



SPECIAL COUNCIL MEETING MINUTES

March 31, 2020

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, March 31, 2020, at 9:31 am, in the Council Chamber, Third Floor, City Hall, for the purpose of transacting the items listed on the agenda. This Special Council meeting was convened by electronic means as authorized by Part 14 of the *Procedure By-law* and the *Vancouver Charter*.

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, Acting City Clerk
Irina Dragnea, 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.

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Dominato

THAT Council adopt Items 6 to 8 and 10 to 12, on consent.

CARRIED UNANIMOUSLY AND ITEMS 7, 8, 10, AND 12
BY THE REQUIRED MAJORITY

1. Communication: Changes to 2020 Council Meetings

Rosemary Hagiwara, Acting City Clerk, and Sadhu Johnston, City Manager, responded to questions.

MOVED by Councillor Fry
SECONDED by Councillor Boyle

THAT Council move the Council meeting from Tuesday, March 31, 2020, to Tuesday, April 14, 2020;

FURTHER THAT Council cancel the Wednesday, April 1, 2020, Standing Committee on City Finance and Services meeting.

CARRIED UNANIMOUSLY (Vote No. 05729)

2. Motion to go In Camera

MOVED by Councillor De Genova
SECONDED by Councillor Boyle

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;

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

(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

3. Adoption of Minutes of Council

a. Council (City Finance and Services) – February 26 and March 3, 2020

MOVED by Councillor De Genova
SECONDED by Councillor Hardwick

THAT the Minutes of the Council meeting following the Standing Committee on City Finance and Services meeting of February 26 and March 3, 2020, be approved.

CARRIED UNANIMOUSLY

b. Council – March 10, 2020

MOVED by Councillor Kirby-Yung
SECONDED by Councillor De Genova

THAT the Minutes of the Council meeting of March 10, 2020, be approved.

CARRIED UNANIMOUSLY

c. Council (Policy and Strategic Priorities) – March 11 and 12, 2020

MOVED by Councillor Hardwick
SECONDED by Councillor Wiebe

THAT the Minutes of the Council meeting following the Standing Committee on Policy and Strategic Priorities meeting of March 11 and 12, 2020, be approved.

CARRIED UNANIMOUSLY

d. Special Council (Motion to go In Camera) – March 19, 2020

MOVED by Councillor De Genova
SECONDED by Councillor Kirby-Yung

THAT the Minutes of the Special Council (Motion to go in Camera) meeting of March 19, 2020, be approved.

CARRIED UNANIMOUSLY

e. Special Council (Motion to Declare State of Emergency) – March 19, 2020

MOVED by Councillor De Genova
SECONDED by Councillor Dominato

THAT the Minutes of the Special Council (Motion to Declare State of Emergency) meeting of March 19, 2020, be approved.

CARRIED UNANIMOUSLY

f. Special Council (Motion to Amend Emergency By-law and Ticket Offences By-law and Motion to go In Camera) – March 23, 2020

MOVED by Councillor Bligh
SECONDED by Councillor De Genova

THAT the Minutes of the Special Council (Motion to Amend Emergency By-law and Ticket Offences By-law and Motion to go In Camera) meeting of March 23, 2020, be approved.

CARRIED UNANIMOUSLY

**4. Downtown Eastside (DTES) Capital Grant Allocation
March 2, 2020**

Tom Wanklin, Senior Planner, Downtown East, provided a presentation on the Report dated March 2, 2020, entitled "Downtown Eastside (DTES) Capital Grant Allocation", and responded to questions.

MOVED by Councillor Carr
SECONDED by Councillor De Genova

THAT Council approve the grant allocation of \$203,500 to the Downtown Eastside (DTES) non-profit organizations, as detailed in Appendix A to the Report dated March 2, 2020, entitled "Downtown Eastside (DTES) Capital Grant Allocation", to provide timely and critical funding to support these organizations to advance the social, economic and environmental objectives of the approved DTES Plan. Source of funding is from the various 2020 DTES Capital Program budgets.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY (Vote No. 05730)

**5. 2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)
February 25, 2020**

Council heard from one speaker in support of the recommendations.

Sandra Singh, General Manager, Arts, Culture and Community Services, and Sadhu Johnston, City Manager, provided opening comments. Branislav Henselmann, Managing Director, Cultural Services, responded to questions.

MOVED by Councillor Fry
SECONDED by Councillor De Genova

- A. THAT Council approve 62 Project grants, totaling \$480,660, to the organizations listed under “Project Organizations” in the amounts recommended for each organization in the “2020 Recomm.” column in Appendix A to the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”. Source of funding is the 2020 Cultural Grants Operating Budget.
- B. THAT Council approve second instalments of 63 Annual Assistance grants, totaling \$778,000. This brings the total 2020 recommendations to \$1,239,000, as totaled in the “2020 Recomm.” column in Appendix A to the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”, for “Annual Assistance Organizations.” Source of funding is the 2020 Cultural Grants Operating Budget.
- C. THAT Council approve 15 Annual Assistance grants, totaling \$283,500 as totaled in the “2020 Recomm.” column in Appendix A to the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”, for “New to Annual Assistance Organizations.” Source of funding is the 2020 Cultural Grants Operating Budget.
- D. THAT Council approve second instalments of 58 Operating grants, totaling \$1,717,530. This brings the total 2020 recommendations to \$2,821,250 as totaled in the “2020 Recomm.” column in Appendix A to the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”, for “Operating Organizations.” Source of funding is the 2020 Cultural Grants Operating Budget.
- E. THAT Council approve the balance of quarterly grant instalments to the 5 Major Institutions totaling \$2,961,400. This makes for a total 2020 recommendation of \$3,948,400, as totaled in the “2020 Recomm.” column in Appendix A to the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”, for “Major Institutions”. Source of funding is the 2020 Cultural Grants Operating Budget.
- F. THAT Council approve five Cultural Learning and Sharing grants, totaling \$52,500, to the organizations listed under “Organizations” in the amount recommended in the

“2020 Recomm.” column in Appendix A to the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”. Source of funding is the 2020 Cultural Grants Operating Budget.

- G. THAT Council approve additional purposes for the grants (and any 2020 advance grants and first instalments that were approved on January 21, 2020) that may be outside of proposed activity detailed in the 2020 cultural grant application, to allow organizations to respond to the impacts of COVID-19 subject to the following conditions:
- a. The grant still be used for the benefit of the applicant organization and the communities it serves; and
 - b. That the grant can be used to cover eligible costs incurred, and reasonable costs of cancellations, as a result of impacts of COVID-19.
- H. THAT, pursuant to Section 206 (1) (j) of the *Vancouver Charter*, Council deems any organization listed in Appendix A to the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”, that is not otherwise a charity registered with the Canada Revenue Agency to be contributing to the culture of Vancouver.
- I. THAT the General Manager of Arts, Culture and Community Services (GM of ACCS) (or their designate) is authorized to negotiate and execute agreements to disburse the grants described in the Report dated February 25, 2020, entitled “2020 Cultural Grants (Operating, Annual Assistance, Projects, Cultural Learning and Sharing)”, on the terms and conditions generally set out in the above-noted report, and on such other terms and conditions as are satisfactory to the GM of ACCS and the Director of Legal Services.
- J. THAT no legal rights or obligations are created by the approval of A to F above unless and until the applicable grant agreement or letter agreement is approved by the City in accordance with I above and executed and delivered by both the grant recipient and General Manager of Arts, Culture and Community Services (GM of ACCS) (or their designate).
- K. THAT A to F require two-thirds affirmative votes of all Council members per section 206 (1) of the *Vancouver Charter*.
- L. THAT Council thank the fifteen community members who served on five assessment committees for their generous commitment of time, as well as personal lived experience and professional expertise that they contributed to the adjudication process.

CARRIED UNANIMOUSLY AND A TO F
BY THE REQUIRED MAJORITY (Vote No. 05731)

* * * * *

At noon, during debate on the above item, it was

*MOVED by Councillor Wiebe
SECONDED by Councillor Bligh*

THAT Council extend the meeting past noon in order to complete the business on the agenda.

CARRIED UNANIMOUSLY

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6. Amendments to Building and Electrical By-laws to Adopt Revisions to the *BC Building Code and Electrical Safety Regulations* and Miscellaneous Changes February 28, 2020

- A. THAT Council approve, in principle, amendments to the *Building By-law* (No. 12511), that adopt Revisions 2 & 3 to the *BC Building Code* along with various harmonization and clarifying changes;

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary amending by-law, generally in accordance with Appendix A to the Report dated February 28, 2020, entitled “Amendments to Building and Electrical By-laws to Adopt Revisions to the *BC Building Code and Electrical Safety Regulations* and Miscellaneous Changes”, for enactment by Council.

- B. THAT Council approve, in principle, amendments to the *Electrical By-law* (No. 5563), that adopt revisions to the *BC Electrical Safety Regulations* including the adoption of the 24th edition of the *Canadian Electrical Code*, along with miscellaneous amendments, and clarifications to required annual electrical permits;

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary amending by-law, generally in accordance with Appendix B to the Report dated February 28, 2020, entitled “Amendments to Building and Electrical By-laws to Adopt Revisions to the *BC Building Code and Electrical Safety Regulations* and Miscellaneous Changes”, for enactment by Council.

ADOPTED ON CONSENT (Vote No. 05746)

**7. Annual Federation of Canadian Municipalities (FCM), Union of British Columbia Municipalities (UBCM) and Lower Mainland Local Government Association (LMLGA) Membership Fees for 2020 to 2021
March 2, 2020**

THAT grants to the following organizations for the 2020 to 2021 membership fees be approved; the source of funds the 2020 Operating Budget:

a. Federation of Canadian Municipalities (FCM)	\$ 125,298.08
b. Union of British Columbia Municipalities (UBCM)	\$ 55,928.03
c. Lower Mainland Local Government Association (LMLGA) (*approximate)	\$ 7,100.00*

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY (Vote No. 05759)

**8. West End Participatory Budgeting Pilot – Grant Approval
March 2, 2020**

- A. THAT Council receive for information an update on the progress of the West End Participatory Budgeting Pilot, as set out in the Report dated March 2, 2020, entitled “West End Participatory Budgeting Pilot – Grant Approval”.
- B. THAT Council approve allotting \$100,000 of incremental new revenue from the market based West End resident parking permit sales for funding and implementation of the three recommended projects outlined in the Report dated March 2, 2020, entitled “West End Participatory Budgeting Pilot – Grant Approval”, increasing the 2019-2022 Capital Plan and increasing the Multi-Year Capital Budget by the allotted amount, and with no change to the current overall 2020 Capital Expenditure Budget.
- C. THAT Council approve 2 grants totalling \$20,000 to The Board of Education of School District No. 39 (Vancouver) to implement a community improvement project (listed as the “Christine Fretwell and Kathryn Gibbons Memorial Gift to West End Students” in Appendix A to the Report dated March 2, 2020, entitled “West End Participatory Budgeting Pilot – Grant Approval”) on behalf of the West End Participatory Budgeting Pilot.

ADOPTED ON CONSENT AND C
BY THE REQUIRED MAJORITY (Vote No. 05747)

9. Climate Emergency Requirements for New Housing 3-Storeys and Under

This item was withdrawn.

**10. Closure and Lease of a Portion of Road Adjacent to 3075 Slocan Street
February 6, 2020**

- A. THAT Council close and stop-up that 28.9 square metre portion of road abutting 3075 Slocan Street (the “Abutting Lands”, as described in Appendix A to the Report dated February 6, 2020, entitled “Closure and Lease of a Portion of Road Adjacent to 3075 Slocan Street”).
- B. THAT Council authorize the Director of Real Estate Services to negotiate and execute a lease (the “Lease”) of that approximately 28.9 square metre portion of the road (the “Lease Area”), the same generally shown outlined in bold on the attached Appendix B to the Report dated February 6, 2020, entitled “Closure and Lease of a Portion of Road Adjacent to 3075 Slocan Street”, subject to the terms and conditions noted in Appendix A of the same report, all to the satisfaction of the Director of Real Estate Services and Director of Legal Services.

ADOPTED ON CONSENT AND B
BY THE REQUIRED MAJORITY (Vote No. 05748)

**11. Closure and Sale of a Portion of Road Adjacent to 3150 SE Marine Drive
April 3, 2019**

THAT Council close, stop-up and convey to the owner of 3150 SE Marine Drive (Park Lane River District Developments Ltd. (“Wesgroup”)) that approximately 169.1 square metre portion of SE Marine Drive (the “Road”), is to be consolidated with the abutting lands (Lot 51 Block 10 District Lot 330 Group 1 New Westminster District Plan EPP65172 (“Lot 51”)), the same as generally shown hatched on the plan attached as Appendix B to the Report dated April 3, 2019, entitled “Closure and Sale of a Portion of Road Adjacent to 3150 SE Marine Drive”, subject to the terms and conditions noted in Appendix A to the same report.

ADOPTED ON CONSENT (Vote No. 05749)

**12. Modification of Lease for AIDS Vancouver at 1101 Seymour Street
March 2, 2020**

- A. THAT Council authorize the Director of Real Estate Services to negotiate and execute the modification of an existing lease (the “Lease”) with the Vancouver AIDS Society (AIDS Vancouver or “AV”) at 1101 Seymour Street (the “Leased Premises”), by:
 - i. Removing the 2nd floor portion (3,985 square feet of exclusive use area) from the Leased Premises and replacing it with the entirety of the 4th floor (4,543 square feet of exclusive use area), thereby increasing the total exclusive use area of the Leased Premises by 558 square feet (new total of 5,341 square feet);

- ii. Revising Section 1.06 of the Lease to increase the Rent payable for the remainder of the initial 5 year Term by \$17,378 per annum for a new total of \$166,639 per annum, or \$13,886.58 per month, plus applicable sales taxes;
- iii. Revising Section 1.08 of the Lease to increase the maximum amount of utilities costs (heat, water, sewer and electricity for the Premises) included in the Rent to \$15,224 per annum for the remainder of the initial 5 year Term;
- iv. Revising Section 14.01 of the Lease to increase commensurately the Rent payable under the 5 year Renewal Term to a total of \$183,303 per annum, or \$15,275.25 per month, plus applicable sales taxes;
- v. The modification of lease (the "Modification") shall take effect on the first day of the month following completion of the move by AV from the 2nd to the 4th floor, allowing a reasonable period of time for any minor alterations required on the 4th floor; and
- vi. The Modification shall otherwise be on the same terms and conditions set out in the Lease, and upon such other terms and conditions to the satisfaction of the Director of Legal Services in consultation with the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture, and Community Services;

FURTHER THAT, as the rent for the additional floor area to be included in the premises will be below the applicable market rate and includes rent-in-lieu of property taxes, this clause constitutes a grant valued at approximately \$9,400 per annum based on the current year of the Term.

- B. THAT no legal rights or obligations be created or arise by Council's adoption of A above until the Modification has been executed by all parties.

ADOPTED ON CONSENT AND A
BY THE REQUIRED MAJORITY (Vote No. 05750)

13. Referral Reports

POSTPONEMENT MOVED by Councillor Hardwick
SECONDED by Councillor De Genova

THAT Council postpone Items 13(a) through 13(d) to the next Council meeting on April 14, 2020.

Prior to the vote, Council agreed to separate the items for the vote.

THAT Council postpone Item 13(a) – Referral Report – CD-1 Rezoning: 187-195 West 41st Avenue to the next Council meeting on April 14, 2020.

LOST (Vote No. 05732)
(Councillors Bligh, Boyle, Carr, Fry, Swanson, Wiebe and Mayor Stewart opposed)

THAT Council postpone Item 13(b) – Referral Report – CD-1 Rezoning: 7843-7845 Cambie Street to the next Council meeting on April 14, 2020.

LOST (Vote No. 05734)
(Councillors Bligh, Boyle, Carr, Fry, Swanson, Wiebe and Mayor Stewart opposed)

THAT Council postpone Item 13(c) – Referral Report – CD-1 Amendment: 2538 Birch Street (formerly 1296 West Broadway) to the next Council meeting on April 14, 2020.

CARRIED (Vote No. 05735)
(Councillors Boyle, Swanson, Wiebe and Mayor Stewart opposed)

THAT Council postpone Item 13(d) Referral Report - CD-1 Rezoning: 3220 Cambie Street to the next Council meeting on April 14, 2020.

LOST (Vote No. 05736)
(Councillors Bligh, Boyle, Carr, Fry, Swanson, Wiebe and Mayor Stewart opposed)

* * * * *

At 12:43 pm, it was

*MOVED by Councillor De Genova
SECONDED by Councillor Boyle*

THAT Council extend the meeting in order to complete the business on the agenda.

CARRIED UNANIMOUSLY

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Subsequently, it was

MOVED by Councillor De Genova
SECONDED by Councillor Wiebe

THAT Council approve Items 13(a), 13(b), and 13(d).

LOST
(Councillors Bligh, Dominato, Hardwick, Kirby-Yung and Swanson opposed)
(Councillor De Genova absent for the vote due to connectivity issue)

**a. CD-1 Rezoning: 187-195 West 41st Avenue
March 17, 2020**

MOVED by Councillor De Genova

SECONDED by Councillor Wiebe

- A. THAT the application by GUD Group, on behalf of 1120814 B.C. Ltd., the registered owners, to rezone 187-195 West 41st Avenue [*Amended Lot 3 (see 97480L), Except Part in Explanatory Plan 5870 of Lot 2, and Amended Lot 1 (see 250755L), Except Part in Explanatory Plan 5849 of Lot 2, both of Block 1003A, District Lot 526, Plan 4381; PIDs: 011-572-540 and 011-572-523 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 1.80 and the building height from 10.7 m (35 ft.) to 15 m (50 ft.) to permit the development of a four-storey residential building, containing 23 strata residential units, be referred to a Public Hearing together with:
- (i) plans prepared by GUD Group, received May 28, 2019;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A to the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 187-195 West 41st 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 to 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 to 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 to the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 187-195 West 41st Avenue";

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

- C. THAT 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.

LOST (Vote No. 05737)

(Councillors Bligh, Dominato, Hardwick, Kirby-Yung and Swanson opposed)

(Councillor De Genova absent for the vote due to connectivity issue)

**b. CD-1 Rezoning: 7843-7845 Cambie Street
February 25, 2020**

MOVED by Councillor De Genova

SECONDED by Councillor Wiebe

- A. THAT the application by Giant Union Design Architecture & Planning Ltd., on behalf of WDG Investment Ltd., the registered owner, to rezone 7843-7845 Cambie Street [*PID: 009-689-044, Lot 13, Block N, District Lot 323, Plan 9322*] from RT-1 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.60 to 2.75 and the building height from 6.1 m (20 ft.) to 18.9 m (62 ft.) to permit the development of a six-storey residential building with 29 strata residential units, be referred to a Public Hearing together with:
 - (i) plans prepared by Giant Union Design Architecture & Planning Ltd., received June 16, 2019;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A to the Referral Report dated February 25, 2020, entitled "CD-1 Rezoning: 7843-7845 Cambie 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 to 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 to the above-noted report, for consideration at Public Hearing.

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

- (i) THAT the passage of the above 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.

LOST (Vote No. 05753)

(Councillors Bligh, Dominato, Hardwick, Kirby-Yung and Swanson opposed)

(Councillor De Genova absent for the vote due to connectivity issue)

**c. CD-1 Amendment: 2538 Birch Street (formerly 1296 West Broadway)
March 17, 2020**

This item was postponed to the Council meeting on April 14, 2020.

**d. CD-1 Rezoning: 3220 Cambie Street
March 17, 2020**

MOVED by Councillor De Genova

SECONDED by Councillor Wiebe

- A. THAT the application by Wesgroup Properties, on behalf of West 16th Avenue & Cambie Street Investments Ltd., the registered owners, to rezone 3220 Cambie Street [*PID: 007-945-795 Lot E, Block 501, District Lot 526, Plan 21317*] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 2.5 to 3.75 and the building height from 13.8 m (45 ft.) to 23.2 m (76 ft.) to permit the development of a six-storey mixed-use building, containing 48 strata residential units, be referred to a Public Hearing together with:
 - (i) plans prepared by Olson Kundig in partnership with IBI Group, received June 6, 2019;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A to the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 3220 Cambie 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 to 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 to the above-noted report for consideration at Public Hearing.

- B. 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 to the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 3220 Cambie 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 to the above-noted report, for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C to the Referral Report dated March 17, 2020, entitled "CD-1 Rezoning: 3220 Cambie 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 the enactment of the CD-1 By-law.

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

LOST (Vote No. 05754)

(Councillors Bligh, Dominato, Hardwick, Kirby-Yung and Swanson opposed)

(Councillor De Genova absent for the vote due to connectivity issue)

14. By-laws Approval

Councillor Bligh advised to have reviewed the proceedings of the meeting related to by-laws 14(a) and 14 (d) and would be voting on the enactments.

Councillor Hardwick advised to have reviewed the proceedings of the meetings related to by-laws 14(b) and 14(e) and would be voting on the enactments.

Councillors Bligh, Boyle, De Genova, Dominato, Fry, Hardwick, Kirby-Yung and Mayor Stewart advised to have reviewed the proceedings of the meeting related to by-law 14(c) and would be voting on the enactment.

Councillor Carr advised to have reviewed the proceedings of the meeting related to by-law 14(e) and would be voting on the enactment.

Councillors De Genova, Hardwick and Kirby-Yung advised to have reviewed the proceedings of the meeting related to by-law 14(f) and would be voting on the enactment.

Councillor Fry advised to have reviewed the proceedings of the meeting related to by-law 14(k) and would be voting on the enactment.

MOVED by Councillor De Genova
SECONDED by Councillor Boyle

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 14(a) to 14(i), and 14(k) to 14(l) inclusive, and authorize the Mayor and Acting City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY (Vote No. 05738)
(Councillors Carr and Fry absent for the vote)

- a. A By-law to amend CD-1 (705) By-law No. 12176 for 1500 West Georgia Street (By-law No. 12664)
- b. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 regarding 1303 Kingsway and 3728 Clark Drive (By-law No. 12665)
- c. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 regarding 3510 Fraser Street (By-law No. 12666)
(Councillors Dominato, Swanson and Wiebe ineligible for the vote)
- d. A By-law to amend Zoning and Development By-law No. 3575 regarding Passive House amendments (By-law No. 12667)
- e. A By-law to amend Zoning and Development By-law No. 3575 to rezone 6288-6290 Ash Street from RT-1 District to RM-8A District (By-law No. 12668)

- f. A By-law to amend Zoning and Development By-law No. 3575 to rezone 46-96 West King Edward Avenue from RS-1 District to RM-8AN District (By-law No. 12669)
- g. A By-law to assess real property to defray 2019 maintenance costs for the Trounce Alley and Blood Alley Square Local Improvement Project (By-law No. 12670)
- h. A By-law to assess real property to defray 2019 costs for the East Hastings Street Collective Parking Project (By-law No. 12671)
- i. A By-law to assess real property to defray 2019 costs for the South Fraser Street Collective Parking Project (By-law No. 12672)
- j. A By-law to enact a Housing Agreement for 1800-1895 Main Street – withdrawn
- k. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area from RS-1 to RM-8AN (188-198 West King Edward Avenue) (By-law No. 12673)
(Councillor Swanson ineligible for the vote)
- l. A By-law to Average Land Assessments for 2020 (By-law No. 12674)

15. Administrative Motions

a. Approval of Form of Development – 3338 Sawmill Crescent

MOVED by Councillor Bligh
SECONDED by Councillor Kirby-Yung

THAT the form of development for this portion of the site known as 3338 Sawmill Crescent be approved generally as illustrated in the Development Application Number DP-2019-00363, prepared by GBL Architects, and stamped “Received, Community Services Group, Development Services”, on January 8, 2020, 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 (Vote No. 05739)

b. Approval of Form of Development – 3510 Fraser Street

MOVED by Councillor Bligh
SECONDED by Councillor Kirby-Yung

THAT the form of development for this portion of the site known as 3510 Fraser Street be approved generally as illustrated in the Development Application Number DP-2018-00713, prepared by DYS Architecture, and stamped “Received, Community Services Group, Development Services”, on February 26, 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 (Vote No. 05756)

16. Resolution: Closure and Sale of a Portion of Road Adjacent to 3150 SE Marine Drive

MOVED by Councillor Bligh
SECONDED by Councillor Swanson

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. There is a proposal to redevelop PID: 030-284-759; Lot 51 Block 10 District Lot 330 Group 1 New Westminster District Plan EPP65172, hereinafter, ("Lot 51");
3. The owner of said Lot 51 has made application to purchase an abutting 169.2 square metre portion of road;
4. The said portion of road to be closed was dedicated by the deposit of Plan 8583 in 1951;
5. The said portion of road to be closed is no longer required for municipal purposes;
6. The said portion of road to be closed will be conveyed to the abutting owner and consolidated with said Lot 51 to form a single parcel.

THEREFORE BE IT RESOLVED THAT all that portion of road adjacent to Lot 51 Block 10 District Lot 330 Group 1 New Westminster District Plan EPP65172, the same as shown in heavy outline on the Reference Plan prepared by Gary Sundvick, B.C.L.S., completed on the 8th day of April, 2019, and numbered Plan EPP91761, a copy of which is attached hereto, be closed, stopped-up and conveyed to the owner of said Lot 51; and

BE IT FURTHER RESOLVED THAT the said portion of road to be closed is to be consolidated with said Lot 51 to form a single parcel, as shown within the heavy bold outline on the Reference Plan prepared by Gary Sundvick, B.C.L.S., completed on the 8th day of April, 2019, and numbered Plan EPP91762, a copy of which is attached hereto, to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY (Vote No. 05740)
(Councillor Hardwick abstained from the vote)

ADJOURNMENT

MOVED by Councillor Kirby-Yung
SECONDED by Councillor Fry

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Special Council meeting adjourned at 1:17 pm.

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