



REGULAR COUNCIL MEETING MINUTES

JUNE 12, 2012

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, June 12, 2012, at 9:30 am, in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson
Councillor George Affleck
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Heather Deal
Councillor Kerry Jang (after recess)
Councillor Raymond Louie
Councillor Geoff Meggs
Councillor Tim Stevenson
Councillor Tony Tang

ABSENT: Councillor Kerry Jang (Leave of Absence-Personal)
Councillor Andrea Reimer (Sick Leave)

CITY MANAGER'S OFFICE: Penny Ballem, City Manager
David McLellan, Deputy City Manager

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

WELCOME

The proceedings in the Council Chamber were opened with welcoming comments by Councillor Louie.

"IN CAMERA" MEETING

MOVED by Councillor Deal
SECONDED by Councillor Tang

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

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

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

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF MAY 16, 2012

Council approved the following recipients for the 2012 Access and Inclusion Awards:

- Computer Comfort Program, Neil Squire Society: 'Organization' Award
- The Cleaning Solution: 'Organization Honourable Mention' Award
- Paul Gauthier: 'Individual' Award
- Kim Calsafferri: 'Individual Honourable Mention' Award.

The above-noted recipients were presented with their respective awards at the Regular Council meeting on May 29, 2012.

ADOPTION OF MINUTES

1. Regular Council - May 29, 2012

MOVED by Councillor Deal
SECONDED by Councillor Louie

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

2. Regular Council (City Finance and Services) - May 29, 2012

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

MATTERS ADOPTED ON CONSENT

The Mayor noted that a request to speak to Administrative Report A4 had been received.

MOVED by Councillor Carr

THAT the Administrative Report dated May 30, 2012, entitled "Southeast False Creek Neighbourhood Energy Utility - Extension of Service Area to the Great Northern Way Campus Lands" be referred to the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, June 27, 2012, at 1:30 pm, in order to hear from speakers.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

MOVED by Councillor Tang

THAT Council adopt Communication 1, Administrative Reports A2, A3, A5 and A6 and Policy Reports P1 and P2 on consent.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

REPORT REFERENCE

1. New Strategies to Provide Studios and Creative Space

Richard Newirth, Managing Director, Cultural Services, provided a presentation regarding new strategies to provide studio and creative spaces in the city of Vancouver, including initiatives currently underway, an upcoming pilot program to enable more artist studios and space, and an update on the Artist Studio Regulatory Review.

Mr. Newirth, along with Jill Weaving, Coordinator, Arts, Culture and Environment, Vancouver Park Board, Jacqueline Gijssen, Senior Cultural Planner, and Penny Ballem, City Manager, responded to questions.

COMMUNICATIONS

1. Changes to Council Meeting Schedule - June 26 and 27, 2012

THAT the Regular Council meeting originally approved for Tuesday, June 26, 2012, at 9:30 am, be moved to Wednesday, June 27, 2012, at 9:30 am;

FURTHER THAT the Standing Committee on City Finance and Services meeting originally approved for Tuesday, June 26, 2012, at 1:30 pm, be cancelled;

AND FURTHER THAT the Standing Committee on Planning, Transportation and Environment meeting originally approved for Wednesday, June 27, 2012, at 9:30 am, be moved to 1:30 pm.

ADOPTED ON CONSENT

ADMINISTRATIVE REPORTS

1. Vancouver Sport Hosting Grant: 2012 Spring Intake Allocations
April 27, 2012

MOVED by Councillor Deal

THAT Council approve Sport Hosting Grants totalling \$91,934 as listed in the Administrative Report dated April 27, 2012, entitled "Vancouver Sport Hosting Grant: 2012 Spring Intake Allocations". Source of funds to be the Sport Hosting Grant Budget.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY
(Councillor Jang on Leave of Absence for the vote)

2. Addition to Self-Contained Breathing Apparatus (SCBA)
May 9, 2012

A. THAT Council authorize the General Manager of Vancouver Fire and Rescue Services (VF&RS) to purchase an additional 47 Drager Self Contained Breathing Apparatus and related equipment, at a total estimated cost of \$202,000 plus applicable taxes (less any municipal rebate received); source of funding to be a loan from the Truck and Equipment Plant Account.

B. THAT the capital costs be repaid to the Truck and Equipment Plant account through annual charges of \$26,600; funding for 2012 to be provided from the existing Vancouver Fire and Rescue Services Operating Budget and future years to be managed in the context of the annual Operating Budget process.

- C. THAT the annual maintenance and operating costs of approximately \$15,000 be provided from the existing 2012 Vancouver Fire and Rescue Services Operating Budget with future years to be managed in the context of the annual Operating Budget process.

ADOPTED ON CONSENT

3. Contract Award for the Supply and Service Contract for Fleet Tires
May 29, 2012

- A.
 - i. THAT, subject to the conditions set out in B, C, and D below, an agreement be entered into with Kal Tire for the supply of tires and related products and services for light duty, heavy duty, and Off-The-Road (“OTR”) vehicles, for a period of three years with two subsequent renewal options of one year each, at an estimated total amount of \$1,603,039.50 (plus applicable taxes) over the three-year agreement on terms and conditions satisfactory to the Director of Legal Services, Director of Finance and the Chief Purchasing Official.
 - ii. THAT, subject to the conditions set out in B, C, and D below, an agreement be entered into with Fountain Tire (Vancouver Marine Drive) Ltd. (“Fountain Tire”) for the supply of tires and related products and services for lawn and turf equipment for a period of three years with two subsequent renewal options of one year each, at an estimated total amount of \$39,584.13 (plus applicable taxes) over the three-year agreement on terms and conditions satisfactory to the Director of Legal Services, Director of Finance and the Chief Purchasing Official.
 - iii. THAT, subject to the conditions set out in B, C, and D below, an agreement be entered into with Michelin North America (Canada) Inc. (“Michelin Tire”) for the supply of re-tread/recaps tires and related products and services for a period of three years with two subsequent renewal options of one year each, at an estimated total amount of \$1,802,979.75 (plus applicable taxes) over the three-year agreement on terms and conditions satisfactory to the Director of Legal Services, Director of Finance and the Chief Purchasing Official.
 - iv. THAT, subject to the conditions set out in B, C, and D below, an agreement be entered into with Dalee Enterprises Ltd., dba B-Line Tire & Auto Supply (BC) (“B-Line Tire”) for the supply of tire repair supplies and related services for a period of three years with two subsequent renewal options of one year each, at an estimated total amount of \$175,380.90 (plus applicable taxes) over the three-year agreement on terms and conditions satisfactory to the Director of Legal Services, Director of Finance and the Chief Purchasing Official.
- B. THAT all legal documentation be in a form which is satisfactory to the Director of Legal Services, Director of Finance and the Chief Purchasing Official.

- C. THAT upon approval of the legal documentation, the Director of Legal Services, the General Manager and the Chief Purchasing Official be authorized to execute and deliver the necessary agreements on behalf of City Council.
- D. THAT no legal rights or obligations shall arise hereby and none shall arise or be granted hereafter unless and until all contemplated legal documentation has been executed and delivered by all parties.

ADOPTED ON CONSENT

- 4. Southeast False Creek Neighbourhood Energy Utility - Extension of Service Area to the Great Northern Way Campus Lands
May 30, 2012

This report was referred to the Standing Committee on Planning, Transportation and Environment meeting to be held on June 27, 2012.

- 5. Victoria Drive North of Powell Street - Two Licence Agreements with Port Metro Vancouver (for the Stewart Street Vehicle Overpass and Pedestrian Overpass)
May 18, 2012
 - A. THAT Council authorize the Director of Real Estate Services in consultation with the General Manager of Engineering Services and the Director of Legal Services to enter into a licence agreement with Port Metro Vancouver (“PMV”) over a portion of Victoria Drive north of Powell Street, the same as shown on the plan attached as Appendix “C” (the “Overpass Licence Area”) to the Administrative Report dated May 18, 2012, entitled “Victoria Drive North of Powell Street - Two Licence Agreements with Port Metro Vancouver (for the Stewart Street Vehicle Overpass and Pedestrian Overpass)”, permitting PMV to install, complete, operate, use and maintain a vehicle overpass (the “Overpass Licence”).
 - B. THAT Council authorize the Director of Real Estate Services in consultation with the General Manager of Engineering Services and the Director of Legal Services to enter into a licence agreement with PMV for a portion of Victoria Drive north of Powell Street, the same as shown on the plan attached as Appendix “D” (the “Pedestrian Licence Area”) to the Administrative Report dated May 18, 2012, entitled “Victoria Drive North of Powell Street - Two Licence Agreements with Port Metro Vancouver (for the Stewart Street Vehicle Overpass and Pedestrian Overpass)”, permitting PMV to install, complete, operate, use and maintain a pedestrian overpass (the “Pedestrian Licence”).
 - C. THAT the term of both licences be for five (5) years with three (3) consecutive renewal options of five (5) years each.
 - D. THAT the licence fees be based on the annual charges as prescribed in the Encroachment Bylaw and allocated to the Encroachment Revenue Account.

- E. THAT the General Manager of Engineering Services, and the Director of Legal Services be authorized to execute a railway crossing agreement pursuant to the Canada Transportation Act to permit the pedestrian overpass across the railway within Victoria Drive.
- F. THAT Council authorize the General Manager of Engineering Services to approve minor and inconsequential amendments to the Overpass Licence Area and the Pedestrian Licence Area should the need for minor variations in the areas arise.
- G. THAT the Overpass Licence be subject to the additional terms and conditions noted in Appendix "A" of the Administrative Report dated May 18, 2012, entitled "Victoria Drive North of Powell Street - Two Licence Agreements with Port Metro Vancouver (for the Stewart Street Vehicle Overpass and Pedestrian Overpass)" and the Pedestrian Licence be subject to the additional terms and conditions noted in Appendix "B" of the Administrative Report.

ADOPTED ON CONSENT

- 6. Contract Award for the Supply and Delivery of Truck Chassis and Tractor Trailers June 1, 2012
 - A. THAT, subject to the conditions set out in B, C, and D below, a purchase agreement be entered into with First Truck Centre Vancouver Inc. ("First Truck") for the supply and delivery of forty-eight (48) truck chassis and six (6) tractor trailers with a total contract value of \$5,637,938.00, plus HST; with an option to purchase up to thirty-nine (39) additional truck chassis and three (3) additional tractor trailers within two (2) years from the date of the purchase contract at the City's sole option.
 - B. THAT all legal documentation is to be in a form and on terms and conditions satisfactory to the Director of Legal Services, Director of Finance, General Manager of Engineering Services and the Chief Purchasing Official.
 - C. THAT upon approval of the legal documentation, the Director of Legal Services, the General Manager of Engineering Services and the Chief Purchasing Official are authorized to execute and deliver the necessary agreement on behalf of City Council.
 - D. THAT no legal rights or obligations shall arise hereby and none shall arise or be granted hereafter unless and until all contemplated legal documentation has been executed and delivered by all parties.

ADOPTED ON CONSENT

POLICY REPORTS

1. Miscellaneous Text Amendments: CD-1 By-laws #363, #448, #521, #525 and #529
May 4, 2012

THAT the Director of Planning be instructed to make application to amend the following CD-1 (Comprehensive Development) District By-laws:

- (i) CD-1 #363 (By-law No. 7679) for 1055 Canada Place (Vancouver Convention Centre West);
- (ii) CD-1 #448 (By-law No. 9193) for 3158 Celtic Avenue;
- (iii) CD-1 #521 (By-law No. 10413) for 7299 Granville Street (Shannon Mews);
- (iv) CD-1 #525 (By-law No. 10433) for 555 Robson Street, 775 Richards Street, and 520 West Georgia Street (Telus Block); and
- (v) CD-1 #529 (By-law No. 10472) for 2667-2703 Kingsway;

for miscellaneous text amendments, generally as presented in Appendix A of the Policy Report dated May 4, 2012, entitled "Miscellaneous Text Amendments: CD-1 By-laws #363, #448, #521, #525, and #529", 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-laws, generally in accordance with the above-noted Appendix A, for consideration at the Public Hearing.

ADOPTED ON CONSENT

2. CD-1 Rezoning: 3212 East Boulevard
May 23, 2012

A. THAT the application by Allan Diamond Architect on behalf of Satvinder Lally, to rezone 3212 East Boulevard (PID: 011-523-867, Lot 1, Block 485, District Lot 526, Plan 4502) from RS-1 (Single-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit a six-unit Housing Demonstration Project at a density of 1.18 FSR, be referred to a Public Hearing, together with:

- (i) plans received on February 11, 2011 and on May 1, 2012;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 23, 2012, entitled "CD-1 Rezoning: 3212 East Boulevard"; and
- (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B of the above-noted Policy Report;

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

- B. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended as set out in Appendix C of the Policy Report dated May 23, 2012, entitled “CD-1 Rezoning: 3212 East Boulevard”;

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

- C. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated May 23, 2012, entitled “CD-1 Rezoning: 3212 East Boulevard”;

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

- D. THAT A through C above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the 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

3. CD-1 Rezoning: 4837-4861 Cambie Street
May 24, 2012

MOVED by Councillor Meggs

- A. THAT the application, by Mosaic Cambie Holdings Ltd., to rezone 4837-4861 Cambie Street (PIDs: 010-758-429 and 003-060-110; Lots 7 and 8 Block 819 District Lot 526 Plan 7221) from RS-1 (Single-Family Residential) District to CD-1 (Comprehensive Development) District to permit development of a five-storey Multiple Dwelling with a total floor space ratio of 2.05, be referred to a Public Hearing, together with:

- (i) plans received April 20, 2012;

- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 24, 2012, entitled "CD-1 Rezoning: 4837-4861 Cambie Street"; and
- (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B of the above-noted Policy Report;

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

- B. THAT, subject to enactment of the CD-1 by-law, the Subdivision By-law be amended as set out in Appendix C of the Policy Report dated May 24, 2012, entitled "CD-1 Rezoning: 4837-4861 Cambie Street";

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

- C. THAT Council approve in principle a Housing Agreement pursuant to section 565.2 of the Vancouver Charter securing the 6 market rental housing units as rental for the life of the building or 60 years, whichever is longer, including no separate sales and no stratification covenants and such other terms and conditions as the Director of legal Services may require in respect of such units, to the satisfaction of the Director of Legal Services and Managing Director of Social Development;

FURTHER THAT the Director of Legal Services be instructed to bring forward a by-law to authorize such Housing Agreement, and after by-law enactment, to execute and register the Housing Agreement;

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

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

4. CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville Street)
May 22, 2012

MOVED by Councillor Louie

- A. THAT the application by Cressey Drake Holdings Ltd, to rezone 1388 Continental Street (P.I.D. 009-655-883 - Lot C Block 112, District Lot 541, Plan 9442) from DD (Downtown District) to CD-1 (Comprehensive Development), to permit a 10 storey mixed-use commercial and residential building with 89 residential units secured as affordable market rental under the Short Term Incentives for Rental (STIR) Program, be referred to a Public Hearing, together with:
- (i) plans prepared by IBI/HB Architects, received January 16, 2012;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated May 22, 2012, entitled “CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville Street)”; and
 - (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B of the above-noted Policy Report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with the above-noted Appendix A 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 and to include this CD-1 in Schedule E of the Sign By-law, generally as set out in Appendix C of the Policy Report dated May 22, 2012, entitled “CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville Street)”, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Sign By-law generally as set out in the above-noted Appendix C 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 A, generally as set out in Appendix C of the Policy Report dated May 22, 2012, entitled “CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville 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.

- D. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended generally as set out in Appendix C of the Policy Report dated May 22, 2012, entitled “CD-1 Rezoning and Development Permit: 1388 Continental Street (formerly 725 Neon Street and 1349 Granville Street)”;

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

- E. THAT Council approve in principle a Housing Agreement pursuant to the Short Term Incentives for Rental (STIR) Program securing all 89 residential units as rental for the life of the building or 60 years, whichever is longer, including no separate sales and a no stratification covenants in respect of such units and such other terms and conditions as are more particularly described in the body of this Report and are to the satisfaction of the Director of Legal Services and Managing Director of Social Development;

FURTHER THAT the Director of Legal Services be instructed to bring forward a by-law pursuant to Section 565.2 of the Vancouver Charter to authorize such Housing Agreement, and after enactment of the Housing Agreement by-law, to execute and register the Housing Agreement.

- F. THAT A, B, C, D and E 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 and that any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

5. CD-1 Rezoning: 800 Griffiths Way (Rogers Arena)
June 5, 2012

MOVED by Councillor Carr

- A. THAT the application, by Walter Francl Architecture, on behalf of Aquilini Development and Construction Inc. to amend CD-1 (311) By-Law No. 7201 for 800 Griffiths Way (PID 018-500-374 Lot 221, Plan LMP 12038 (the “Rezoning

Site”), to permit a mixed-use development with 37,319 m² (401,698 sq. ft.) of residential floor area, 25,624 m² (275,814 sq. ft.) of commercial floor area, and 37,735 m² (406,176 sq. ft.) of arena floor area be referred to a Public Hearing, together with:

- (i) plans received April 13, 2012;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A; and
- (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B of the Policy Report dated June 5, 2012, entitled “CD-1 Rezoning: 800 Griffiths Way (Rogers Arena)”;

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 Policy Report, for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend the False Creek North Official Development Plan, By-law No. 6650, be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary By-law, generally in accordance with Appendix C of the Policy Report dated June 5, 2012, entitled “CD-1 Rezoning: 800 Griffiths Way (Rogers Arena)”, for consideration at Public Hearing.

- C. THAT, if the application is referred to a Public Hearing, the application to amend Schedule H of the Sign By-law, generally as set out in Appendix C of the Policy Report dated June 5, 2012, entitled “CD-1 Rezoning: 800 Griffiths Way (Rogers Arena)”, 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 the above-noted Appendix C for consideration at the Public Hearing.

- D. THAT, subject to enactment of the rezoning by-law, the Noise Control By-law be amended to include this CD-1 in Schedule G, generally as set out in Appendix C of the Policy Report dated June 5, 2012, entitled “CD-1 Rezoning: 800 Griffiths Way (Rogers Arena)”;

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, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated June 5, 2012, entitled “CD-1 Rezoning: 800 Griffiths Way (Rogers Arena)”;

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

- F. THAT Council approve in principle a Housing Agreement pursuant to section 565.2 of the Vancouver Charter securing 614 residential units (with a total area of 37,919 m²) as rental for the life of the building or 60 years, whichever is longer, including a no separate sales and a no stratification covenant and such other terms and conditions as the Director of Legal Services may require in respect of such units, to the satisfaction of the Director of Legal Services and Managing Director of Social Development;

FURTHER THAT the Director of Legal Services be instructed to bring forward a by-law to authorize such Housing Agreement, and after by-law enactment, to execute and register the Housing Agreement.

- G. THAT A through F 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

BY-LAWS

Councillor Tang advised he had reviewed the proceedings of the Public Hearing in regard to By-law Number 1, and he would therefore be voting on the By-law.

MOVED by Councillor Tang
SECONDED by Councillor Deal

THAT Council, except for those members ineligible to vote as noted below, enact the by-laws listed on the agenda for this meeting as numbers 1 to 4 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

1. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1(1305-1335 Burrard Street and 1009 Harwood Street) (By-law No. 10491)
(Councillors Affleck, Ball and Carr ineligible for the vote)
2. A By-law to amend Subdivision By-law No. 5208 (3582 McGill Street)
(By-law No. 10492)
3. A By-law to amend Energy Utility System By-law No. 9552 to extend the service area to Great Northern Way Campus Lands (By-law No. 10493)
4. A By-law to amend Southeast False Creek Official Development Plan By-law No. 9073 (Southeast False Creek ODP re Density and Height - 105-167 West 2nd Avenue)
(By-law No. 10494)
(Councillors Ball, Jang and Tang ineligible for the vote)

MOTIONS

A. Administrative Motions

1. 5515-5665 Boundary Road, 5448-5666 Ormidale Street and 3690 Vanness Avenue - Closure and Sale of Lane and Sale of City-owned Lot

MOVED by Councillor Deal

SECONDED by Councillor Carr

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 re-develop Lots 10-24, 29-34 and 36-44 District Lots 36 and 49 Plan 2889, Lot A District Lot 36 Plan 8825, Lot D District Lot 36 Plan 13894, and Lot C Except part in Plan LMP47050 District Lot 36 Plan 13894; all of Block 6 Group 1 New Westminster District ("Block 6");
3. The proposal requires the closure of road and lane west of Boundary Road, south from Vanness Avenue and a portion of road described as [PID: 024-834-645] That Part of Lot C (Shown on Plan LMP47050) Block 6 District Lot 36 Group 1 New Westminster District Plan 13894 (the "Road Portion");
4. The said portions of road and lane to be closed were dedicated by the deposit of Plan 2889 circa 1910, the deposit of Plan 8825 on July 6, 1953 and the deposit of Plan 13894 on November 4, 1970;
5. The Road Portion was established as road by document BP194647, deposited in the Land Title Office on August 16, 2000;
6. The said portions of road and lane and the Road Portion to be closed are no longer required for municipal purposes, except for the part of the Road Portion that is to be dedicated back to the City;
7. The said portions of road and lane and the Road Portion to be closed will be conveyed to the abutting owners and subdivided with Block 6 to form a single parcel and road.

THEREFORE BE IT RESOLVED THAT:

Firstly, the 0.107 hectare portion of lane dedicated by the deposit of Plan 2889 adjacent to Block 6;

Secondly, the 4.7 square metre portion of lane dedicated by the deposit of Plan 8825 adjacent to Lot A Block 6 District Lot 36 Group 1 New Westminster District Plan 8825;

Thirdly, the 115.9 square metre Road Portion; and

Fourthly, the 3.5 square metre portion of road dedicated by the deposit of Plan 13894 adjacent to said Road Portion;

all the same as shown within heavy bold outline on the Reference Plan prepared by D.R. Machon, B.C.L.S., completed and checked on the 20th day of April, 2012, be closed, stopped-up and conveyed to the abutting owners.

BE IT FURTHER RESOLVED THAT the said portions of road and lane and the Road Portion to be closed be subdivided with the abutting lands being said Block 6, to form a single parcel and road as shown within the heavy bold outline on the Subdivision Plan prepared by D.R. Machon, B.C.L.S., completed and checked on the 25th day of May, 2012, to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer.

CARRIED UNANIMOUSLY
(Councillor Jang on Leave of Absence for the vote)

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PROCLAMATION - NATIONAL ABORIGINAL DAY

Paul Mochrie, General Manager, Human Resource Services, hosted a celebration in recognition of National Aboriginal Day, which included a blessing by Musqueam Elder Rose Point, and comments from Park Board Commissioner Sarah Blyth, John Webster, CEO, ACCESS, and Glenn Alteen, Grunt Gallery. Lisa Walker, Arts Program Assistant, Vancouver Park Board, introduced a digital story called "I Sing" featuring Rodney Victor, part of a video series entitled "Vancouver Stories: Celebrating Aboriginal Culture". Mr. Alteen and Mayor Robertson unveiled a new artwork by Sonny Assu which marks Kingsway as an indigenous trail, which was followed by a video in which Mr. Assu talks about the project.

The Mayor proclaimed Thursday, June 21, 2012, as "National Aboriginal Day" in the city of Vancouver.

Mr. Mochrie invited Council members and guests to the foyer outside of Council Chamber for a reception in honour of National Aboriginal Day.

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Council recessed at 11:40 am and reconvened at 12:15 pm, with the same members present, and including Councillor Jang, who was now present.

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B. Motions on Notice

1. Request for Leave of Absence - Councillor Geoff Meggs

The following motion contains an amendment to the original Motion on Notice.

MOVED by Councillor Stevenson
SECONDED by Councillor Jang

THAT Councillor Meggs be granted Leave of Absence for Civic Business from the Regular Council meeting to be held on June 27, 2012.

CARRIED UNANIMOUSLY

2. Request for Leave of Absence - Councillor Kerry Jang

The following motion contains an amendment to the original Motion on Notice.

MOVED by Councillor Ball
SECONDED by Councillor Deal

THAT Councillor Jang be granted Leave of Absence for Personal Reasons from a portion of the Regular Council meeting held on June 12, 2012.

CARRIED UNANIMOUSLY

3. Request for Regular Briefings to Vancouver City Council by the Chief Medical Health Officer

MOVED by Councillor Carr
SECONDED by Councillor Jang

WHEREAS

1. Regular sharing of information between the City of Vancouver and Vancouver Coastal Health Authority regarding health-related initiatives, data and issues is mutually beneficial and in the public interest;
2. At the May 10, 2012 *Healthy Families BC Communities Initiative* consultation held at the Lower Mainland Local Governments Association Annual General Meeting in Whistler, local governments requested regular briefings from the Vancouver Coastal Health Authority's Chief Medical Health Officer to which the Chief Medical Health Officer responded that she would favorably respond to such a request.

THEREFORE BE IT RESOLVED THAT the City of Vancouver request that the Vancouver Coastal Health Authority's Chief Medical Health Officer provide Council with regular briefings on regional and provincial health initiatives as well as new health data and key health issues on a schedule to be determined by the City Manager in consultation with the Chief Medical Health Officer;

FURTHER THAT in conjunction with the briefing by the Chief Medical Health Officer, City of Vancouver staff report on progress being made on Vancouver's Healthy City Strategy;

AND FURTHER THAT these briefings be scheduled during regular, publicly-broadcasted Council meetings.

CARRIED UNANIMOUSLY

4. Transforming Technology in Street Infrastructure

The following motion contains amendments to the original Motion on Notice, which were accepted by the mover.

MOVED by Mayor Robertson

SECONDED by Councillor Stevenson

WHEREAS

1. Demand for cellular phone ("cell") coverage and increased data is rising dramatically and continued expansion is necessary to provide the tools necessary for economic development;
2. This demand is requiring the installation of additional cell infrastructure across the city;
3. Innovation with cell and 4G infrastructure is enabling the use of new, smaller more capable portable devices that increasingly are replacing landlines and fixed devices as ways to stay connected;
4. The City has been working with the telecommunications industry to address the challenges that an increasing number of antennas is creating across the city;
5. The City's Greenest City Action Plan calls for the rapid growth of electric vehicles (EV) across the city;
6. The demand for new technology has led to proposals, including one from Douglas Coupland, for the next generation of street infrastructure that integrates light, communication and transportation service.

THEREFORE BE IT RESOLVED THAT staff be requested to:

- (a) Report back on the work underway between the City and the telecommunications industry to address challenges that have been raised by the community related to increasing cell infrastructure in Vancouver;
- (b) Review and update policies for the installation of this infrastructure in Vancouver;
- (c) Assess the viability of the 'V-pole' and any other proposed technologies that address the growing demand for cellular and EV infrastructure;
- (d) Seek out pilot projects with the telecommunications, lighting and EV industries to test and implement innovative technologies using city infrastructure like streetlight poles, that Council may consider; and
- (e) Require that pilot project proposals include analyses of potential increased public exposure to Electro-Magnetic Fields and radio-frequency waves.

CARRIED

(Councillors Affleck and Ball opposed)

5. Marpole Midden

MOVED by Councillor Affleck

SECONDED by Councillor Ball

WHEREAS

1. Six privately owned lots (the "property") on the 1300 block of SW Marine Drive have been issued a development permit, although the lots were known to be on or near the Marpole Midden;
2. Marpole Midden has been designated a Canadian Heritage Site since 1933;
3. The property owners spent many years in discussions with the City, the Province and the Musqueam First Nation;
4. The City of Vancouver issued a development permit for a 108 condominium building, 85 of the condos have been pre-sold;
5. As a condition of development, the property owners were required to have an archaeologist on the site for the excavation;
6. The archaeologist discovered some human remains on one of the lots;
7. The Musqueam First Nation is objecting to the construction on the site and development has halted;
8. Mayor Gregor Robertson has thrown his personal support behind the Musqueam First Nation; and

9. Council has not authorized the Mayor to take a position.

THEREFORE BE IT RESOLVED

- A. THAT staff are requested to report back to Council as to the legal position of the City.
- B. THAT the Mayor is requested to inform Council as to all undertakings he has made to the parties.
- C. THAT staff are requested to continue working with the Musqueam First Nation and the Federal and Provincial Governments to develop a long term strategy for the Marpole Midden properties.
- D. THAT staff are requested to provide a memo to Mayor and Council on conflict of interest rules pertaining to their involvement in situations such as the Marpole Midden.

LOST

(Councillors Carr, Deal, Jang, Louie, Meggs, Stevenson, Tang and Mayor Robertson opposed)

NEW BUSINESS

1. Request for Leave of Absence - Councillor Heather Deal

MOVED by Councillor Jang
SECONDED by Councillor Louie

THAT Councillor Deal be granted Leave of Absence for Civic Business from the Regular Council meeting to be held on Wednesday, June 27, 2012.

CARRIED UNANIMOUSLY

2. Request for Leave of Absence - Councillor Raymond Louie

THAT Councillor Louie be granted Leave of Absence for Civic Business from all meetings to be held on June 26 and 27, 2012.

CARRIED UNANIMOUSLY

ENQUIRIES AND OTHER MATTERS

1. Plastic Grocery Bag Ban

Councillor Carr enquired on the status of the Council motion from October 14, 2008, and the subsequent request to the Provincial Government regarding the banning of plastic grocery bags in the city of Vancouver. Penny Ballem, City Manager, provided an update and noted the matter was still being pursued through the Provincial ministry. Councillor Stevenson, who was the mover of the 2008 motion, also requested that Metro Vancouver be included in the process, to which the City Manager agreed.

2. Federation of Canadian Municipalities

Mayor Robertson congratulated Councillor Louie on being elected 3rd Vice-President of the Federation of Canadian Municipalities.

The Council adjourned at 1:00 pm

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