREAS

1. The City of Vancouver, together with the Vancouver School Board (VSB), has long planned for a school to be built in the Olympic Village, to support the objectives of creating a diverse, vibrant community where individuals, families, and children can live and thrive;
2. The City of Vancouver’s Official Development Plan (ODP) for South East False Creek anticipated that an elementary school for the Olympic Village would be built in concert with other core amenities and, as one of several stated goals for the project, be in place by 2020;
3. Schedule A of the Southeast False Creek Official Development Plan (April 2007) includes numerous references to an elementary school, including:
  - Section 4.3.5 (*Cultural, recreational, and institutional uses*) states: “Development is to include the following facilities: **(a) one K-7 community elementary school having a floor area of at least 3 700 m2 , and including a gymnasium in area 2A;**”
  - Section 4.4 (*Phasing of parks and community facilities*) states: “Phasing decisions for the parks, community centre and non-motorized boating centre, and other community facilities are to happen at the time of the applicable CD-1 re-zonings; and are to include **every effort to co-ordinate delivery of the elementary school** in a time frame compatible with the delivery of such other facilities.”;
  - Section 5.4.2 (*Area 2A – The central “shipyard” neighbourhood*) states: “... A cluster of community services via Front Street and the seaside greenway/bikeway are to connect to the community heart. Such services

are to include a community centre combined with a non-motorized recreational boating facility and day care facility to animate the waterfront and **an elementary school, which may include more child care and after-school care, located within easy walking distance of the community centre and boating facility and beside the park that is to be large enough for a playfield.** The waterfront park near the school is to provide a community demonstration garden including garden plots and sustainability education lessons for children and adults.”

4. The development of the Southeast False Creek community was intended to be “a leading model of sustainable development” – a “complete neighbourhood” with goods and services within walking distance, and housing and jobs that are accessible by transit;
5. Southeast False Creek was designed as a mixed-use community, with a total population of 11,000 – 13,000 people, with a focus on residential housing;
6. The reasonable expectation that an elementary school would be in place for the Olympic Village community by 2020, as noted in the South East False Creek ODP, led many to choose the Olympic Village as a neighbourhood where they could build their lives and livelihoods and start families;
7. To date, an elementary school for the Olympic Village community has received neither approval nor funding from the provincial Ministry of Education;
8. The existing catchment school for the Olympic Village neighbourhood – Simon Fraser Elementary – is significantly overcapacity and receives nearly three times the in-catchment applications for kindergarten than it can handle;
9. The overcapacity conditions at Simon Fraser Elementary are forcing families to send students to schools well outside their neighbourhood, with students attending more than two dozen different schools throughout the city, exacerbating traffic congestion and air pollution in a city that strives to be the greenest city in the world while seriously undermining the human connections between students, friends, and neighbours that are the foundation of a healthy, thriving community;
10. Many other Olympic Village families are simply giving up on the prospect of a neighbourhood school being built in time for their children to attend and are therefore moving from the community to more established areas where there are existing schools – a loss to the Olympic Village community and to these young families alike;
11. In June 2018, Education Minister Rob Fleming stated that he wants to see the Vancouver school district build schools more quickly and noted that it takes longer to build schools in Vancouver – five years – than in other districts, such as Surrey, where it takes about three years;

12. In May 2018, the VSB considered a motion, brought forward by Trustee Lisa Dominato, calling on the City of Vancouver to fast-track development and building permits for Vancouver schools (new schools, replacements, additions, and renovations) by means of a “Nexus” style fast-track approval process – the motion failed narrowly in a tie vote;
13. There is currently no City of Vancouver policy that prioritizes applications for building and development permits for the Vancouver school district. The school district’s applications are processed alongside permit applications for all city developments including commercial, single family dwellings, laneways, condominium developments, housing projects, and community centres;
14. In May 2018, it reportedly took – on average – 12 months for the school district to receive a development permit and 8 months to receive a building permit for new and replacement schools, which added more than one year to school capital projects;
15. Last year, the VSB entered into an agreement with BC Hydro whereby a subsurface parcel at the Lord Roberts Annex site was sold to accommodate a much needed electrical substation in the West End / Downtown core;
16. A portion of the VSB proceeds from the Lord Roberts Annex site subsurface sale agreement with BC Hydro will go toward the capital cost of a new school in Coal Harbour, which means the Province has saved money on a capital expenditure and could re-allocate that funding to build an Olympic Village Elementary school;
17. In Year One of the VSB 2020/21 Capital Plan, the school district is seeking Ministry of Education approval for the acquisition of a school site for a South East False Creek / Olympic Village Elementary school;
18. It is crucially important that funding for an elementary school in Olympic Village be secured and made available as soon as possible to get the school project underway, and the City of Vancouver has various tools and potential options available within its jurisdictional domain to do its part and to help accomplish this longstanding goal for the South East False Creek community.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to create a “fast-track” process, on an urgent basis, whereby the approval of development and building permits for Vancouver schools (new schools, replacements, additions, and renovations) can be expedited to ensure that Vancouver school facilities can be built, replaced, added to, and/or renovated in a timely manner, to help build strong, diverse, sustainable neighbourhoods and communities in our city, with staff to report back to Council by January 2020 regarding actions taken in this regard.
- B. THAT Council direct staff to work with the Vancouver School Board staff to explore ways to work together on a collective basis to improve and streamline various City approval processes in pursuit of the timely construction,

replacement, and/or renovation to Vancouver Schools, including an elementary school in Southeast False Creek / Olympic Village.

- C. THAT Council call on the Province to prioritize capital funds for a new school in South East False Creek / Olympic Village, on an urgent basis, acknowledging the pressing need for a school in this area, as well as the fact that the Vancouver School Board (VSB) is fully funding the new Coal Harbour school through proceeds from the Lord Roberts Annex site subsurface sale by the VSB to BC Hydro which relieves the Province of this related capital expense.
- D. THAT Council acknowledge its role and responsibility to ensure that there is adequate and appropriate space for the learning needs of our city's youngest residents, and that Council direct staff to explore the possibility of:
  - i. Leasing the city-owned land in Southeast False Creek/ Olympic Village, on an urgent basis, to the Vancouver School Board for a nominal sum as a means to expedite construction of a long-anticipated elementary school in lieu of a direct acquisition through a sale or land transfer;
  - ii. Enabling the construction of a "modular school" if a lack provincial funding or other delays fail to address the school facility needs of the Southeast False Creek / Olympic Village neighbourhood in a timely manner.
- E. THAT a copy of this motion to be sent to the Trustees and Senior Staff of the Vancouver School Board.

referred

Mayor Stewart noted requests to speak had been received.

REFERRAL MOVED by Councillor Carr  
SECONDED by Councillor De Genova

THAT the motion entitled "Expediting an Elementary School for the Olympic Village Community – the City's Role", be referred to the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, in order to hear from speakers, scheduled to begin at 6 pm, following the previously referred motions.

CARRIED UNANIMOUSLY

## **8. Increasing Affordable Housing Options Through Character House Incentives in RS Zones**

MOVED by Councillor Hardwick

SECONDED by Councillor De Genova

### WHEREAS

1. Demolition of existing RS character housing in Vancouver is a major contributor to our city's affordable housing crisis, whereby properties are redeveloped and liveable homes replaced with significantly more expensive homes typically built for a luxury market, the frequent result of which is the elimination of affordable secondary suites and the displacement of renters;
2. Destroying enduring Vancouver homes built with quality natural materials, and replacing them with much larger single family homes made with synthetic materials, and an inherently shorter life-span, is not sustainable and inconsistent with the City's Green objectives and the City's local efforts to prevent and otherwise mitigate the impacts of a global climate crisis;
3. In relation to Greenhouse Gas Emission (GHG) reduction objectives, a 2018 study by UBC Architecture Professor Joseph Dahmen concludes the following: "... it can take years before the embodied greenhouse gas emissions associated with new construction are offset by more efficient operations.... The average carbon dioxide emission payback period of 168 years for a typical high efficiency new home renders it unlikely that emission savings will be realized before it is replaced....";
4. Making retention tools available adds definition and vibrancy to neighbourhoods, improves housing choices and affordability, and accommodates growth while retaining neighbourhood character – for example, conditional zones such as RT-7 and RT-8 in Kitsilano have led to some of our city's most vibrant, family-friendly neighbourhoods, while providing equitable treatment of character retention stream in relation to various non-character building streams, and has resulted in few demolitions;
5. The City of Vancouver undertook a multi-year Character House Zoning Review, with extensive public consultation, in order to curb the large number of character and heritage house demolitions that take place every year in the city;
6. Many of the publically supported options identified in the City's multi-year Character House Zoning Review have not been implemented and the demolition of sustainably-built, enduring housing stock continues virtually unabated – for example:
  - Despite a full 75% support city-wide for "increased flexibility in zoning to support Character Home retention" demonstrated through the Character House Zoning Review, the City chose – under the previous Council – to not implement conditional zoning changes along the lines of those that



- have worked successfully to retain character houses in Kitsilano and served to create vibrant, family-friendly neighbourhoods;
- Despite 70% support city-wide for allowing multiple secondary suites in character homes, but allowing two secondary suites – as recommended – was not implemented by the previous Council;
  - Despite 76% support city-wide in the Character House Zoning Review for “design guidelines to clarify requirements and support renovations,” design guidelines were not implemented by the previous Council leading to poor design and lower quality materials such as faux rock or tile facades which continue to undermine neighbourhood character;
7. There are 60,000 RS-zoned lots across the city that can help to address the city’s housing crisis and support the City’s climate change objectives through character house retention options and adaptive reuse of character homes;
  8. Enabling character house retention options can enable the creation of a great number and range of affordable housing units spread across the city’s 60,000 RS-zoned lots while also accommodating growth in ways that are consistent with the City’s many stated goals and objectives, including the City’s stated Greenest City goals related to waste reduction, and would not preclude further changes that may come later under the City-wide Plan;
  9. The City’s current Secondary Suite Program already allows relaxations to the Building By-laws and Zoning and Development By-laws, such as waiving sprinkler requirements, allowing lower ceiling heights, requiring only one exit, removal of interior stairs, etc., for one secondary suite;
  10. Many houses in the city have been converted to have two secondary suites, with three rental suites in total (i.e., top floor, main floor, and basement), although one of these units is usually unauthorized unless changes can be made to allow all three units through the Secondary Suite Program, and subject to the Building By-law to make them legal and safe, for affordable rentals and owners’ mortgage helpers;
  11. If character and heritage houses are to be meaningfully retained and adaptively reused as intended by the Character House Zoning Review, further changes are required to the City’s RS zoning, the Vancouver Building By-laws, the Secondary Suite Program, and other by-laws and policies;
  12. Although some previous changes have been made by the City, the City’s Building By laws and how they are applied continue to make renovation of character and heritage houses difficult to implement, and current RS zoned character house incentives have clearly not prevented demolitions (NOTE: a recent staff update shows 235 character houses have been demolished in 2018 while only 27 have been retained through character house incentives);
  13. The new duplex zoning approved by the city in October 2018, which allows for four units including secondary or lock-off suites, has only served to place increased development pressure on character houses and neighbourhoods and

made the situation worse;

14. The Character House Zoning Review included years of consultation, and if zoning changes are delayed, an increasing amount of our city's heritage and character house stock will be lost along with the affordable housing opportunities they represent.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to provide a report for Council by December 10, 2019, to consider implementing the following changes as a priority in Q1 to all RS Zones city wide, including the required staff resources, preferably from reassignment and/or additional resources as may be required in the 2020 budget:
  - a. To add conditional zoning mechanisms (similar to Kitsilano RT-7 & RT-8 zones) with a low outright floor space ratio of 0.50 floor space ratio "FSR" in all RS zones, (except for RS 3 & RS-3A that would have an equivalent but different low outright calculation method) where further increases in density, and development for a laneway house, secondary suite or duplex, are earned through two approval streams: one stream for incentives for character house retention and the other stream for non-character house lots;
  - b. To increase options beyond current incentives to retain character houses, (including 0.75 FSR + 0.16 Laneway House; 0.75 FSR Multiple Conversion Dwelling, "MCD"; 0.85 FSR with Infill; 0.85 FSR MCD with Infill) add the following:

allowing two secondary suites (for rental only, not for strata MCD) in the main house, with conversion under the Secondary Suite Program to ensure acceptable safety and liveability standards, and any related changes to the Secondary Suite Program and Vancouver Building By law that may be required to allow this;
  - c. For non-character house lots to earn density above outright 0.50 FSR for a single family house with basement suite, to the full conditional 0.70 FSR (with development options as per current zoning) the following would have to be achieved:

design guidelines followed; and

at least a secondary suite is provided, or on lots with over 49 ft. frontage, a duplex is provided in the main dwelling when the existing house is demolished (except RS-3 & RS-3A where duplexes are not currently allowed). However, consider allowing an option for the duplex to have an internal connection if one owner has both units or the owners agree in writing, that could be easily closed off as would be required if the units are to be

separated for strata for future downsizing or for the next owner;  
and

- d. Provide design guidelines for both character house retention and non-character house lots to ensure quality of design and materials, and appropriate fit into neighbourhood character streetscape.
- B. THAT Council direct staff to bring forward a report for Council to consider for changes to the 2019 Vancouver Building By-law to allow more flexibility and exemptions for character house and heritage retention options, and better process including the following:
- a. Expand the Alternate Requirements under Section 11 to provide acceptable solutions that allow flexibility where a character house or heritage building was built under other building code requirements of its era and allow current building codes to provide alternatives, while addressing life safety issues, as may be approved by the Chief Building Official from time to time. Provide clear explanatory guidelines to the public. Some examples include:
    - i. Explore alternative options to fire sprinkler requirements, while addressing life safety issues, for a character house (with up to one secondary suite) when only minor renovations are proposed, and when a strata infill is added in rear yard, limit sprinklers on the main existing house, that is not being substantially renovated, to only apply to protect the side yard means of egress;
    - ii. Explore alternative options for laneway house sewer services for an existing character house, allowing discretion to the Director of Planning and Chief Building Official in order to retain mature trees since retaining mature trees and landscape on private property is also a City priority and any related amendments to the Sewer By-law 8093;
    - iii. Explore alternative options to prevent a basement in a character house from being counted as a storey under the Fire Code when the main floor is more than 6 ft. above grade, which many character houses are, especially if it is raised to create a liveable basement. If the basement is counted as a storey, it would make a typical 2 ½ storey house counted as 4 storeys and then the Part 3 of the Vancouver Building By-law (for multifamily construction) would apply. This should be avoided;
  - b. Allow two secondary suites to be converted through the Secondary Suite Program as an incentive for character house retention only, and related amendments to the Secondary Suite Program as required; and
  - c. Provide the recently established Renovation Centre with specialized staff, processes and resources, to be included in the 2020 budget, to improve

the approval of renovations and character/heritage retention incentive programs;

C. THAT Council direct:

- a. Staff to report back by Q1 2020 on potential tax incentives for retention options in RS zones for heritage houses listed on the City of Vancouver heritage register such as for property tax waivers as part of a Heritage Revitalization Agreement (HRA), as are now allowed in other areas of the city, and/or request the province to waive the Additional School Tax, or other potential options;
- b. Staff to bring forward a policy report by Q1 2020, for Council consideration of approval for local heritage density transfers as part of a Heritage Revitalization Agreement (HRA) for exceptional heritage listed "A" properties in RS zones that are vulnerable to demolition (but where part or all of the increased density could not be accommodated onsite without ruining the heritage values), with the density transfer to be landed within the same neighbourhood in a community supported scale and location, but not for addition to the Density Bank; and
- c. Staff to report back on rates of demolitions in one year after zoning and building by-law changes are implemented as per above, if Council enacts the changes.

withdrawn

Following Councillor Hardwick introducing her motion, responding to questions, and receiving a seconder, the Mayor advised that legal staff had advised that the motion was in order, however, the wording of the motion is such that Council should not hear from speakers as it could compromise a future public hearing process.

\* \* \* \* \*

*MOVED by Councillor Bligh  
SECONDED by Council De Genova*

*THAT Council recess for 2 minutes;*

*FURTHER THAT Council extend the length of the meeting to complete the business on the agenda.*

*CARRIED UNANIMOUSLY*

\* \* \* \* \*

*Council recessed at 4:55 pm and reconvened at 5 pm.*

\* \* \* \* \*

REFERRAL MOVED by Councillor Carr  
SECONDED by Councillor Boyle

THAT the motion entitled “Increasing Affordable Housing Options Through Character House Incentives in RS Zones”, be referred to staff to bring forward through the City-wide Plan process, and other work in progress, to ensure full public engagement on the issues identified in the motion;

FURTHER THAT staff be directed to bring back an evaluation of the character home retention program in the second quarter of 2020 and identify improvements to that program, and “quick start” measures to be considered by Council in order to accomplish gentle density and infill with heritage and character retention.

amended/withdrawn

\* \* \* \* \*

*Councillor De Genova requested a ruling from the Mayor on the referral motion as the Character Home Retention Program is different than Character House Incentives. Council recessed at 5:02 pm and reconvened at 5:06 pm. Upon reconvening, the Mayor advised that the referral motion was in order.*

\* \* \* \* \*

AMENDMENT MOVED by Councillor Swanson  
SECONDED by Councillor Carr

THAT the following be added to the end of the referral motion:

AND FURTHER THAT Council direct staff to report back on how character and heritage homes can be used to create housing that people earning under \$50,000 per year can afford.

CARRIED (Vote No. 04920)  
(Councillor De Genova opposed)  
(Councillor Kirby-Yung abstained from the vote)

*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.”*

MOVED by Councillor Carr  
SECONDED by Councillor De Genova

THAT the amended referral motion be withdrawn.

CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY

MOVED by Councillor Hardwick  
SECONDED by Councillor Bligh

THAT the motion entitled "Increasing Affordable Housing Options Through Character House Incentives in RS Zones" be withdrawn.

CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY

**9. A Collaborative and New Approach to Oppenheimer Park and Other Public Spaces**

\* \* \* \* \*

*The motion below contains changes from the original Notice of Motion.*

\* \* \* \* \*

MOVED by Councillor Wiebe  
SECONDED by Councillor Dominato

WHEREAS

1. Vancouver is experiencing unprecedented housing and mental health and addiction issues;
2. In recent years, we have seen regular annual encampments in parks and sites across the city, including Oppenheimer Park;
3. There are a significant number of persons currently living on the city's streets, or out of their cars, due to the shortage of appropriately affordable housing who simply require access to shower and washroom facilities to support them on their path to permanent housing and employment;
4. All levels of government need to work together to address the systemic factors that prevent people from accessing safe, secure housing and basic health care, along with appropriate mental health and addiction services.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to develop an collaborative decampment plan to go to the Vancouver Park Board for approval with the goal of restoring the park for broad public use, including the expansion of the positive activations program.
- B. THAT the City, in partnership with key partners, create a dedicated, coordinated cross-jurisdictional Homeless Outreach Services Team (HOST) that serves to connect unsheltered and sheltered people to appropriate housing, health and support services.

- C. THAT the City and the Park Board explore opportunities to collaborate, and potentially expand upon, the initial success of the peer-based Park Stewardship pilot program with the aim to provide access to daily showers and washrooms at specific field houses in city parks for those in need of this specific form of support, with the facilities to be kept clean and supervised by peer stewards;
- FURTHER THAT the City and Park Board explore options for identified needed services, such as a community kitchen, additional accessible laundry and drying facilities, and 24-hour sanitation facilities with running water.
- D. THAT the City commit to supporting and seeking funding from the Provincial and Federal governments to enable and expand supported employment initiatives such as the aforementioned Park Stewardship Program, street ambassadors, and other employment opportunities for individuals to gain income, build skills and foster esteem.
- E. THAT Council direct staff, in collaboration with community service agencies, to undertake a review of Downtown Eastside services, with the goal of creating a coordinated service delivery framework that effectively delivers a range of services, including a coordinated outreach strategy, critical mental health and addiction treatment, as well as access to appropriate housing, basic health care needs, and other services.
- F. THAT Council support the Vancouver Police Department (VPD) in its call for increased mental health support through a new improved method of delivering Cars 87 and 88, and related funding from Vancouver Coastal Health (VCH).
- G. THAT Council call on the Province to increase vital wraparound services (mental health, addiction treatment, social assistance etc.) in the next provincial budget cycle.

referred

\* \* \* \* \*

Councillor De Genova asked for a ruling as to whether the motion was in order, due to issues of health and safety, and that she had not had time to review the version of the motion that was on the floor.

\* \* \* \* \*

*Council recessed at 5:30 pm and reconvened at 5:33 pm.*

\* \* \* \* \*

Upon reconvening, the Mayor advised he was ruling the motion out of order as it was a significant alteration to the original Notice of Motion, and as per sections 4.3 (d) and (f) of the *Procedure By-law*, as it conflicts with a resolution previously passed on March 14, 2019, and still in force.

Councillor Wiebe challenged the ruling of the Chair.

MOVED by Councillor Wiebe  
SECONDED by Councillor Bligh

THAT the Chair's ruling of Councillor Wiebe's motion as out of order be challenged.

CARRIED  
(Councillors De Genova, Boyle and Mayor Stewart opposed)  
(Councillor Hardwick abstained from the vote)

*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."*

Following the vote on the Challenge to the Chair, the motion was not ruled out of order.

REFERRAL MOVED by Councillor Dominato  
SECONDED by Councillor Kirby-Yung

THAT the motion entitled "A Collaborative and New Approach to Oppenheimer Park and Other Public Spaces", be referred to the Standing Committee on City Finance and Services meeting on Wednesday, October 2, 2019, in order to hear from speakers, scheduled to begin at 6 pm, following the previously referred motions.

CARRIED  
(Councillors De Genova, Boyle and Mayor Stewart opposed)

## **NEW BUSINESS**

### **1. Request for Leave of Absence – Councillor De Genova**

MOVED by Councillor Boyle  
SECONDED by Councillor Dominato

THAT Councillor De Genova be granted a leave of absence for personal reasons for meetings after 6 pm on October 3, 2019.

CARRIED UNANIMOUSLY (Vote No. 04900)  
(Councillors Hardwick and Swanson absent for the vote)



**2. Request for Leave of Absence – Councillor Fry**

MOVED by Councillor Dominato  
SECONDED by Councillor De Genova

THAT Councillor Fry be granted a leave of absence for civic business for meetings after 6 pm on October 3, 2019.

CARRIED UNANIMOUSLY (Vote No. 04902)  
(Councillors Hardwick and Swanson absent for the vote)

**3. Request for Leave of Absence – Mayor Stewart**

MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT Mayor Stewart be granted a leave of absence for civic business for meetings on October 3, 2019.

CARRIED UNANIMOUSLY (Vote No. 04903)  
(Councillors Hardwick and Swanson absent for the vote)

**NOTICE OF MOTION**

**1. Exploring Ways to Further Utilize Vancouver’s Four Pillars Drug Strategy**

Councillor De Genova submitted a Notice of Motion on the above-noted matter. The motion may be placed on the Regular Council meeting agenda of October 22, 2019, as a Motion on Notice.

**2. Addressing the Continuing Demolition of Character and Heritage Houses in RS Zones**

Councillor Hardwick submitted a Notice of Motion on the above-noted matter. The motion may be placed on the Regular Council meeting agenda of October 22, 2019, as a Motion on Notice.

**3. Happier Halloween: Extinguishing Consumer Fireworks**

Councillor Fry submitted a Notice of Motion on the above-noted matter. The motion may be placed on the Regular Council meeting agenda of October 22, 2019, as a Motion on Notice.

**4. Fair Share: License and Regulatory Review in the Age of Gig and Sharing Economy**

Councillor Fry submitted a Notice of Motion on the above-noted matter. The motion may be placed on the Regular Council meeting agenda of October 22, 2019, as a Motion on Notice.

**ADJOURNMENT**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Wiebe

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

Council adjourned at 5:54 pm.

\* \* \* \* \*