



## REGULAR COUNCIL MEETING MINUTES

MAY 27, 2014

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, May 27, 2014, at 9:35 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 Raymond Louie  
Councillor Andrea Reimer  
Councillor Tim Stevenson  
Councillor Tony Tang

**ABSENT:** Councillor Geoff Meggs (Leave of Absence - Civic Business)

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

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

### WELCOME

The proceedings in the Council Chamber were opened with welcoming comments from Councillor Carr.

### "IN CAMERA" MEETING

MOVED by Councillor Louie  
SECONDED by Councillor Deal

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

(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.

CARRIED UNANIMOUSLY

**ITEM ARISING FROM THE "IN CAMERA" MEETING OF MAY 13, 2014**

Council appointed Carolyn Askew to the Vancouver Police Board.

**ADOPTION OF MINUTES**

**1. Regular Council - May 13, 2014**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT the Minutes of the Regular Council meeting of May 13, 2014, be approved.

CARRIED UNANIMOUSLY

**2. Public Hearing - May 13, 2014**

MOVED by Councillor Deal  
SECONDED by Councillor Ball

THAT the Minutes of the Public Hearing of May 13, 2014, be approved.

CARRIED UNANIMOUSLY

**3. Regular Council (City Finance and Services) - May 14, 2014**

MOVED by Councillor Tang  
SECONDED by Councillor Deal

THAT the Minutes of the Regular Council meeting following the Standing Committee on City Finance and Services meeting of May 14, 2014, be approved.

CARRIED UNANIMOUSLY

**4. Public Hearing - May 20, 2014**

MOVED by Councillor Deal  
SECONDED by Councillor Ball

THAT the Minutes of the Public Hearing of May 20, 2014, be approved.

CARRIED UNANIMOUSLY

## COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson  
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

## MATTERS ADOPTED ON CONSENT

MOVED by Councillor Louie

THAT Council adopt Administrative Report 4 on consent.

CARRIED UNANIMOUSLY

## UNFINISHED BUSINESS

1. Rezoning: 2806 and 2850 Cambie Street, 454 West 12<sup>th</sup> Avenue, and 465 West 13<sup>th</sup> Avenue, and Heritage Designation of the Wilcox House

At the Public Hearing on May 13, 2014, Vancouver City Council concluded the public hearing regarding the above-noted rezoning application and referred discussion and decision to the Regular Council meeting on May 27, 2014, as Unfinished Business.

The Mayor noted that Councillor Louie was absent from the Public Hearing on May 13, 2014, and would therefore not be participating in the discussion or decision on this matter.

*Note: The following motion contains additional "Conditions of Approval of Form of Development" to the original Summary and Recommendation (See A. (b)38-41 below).*

MOVED by Councillor Deal

- A. THAT the application by IBI/HB Architects Inc., on behalf of Shato Holdings Ltd, to rezone:
  - (i) 2806 Cambie Street [Lot 1 Except Part in Explanatory Plan 17416, Block B, District Lot 526, Plan 1530 and Lot 2, Block B, District Lot 526, Plan 1530; PIDs: 014-570-301 and 014-569-884 respectively] and 2850 Cambie Street [Lots A, B and C, (Reference Plan 271) Except the West 10 Feet, Now Road, of Lots 15 and 16, Block B, District Lot 526, Plan 1530; PIDs: 005-791-421, 005-791-375 and 005-791-138 respectively] from C-2C (Commercial) District, and

- (ii) 454 West 12th Avenue [Lot 3, Block B, District Lot 526, Plan 1530; PID: 014-569-931] and 465 West 13th Avenue [Lot 14, Block B, District Lot 526, Plan 1530; PID: 011-920-181] from RT-6 (Two-Family Dwelling) District,

all to CD-1 (Comprehensive Development) District and including that portion of lane, south of 2806 Cambie Street (if closed and conveyed to the registered owner of the above lands), to increase the permitted floor area from 7,050 m<sup>2</sup> (75,891 sq.ft.) to 12,189 m<sup>2</sup> (131,208 sq. ft.) and building height from 13.7 m (45 ft.) to 27.0 m (58.58 ft.) to allow for a mixed-use development in two buildings, including a new eight-storey building with ground-level retail and restaurant uses, 148 residential strata units and eight rental housing units, and a four-storey heritage building, with three residential strata units, generally as presented in Appendix A of the Policy Report dated April 7, 2014, entitled "CD-1 Rezoning: 2806 and 2850 Cambie Street, 454 West 12th Avenue, and 465 West 13th Avenue, and Heritage Designation of the Wilcox House", 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 IBI Group, and stamped "Received City Planning Department, October 22, 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

1. Design development to comply with the maximum building height of 27.0 m [88.58 ft.] subject to the following:
  - (a) eliminate the mezzanine level which is considered a storey under the Zoning and Development By-law;
  - (b) eliminate any rooftop structures except for those that can be exempted under Section 10 of the Zoning and Development By-law;
2. Design development to provide an amenity space, pursuant to the High Density Housing for Families with Children Guidelines, to provide a gathering room of approximately 37.16 m<sup>2</sup> (400 sq. ft.) supported by a pantry and an accessible washroom equipped with a baby change station.

3. Design development of the building massing to be simplified and revised as follows:
  - (a) the massing to read as two rather than three distinct elements – a five-storey base with a three-storey penthouse mass; and
  - (b) the massing of the five-storey base is to have a uniform and uninterrupted parapet edge, particularly along the west elevation.

4. Design development of the penthouse levels – to be revised in a manner that improves northward views to the City Hall.

5. Design development of the southern portion of the reflecting pool to be reduced to match and mirror the northern reflecting pool.

Note to Applicant: This is in order to maintain a uniform width of the sidewalk and maintain flexibility of use and programming for the adjacent retail storefront.

6. Design development to create open spaces suitable for children's play adjacent to the common amenity room. Refer to the High-Density Housing for Families with Children Guidelines for more information.

7. Design development of the proposed setbacks, from the face of the building to the property line, shall remain as proposed within the rezoning drawing submission.

Note to Applicant: Proposed setbacks may be increased through the design development process.

8. Provision of high quality and durable exterior finishes.

Note to Applicant: As this project continues through the development application process, the overall proposed quality of materials, articulation, and expression is to be maintained.

9. Design development to meet the Cambie Corridor Draft Public Realm Plan including lane, side yard and front yard treatments.

Note to Applicant: The applicant is encouraged to meet with Planning, Landscape and Engineering staff prior to the preparation of a Development Permit submission to ensure technical compliance with the anticipated design intent, including Crime Prevention Through Environmental Design (CPTED) performance, and with a design focus on hardscape, soft landscape, design elements, lighting, storm-water management, way-finding and public art/interpretive opportunities.

### Crime Prevention through Environmental Design (CPTED)

10. 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.

### Sustainability - LEED Rating

11. 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 Rezoning, 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. At minimum, the applicant is expected to obtain 60 points, LEED Gold Certification.

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.

### Landscape

12. Provision of high-efficiency irrigation for all planted areas and individual hose bibs for all patios/common areas greater than 9.29 m<sup>2</sup> (100 sq. ft.).
13. Design development to the location of utilities.

Note to Applicant: Avoid the awkward placement of utilities (pad-mounted transformers, "Vista" junctions, underground venting) in the public realm. Where utilities must be located near a street or sidewalk, a secondary circulation route is the preferred location. Every effort should be made to integrate utility access into structures and behind lockable, decorative gates or screened with landscaping.

14. At time of development permit application, provision of a detailed Landscape Plan illustrating 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. The landscape plan should include all exterior hard and soft surface elements, the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

Note to Applicant: On adjacent sites ensure clarification of existing shrub layers, soil and grades to be altered, retained or replaced. Further comments may be outstanding.

15. Provision of a "Tree Removal / Protection/ Replacement Plan".

Note to Applicant: Contact the Park Board at the earliest convenience to assess the street tree canopy along 13th Avenue, with regard to avoiding unnecessary pruning or aerial encroachment conflicts that may occur on the project. A project arborist may need to be consulted.

16. Provision of new street trees adjacent to the development site along Cambie Street at the discretion of City Engineering Streets Division and Park Board.

#### Engineering

17. Provision of consolidated building grade plans. Please seek a consolidated plan of the two separate building grade plans currently issued for the site. Note that some of the current building grades may be adjusted to accommodate the lane closure and new lane. A request to the City's Streets Design Branch is required.

18. The following statement is to be noted on the landscape plans.

"This plan is Not for Construction of any public property facilities. Prior to the start of any construction on public property a landscape plan must be submitted to Engineering Services and be issued as "For Construction"; 8 weeks' notice is requested. No work on public property may begin until 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".

19. Clarify garbage pickup operations. Please provide written confirmation that a waste hauler can access and pick up from the location shown. Pickup operations should not rely on bins being stored on the street or lane for pick up, and bins are to be returned to storage areas immediately after emptying. The proposed residential recycling storage area should be located much closer to grade (currently on P2) or confirmation that the bins can be brought to grade and stored while awaiting pick up is required.

20. Clarify garbage storage and pickup operations for the residential units in the heritage building.
21. Doors are not to swing over the property lines. Please delete the gate swing over 13th Avenue (A1.03).
22. Clarify feature shown on A2.02 (north elevation), which appears to be a retaining wall, and set it behind the property line.
23. Clarify if the canopy is intended to encroach beyond the property line on 12th Avenue (A2.01 and 02), and if so, please submit a canopy application to Engineering Services.
24. Clarify features shown on public property on the site plan (A1.03) at the 13th Avenue and Cambie Street corner.
25. Provision of automatic bike door openers on doorways leading to and from the bike rooms and the street.
26. Clearly show the lane bulge and remove all features and portions of the building from within the proposed SRW.
27. 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 the required loading and loading bay widths and throats.

Note to Applicant: The proposed commercial GFA triggers the requirement for two Class B and one Class C loading space. Engineering would support a relaxation of the Class C loading to three commercial Class A spaces. This would result in the provision of three Class B (one residential and two commercial) and three commercial Class A loading spaces plus the two required residential Class A loading spaces in the rezoning.

- (b) Provision of an improved plan showing the design elevations on both sides of the parking ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross falls. Provide elevations on sections drawings.
- (c) Modify the loading bays and parking ramp to start beyond the laneway bulge which is required as there is no corner cut in the lane.



- (d) Provision of a maximum 10 per cent slope for the first 6.1 m (20 ft.) of the parkade ramp, noting that the ramp passes through the lane bulge sought for the project, which will limit grading to a maximum of five percent within the lane bulge area (the lane bulge must act like a City lane in design.)
- (e) Provision of a section drawing showing elevations, vertical clearance, and security gates for the main ramp and through the loading bay.

Note to Applicant: Vertical clearance of 2.3 m (7.5 ft.) is required for the disability stall access and 3.8 m (12.5 ft.) of vertical clearance is required for loading access. These should be clearly noted on the plans.

- (f) Provision of additional parking space width for stalls #71 and #72 on P1. It is assumed that a fence will be installed between the two stalls to supply the security needed for the overhead door to function as such.

Note to Applicant: 2.74 m (9 ft.) is recommended to improve maneuvering.

28. The heating and domestic hot water system of the building(s) shall be designed to be easily connectable and compatible with a future City-designated Neighbourhood Energy System to supply all heating and domestic hot water requirements. Design provisions related to Neighbourhood Energy compatibility must be to the satisfaction of the General Manager of Engineering Services.

Note to Applicant: The applicant shall refer to the Neighbourhood Energy Connectivity Standards for specific design requirements, which include provisions related to the location of the mechanical room, centralization of mechanical equipment, pumping and control strategy, and other hydronic heating and domestic hot water system minimum requirements. The applicant is encouraged to work closely with staff to ensure adequate provisions for Neighbourhood Energy System compatibility are provided for in the mechanical design. A declaration signed by the registered professional of record certifying that the Neighbourhood Energy connectivity requirements have been satisfied will be required as a pre-condition to building permit.

29. Space heating and ventilation make-up air shall be provided by hydronic systems without electric resistance heat or distributed heat generating equipment including gas fired make-up air heaters.
30. No heat producing fireplaces are to be installed within buildings.

31. Detailed design of the building HVAC and mechanical heating system must be to the satisfaction of the General Manager of Engineering Services.

#### Heritage

32. All work is to be consistent with the Conservation Plan approved for the project to the satisfaction of the Director of Planning.

#### Social Policy and Infrastructure

33. Submission with the Development Permit application, of a final tenant relocation plan, consistent with the Rate of Change Guidelines and to the satisfaction of the Managing Director of Social Development.
34. Provision of a final Tenant Relocation Report which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent); and includes a summary of all communication provided to the tenants, to the satisfaction of the Managing Director of Social Development.
35. Design development to the proposed amenity gym/yoga room area to improve its ability to function as a multi-purpose common amenity space by adding a kitchenette, a storage closet, and an accessible washroom with baby change table.
36. Design development of the rooftop greenhouse should consider elements related to weight bearing loads, and ability of greenhouse to withstand wind, rain and snow, with consideration of winds at roof height.
37. Design development and siting of composting should consider ways to minimize odours and pests.

#### Additional Conditions Approved By Council on May 27, 2014

38. Design development to provide enhanced landscaping and specialized treatments, at the rezoning applicant's expense, to address privacy and overlook matters between properties across the lane, all to the satisfaction of the Director of Planning taking into consideration the input of the neighbouring property owner.

Note to Applicant: This could be achieved through the provision of a privacy and sound mitigation fence along the lane, trees and/or large shrubs on either or both sides of the lane, and other materials to provide visual screening. Consideration should be given to having plant materials planted on the neighbouring property should that owner

consent; otherwise, measures will be taken within the lane right-of-way to the extent possible.

39. Design development of the loading court that faces the rear lane to include solid, high-performance closeable overhead doors as well as other architectural elements to reduce and minimize sound transference associated with the functional and service activities.
40. Provision of a Loading Management Plan at the development permit stage, to the satisfaction of the Director of Planning.
41. Explore and evaluate alternatives for vehicular traffic circulation and access to reduce neighbourhood impacts and improve safety, including options of limiting the lane to one-way flow, to the satisfaction of the General Manager of Engineering Services.

#### CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the Managing Director of Social Development, the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

##### Engineering

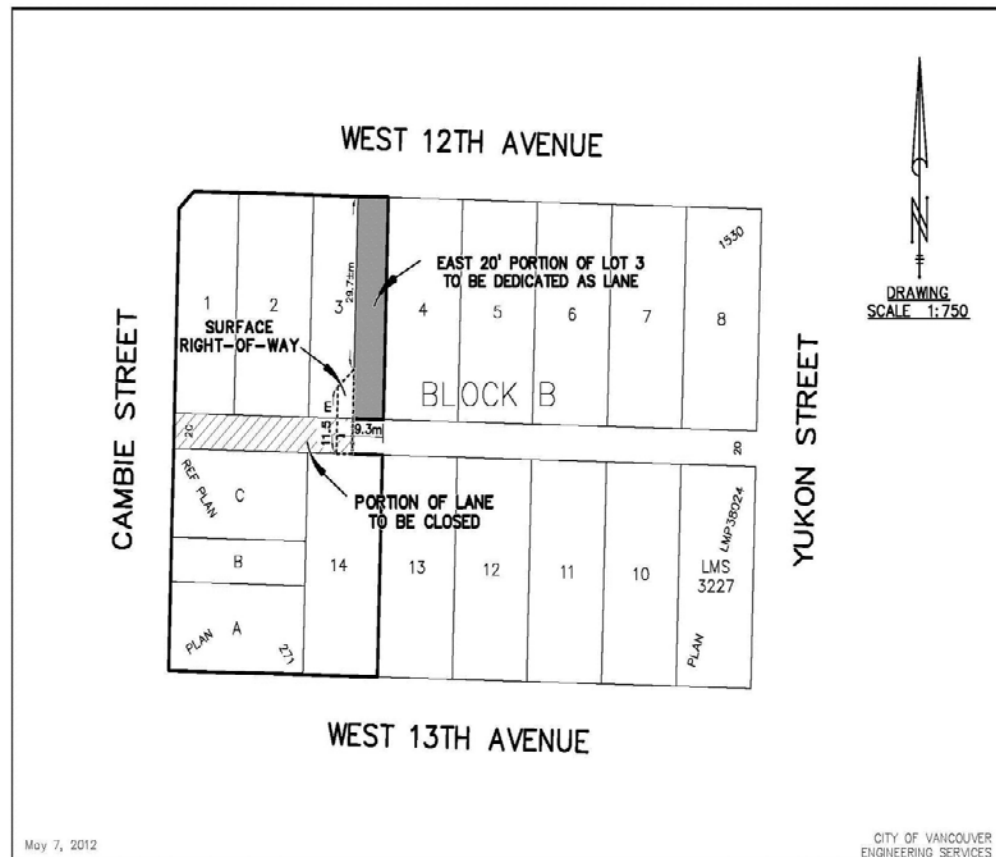
1. Council approving the stopping up, closure and conveyance of that portion of the lane lying south of 12th Avenue, between Cambie Street and a point 6.096 metres (20 ft.) westerly of the east property line of Lot 3, Block B, DL 526, Plan 15330. An application to the City Surveyor is required to initiate the lane closure and its purchase for a nominal amount.

Note to Applicant: Suitable arrangements must be made with all affected utility companies – B.C. Hydro, Telus and Shaw for overhead facilities and utility poles, Fortis B.C. and City Electrical/Utility branches to relocate or abandon these facilities from within the portion of lane to be closed, as necessary. Submission of written consents to the proposed lane closure and confirmation of arrangements to address utility needs from each of the affected parties will be required.

2. Consolidation of Lot 1, Except Part in Explanatory Plan 17416; Lots 2, 3, 14; and Lots A, B, and C (Reference Plan 271) Except The West 10 Feet, Now Road, of Lots 15 and 16; All of Block B, DL 526, Plan 1530 and the closed portion lane to form a single parcel and subdivision of that site to result in dedication of the east 6.096 metres (20 ft.) of Lot 3 to the City for lane purposes.

3. Provision of a surface statutory right-of-way over portion of the development site at the westerly limit of the intersection of the existing east-west and the new north-south lane sections for vehicle manoeuvring purposes. The sketch below shows the dimensions of the SRW area.

Note to Applicant: Within this SRW there is to be a minimum vertical clearance of 7.62 m (25 ft.) measured from grade to the underside of any overhead structure and the provisions of the Street and Traffic By-law (#2849) are to be enforceable within the SRW area.



4. Removal of the portion of existing garage on Lot 4 which will encroach onto the portion of Lot 3 to be dedicated as Lane, or the provision of a standard encroachment agreement permitting the encroachment onto the proposed lane dedication.
5. Provision of building setback and a surface SRW to achieve a 5.5m (18.05 ft.) distance from the back of the City curb to the building face on Cambie Street. A legal survey of the existing dimension from the back of the City curb to the existing property line is required to be provided at the owner's cost to determine the final setback/SRW dimension.

6. Provision of a statutory right of way to accommodate a Public Bike Share Station (PBS).

Size: At minimum, the smallest sized station at 16 m x 4 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.

Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing easy access to the street. Preferred location along Cambie Street at 12th Avenue or 13th Avenue is sought.

Surface treatment: A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.

Grades: The surface must be leveled with a maximum cross slope of 3 per cent and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5 per cent. At minimum, spot elevations at the four corners of the station must be provided.

Sun exposure: No vertical obstructions, to maximize sun exposure, as station operates on solar power. Ideally the station should receive five hours of direct sunlight a day.

Power: Provision of an electrical service and electrical power is to be available in close proximity to the PBS station with the development responsible for the on-going supply and cost of electricity to the PBS station.

7. Release of Easement & Indemnity Agreement 490210M (commercial crossing agreement) prior to building occupancy. A letter of undertaking is acceptable to address this condition prior to enactment with discharge required prior to building occupancy.
8. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called 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) Relocation of the existing traffic signal feed to Cambie Street currently provided from the B.C. Hydro pole within the portion of lane to be closed.

- (b) Relocation of the existing City sewer infrastructure (combined storm and sanitary sewer line and catch basins) from within the portion of lane to be closed, i.e., redirect the storm water and sanitary sewer flows within the subject block and existing lane through the new lane outlet to 12th Avenue and ultimately connecting to the GVS&DD sewer on Cambie Street. Submission of written consent from the GVS&DD to the proposed connection to their sewer will be required; alternatively, arrangements to protect the sewer infrastructure within the underground parking structure of the proposed development under a volumetric statutory right of way agreement in favour of the City will be required.
- (c) Provision of speed humps in the lane south of 12th Avenue between Cambie Street and Yukon Street, subject to neighbourhood consultation, is required.
- (d) Provision of a raised median along West 12th Avenue at the realigned lane to restrict vehicles to right in-right out movements only.
- (e) Provision of a new lane entry and removal of the closed Cambie Street lane entry including related utility and street work necessary to accommodate the lane entry changes.
- (f) Provision of new sidewalks around the site that meet the current standards for the area.
- (g) Provision of street trees around the site where space permits.
- (h) Payment to the City of up to \$100,000 for local traffic calming measures, within five years of building occupancy, to address any traffic impacts of the project on the surrounding streets. The amount payable is to be determined by the General Manager of Engineering Services at his sole discretion.
- (i) 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 applicant's mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction 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 per cent of any water system upgrading that may be required.

9. 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.

### Neighbourhood Energy

10. Enter into such agreements as the General Manager of Engineering Services and the Director of Legal Services determine are necessary for connection to the City-designated Neighbourhood Energy System, if and when the opportunity is available and in accordance with the Council-approved Vancouver Neighbourhood Energy Strategy and Energy Centre Guidelines, and corresponding Neighbourhood Energy Connectivity Standards, which may include but are not limited to agreements which:
  - (a) Require buildings on site to connect to a Neighbourhood Energy System, once available;
  - (b) Grant access to the mechanical system and thermal energy system-related infrastructure within the development for the purpose of enabling Neighbourhood Energy System connection and operation; and
  - (c) Grant access to and use of suitable space required for the purposes of Neighbourhood Energy System operation equipment.

### Soils Agreement

11. As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfil the requirements of Section 571(B) of the Vancouver Charter.
12. If required by the Manager of Environmental Planning 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 there from on terms and conditions satisfactory to the Manager of Environmental Planning, the General manager of Engineering Services and the 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(s)/Final Determination (to state that the site is not a contaminated site) satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

### Heritage

13. Subject to its approval in principle after the Public Hearing, enactment of the Heritage Designation By-law to designate the exterior of the existing building at 454 West 12th Avenue.
14. Approval by Council of a Heritage Revitalization Agreement By-law to secure the restoration, long-term maintenance and preservation of the existing building at 454 West 12th Avenue, prepared to the satisfaction of the Director of Planning and the Director of Legal Services.

### Housing Agreement

15. 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, in accordance the Rental Housing Stock Official Development Plan and the Rate of Change Guidelines, eight residential units, with a minimum total area of 296 m<sup>2</sup> (3,186 sq. ft.) and related parking and other amenity space, 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; and
  - (e) 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 Housing Agreement will be entered into by the City by by-law pursuant to section 565.2 of the Vancouver Charter.



### Public Art

16. 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.

Note to Applicant: Please call Bryan Newson, Program Manager, 604.871.6002, to discuss your application.

### Community Amenity Contribution (CAC)

17. Pay to the City the Community Amenity Contribution of \$165,951 in cash which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City and on terms and conditions satisfactory to the Director of Legal Services.

Note to Staff: The \$165,951 is to be allocated to capital improvements to childcare facilities.

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" (C-2C)], generally as set out in Appendix C of the Policy Report dated April 7, 2014, entitled "CD-1 Rezoning: 2806 and 2850 Cambie Street, 454 West 12th Avenue, and 465 West 13th Avenue, and Heritage Designation of the Wilcox House", 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 April 7, 2014, entitled "CD-1

Rezoning: 2806 and 2850 Cambie Street, 454 West 12th Avenue, and 465 West 13th Avenue, and Heritage Designation of the Wilcox House”.

- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendments to the Parking By-law, generally as set out in Appendix C of the Policy Report dated April 7, 2014, entitled “CD-1 Rezoning: 2806 and 2850 Cambie Street, 454 West 12th Avenue, and 465 West 13th Avenue, and Heritage Designation of the Wilcox House”.
- E. THAT, subject to approval in principle of the rezoning, Council approve the heritage designation of the exterior of 454 West 12th Avenue (the “Wilcox House”), listed in the “C” evaluation category of the Vancouver Heritage Register, as a protected heritage property.
- F. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in section (c) of Appendix B of the Policy Report dated April 7, 2014, entitled “CD-1 Rezoning: 2806 and 2850 Cambie Street, 454 West 12th Avenue, and 465 West 13th Avenue, and Heritage Designation of the Wilcox House”, the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, prior to enactment of the amending by-law contemplated by the same 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.
- G. THAT A through F above be adopted on the following conditions:
  - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw 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  
(Councillor Carr opposed)  
(Councillor Louie ineligible for the vote)

## ADMINISTRATIVE REPORTS

1. **2013 Statement of Financial Information**  
**April 25, 2014**

MOVED by Councillor Louie

THAT Council approve the 2013 Statement of Financial Information for filing with the Ministry of Community, Sport and Cultural Development under the Financial Information Act.

CARRIED UNANIMOUSLY

2. **Debenture Program - 2014**  
**May 13, 2014**

MOVED by Councillor Carr

A. THAT Council authorize the issuance of up to \$105 million City of Vancouver debentures, utilizing borrowing authorities approved as part of the 2011, 2012 and 2013 Capital Budgets and through special approvals as follows:

• Waterworks	\$ 8,000,000
• Sewers & Drainage	\$ 38,000,000
• Public Works	\$ 24,500,000
• Parks & Recreation	\$ 16,470,000
• Public Safety & Civic Facilities	\$ 12,000,000
• Information Technology	\$ 5,677,000
• Neighborhood Energy Utility System	\$ <u>353,000</u>
	\$ <u>105,000,000</u>

B. THAT, until the borrowing authorities established pursuant to A above are exercised, the Director of Finance, in consultation with the Mayor, the Chair of the City Finance and Services Committee, and the City Manager, or a majority of them, be empowered to act and instruct the City's Fiscal Agent to proceed with the issuance of the debentures, and to set the interest rate, price, and other terms and conditions on which the debentures will be issued by the City.

It should be noted that once the Director of Finance instructs the Fiscal Agent to offer the debentures in the public market, Council will be required to enact the appropriate borrowing by-law to authorize issuance of the debentures.

CARRIED UNANIMOUSLY

**3. Proposed Closure of Portions of Nanaimo Street and East Broadway Adjacent to 2408 East Broadway  
May 20, 2014**

MOVED by Councillor Tang

- A. THAT Council authorize the Director of Legal Services to apply and raise title in the name of the City of Vancouver to the portions of Nanaimo Street and East Broadway that contain the encroachments by the existing building at 2408 East Broadway (the "Road"), the said portions being shown on a reduced copy of a Reference Plan attached as Appendix A to the Administrative Report dated May 20, 2014, entitled "Proposed Closure of Portions of Nanaimo Street and East Broadway Adjacent to 2408 East Broadway".
- B. THAT all that volumetric portion of Road included within the heavy outline and illustrated isometrically on a plan of survey, attached as Appendix B to the Administrative Report dated May 20, 2014, entitled "Proposed Closure of Portions of Nanaimo Street and East Broadway Adjacent to 2408 East Broadway", be closed, stopped-up and that an easement be granted to the owner of abutting [PID: 018-159-168] Lot 1 South West ¼ of Section 34 Town of Hastings Suburban Lands Plan LMP9305 ("Lot 1") to contain the portions of the existing building which encroach onto the Road. The easement is to be for the life of the encroaching portions of the existing building on Lot 1, and to be to the satisfaction of the Director of Legal Services.
- C. THAT the fees for the document preparation, registration and use of the easement referred to in B above are to be in accordance with those charged for an agreement prepared pursuant to the Encroachment By-law.
- D. THAT the Director of Legal Services be authorized to execute all documents and plans required.

CARRIED UNANIMOUSLY

**4. Minor Amendments to the Street and Traffic By-law 2849 and the Contracting Protocol for Antenna Installations on City-Owned Poles  
April 30, 2014**

- A. THAT Council amend the Street and Traffic By-Law, as described in the Administrative Report dated April 30, 2014, entitled "Minor Amendments to the Street and Traffic By-law 2849 and the Contracting Protocol for Antenna Installations on City-Owned Poles" and as generally set out in Appendix A of the same report.
- B. THAT the Director of Legal Services be requested to prepare the necessary amendments to the Street and Traffic By-law.

- C. THAT Council approve the amendment and restatement of the last paragraph (Section 8) of the "Contracting Protocol for Antenna Installations on City-Owned Poles" approved by Council on February 12, 2013 (the "Protocol") such that the last paragraph reads, in full, as follows: "License Agreements shall be based on the form approved by Vancouver City Council on July 24, 2013."

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

**BY-LAWS**

Councillor Louie advised he had reviewed the proceedings of the portion of Public Hearing related to By-laws 7, 8 and 9, and he would therefore be voting on the by-laws.

Councillor Reimer advised she had reviewed the proceedings of the portion of Public Hearing in relation to By-law 9, and she would therefore be voting on the by-law.

The Mayor noted that Councillor Tang was ineligible to vote on By-laws 7 and 8, and Councillor Stevenson was ineligible to vote on By-law 9, due to previously declared Conflicts of Interest.

MOVED by Councillor Louie

SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

1. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking requirements (2610 Victoria Drive) (By-law No. 10944)
2. A By-law to amend Parking By-law No. 6059 with regard to CD-1 Districts Parking requirements ( 516 West 50<sup>th</sup> Avenue and 6629-6709 Cambie Street) (By-law No. 10945)
3. A By-law to amend Subdivision By-law No. 5208 (516 West 50<sup>th</sup> Avenue and 6629-6709 Cambie Street) (By-law No. 10946)
4. A By-law to amend Club Regulation By-law No. 2647 regarding miscellaneous amendments (By-law No. 10947)
5. A By-law to amend License By-law No. 4450 regarding health enhancement centres and other miscellaneous amendments (By-law No. 10948)
6. A By-law to amend Noise Control By-law No. 6555 regarding a housekeeping amendment to add Family Day to the definition of "holiday" (By-law No. 10949)
7. A By-law to amend Zoning and Development By-law No. 3575 to create new district schedules in accordance with the Marpole Community Plan (RM-8 and RM-8N Districts Schedule, RM-9 and RM-9N Districts Schedule and related consequential amendments) (By-law No. 10950)  
*(Councillor Tang ineligible to vote due to Conflict of Interest)*
8. A By-law to amend Sign By-law No. 6510 (RM-8 and RM-8N Districts Schedule, RM-9 and RM-9N Districts Schedule and Marpole Community Plan) (By-law No. 10951)  
*(Councillor Tang ineligible to vote due to Conflict of Interest)*
9. A By-law to amend CD-1 By-law No. 4412 (100 West 49<sup>th</sup> Avenue, Langara College) (By-law No. 10952)  
*(Councillor Stevenson ineligible to vote due to Conflict of Interest)*

## MOTIONS

### A. Administrative Motions

1. **Proposed Closure of Portions of Nanaimo Street and East Broadway Adjacent to 2408 East Broadway**

MOVED by Councillor Louie  
SECONDED by Councillor Reimer

### 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. The authority for stopping up streets and for regulating encroachments thereon is contained in Section 291 of the Vancouver Charter;
3. Portions of the building constructed on Lot 1 South West ¼ of Section 34 Town of Hastings Suburban Lands Plan LMP9305 encroach onto Nanaimo Street and East Broadway;
4. The portions of Nanaimo Street and East Broadway which are encroached upon, abutting said Lot 1, were dedicated by the deposit of Plan 100 circa 1886, Plan 1187 in 1906 and Plan LMP9305 in 1993;
5. To provide for the registration of an easement to contain the said encroachments onto Nanaimo Street and East Broadway, as required by Section 244 of the Strata Property Act, it is necessary to raise title to the portions of Nanaimo Street and East Broadway that are encroached upon;
6. To enable Council to grant the required easement to contain the said encroachments, it is necessary for Council to close and stop-up the volumetric portions of Nanaimo Street and East Broadway that are encroached upon;

THEREFORE BE IT RESOLVED THAT the Director of Legal Services be authorized to make application on behalf of the City of Vancouver to raise title in the name of the City of Vancouver to those portions of road dedicated by the deposit of Plans 100, 1187 and LMP9305, and included within the heavy bold outline on the Reference Plan, Plan EPP39916, completed by Muliawan Koesoema, B.C.L.S., on the 9th day of April, 2014 (File: VEB-2402REF); and

BE IT FURTHER RESOLVED THAT all those volumetric portions of Nanaimo Street and East Broadway included within heavy bold outline and illustrated isometrically on the Explanatory Plan, Plan EPP39917, prepared by Muliawan Koesoema, B.C.L.S., and dated the 9th day of April, 2014 (File: VEB-2402EXP), be closed, stopped-up and that an easement be granted to the owner of abutting Lot 1 South West ¼ of Section 34 Town of Hastings Suburban Lands Plan LMP9305 to contain the portions of the existing building which encroach onto Nanaimo Street and East Broadway; the said easement to be to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

**B. Motions on Notice**

**1. Request for Leave of Absence - Councillor Ball**

MOVED by Councillor Deal  
SECONDED by Councillor Jang

THAT Councillor Ball be granted Leave of Absence for Medical Reasons from all meetings to be held on June 19, 2014.

CARRIED UNANIMOUSLY

**2. Request for Leave of Absence - Councillor Stevenson**

MOVED by Councillor Ball  
SECONDED by Councillor Jang

THAT Councillor Stevenson be granted Leave of Absence for Personal Reasons from all meetings to be held on June 3 and 4, 2014.

CARRIED UNANIMOUSLY

**3. Genetically-Engineered (GE) Free Zone in the City of Vancouver**

MOVED by Councillor Carr  
SECONDED by Councillor Reimer

WHEREAS

1. Vancouver has adopted strategies with the goal of making our city more bird-friendly and bee-friendly;
2. Some genetically-engineered (GE) organisms incorporate pesticides, particularly neonicotinoids, that scientists have linked to declines in butterfly and bird populations and to bee colony collapse disorder (CCD) which is devastating bee populations;
3. The Union of BC Municipalities (UBCM) passed a resolution in 2013 to ask the Government of BC to legislate BC as a GE Free area in respect to all plant and animal species;
4. In the absence of provincial legislation, many BC municipalities have declared themselves as GE-Free zones including North Vancouver, Richmond, Saanich, Nelson and Powell River.



THEREFORE BE IT RESOLVED

- A. THAT the planting and growing of genetically modified crops, trees, and plants be banned in the City of Vancouver.
- B. THAT the City call upon the Federal and Provincial governments to implement a regime of mandatory labelling of all genetically modified organisms (GMOs) for sale in BC and Canada.
- C. THAT the City call upon the Federal and Provincial governments to impose a moratorium on bringing further GMOs to market for sale until a regime of independent and transparent scientific assessment and GMO management is introduced.
- D. THAT staff be directed to investigate the opportunities to ban the sale of GMO crops, meat, fish, poultry and seeds in the City of Vancouver.
- E. THAT this resolution be circulated to the Premier, Prime Minister, all Vancouver MLAs and MPs, the Federation of Canadian Municipalities and the Union of British Columbia Municipalities.

referred

REFERRAL MOVED by Councillor Deal

THAT the motion be referred to the Vancouver Food Policy Council for consideration during their ongoing work on the issue of genetically-engineered organisms in the city of Vancouver.

CARRIED UNANIMOUSLY

**4. Historical Discrimination Against People of Chinese Descent in Vancouver**

*The following motion contains additional wording in the first "Resolved" to the original Motion on Notice, which was accepted by Council.*

MOVED by Councillor Louie  
SECONDED by Councillor Tang

WHEREAS

1. The Prime Minister of Canada has formally apologized in the House of Commons for the Chinese Head Tax and subsequent exclusion of Chinese immigrants;

2. The British Columbia Legislature apologizes for more than a hundred laws, regulations, and policies that were imposed by past provincial governments that discriminated against people of Chinese descent since 1871, when British Columbia joined Confederation, to 1947;
3. The City of New Westminster has issued a formal apology for past discriminatory practices towards the Chinese community; and
4. The City of Vancouver has proclaimed June 21, 2013, to June 20, 2014, as the Year of Reconciliation in Vancouver.

THEREFORE BE IT RESOLVED THAT Vancouver City Council direct staff to conduct research into the laws, regulations and policies of previous Vancouver City Councils that discriminated against the people of Chinese descent in the City of Vancouver from 1886 to 1947 and subsequent years as identified through the initial research, and consult with the Vancouver Chinese community, historians and Chinese community organizations on the research findings; and

BE IT FURTHER RESOLVED THAT Vancouver City Council direct staff to report back to Council with recommendations on steps and actions in support of reconciliation, including a public acknowledgement and formal apology.

CARRIED UNANIMOUSLY

#### NEW BUSINESS

1. **Request for Leave of Absence - Councillor Louie**

MOVED by Councillor Jang  
SECONDED by Councillor Ball

THAT Councillor Louie be granted Leave of Absence for Civic Business from all meetings to be held on June 24 and 25, 2014.

CARRIED UNANIMOUSLY

2. **Request for Leave of Absence - Councillor Meggs**

MOVED by Councillor Stevenson  
SECONDED by Councillor Jang

THAT Councillor Meggs be granted Leave of Absence for Civic Business from the Regular Council meeting on May 27, 2014.

CARRIED UNANIMOUSLY

**3. Request for Leave of Absence - Councillor Affleck**

MOVED by Councillor Stevenson  
SECONDED by Councillor Jang

THAT Councillor Affleck be granted Leave of Absence for Personal Reasons from all meetings to be held on June 24, 2014.

CARRIED UNANIMOUSLY

**ENQUIRIES AND OTHER MATTERS**

**1. Community Policing Centres**

Councillor Tang enquired on the South Vancouver Community Policing Centre lease negotiations. Sadhu Johnston, Deputy City Manager, noted staff have been working with the organization and the landlord, and will provide further updates to Council as the discussions proceed.

**2. BC Ambulance Service Resource Allocations - Costs to City**

Councillor Louie requested an Information Memorandum from staff outlining the additional costs to the City resulting from the changes to the BC Ambulance Service resource allocations, whereby Fire and Rescue Services staff are required to remain on scene for longer periods of time.

**ADJOURNMENT**

MOVED by Councillor Stevenson  
SECONDED by Councillor Jang

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

The Council adjourned at 11:45 am

\* \* \* \* \*