



REGULAR COUNCIL MEETING MINUTES

APRIL 23, 2013

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, April 23, 2013, at 9:34 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 Councillor Geoff Meggs Councillor Andrea Reimer Councillor Tony Tang
ABSENT:	Councillor Raymond Louie (Leave of Absence - Civic Business) Councillor Tim Stevenson
CITY MANAGER'S OFFICE:	Penny Ballem, City Manager Sadhu Johnston, Deputy City Manager
CITY CLERK'S OFFICE:	Janice MacKenzie, City Clerk Terri Burke, Meeting Coordinator

WELCOME

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

ACKNOWLEDGEMENT - Earth Hour and Canada's Greenest Employers Award for 2013

The Mayor announced the City of Vancouver was selected by the World Wildlife Fund as the Global Champion of its 2013 Earth Hour City Challenge. The initiative celebrates cities that are taking significant steps towards a 100% renewable future. In addition, Vancouver received the Global People's Choice award for the Earth Hour City Challenge. The Mayor invited Linda Nowlan, World Wildlife Fund, to say a few words about the awards.

The Mayor also announced that the City had recently been awarded Canada's Greenest Employers Award for 2013 in recognition of employers that lead the nation in creating a culture of environmental awareness in their organizations. He noted that 2013 marks the second year in a row the City of Vancouver is receiving this recognition.

"IN CAMERA" MEETING

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT Council will go into a meeting later this day and on Wednesday, April 24, 2013, which is 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;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 [disclosure harmful to business interests of a third party] of the Freedom of Information and Protection of Privacy Act;

(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

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF APRIL 9, 2013

Council made the following appointments to Civic Agencies:

- First Shaughnessy Advisory Design Panel:
 - Dallas Brodie Ash
 - Frank Shorrocks
- Persons with Disabilities Advisory Committee - Laurie Ringaert
- Vancouver Heritage Foundation Board:
 - David Dove
 - John Quinton
 - Andre Rowland
 - Karen Russell
 - Mark Shieh

David Toole
Kimberly Yip.

Council appointed Wendy Stewart as a Deputy City Clerk for the duration of her incumbency as Director, Legislative Operations.

ADOPTION OF MINUTES

1. Regular Council - April 9, 2013

MOVED by Councillor Jang
SECONDED by Councillor Meggs

THAT the Minutes of the Regular Council meeting of April 9, 2013, be approved.

CARRIED UNANIMOUSLY

2. Public Hearing - April 9, 2013

MOVED by Councillor Jang
SECONDED by Councillor Deal

THAT the Minutes of the Public Hearing of April 9, 2013, be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Finance and Services) - April 10, 2013

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting following the City Finance and Services meeting held April 10, 2013, be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Tang
SECONDED by Councillor Ball

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Deal

THAT Council adopt Administrative Reports A1, A2 and A3 on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

**1. A New Vancouver Art Gallery at 688 Cambie Street
April 15, 2013**

Richard Newirth, Managing Director, Cultural Services, along with Bruce Wright, Chair, Board of Trustees, Vancouver Art Gallery, and Kathleen Bartels, Director, Vancouver Art Gallery, provided a presentation regarding the Vancouver Art Gallery proposal for 688 Cambie Street, including funding, planning considerations, fundraising and timeline and the future of the current site.

Mr. Newirth, Mr. Wright, and Ms. Bartels, along with the City Manager, Brian Jackson, General Manager, Planning and Development Services, and Paul Larocque, Associate Director, Vancouver Art Gallery, responded to questions.

REFERRAL MOVED by Councillor Jang

THAT the Administrative Report dated April 15, 2013, entitled "A New Vancouver Art Gallery at 688 Cambie Street", be referred to the Standing Committee on Planning, Transportation and Environment meeting to be held on Wednesday, April 24, 2013, in order to continue questions to staff and to hear from speakers at 2:00 pm.

CARRIED UNANIMOUSLY

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The Council recessed at 11:33 am and reconvened at 2:14 pm, with the same Council members present.

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ADMINISTRATIVE REPORTS

1. **Contract Award for the Design-Build for the Powell Street Overpass
April 10, 2013**

THAT the Administrative Report dated April 10, 2013, entitled "Contract Award for the Design-Build for the Powell Street Overpass", be received for information.

ADOPTED ON CONSENT

2. **Expropriation of a Portion of 1158 Powell Street for the Powell Street Grade
Separation Project
April 9, 2013**

THAT Council, as the approving authority under the Expropriation Act, R.S.B.C. 1996, C. 125 (the "Act"), approve the expropriation of that portion of the lands at 1158 Powell Street, legally described as:

Parcel Identifier No. 015-684-440
Lot 21 of Lot 2, Block K, District Lot 182, Plan 176 (the "Site"),

shown heavily outlined on the plan consisting of approximately 180.9 square metres (1,947 square feet) on Plan EPP28720, a reduced copy of which is attached as Appendix A to the Administrative Report dated April 9, 2013, entitled "Expropriation of a Portion of 1158 Powell Street for the Powell Street Grade Separation Project".

ADOPTED ON CONSENT

3. **Funding for Expropriation of 1158 Powell Street for Powell Street Grade Separation
Project
April 9, 2013**

A. THAT given Vancouver City Council, as the approving authority under the Expropriation Act, R.S.B.C. 1966, C.125 (the "Act"), has approved the expropriation of a 180.9 square meter (1,947 sq. ft.) portion of land located at 1158 Powell Street, legally described as PID: 015-684-440, Lot 21 Of Lot 2, Block K, District Lot 182, Plan 176 (the "Subject Property"), shown in bold outline on Plan EPP 28720 prepared by Fred Wong, B.C.L.S. and marginally numbered LD 5375, a copy of which is attached as Appendix A to the Administrative Report dated April 9, 2013, entitled "Funding for Expropriation of 1158 Powell Street for Powell Street Grade Separation Project", that Council authorize the Director of Real Estate Services, on behalf of the City, as the expropriating authority to pay \$281,940 to J.B.A. Transfer Corp. (Incorporation No. 240915)(the "Registered Owner"), of the Subject Property, as the advance payment made under the Act.

- B. THAT Council approve funding of Seven Hundred Thousand Dollars (\$700,000) to remove and rebuild a portion of the building located on the Subject Property to the new realigned property line.
- C. THAT the source of funding for such payments be provided from account: CER-00117-11-AA within the approved 2013 Engineering Capital Budget.

ADOPTED ON CONSENT

POLICY REPORTS

1. Regional Context Statement April 16, 2013

MOVED by Councillor Reimer

- A. THAT the Draft Regional Context Statement, attached as Appendix A to the Policy Report dated April 16, 2013, entitled "Regional Context Statement", be adopted as a Development Plan.
- B. THAT the Regional Context Statement Development Plan be forwarded for comment to the board of the Greater Vancouver Regional District, as required under Section 562 (2) of the Vancouver Charter, and to the Vancouver School Board.
- C. THAT a by-law to repeal the Regional Context Statement Official Development Plan (Adopted by By-law No. 8060, September 14, 1999) and to adopt the Regional Context Statement Development Plan (referred to in A above) as an Official Development Plan be referred to a Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law for consideration at the Public Hearing.

- D. THAT, following the Public Hearing, if Council chooses to adopt the Regional Context Statement Development Plan as an Official Development Plan, before adopting the Official Development Plan by enactment of a by-law, the Regional Context Statement Development Plan be referred to the Board of the Greater Vancouver Regional District for acceptance.

carried

REFERRAL MOVED by Councillor Carr

THAT the Policy Report dated April 16, 2013, entitled "Regional Context Statement", be referred back to staff for public consultation, and the report on this matter be brought back to Council by June 25, 2013.

not put

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Councillor Reimer rose on a Point of Order to note that the referral motion was out of order as the main motion was a referral motion. The Mayor agreed.

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The referral motion being ruled out of order, the main motion was put and CARRIED, with Councillor Carr opposed.

**2. CD-1 Rezoning - 1300-1320 Richards Street
April 15, 2013**

MOVED by Councillor Affleck

- A. THAT the application by DIALOG, on behalf of 0888189 B.C. Ltd. (Wall Financial Corporation), to rezone 1300-1320 Richards Street (Lots A and B, Block 115, District Lot 541, Plan 5210, PIDs: 011-207-931 and 008-236-267 respectively) from DD (Downtown) District to CD 1 (Comprehensive Development) District, to increase the floor area from 3.0 FSR to 12.32 FSR to allow for a 43-storey residential tower with commercial uses at grade, be referred to a Public Hearing, together with:
- (i) plans prepared by DIALOG, received December 8, 2011;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1300-1320 Richards Street"; and
 - (iii) the recommendation of the General Manager of Planning and Development to approve, subject to conditions contained in Appendix B of the aforementioned 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 aforementioned report for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated April 15, 2013,

entitled "CD-1 Rezoning - 1300-1320 Richards 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 aforementioned 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 A, generally as set out in Appendix C of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1300-1320 Richards 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 to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1300-1320 Richards 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, if the application is referred to Public Hearing, that prior to the Public Hearing, the registered property owner shall submit confirmation, in the form of "Letter A", that an agreement has been reached with the registered owner of the proposed donor site for the purchase of heritage bonus density as set out in Appendix B (c)(7) of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1300-1320 Richards Street".

- F. THAT A through E 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

**3. CD-1 Rezoning - 1107 Seymour Street
April 15, 2013**

MOVED by Councillor Affleck

- A. THAT the application by Endall Elliot Associates, on behalf of 0920346 B.C. Ltd. (Wall Financial Corporation), to rezone 1107 Seymour Street (Lots 36, 37 and 38, Block 93, District Lot 541, Plan 210, PIDs: 015-482-839, 015-482-855 and 015-482-880 respectively) from DD (Downtown) District to CD 1 (Comprehensive Development) District, to increase the floor area from 5.00 FSR to 9.22 FSR and the height from 36.6 m (120 ft.) to 50.3 m (165 ft.) to allow for a 15-storey building providing 81 units of social housing and social service centre space, be referred to a Public Hearing, together with:
- (i) plans prepared by Endall Associates, received August 10, 2012;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1107 Seymour Street"; and
 - (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B of the aforementioned 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 aforementioned report for consideration at Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B to the Sign By-law [assigned Schedule "B" (DD)], generally as set out in Appendix C of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1107 Seymour 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 aforementioned 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 A, generally as set out in Appendix C of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1107 Seymour 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 to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Policy Report dated April 15, 2013, entitled "CD-1 Rezoning - 1107 Seymour 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 A through 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; 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

**4. CD-1 Rezoning - 3002-3036 West Broadway
April 9, 2013**

MOVED by Councillor Deal

- A. THAT the application by Yamamoto Architecture on behalf of Orr Development Corp. to rezone:
- a. 3002 West Broadway [PID: 015-063-194; Lot 4A, except (a) part in Plan 4166 (b) part in Reference Plan 1101 and (c) the south 8 feet now lane, Block 33 District Lot 192 Plan 1003];
 - b. 3010 West Broadway [PID: 015-063-186; Lot 4, except (a) part in Plan 4166 and (b) the south 8 feet now lane, Block 33 District Lot 192 Plan 1003];
 - c. 3024 West Broadway [PID: 015-965-104; Lot 3A, except (a) the south 10 feet now lane and (b) part in Plan 4166, Block 33 District Lot 192 Plan 1003]; and

- d. 3036 West Broadway [PID: 015-063-178; Lot 3, except (a) part in plan 4166 and (b) the south 10 feet now lane, Block 33 District Lot 192 Plan 1003];

from C-2C (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 3.0 to 3.37 to permit the development of a five storey mixed-use commercial and residential building with a maximum height of 18.5 m (60.7 ft.) and accommodating 83 residential units secured as for-profit affordable rental housing, be referred to a Public Hearing, together with:

- (i) plans received October 12, 2012;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve the application, subject to conditions contained in Appendix B of the aforementioned 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 aforementioned report for consideration at the Public Hearing.

- B. THAT, if after public hearing Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway", 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 contemplated by the aforementioned report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the Managing Director of Social Development.
- 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 April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway";

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

- D. THAT, if the application is referred to a public hearing, the application to amend Schedule E of the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" to the Sign By-law [assigning Schedule "B" (C-2C)], generally as set out in Appendix C of the Policy Report dated April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway", 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 aforementioned report, for consideration at the Public Hearing.

- E. 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 April 9, 2013, entitled "CD-1 Rezoning - 3002-3036 West Broadway";

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

- F. THAT A through E 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.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Deal

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Ball
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

BY-LAWS

Councillor Ball advised she had reviewed the proceedings with regard to By-law 6 and she would therefore be voting on the by-law.

MOVED by Councillor Jang
SECONDED by Councillor Meggs

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

CARRIED UNANIMOUSLY

1. A By-law to amend Sign By-law No. 6510 (5515-5665 Boundary Road, 5448-5666 Ormidale Street, and 3690 Vanness Avenue) (By-law No. 10687)
(Councillor Reimer ineligible for the vote)
2. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (By-law No. 10688)
(Mayor Robertson ineligible for the vote)
3. A By-law to amend License By-law No. 4450 regarding uniform restaurant liquor service hours and housekeeping (By-law No. 10689)
4. A By-law to designate certain real property as protected heritage property (3091 West 3rd Avenue - The Muller House) (By-law No. 10690)
5. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (3091 West 3rd Avenue - The Muller House) (By-law No. 10691)
6. A By-law to amend CD-1 By-law No. 7158 (851-951 Boundary Road) (By-law No. 10692)
(Councillor Tang ineligible for the vote)

MOTIONS

A. Administrative Motions

1. Establishing Road on the south side of Powell Street, adjacent to 1170 Powell Street, for a widening strip for the Powell Street Grade Separation Project (Powell Street Overpass)

MOVED by Councillor Jang
SECONDED by Councillor Carr

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

Those portions of:

Parcel Identifier: 009-648-011, Lot 22 of Lot 2, Block K, District Lot 182, Plan 176,
Parcel Identifier: 009-649-361, Lot 23, Except the North 7 Feet, now Road, Block 2 of Block A, District Lot 182, Plan 355,
Parcel Identifier: 009-649-425, Lot 24, Block 2 of Block A, District Lot 182, Plan 355,
Parcel Identifier: 002-972-999, Lot 25, Block 2 of Block A, District Lot 182, Plan 355,
Parcel Identifier: 002-973-057, Lot 26, Except the North 7 Feet, now Road, Block 2 of Block A, District Lot 182, Plan 355,
Parcel Identifier: 002-972-921, Lot 1, Block M, District Lot 182, Plan 13661

as shown heavy outlined on plan of survey completed April 10, 2013,
attested to by Fred L. Wong, B.C.L.S. and marginally numbered LD5383,

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes.

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of a road.

CARRIED UNANIMOUSLY

2. Expropriation of a Portion of Property for the Powell Street Grade Separation Project

MOVED by Councillor Jang
SECONDED by Councillor Carr

WHEREAS

A. The City of Vancouver requires a portion of:

Parcel Identifier No. 015-684-440
Lot 21 of Lot 2, Block K, District Lot 182, Plan 176;

shown heavily outlined on Plan EPP28720 prepared by Fred Wong, B.C.L.S. completed on February 26, 2013, a reduced print of which is attached as a Schedule to this resolution (the "Site")

for the altering of a linear development, namely, the Powell Street Grade Separation Project;

B. In the exercise of its powers of acquiring real property for this purpose, the City has failed to come to an agreement with the owners of the Site;

C. The *Vancouver Charter* provides that if, in the exercise of any of its powers of acquiring real property, the City fails to come to an agreement with its owner as to the terms of acquisition, the City may, by by-law or resolution of its Council, expropriate such real property;

D. The *Expropriation Act*, R.S.B.C. 1996, C. 125, provides that an "expropriating authority" means a person empowered under an enactment to expropriate land;

E. On March 12, 2013, Vancouver City Council passed a resolution authorizing the City as expropriating authority to commence expropriation proceedings under the *Expropriation Act* to acquire the Site;

F. Under the *Expropriation Act*, the "approving authority" for an expropriation under the *Vancouver Charter* is the Vancouver City Council, unless the Lieutenant Governor in Council has designated the Minister of Municipal Affairs as the approving authority for the purpose of expropriations under the *Vancouver Charter* or any particular expropriation under the *Vancouver Charter* which designation has not been made.

BE IT RESOLVED that the Vancouver City Council, as the approving authority under the *Expropriation Act*:

1. approve the expropriation of the Site, and
2. authorize the Director of Legal Services to execute on behalf of Vancouver City Council and deliver to the owners a Certificate of Approval of Expropriation evidencing such approval.

CARRIED UNANIMOUSLY

3. Approval of Form of Development - 951 Boundary Road

MOVED by Councillor Jang
SECONDED by Councillor Carr

THAT the form of development for this portion of the site known as 951 Boundary Road be approved generally as illustrated in the Development Application Number 416095, prepared by Merrick Architecture - Borowski Fligg Sakumoto Limited, and stamped "Received, Community Services Group, Development Services", on January 25, 2013, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Planning Process for Pearson Lands

MOVED by Councillor Meggs
SECONDED by Councillor Jang

WHEREAS

1. The City of Vancouver seeks to be a leader in the provision of accessible services to people with disabilities;
2. Vancouver Coastal Health has decided to replace the health care facilities at George Pearson Centre as part of a major redevelopment of this site;
3. Council's Persons with Disabilities Advisory Committee has expressed concern about the nature of the new facilities and heard submissions that the hospital should not be rebuilt but replaced with community-based independent living arrangements;

4. The Province of BC has set early deadlines to achieve significant revenue from the development of the Pearson lands, although the planning process has just begun;
5. The Pearson planning process is separate from the Marpole Community Plan and the Cambie Corridor Plan, and the resulting development will be a major project in the Marpole area.

THEREFORE BE IT RESOLVED THAT Council direct staff to:

- advise Vancouver Coastal Health that the City will require assurances that the mix of health care services, facilities and residential options for people with disabilities resulting from the redevelopment reflects global best practices and full consultation;
- remind Vancouver Coastal Health that increases in land value resulting from rezoning may result in community amenity charges offered to the city, which are not, under current policy, available to subsidize capital investments in health facilities and residential options that are a provincial responsibility;
- seek opportunities to ensure that the planned George Pearson development maximizes the number of fully accessible and appropriately supported units available to current residents at the existing site.

CARRIED UNANIMOUSLY

2. Enabling the Micro-brewery and Distillery Industry

MOVED by Councillor Affleck

SECONDED by Councillor Ball

WHEREAS

1. The City of Vancouver prides itself on its local tourism sector;
2. The City of Vancouver wants to foster a robust local food scene, which includes the distilling of spirits, the making of wine and brewing of craft beer;
3. The Province of BC announced Policy Directive 13-02 effective March 1, 2013, which allows for changes to brewery and distillery operations in the province and the ability for customers to sample and purchase locally produced spirits and beer for on-site consumption;
4. The policy change thus aligns regulations for brewers and distillers with wineries who have been able to serve and sell wine for on-site consumption for years;

5. The City of Vancouver's Zoning and Development By-law only permits micro-breweries and distilleries on industrial land to serve or sell product in a limited way because industrial land is not zoned for liquor primary.

THEREFORE BE IT RESOLVED THAT staff report back to Council on the required changes to the relevant regulations within the city of Vancouver that would permit micro-breweries, wineries and distilleries on industrial land to sample and sell craft beer and spirits produced on-site, thus being consistent with provincial liquor policy.

referred

The Mayor noted a request to speak to this motion had been received.

REFERRAL MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the motion be referred to the Standing Committee on Planning, Transportation and Environment meeting to be held on April 24, 2013, in order to hear from speakers.

CARRIED UNANIMOUSLY

ADJOURNMENT

MOVED by Councillor Ball
SECONDED by Councillor Deal

THAT this meeting be adjourned.

CARRIED UNANIMOUSLY

The Council adjourned at 3:17 pm.

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