



REGULAR COUNCIL MEETING MINUTES

JULY 23, 24 AND 29, 2013

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, July 23, 2013, at 9:35 am, in the Council Chamber, Third Floor, City Hall. Subsequently, Council reconvened at 12:10 pm on Wednesday, July 24, 2013, and at 2:06 pm on Monday, July 29, 2013.

PRESENT: Mayor Gregor Robertson
Councillor George Affleck*
Councillor Elizabeth Ball
Councillor Adriane Carr
Councillor Heather Deal*
Councillor Raymond Louie
Councillor Geoff Meggs*
Councillor Andrea Reimer
Councillor Tim Stevenson*
Councillor Tony Tang

ABSENT: Councillor Kerry Jang (Leave of Absence)
Councillor Geoff Meggs (Leave of Absence - Civic Business, July 23, 2013)
Councillor George Affleck (July 24, 2013)
Councillor Heather Deal (July 24, 2013)
Councillor Tim Stevenson (July 29, 2013)

CITY MANAGER'S OFFICE: Penny Ballem, City Manager
Sadhu Johnston, Deputy City Manager

CITY CLERK'S OFFICE: Janice MacKenzie, City Clerk
Laura Kazakoff, Meeting Coordinator (July 23 and 29, 2013)
Nicole Ludwig, Meeting Coordinator (July 24, 2013)

**Denotes absence for a portion of the meeting.*

WELCOME

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

"IN CAMERA" MEETING

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

THAT Council will go into a meeting later this day and on July 24-31, 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;
- (b) personal information about an identifiable individual who is being considered for an award or honour, or who has offered to provide a gift to the city on condition of anonymity;
- (c) labour relations or other employee relations;
- (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;
- (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

ADOPTION OF MINUTES

1. Regular Council - July 9, 2013

MOVED by Councillor Louie
SECONDED by Councillor Reimer

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

CARRIED UNANIMOUSLY

2. Public Hearing - July 9, 2013

MOVED by Councillor Louie
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

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

MOVED by Councillor Louie
SECONDED by Councillor Ball

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

CARRIED UNANIMOUSLY

4. Public Hearing - July 16, 2013

MOVED by Councillor Deal
SECONDED by Councillor Ball

THAT the Minutes of the Public Hearing of July 16, 2013, be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Tang
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Tang

THAT Council adopt Communication 1, Administrative Report A2 and Policy Reports P3, P4 and P5 on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. **Year of Reconciliation in the City of Vancouver: Celebrations for Reconciliation Week (September 16-22, 2013)**
July 15, 2013

Penny Ballem, City Manager, provided a presentation regarding proposed activities in the city of Vancouver for Reconciliation Week, and requested approval of resources to be provided to these events. The City Manager, along with Wendy Au, Assistant City Manager, responded to questions.

MOVED by Councillor Reimer

THAT Council support the initiatives of Truth and Reconciliation Canada (TRC) and Reconciliation Canada (RC) during *Reconciliation Week* by approving an overall budget amount of up to \$535,000 to off-set eligible City service costs for:

- the canoe gathering and Walk for Reconciliation;
- printing and installation of banners;
- rental of Queen Elizabeth Theatre Plaza plus sound equipment;
- rental of Pacific National Exhibition facilities; and
- associated operation costs for use of City facilities.

The recommended source of funding is the City's Innovation Fund.

CARRIED UNANIMOUSLY

2. **Vancouver Public Bike Share**
June 14, 2013

Sadhu Johnston, Deputy City Manager, provided a presentation regarding the proposed implementation of a Public Bike Share system in the city, including station siting, equipment, rate structure and a phased launch. Mr. Johnston, along with Penny Ballem, City Manager, and Jerry Dobrovlny, Director of Transportation, Engineering Services, responded to questions.

MOVED by Councillor Deal

THAT further discussion and decision on the Administrative Report dated June 14, 2013, entitled "Vancouver Public Bike Share" be referred to the City Finance and Services meeting to be held later this day at 2 pm in order to hear from speakers.

CARRIED UNANIMOUSLY

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At approximately noon on July 23, 2013, it was

MOVED by Councillor Louie

THAT Council extend the meeting until 1:00 pm, as per Section 2.3(a) of the Procedure By-law.

CARRIED UNANIMOUSLY

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UNFINISHED BUSINESS

1. REZONING: 508 Helmcken Street June 4, 2013

At the Public Hearing on Tuesday, July 16, 2013, Vancouver City Council concluded hearing from speakers on the rezoning application for 508 Helmcken Street, and referred discussion and decision to the Regular Council meeting on Tuesday, July 23, 2013, as Unfinished Business.

The Mayor noted that Councillors Meggs and Stevenson were absent from the Public Hearing, and were therefore not eligible to participate in the discussion or vote on this matter.

Summary of Correspondence

Council received the following correspondence regarding the application for the rezoning of 508 Helmcken Street, from the close of the Public Hearing on July 16, 2013, up until 5:00 pm on Monday, July 22, 2013:

- In support: 8 letters and emails (for a total of 37, plus 76 signatures on two petitions since referral to public hearing);
- In opposition: 121 letters and emails (for a total of 146, as well as 32 signatures on a petition and 250 signatures plus 65 comments on an electronic petition since referral to public hearing);
- 5 letters and emails related to other matters (for a total of six since referral to public hearing).

Brian Jackson, General Manager, Planning and Development Services, provided a summary of information which was requested by Council at the Public Hearing, and along with Anita Molaro, Assistant Director, Current Planning, responded to questions.

The following motion contains an amendment to "D" as originally set out in the Summary and Recommendation to include an additional recommendation put forward in the Memorandum dated July 16, 2013, from the Assistant Director of Planning (shown in bold italics).

MOVED by Councillor Louie

- A. THAT the application by GBL Architects Inc., on behalf of Brenhill Developments Ltd. (with consent in writing of the registered owner, City of Vancouver), to rezone 508 Helmcken Street [Lots 34, 35, 36, 37 and 38, Block 94, District Lot 541, Plan 210, PIDs: 015-482-073, 015-482-081, 015-482-138, 015-482-162 and 015-482-260 respectively] and adjacent portions of lane to be closed and conveyed to the registered owner of 508 Helmcken Street from DD (Downtown) District to CD 1 (Comprehensive Development) District, to increase the floor area from 3.0 FSR to 17.19 FSR and the height from 21.3 m (70 ft.) to 97.5 m (320 ft.) to allow for a 36 storey building with 448 residential units, of which 110 are secured market rental, with retail and a private pre-school/kindergarten space at grade, generally as presented in Appendix A of the Policy Report dated June 4, 2013, entitled "CD-1 Rezoning - 508 Helmcken Street", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by GBL Architects, and stamped "Received City Planning Department, April 26, 2013", provided that the General Manager of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

Tower

1. Design development to accommodate the Downtown South public realm setbacks and hard and soft landscape treatment, extending at least 16.8 m (55 ft.) from the corner of Richards Street.

Note to applicant: Intent is to provide room for the characteristic street interface for this neighbourhood, which includes a double row of street trees, and to ensure sufficient pedestrian-oriented space on both sides of this significant location on the intersection of two bikeways and two vehicle roadways. See also Landscape conditions regarding a more active character for the exterior design. See Downtown South design guidelines.

2. Design development to the upper portion of the tower to enhance its architectural contribution to the city skyline, and to visually distinguish the uppermost floors from the rest of the building.

Note to applicant: As this proposal is designed to just under the view cone line, the top of the tower will be readily visible from distant locations. Further design development should consider reducing the height of some portions of the perimeter to be notably lower than others, by setting back or terracing the upper floors, or some combination thereof. Consideration should be given to massing changes that will also reduce the length of shadowing and the apparent height as seen from the park. Note that service equipment including window washing apparatus, cell towers or antennae cannot extend into the view cone.

3. Design development to reduce the apparent visual mass of the tower through exterior design, composition, and finishes.

Note to applicant: Consider the use of graduated changes to balconies, colours and materials in the vertical axis, or similar visual effects to support the vertical massing elements proposed and to reduce the apparent size of the floor plates.

4. Consideration to locate residents' bulk storage below grade, to limit the size of the tower.

Base

5. Provision of commercial space on grade on Richards Street and facing onto Emery Barnes Park.

Note to applicant: Intent is to create a more active space that can serve the general public, and to maximize the opportunity of this corner that is unique in terms of sunlight and expected pedestrian traffic. This can be accomplished by replacing the proposed townhouses on Richards Street with commercial retail space. The commercial space should be designed to accommodate food service or a small restaurant, with provision for outdoor patio space on the site.

6. Substantial reduction in the amount of private entrance and lobby space occupying the building along the ground floor, especially at the intersection of Richards and Helmcken streets.

Note to applicant: Intent is to limit the amount of passive circulation space located adjacent to the public realm interface, to allow more active uses to face the sidewalk.

7. Design development to provide variety and interest to the architectural expression of the building with high quality durable materials that will contribute to the character and quality of the area.

Note to applicant: A high quality development that establishes a robust compatible character with the existing neighbourhood fabric is sought.

8. Design development to the ground-oriented storefront, display and weather protection to ensure variety and pedestrian interest in the expression of tenancies along the street frontages.

Note to applicant: Continuous weather protection should be provided.

9. Provision of a signage strategy to ensure a well-conceived approach to announcing the various tenancies.

Note to applicant: Strategy should confirm signage hierarchy, location and type in a separate package from the drawing set, provided for reference. Back-lit box signs are not supported. The strategy should demonstrate a fine-grained and creative approach that reflects this unique location.

Sustainability

10. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance as required by the Green Buildings Policy for Rezonings, including at a minimum 63 points in the LEED® rating system, six optimize energy performance points, one water efficiency point, and one storm water point.

Note to applicant: Provide a LEED® checklist confirming the above and a detailed written description of how the above-noted points have been achieved with reference to specific building features in the development, and notation of the features on the plans and elevations. The checklist and description should be incorporated into the drawing set. Registration and application for certification of the project is also required under the policy.

Crime Prevention Through Environmental Design (CPTED)

11. Design development to respond to CPTED principles, having particular regards for:
 - (a) theft in the underground parking;
 - (b) residential break and enter;
 - (c) mail theft; and
 - (d) mischief in alcove and vandalism, such as graffiti.

Note to applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings. Consultation with the social housing operators and Park Board staff with experience of the more specific CPTED risks in this area is recommended, and should be included the response to this condition.

Landscape

12. Design development to Helmcken Street and Richards Street to provide a high quality public realm that includes the Downtown South/ New Yaletown design standards and a double row of street trees at grade (applicable to building setback portions only).

Note to applicant: The water feature, as proposed, should be deleted. The underground slab at or near the property lines to angle down to provide contiguous soil volumes for the inside row of trees or landscaping on private property.

13. Further design development to the south and west side of the building (at grade) to respond to the anticipated programming opportunities, the park context, circulation, ownership and demarcation of property lines.

Note to applicant: In addition to activities associated with the site, the west lane and possibly a portion of the south edge should be open and accessible for pedestrians on- and off-site, including circulation to and from the park to the adjoining street. For the northern portion of the west lane, pedestrian safety and traffic calming measures need to be considered. The relationship to the park requires improvement. The area south of the bollards in the west lane and the connections to the park should be pedestrian oriented, enhanced with special paving, layered planting and trees. The south side perimeter should be pedestrian oriented and relate to the specific programming of the adjacent uses, including the school. There is an opportunity for café seating and a patio that takes advantage of the adjacent park amenity. Careful attention will be needed to ensure that the overall approach to edge definition between the public park, Richards Street and private property is consistent with the intended use while clearly demarcating ownership. Incorporate additional planting where circulation is not necessary. Landscape materials should be informed by, and compliment, the park.

14. Provision of enlarged details and a maintenance plan to ensure the success of the proposed trees shown on the high rise balconies.

Note to Applicant: While the provision of permanent landscaping on patios and planters is supported, there are concerns about the limitations of soil volume related to the size of planters and lack of access to the patios for periodic maintenance. Further details of the proposal need to be provided.

15. Site utilities and vents to be located on private property and integrated discreetly into the building, avoiding landscaped and common areas.
16. At time of development permit application, the following:

- (a) Provision of a detailed Landscape Plan illustrating soft and hard landscape treatment.

Note to applicant: The Landscape plan should include a planting plan listing common and botanical name, size and quantity of all existing/ proposed plant material. Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. Illustrate and clarify all outdoor surface/paving materials, site furniture, bicycle racks, lighting, trash receptacles, hose bibs, signs, retaining wall treatment, anti-skateboard guards (where applicable), parking vents, at-grade utilities, and public realm (building edge to the curb, street trees, lamp posts, fire hydrants, sidewalk treatment).

- (b) Provision of a Tree Plan, including a strategy to retain/protect existing street trees and trees in the park.

Note to applicant: On busy commercial streets, site security fencing and construction staging may serve as tree protection. Existing street trees should be retained within the public realm. In the event that street trees require removal, new street trees must be provided. Contact Eileen Curran, Streets Engineering (604.871.6131) and Park Board (604.257.8587) for street tree information. New street tree planting should include a notation on the plan: "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in depth. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

- (c) Provision of large-scale sections [typical] through the landscaped areas, including the ground-oriented residential interface, the slab-patio-planter relationship, the double row of street trees, the lane interface, common areas and upper storey planters.

Note to applicant: The sections should include the planter materials, tree canopy, tree stem, outline of the root ball, voiding, built up membrane and dimensions.

- (d) Provision of spot elevations to all outdoor areas (including top/bottom walls), including off-site context spot elevations in proximity (such as the park, public sidewalks, inner boulevards and lanes).

- 17. Provision of adequate soil volumes and depths for planting on slabs and in planters.

Note to applicant: To ensure the long term viability of planting in non-continuous growing medium, soil depths must meet or exceed BCLNA planting standards. At the edges, new slabs should angle down to provide deeper soils.

- 18. Provision of an efficient irrigation system for all common outdoor planters (existing and new) and individual hose bibs to be provided for all patios of 9.3 m² (100 sq. ft.) or greater in size. Specification notes and irrigation symbols to should be added to the drawing.

Engineering

- 19. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services.

Note to applicant: The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:

- (a) Provision of an Operations and Passenger Loading Management Plan, to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services, from the operator of the proposed Montessori School which addresses but is not limited to how and where school children will be picked up and dropped off, where parents arriving by bike will unload their children including designated school drop-off spaces and expected pick up and drop off times.
- (b) Provision of on-site passenger loading spaces for use by the Montessori School, to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: Consideration should be given to the provision of wider passenger loading spaces to facilitate faster and easier vehicle manoeuvring into and out of the space and reduced delays for residents who must drive past these spaces to exit.

- (c) The following are related to the parking ramp:
- i. Provide design elevations on both sides of the parking ramp at all break points and clarification of the length of ramp at the specified slope.
 - ii. Modify the parking entry ramp, to the satisfaction of the General Manager of Engineering Services, to provide adequate space for independent vehicle access to and from the parking ramp into the lane.

Note to Applicant: A corner-cut for the outbound vehicle will be required. Please clearly show turning swaths of vehicles indicating independent two-way access.
 - iii. Provision of overhead doors at the rear of each loading space to ensure ease of furniture or goods movement particularly for the northerly loading space.

Note to applicant: Consideration to provide additional height and depth for the loading spaces beyond by-law obligations to accommodate SU9 vehicles is recommended.
 - iv. Provision of 2.7 m x 2.7 m (approximately 9 ft. X 9 ft.) corner cuts to enable unimpeded movement of two vehicles to pass one another through right angled turns in the parkade where 200 or more vehicles are served.
 - v. Clarify the proposed Class A bicycle spaces for the school and clearly identify them as being for the school and ensure they are located on the P1 parking level.
- (d) The following comments are related to the operation of the closed lane and are intended to ensure the closed portion of lane provides the operational needs of all users.
- i. Provide an appropriate number and type of bollards located to allow convenient pedestrian and cycling access through the bollards while limiting vehicular access to only those permitted beyond them. Note that the bollards should be located further south to ensure access to and from the loading bays. Please show turning swaths for vehicles using the loading bays.
 - ii. Provide detailed technical information about the proposed telescoping bollards in the lane and make arrangements to the satisfaction of the General Manager of Engineering Services and Director of Legal Services for their maintenance, repair and operation.

Note to applicant: Provide clarification on how the bollards will function, i.e., are they intended to be operated manually? The provision of lockable flip-down and/or removable bollards may be required as telescoping bollards may impact underground utilities.

- iii. Redesign of the on-site garbage room is required; access is not possible as shown.

Note to applicant: Please provide written confirmation that a waste hauler can access and pick up from the garbage storage location. Pick up operations should not rely on bins being stored on the street or lane for pick up; bins are to be returned to storage areas immediately after emptying.

- (e) The following note is to be placed on the landscape and site plans: This plan is Not For Construction of any public property facilities. A minimum of 8 weeks prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services for review. No work on public property may begin until such plans receive "For Construction" approval and related permits are issued. Please contact Frank Battista at 604.873.7317 or Kevin Cavell at 604.873.7773 for details.
- (f) Requirements regarding the proposed sub-ground parking structures below sewers infrastructure in the lane West of Richards are as follows:
 - i. No sewer pipes should sit directly on top of the parking structure roof.
 - ii. There must be suitable protection in the roof structure to ensure that groundwater from the trench zone (or from leaky pipe joints) does not penetrate the roof.
 - iii. The pipe(s) must also be located in suitable aggregate backfill with adequate clearance between pipe and roof to allow the City to safely excavate and replace/repair in the future without undue risk of damaging the roof. The minimum adequate clearance is 300 mm from the outside bell invert of the lowest pipe to the nearest development structural boundary. Provision of a sacrificial concrete slab is recommended between the parkade structure and the utilities.

Social Infrastructure

- 20. Design development to ensure that a minimum of 25% of the proposed rental units be designed to be suitable for families with children.

21. Design development of the second-floor indoor amenity room to include a kitchenette and storage space, and accessible WC with change table.
22. Design development of outdoor amenity at rooftop level to include shared garden plots, tool storage, a potting bench, a compost bin for yard waste, and hose-bib.

CONDITIONS OF BY-LAW ENACTMENT

- (a) That, prior to enactment of the CD-1 By-law, Brenhill Developments Ltd., as authorized by the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development, the Managing Director of Social Development, the General Manager of Engineering Services, the Managing Director of Cultural Services, the Director of Facility Design and Management and Approving Officer, as necessary, and at the sole cost and expense of Brenhill Developments Ltd., make arrangements for the following:

Engineering

1. The City of Vancouver to close, stop-up and convey to the owner of the adjacent property (508 Helmcken Street) the lane west of Richards Street and southerly from Helmcken Street, dedicated by the deposit of Plan 210; and that part of Lot A in Plan BCP9161 established as lane south of Helmcken Street westerly from Richards Street. The lane closure and conveyance will be subject to below noted conditions 2, 3, 4, 5, 6, 8, 9, and 10 and any additional conditions established by Council in the Administrative Report to Council for the lane closure and conveyance.

Note to applicant: There will be significant impact on utility infrastructure; the applicant must consult with all affected outside utility companies (including BC Hydro, Telus and Fortis BC) to determine their requirements for closure of the lane and relocation or retention of all of the utilities infrastructure. A written response from each utility company is required.

Note to applicant: Should utility retention/installation be proposed for any or all of the utilities in the closed portion of the westerly lane then provision of a design profile of the westerly lane (parallel to Richards Street) is required to show the top of the underground structure relative to all utility infrastructure.

2. Provision of a Statutory Right of Way in favour of the City for utility purposes, over all of the westerly lane to be closed, for any City utilities to be retained or new City utilities requiring use of the westerly lane to be closed. The Statutory Right of Way agreement is to contain provisions for modification such that the Statutory Right of Way area

can be reduced to the volumetric space required to accommodate the City utilities. Please see condition (b) 19 (f) for design criteria for the portions of the parkade proposed within the lane.

3. Provision of a Statutory Right of Way in favour of non-City utility companies, over all of the westerly lane to be closed, for any non-City utilities to be retained or new non-City utilities requiring use of the westerly lane to be closed. The Statutory Right of Way agreement is to contain provisions for modification such that the Statutory Right of Way area can be reduced to the volumetric space required to accommodate the non-City utilities.
4. Provision of a surface Statutory Right of Way over the westerly lane to be closed for public non-vehicular access to the adjoining park site. The owner is to maintain the surface of the westerly lane.
5. Provision of a legal agreement to ensure continued pedestrian and vehicle access (passenger pick-up and drop-off, and garbage and loading) over the westerly lane to be closed for Brookland Court (Lots 1 and 2 Block 94 Plan 210; 540 Helmcken Street). The agreement is to include provisions such that the Statutory Right of Way or easement area may be reduced to accommodate the ultimate configuration of the access.
6. Provision of a surface Statutory Right of Way over the westerly lane to be closed and the southerly lane to be closed for 24/7 municipal maintenance-vehicle access to the fountain and pump room in the adjacent park site. The agreement is to include provisions such that the Statutory Right of Way area may be reduced to accommodate the ultimate configuration of the access. The owner is to maintain the surface of the southerly lane and the westerly lane.
7. Provision of a Statutory Right of Way to accommodate a Public Bike Share (PBS) Station.

Note to applicant: The PBS space is to be a minimum of 15 m x 4 m in size and is to be located to the satisfaction of the General Manager of Engineering Services with a preference to be near the intersection of Helmcken Street and Richards Street or in the new driveway access (midway between Richards and Seymour streets). Placement must consider strong solar exposure and power must be supplied to the PBS.

8. Provision of appropriate legal agreements for all building encroachments from the Brookland Court building into the westerly lane to be closed (i.e. cornices, window opening etc.).

Note to applicant: If the garbage chute, described as encroaching into this lane in Easement & Indemnity Agreement J3581, is no longer in use, arrangements should be made for its removal and the release of this charge.

9. Provision of a legal agreement to ensure a no-build area over the portion of the westerly lane to be closed adjacent to Brookland Court.

Note to applicant: As a condition of the lane closure and conveyance it will be necessary to make upgrades to address unprotected openings (windows) on the east wall of Brookland Court and such other upgrades as may be required by the Chief Building Official to ensure compliance with the Vancouver Building By-law. These upgrades will be at the cost of Brenhill Developments Ltd.

10. Consolidation of Lots 34 to 38, Block 94, DL 541, Plan 210, and the two portions of closed lane to form a single parcel.
11. De-commissioning of the existing anchor rods in the street and lane (see Easement & Indemnity Agreement P10797 and Equitable Charge P10798) to the satisfaction of the General Manager of Engineering Services and the discharge of the agreement prior to occupancy.
12. Clarification of garbage storage and pick up practices of the Brookland Court building and provision of improvements to the garbage storage and pick up practices such that they do not interfere with the access to and from 508 Helmcken Street parking and loading access and operations. Arrangements for appropriate legal agreements will be required if alternate garbage storage or pick-up space are required within 508 Helmcken Street.

Note to applicant: Please consult with Brookland Court to determine if there are any on-site storage areas in the Brookland Court building. Should there not be adequate space at Brookland Court the applicant is to provide appropriate space within 508 Helmcken Street for this purpose.

13. Provision of adequate pick-up, drop-off and turnaround for all required vehicles servicing Brookland Court. Consultation with TransLink, HandyDart users (Brookland Court), service providers and the City is required. Arrangements for appropriate legal agreements will be required if turn around space is required within 508 Helmcken Street.

14. Provision of a Services Agreement to detail the on- and off-site works and services necessary or incidental to the servicing of the site (collectively the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
 - (a) Provide traffic-signal upgrades at the intersection of Helmcken and Richards Streets for the Comox-Helmcken Greenway to the satisfaction of the General Manager of Engineering Services.
 - (b) Provide pedestrian count-down timers and audible signals at the intersection of Helmcken and Richards streets.
 - (c) Provision of a standard concrete lane crossing at the lane west of Richards Street on the south side of Helmcken Street.
 - (d) Provision of standard Downtown South sidewalk treatments adjacent the site.

Note to applicant: Sidewalk widths and patterns, consistent with the adjacent sidewalks at Emery Barns Park and following the Downtown South guidelines, are required.

15. Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required, please supply project details including projected fire flow demands as determined by the applicants mechanical consultant to determine if water system upgrading is required, should upgrading be necessary then arrangements to the satisfaction of the of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
16. Provision of upgrade to the sanitary sewer to serve the site. Upgrade of the existing sanitary sewer on Richards Street from Helmcken Street to Davie Street is required.

Note to applicant: A reduction in the sewer upgrading costs borne by this project may be granted should benefiting nearby development proceed concurrently with this project, with the said reduction to be determined at the sole discretion of the General Manager of Engineering Services.
17. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to,

junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Community Amenity Contribution (CAC)

18. Prior to enactment, provide the City:
 - (a) an in-kind CAC consisting of a standalone building at 1077-1099 Richards Street, containing 162 units of social housing and a total floor area of 8,358 m² (89,965 sq. ft.), all to be designed, constructed and finished by the applicant in turn-key condition; and
 - (b) a \$1,000,000 cash contribution, to be allocated to the Affordable Housing Fund, to be used to fund the project management and related legal, tenant relocation, and administrative expenses associated with the development of the site at 1077-1099 Richards Street.

Housing Agreement

19. Make arrangements to the satisfaction of the Managing Director of Social Development and the Director of Legal Services to enter into a Housing Agreement securing 110 residential units with a minimum total area of 5,900 m² (63,512 sq. ft.), and related parking and other amenity space, for 60 years or the life of the building, whichever is greater, as rental housing, and subject to the following additional conditions in respect of those units:
 - (a) that all such units will be contained within a separate air space parcel;
 - (b) that such air space parcel may not be subdivided by deposit of a strata plan;
 - (c) that none of such units may be separately sold;
 - (d) that none of such units will be rented for less than one month at a time;
 - (e) at least 26 of the 110 units will be two bedroom units; and
 - (f) no occupancy permit will be issued for the market residential units to be sold until the occupancy permits for all the market rental units have been issued.

- (g) on such other terms and conditions as the Managing Director of Social Development and the Director of Legal Services may in their sole discretion require.

Note to applicant: This condition to be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

Public Art

- 20. Execute an agreement satisfactory to the Directors of Legal Services and Cultural Services for the provision of public art in accordance with the City's Public Art Policy, such agreement to provide for security in a form and amount satisfactory to the aforesaid officials; and provide development details to the satisfaction of the Public Art Program Manager (a checklist will be provided).

Note to applicant: Please contact Bryan Newson, Program Manager, 604.871.6002, to discuss your application

Soils Agreement

- 21. If applicable:
 - (a) Submit a site profile to the Environmental Protection Branch (EPB);
 - (b) As required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (c) If required by the Manager of Environmental Protection and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, City Engineer and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject sites as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-laws.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT 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 June 4, 2013, entitled "CD-1 Rezoning - 508 Helmcken Street", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Noise Control By-law, generally as set out in Appendix C of the Policy Report dated June 4, 2013, entitled "CD-1 Rezoning - 508 Helmcken Street".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated June 4, 2013, entitled "CD-1 Rezoning - 508 Helmcken Street", *with the following additional amendment to replace the Class A loading requirements with the following:*

"Class A loading must be provided at a minimum rate of 0.01 space per dwelling unit up to 300 dwelling units, and at a minimum rate of 0.008 space per dwelling unit for 300 or more units."
- E. 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 June 4, 2013, entitled "CD-1 Rezoning - 508 Helmcken Street", the Director of Legal Services be instructed to bring forward the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated by this rezoning, 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.
- 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 bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of Brenhill Developments Ltd.; 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

(Councillors Affleck, Ball and Carr opposed)

(Councillors Meggs and Stevenson ineligible for the vote)

COMMUNICATIONS

1. Sponsorship of 2013 UBCM Convention Welcome Reception

THAT Vancouver City Council approve a hospitality grant of \$17,500 toward the 2013 UBCM Convention, source of funds to be the Contingency Reserve.

ADOPTED ON CONSENT

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

* * * * *

VARY AGENDA

*MOVED by Councillor Reimer
SECONDED by Councillor Tang*

THAT the order of the agenda be varied in order to deal with Motion on Notice B.5 prior to the remaining items.

CARRIED UNANIMOUSLY

Note: For clarity the item is minuted in the order in which it was dealt with.

* * * * *

B. Motions on Notice

5. Extended Timeline for Grandview-Woodland Community Plan

**MOVED by Councillor Carr
SECONDED by Councillor Ball**

WHEREAS

1. The current 18 to 21 month timeline for the Grandview-Woodland Community Plan was presented to Council as an ambitious timeline, more than one year shorter than the time taken for the most recently completed community plan in the neighbourhood of Mt. Pleasant;
2. On July 8, 2013, the Grandview-Woodland Area Council held a public meeting attended by over 200 people, with even more turned away, during which local citizens, including MLA Shane Simpson, requested that six months or more be added to the timeline of the Grandview-Woodland Community Plan in order to "get the plan right";
3. As of July 15, 2013, 718 individuals have sent a message to Mayor and Council, noting that "the land use rezoning proposals in the 'Emerging directions' document and map...came as a complete surprise to the community when they were published in June 2013" and demanding at least six months more for the Grandview-Woodland Community Plan ("a reasonable period of time") for "an open and collaborative process to discuss, debate and select preferred options with regard to these proposals."

THEREFORE BE IT RESOLVED THAT Council direct staff to:

- a. Extend the timeline for the Grandview-Woodland Community Plan by at least six months;
- b. Conduct an open and collaborative process for the community to discuss, debate, and select preferred options for the Community Plan.

referred

The Mayor noted that requests to speak to this motion had been received.

REFERRAL MOVED by Councillor Reimer
SECONDED by Councillor Louie

THAT the motion be referred, in order to hear from speakers, to the Standing Committee on City Finance and Services meeting on September 25, 2013, in order to allow time for the receipt of additional information from staff which was requested at the previous Council meeting.

CARRIED UNANIMOUSLY

* * * * *

During discussion on the above motion, Councillor Stevenson rose on a Point of Order to note that discussion should be restricted to the referral motion. The Mayor agreed.

Prior to the vote on the referral motion, Councillor Carr rose on a Point of Information to request clarification from staff with regard to how the community will be informed and a reassurance that information on all four community plans will be forthcoming. The General Manager of Planning and Development Services responded and noted information would be posted on the City's website.

* * * * *

The Council meeting was recessed at 1:07 pm, on July 23, 2013, and reconvened at 12:10 pm on July 24, 2013, with Councillors Ball, Carr, Louie, Meggs, Reimer, Stevenson, Tang, and the Mayor present.

* * * * *

COMMITTEE OF THE WHOLE

MOVED by Councillor Ball
SECONDED by Councillor Carr

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

CARRIED UNANIMOUSLY
(Councillors Affleck and Deal absent for the vote)

* * * * *

VARY AGENDA

MOVED by Councillor Louie

THAT the order of the agenda be varied in order to deal with Administrative Report A1, By-laws and Administrative Motions first.

*CARRIED UNANIMOUSLY
(Councillors Affleck and Deal absent for the vote)*

NOTE: For ease of reference the remaining items are minuted in the order in which they appear on the agenda.

* * * * *

ADMINISTRATIVE REPORTS

**1. 508 Helmcken Street - Closure and Sale of Lanes
June 19, 2013**

MOVED by Councillor Louie

THAT Council close, stop-up and convey to Brenhill Developments Limited (hereinafter "Brenhill") the 288.0 square metre portion of lane (the "Westerly Lane") and the 264.9 square metre portion of lane (the "Southerly Lane"), (together referred to as the "City Lanes") as generally shown hatched on the sketch attached as Appendix "B" to the Administrative Report dated June 19, 2013, entitled "508 Helmcken Street - Closure and Sale of Lanes", to be consolidated with the adjacent property at 508 Helmcken Street subject to the terms and conditions as noted in Appendix "A" of the above-noted report; and

FURTHER THAT, the conveyance of the City Lanes to Brenhill be subject to the Land Exchange Contract between the City and Brenhill dated January 28, 2013, and the approval in principle by Council after Public Hearing of the CD-1 Rezoning - 508 Helmcken Street (the "Rezoning").

CARRIED
(Councillor Ball opposed)
(Councillors Affleck, Deal and Meggs absent for the vote)

2. **Childcare at 2001 West 10th Avenue - Funding Approval
July 19, 2013**

THAT Council approve a capital project budget of up to \$2,545,385 for the Kitsilano Montessori Daycare project at 2001 West 10th Avenue, source of funds to be Arbutus Development Cost Levies for childcare.

ADOPTED ON CONSENT

POLICY REPORTS

1. **CD-1 Rezoning: 5650 Victoria Drive (5648-5858 Victoria Drive)
July 9, 2013**

MOVED by Councillor Carr

A. THAT the application by Matthew Cheng Architect Inc., on behalf of Bhandal Homes Ltd., to rezone 5648-5658 Victoria Drive [Lots 45 and 46, except the west 7 feet, now road, Block 16 District Lot 394 Plan 2501; PIDs 008-796-203 and 010-852-441 respectively] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.65 and the height from 13.8 m (45 ft.) to 18.9 m (62 ft.) to permit the development of a six storey mixed-use commercial and residential building with all 30 residential units secured as market rental housing, be referred to a Public Hearing, together with:

- (i) plans received November 14, 2012;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5858 Victoria Drive)"; 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 above-noted report;

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

B. THAT, if after public hearing Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5858 Victoria Drive)", 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 above-noted 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, 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-2)], generally as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5858 Victoria Drive)", be referred to the same Public Hearing;

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

- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 5650 Victoria Drive (5648-5858 Victoria Drive)";

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

- E. THAT A 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 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
(Councillors Affleck and Deal absent for the vote)

* * * * *

During discussion on the above motion, Councillor Reimer rose on a Point of Order to note that discussion should be limited to whether or not to refer the matter to Public Hearing. The Mayor agreed.

* * * * *

2. CD-1 Rezoning: 3068 Kingsway (3058 Kingsway)
July 9, 2013

MOVED by Councillor Carr

- A. THAT the application by Matthew Cheng Architect Inc., on behalf of Pawa Holdings Ltd., to rezone 3058 Kingsway [PID 008-782-741; Lot 2 Block 16 District Lot 37 Plan 12817] from C-2 (Commercial) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 2.50 to 3.65 to permit the development of a six storey mixed-use commercial and residential building with an increase in height from 13.8 m (45 ft.) to 18.73 m (61.5 ft.) with all 30 residential units secured as market rental housing, be referred to a Public Hearing, together with:
- (i) plans received July 13, 2012;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 3068 Kingsway (3058 Kingsway)"; 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 above-noted report;

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

- B. THAT, if after public hearing Council approves in principle this rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 3068 Kingsway (3058 Kingsway)", 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 above-noted 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, 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-2)], generally as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 3068 Kingsway (3058 Kingsway)", be referred to the same Public Hearing;

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

- D. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 3068 Kingsway (3058 Kingsway)";

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

- E. THAT A 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 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
(Councillors Affleck and Deal absent for the vote)

**3. CD-1 Rezoning: 7249 Cypress Street
July 9, 2013**

- A. THAT the application by The Airey Group, on behalf of 7249 Cypress Development Corp., to rezone 7249 Cypress Street (PID 011-076-241; Lot 10 of Lot M, Block 11, District Lot 325A, Plan 5761), from RS-6 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.7 to 1.2 to permit development of a three-storey building containing five townhouses and one commercial retail unit with a residential unit above, be referred to a Public Hearing, together with:
- (i) plans received February 18, 2013;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 7249 Cypress 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 above-noted report;

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

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to add the CD-1 and to assign regulations in accordance with Schedule "B" (C-1), also 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 July 9, 2013, entitled "CD-1 Rezoning: 7249 Cypress Street", for consideration at the Public Hearing.

- C. THAT, subject to enactment of the rezoning by-law, the Noise Control By-law be amended to include this Comprehensive Development District in Schedule A as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 7249 Cypress 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 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

4. **CD-1 Rezoning: 755-795 West 41st Avenue
July 9, 2013**

- A. THAT the application by Arno Matis Architecture Inc., on behalf of Buffalo Investment (Canada) Ltd., to rezone 755-795 West 41st Avenue (Lots 1 to 5 of Lot 2, Block 998, District Lot 526, Plan 8455; PIDs: 010-074-759, 010-074-783, 010-074-821, 010-074-864 and 010-074-881 respectively) from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio from 0.70 to 2.87 and the height from 10.60 m (35 ft.) to 19.50 m (64 ft.) to permit the development of two six-storey residential buildings and two-storey townhouses containing a total of 74 residential units, be referred to a Public Hearing, together with:

- (i) plans prepared by Arno Matis Architecture Inc., received September 21, 2012;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 755-795 West 41st Avenue"; and
- (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B of the above-noted report;

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

- B. THAT, subject to enactment of the CD-1 By-law, the 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 July 9, 2013, entitled "CD-1 Rezoning: 755-795 West 41st Avenue";

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.

- C. THAT, subject to enactment of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Policy Report dated July 9, 2013, entitled "CD-1 Rezoning: 755-795 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.

- D. THAT A to 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; 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

**5. CD-1 Text Amendment: 970 Union Street (Villa Cathay Community Care Facility)
June 10, 2013**

- A. THAT the application, by Joe Y. Wai Architect Inc. on behalf of Villa Cathay Care Home Society to amend the text of CD-1 (505) By-law No. 10306 for 970 Union Street [PID 007-584-415; Block 125, District Lots 181 and 2037, Plan 16060] to increase the floor space ratio from 1.7 to 3.0 and to increase the height from 11.7 m (38 ft.) to 33.0 m (108 ft.) to permit an 11-storey addition to the existing community care facility, be referred to a Public Hearing, together with:
- (i) plans prepared by Joe Y. Wai Architect Inc., received November 9, 2012;
 - (ii) draft by-law amendments, generally as presented in Appendix A of the Policy Report dated June 10, 2013, entitled "CD-1 Text Amendment: 970 Union Street (Villa Cathay Community Care Facility)"; and
 - (iii) the recommendation of the General Manager of Planning and Development Services to approve, subject to conditions contained in Appendix B of the above-noted report;

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

- B. THAT, subject to enactment of the amending by-law, the Parking By-law be amended to include this CD-1 (505) and to provide parking regulations generally as set out in Appendix C of the Policy Report dated June 10, 2013, entitled "CD-1 Text Amendment: 970 Union Street (Villa Cathay Community Care Facility)";

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 amending by-law.

- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Tang

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY
(Councillors Affleck and Deal absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie
SECONDED by Councillor Tang

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

CARRIED UNANIMOUSLY
(Councillors Affleck and Deal absent for the vote)

BY-LAWS

Councillor Reimer advised she had reviewed the proceedings with regard to By-law 18 and she would therefore be voting on the by-law.

Councillor Ball advised she had reviewed the proceedings with regard to By-law 22 and she would therefore be voting on the by-law.

Councillor Stevenson advised he had reviewed the proceedings with regard to By-laws 20 and 22 and he would therefore be voting on the by-laws.

MOVED by Councillor Carr
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY
(Councillors Affleck and Deal absent for the vote)

1. A By-law to repeal Vancouver Athletic Commission By-law No. 2875 (By-law No. 10751)
2. A By-law to amend Subdivision By-law No. 5208 regarding air space subdivision fees (By-law No. 10752)
3. A By-law to amend Zoning and Development By-law No. 3575 regarding Marine Terminals (By-law No. 10753)

4. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (1265-1281 Howe Street and 803-821 Drake Street) (By-law No. 10754)
5. A By-law to amend Street and Traffic By-law No. 2849 regarding housekeeping and washing and repairing vehicles on streets (By-law No. 10755)
6. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (1388 Continental Street) (By-law No. 10756)
(Mayor Robertson ineligible for the vote)
7. A By-law to enter into an agreement among the City of Burnaby, the Corporation of Delta, the City of New Westminster, the City of Richmond, the City of Surrey, and the City of Vancouver (the "Participating Municipalities") regarding an Inter-municipal Business Licence Scheme (By-law No. 10757)
8. A By-law to enter into an Inter-municipal Business Licence Scheme (By-law No. 10758)
9. A By-law to amend License By-law No. 4450 regarding inter-municipal business licenses (By-law No. 10759)
10. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (6361-6385 Cambie Street) (By-law No. 10760)
(Councillor Jang ineligible for the vote)
11. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (998 West 26th Avenue, Vancouver Talmud Torah School) (By-law No. 10761)
12. A By-law to amend Subdivision By-law No. 5208 (998 West 26th Avenue) (By-law No. 10762)
13. A By-law to amend Zoning and Development By-law No. 3575 regarding the RT-11 and RT-11N Districts Schedule (By-law No. 10763)
14. A By-law to amend CD-1 By-law No. 7201 (800 Griffiths Way) (By-law No. 10764)
15. A By-law to amend CD-1 By-law No. 10688 (982 Howe Street) (By-law No. 10765)
16. A By-law to amend CD-1 By-law No. 7208 (1650 West 1st Avenue) (By-law No. 10766)
17. A By-law to amend CD-1 By-law 10433 (777 Richards Street and 520 West Georgia Street) (By-law No. 10767)
18. A By-law to designate certain real property as protected heritage property (3182 West 3rd Avenue, Birnie House) (By-law No. 10768)
(Councillor Affleck ineligible for the vote)
19. A By-law to designate certain real property as protected heritage property (1119 Hornby Street, Murray Hotel) (By-law No. 10769)
(Councillor Affleck ineligible for the vote)

20. A By-law to amend CD-1 By-law 4671 (749 West 33rd Avenue, John Paul II Pastoral Centre) (By-law No.10770)
21. A By-law to enact a Housing Agreement for 3456 Commercial Street (By-law No. 10771)
22. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (2001 West 10th Avenue) (By-law No. 10772)

MOTIONS

A. Administrative Motions

1. **Approval of Form of Development - 4899 Heather Street (formerly 749 West 33rd Street)**

MOVED by Councillor Reimer
SECONDED by Councillor Louie

THAT the form of development for this portion of the site known as 4899 Heather Street (formerly 749 West 33rd Street) be approved generally as illustrated in the Development Application Number DE416156, prepared by John Clark Architect Inc., and stamped "Received, Community Services Group, Development Services", on June 5th, 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
(Councillors Affleck and Deal absent for the vote)

2. **Approval of Form of Development - CD-1 - 1388 Continental**

MOVED by Councillor Reimer
SECONDED by Councillor Louie

THAT the form of development for this portion of the site known as 1388 Continental be approved generally as illustrated in the Development Application Number DE415460, prepared by IBI / HB Architects, and stamped "Received, Community Services Group, Development Services", on July 2, 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
(Councillors Affleck and Deal absent for the vote)

3. Approval of Form of Development - 1265-1281 Howe Street and 803-821 Drake Street (1283 Howe Street being the application address)

MOVED by Councillor Reimer
SECONDED by Councillor Louie

THAT the form of development for this portion of the site known as 1265 - 1281 Howe Street and 803 - 821 Drake Street (1283 Howe Street being the application address) be approved generally as illustrated in the Development Application Number DE416483, prepared by Merrick Architecture, and stamped "Received, Community Services Group, Development Services", on July 9, 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
(Councillors Affleck and Deal absent for the vote)

4. 508 Helmcken Street - Closure and Sale of Lanes

MOVED by Councillor Reimer
SECONDED by Councillor Louie

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 34 to 38 Block 94 District Lot 541 Plan 210 ("Lots 34 to 38");
3. The proposal requires the closure of a portion of lane west of Richards Street, south from Helmcken Street, and another portion of lane south of Helmcken Street, west from Richards Street;
4. The portion of lane west of Richards Street, south from Helmcken Street was dedicated as lane by the deposit of Plan 210;
5. The portion of lane south of Helmcken Street, west from Richards Street was established as lane by document filed BW19715 on January 16, 2004;
6. The said portions of lane are no longer required for municipal purposes;
7. The said portions of lane are to be conveyed to the owners of said Lots 34 to 38 and consolidated with them to form a single parcel;
8. The City will take back rights of ways for utilities and access purposes over portions of the single parcel.

THEREFORE BE IT RESOLVED THAT all that portion of lane west of Richards Street, south from Helmcken Street, the same as shown in heavy outline on the Reference Plan prepared by James Gregson, B.C.L.S., completed on the 13th day of March, 2013, and numbered Plan EPP32177; and, all that portion of lane south of Helmcken Street, west from Richards Street described as [PID: 025-837-681] That Part of Lot A in Plan BCP9161 Block 94 District Lot 541 Group 1 New Westminster District Plan BCP8785; be closed, stopped-up and conveyed to the owner of said Lots 34 to 38; and,

BE IT FURTHER RESOLVED THAT the said portions of lane to be closed be consolidated with said Lots 34 to 38 to create a single parcel to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY
(Councillor Affleck, Deal and Meggs absent for the vote)

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MOVED by Councillor Louie
SECONDED by Councillor Tang

THAT the meeting be recessed until Monday, July 29, 2013, at 2 pm.

CARRIED UNANIMOUSLY
(Councillors Affleck and Deal absent for the vote)

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The Council meeting was recessed at 12:30 pm on Wednesday, July 24, 2013, and reconvened at 2:06 pm on Monday, July 29, 2013, with Councillors Affleck, Ball, Carr, Deal, Louie, Meggs, Reimer, Tang and the Mayor present.

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B. Motions on Notice

1. Expand Patios in Vancouver

The following motion contains an addition to the original Motion on Notice, which was accepted by the Council.

MOVED by Mayor Robertson
SECONDED by Councillor Deal

WHEREAS

1. Commercial patios are a popular street activation, especially in the summer;
2. The City has two categories of patio permits, large and small, with large patios typically licensed, and small patios typically a few tables and chairs;
3. There were 317 large patio permits, and 260 small patio permits, in Vancouver in 2012;
4. The hours of operation for large patios are 7 am to 11 pm;
5. The last review of patio hours and permits was in the lead-up to the 2010 Winter Games, and there has been a consistent demand for more patios in public spaces like plazas and pedestrian-oriented streets.

THEREFORE BE IT RESOLVED THAT staff work with industry stakeholders and Business Improvement Associations to identify near-term actions that are revenue neutral to increase patio hours and space for establishments with a track record of good behaviour, and provide an information memo over the summer should there be any "quick starts" which can be implemented prior to the next Council meeting in September;

BE IT FURTHER RESOLVED THAT staff report back to Council with recommendations for longer-term policy changes that improve the patio experience, including ways to increase space, extend hours, relax fencing restrictions, provide patio options throughout Vancouver, and improve the efficiency of the patio permit process.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

2. Lac-Mégantic

MOVED by Mayor Robertson
SECONDED by Councillor Louie

WHEREAS

1. The terrible tragedy in Lac-Mégantic is a reminder that all cities must do everything possible to ensure safety measures of its rail corridors;
2. Port Metro Vancouver and the City of Vancouver coordinate on rail traffic through the city of Vancouver, including dangerous cargo.

THEREFORE BE IT RESOLVED THAT the Mayor write on behalf of City Council to formally express its deepest sympathies to the people of Lac-Mégantic;

BE IT FURTHER RESOLVED THAT staff be instructed to provide an update to Council on safety protocols in place for the shipment of dangerous goods by rail in Vancouver, and provide any recommendations for enhancing these protocols that would ensure the highest protection for citizens.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

3. Support REACH Community Health Centre

MOVED by Councillor Reimer
SECONDED by Councillor Carr

WHEREAS

1. REACH is a not-for-profit community health centre located in East Vancouver, and has operated since 1969;
2. REACH promotes a team approach to health care and prevention, seeking to meet the medical, dental and cultural needs of the local community;
3. The majority of REACH's clients have a lower than average income;
4. REACH provides crucial health care services for the Grandview Woodlands neighbourhood, many of which align with the priorities identified in the City's emerging Healthy City Strategy;
5. REACH's Multicultural Family Centre provides support to immigrant and refugee communities;
6. REACH averages 108 client visits a day;

7. REACH is facing challenges with their existing building in terms of a need for urgent upgrades and renovations, but a phased approach is not possible due to the scope of upgrades required.

THEREFORE BE IT RESOLVED THAT staff work with the operators of REACH to identify possible solutions and partnerships, including the Ministry of Health and other service providers, to either enable REACH to stay onsite or within the Grandview Woodland neighbourhood.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

4. Support Vancouver's Heavy Urban Search and Rescue Team

MOVED by Councillor Louie
SECONDED by Councillor Deal

WHEREAS

1. Vancouver's Heavy Urban Search and Rescue Team (HUSAR) was recently deployed to Calgary to assist in dealing with extensive flooding;
2. 56 members of HUSAR went to Calgary, providing humanitarian assistance, building inspections, documentation and helping with pumping operations;
3. The Federal Government discontinued funding for the Joint Emergency Preparedness Program in the 2012 Budget, which provided 33% of the total funding required to maintain HUSAR;
4. HUSAR Teams in Calgary, Winnipeg, Toronto, and Vancouver have asked the Federal Government for \$400,000 each, for three years, to maintain HUSAR's capabilities.

THEREFORE BE IT RESOLVED THAT Vancouver's HUSAR Team be requested to provide an update to City Council on lessons learned from the Calgary deployment;

BE IT FURTHER RESOLVED THAT the Mayor write to the Minister of Public Safety in support of the funding ask made by the leaders of HUSAR teams in Calgary, Winnipeg, Toronto and Vancouver.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

5. Extended Timeline for Grandview-Woodland Community Plan

This item was dealt with earlier in the meeting (*see page 22 of these minutes*).

NEW BUSINESS

NOTE: New Business item 1 occurred on July 24, 2013. The remainder of the items were dealt with on July 29, 2013.

1. Request for Leave of Absence - Councillor Geoff Meggs

MOVED by Councillor Stevenson
SECONDED by Councillor Louie

THAT Councillor Meggs be granted Leave of Absence for Civic Business from the portion of the Regular Council meeting held on Tuesday, July 23, 2013.

CARRIED UNANIMOUSLY

2. Reductions to Local Omni Multicultural and Multilingual Programing

Councillor Louie submitted the following Motion, which Council agreed to deal with as New Business at this meeting.

MOVED by Councillor Louie
SECONDED by Councillor Tang

WHEREAS

1. Rogers Television executives made commitments to Canadians to maintain local multicultural programming levels and even modestly increase employment when they appeared in front of the CRTC during their successful purchase of Channel M in 2008;
2. Multicultural programming is an important bridge between new Canadians and their country of origin and is supported by Canada's multicultural policies, upon which OMNI's broadcast license is based;
3. OMNI television is Canada's only free over-the-air multicultural national broadcaster;
4. Over 50% of Vancouver residents identify themselves as multicultural and local news coverage not only provides our Vancouver residents with the up-to-date news in our city but also serves as a conduit to empower new immigrants to engage with and become a more active part of our local community; and

5. Channel M has previously provided a full range of multicultural programming employing up to 100 creative people and cuts to programming since the station first signed in 2003, and cuts to field reporters, writers, camera operators and editors in OMNI's Cantonese and Mandarin news casts in 2013 have reduced employment levels by over 66%.

THEREFORE BE IT RESOLVED THAT Vancouver City Council express its strong concerns to Rogers Television and the Canadian Radio-television Telecommunications Commission and ask that they consider reinstating programming and employment levels to better serve Vancouver's current and growing multicultural population.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

3. Request for Leave of Absence - Councillor George Affleck

MOVED by Councillor Ball
SECONDED by Councillor Louie

THAT Councillor Affleck be granted Leave of Absence for Personal Reasons from the Special Council meeting to be held on Thursday, August 1, 2013.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

ADJOURNMENT

MOVED by Councillor Carr
SECONDED by Councillor Louie

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

The Council recessed at 1:07 pm on July 23, 2013, 12:30 pm on July 24, 2013, and adjourned at 2:38 pm on July 29, 2013

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