



CITY OF VANCOUVER

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REGULAR COUNCIL MEETING MINUTES

APRIL 15, 2008

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, April 15, 2008, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT:

- Mayor Sam Sullivan
- Councillor Suzanne Anton
- Councillor Elizabeth Ball
- Councillor David Cadman
- Councillor Kim Capri
- *Councillor George Chow
- Councillor Heather Deal
- Councillor Peter Ladner
- Councillor B.C. Lee
- *Councillor Raymond Louie
- Councillor Tim Stevenson

CITY MANAGER'S OFFICE:

- Judy Rogers, City Manager
- James Ridge, Deputy City Manager

CITY CLERK'S OFFICE:

- Syd Baxter, City Clerk
- Tarja Tuominen, Meeting Coordinator

*Denotes absence for a portion of the meeting.

PRAYER

The proceedings in the Council Chamber were opened with a prayer read by the City Clerk.

"IN CAMERA" MEETING

MOVED by Councillor Louie
SECONDED by Councillor Cadman

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

- (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;

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

CARRIED UNANIMOUSLY

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF APRIL 1, 2008

Council approved appointments to the Vancouver Chinatown Historic Area Planning Committee.

Names of those appointed can be obtained from the City Clerk's Office.

ADOPTION OF MINUTES

1. Regular Council - April 1, 2008

MOVED by Councillor Lee
SECONDED by Councillor Ball

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Regular Council (City Services and Budgets) - April 3, 2008

MOVED by Councillor Ladner
SECONDED by Councillor Anton

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. Regular Council (Planning and Environment) - April 3, 2008

MOVED by Councillor Capri
SECONDED by Councillor Ball

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

4. Special Council (EcoDensity) - February 26, 27, March 3, 4, 13, April 2 and 3, 2008

MOVED by Councillor Louie
SECONDED by Councillor Anton

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Ball

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Louie

THAT Council adopt the Communication, Administrative Reports A1, A3 to A7, A9 and Policy Report P1, on consent.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

1. EcoDensity - Draft Charter and Draft Initial Actions - Next Steps (VanRIMS No. 11-2400-10)

On February 26 and 27; March 3, 4 and 13; and April 2 and 3, 2008, Vancouver City Council heard from speakers on EcoDensity, and referred discussion and decision to the Regular Council Meeting on April 15, 2008, as Unfinished Business.

Before Council was a memorandum from the Director of Planning dated April 10, 2008, which submitted for consideration two options to address issues of timing and opportunity for public comment on the report back.

Brent Toderian, Director of Planning, and Cameron Gray, Director of Housing, summarized the many comments heard from the delegations over the seven evenings of meetings, and responded to questions.

MOVED by Councillor Anton

- A. THAT, after completion of the EcoDensity Special Council meeting, Council instruct the Director of Planning to report back with revisions to the draft Charter and draft Initial Actions, in response to public input received.
- B. THAT staff report back on June 10, 2008 with the report posted on the web by May 13, to provide four weeks for public review; and that public comment be invited through written submissions instead of delegations.

carried

AMENDMENT MOVED by Councillor Deal

THAT B be amended by striking the words after "for public review" and inserting the following: "and if there are delegation requests, meetings be set up in June to hear all delegations".

LOST

(Councillors Anton, Ball, Capri, Ladner and Lee, and the Mayor opposed)

The amendment having lost, the motion was put. Council requested to separate the vote on the components of the motion.

- A. THAT, after completion of the EcoDensity Special Council meeting, Council instruct the Director of Planning to report back with revisions to the draft Charter and draft Initial Actions, in response to public input received.

CARRIED UNANIMOUSLY

- B(a). THAT staff report back on June 10, 2008 with the report posted on the web by May 13, to provide four weeks for public review; and

CARRIED UNANIMOUSLY

- B(b). that public comment be invited through written submissions instead of delegations.

CARRIED

(Councillors Cadman, Chow, Deal, Louie and Stevenson opposed)

COMMUNICATIONS

1. Amendments to Business License Hearing Panels for April 2008

THAT the Chairs of the Business License Hearing Panels for April 23 and 29, 2008, be switched, as follows:

April 23, 2008 - 9:30am

Councillor George Chow, Chair (to replace Councillor Stevenson)

April 29, 2008 - 9:30am

Councillor Tim Stevenson, Chair (to replace Councillor Chow as Chair).

ADOPTED ON CONSENT

ADMINISTRATIVE REPORTS

1. License By-law No. 4450 - Housekeeping Amendments March 13, 2008 (VanRIMS No. 08-4000-12)

- A. THAT Council approve an amendment to Section 7 of the License By-law to update the section referring to delegation of authority as outlined in the Administrative Report *License By-law No. 4450 - Housekeeping Amendments* dated March 13, 2008.
- B. THAT Council request the Director of Legal Services to prepare the necessary amendment to the License By-law generally in accordance with the Administrative Report.

ADOPTED ON CONSENT

2. Award of Construction Contract for the Renovation of Level 2 at 1800 Spyglass Place for the 311 Contact Centre April 1, 2008 (VanRIMS No. 03-1200-30)

MOVED by Councillor Lee

- A. THAT, subject to the conditions set out in B, C, and D below, CDC Construction Ltd. be awarded the contract for the renovation of Level 2 at 1800 Spyglass Place for the 311 Contact Centre for a contract value of \$647,979.00 plus GST . Source of funds: the previously approved 311 Contact Centre Building & Tenant Improvements Budget.
- B. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement A above.

- C. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Corporate Services and the Director of Legal Services.
- D. THAT no legal rights or obligations will be created or arise by Council's adoption of A, B, and C above unless and until such legal documents are executed and delivered by the Director of Legal Services.

CARRIED

(Councillor Deal opposed)

(Councillor Chow absent for the vote)

3. **Application for Payment-in-Lieu of Parking at 53 West Hastings Street
March 12, 2008 (VanRIMS No. 13-5500-10)**

- A. THAT Council approve in principle, the offer of payment-in-lieu in the amount of \$40,400 by Mark Kopinya of Salient Developments [Paris] Ltd. for the waiver of two parking spaces required by Section 4.1.2 of the Parking By-law.
- B. THAT the Director of Legal Services be requested to bring forward a By-Law to amend Schedule A of the Parking By-Law pursuant to Section 4.12.5 to effect this waiver.

ADOPTED ON CONSENT

4. **Review of City's Maritime Collections - Award of Contract
March 31, 2008 (VanRIMS No. 11-2600-11)**

- A. THAT the City enter into an agreement with Commonwealth Historic Resource Management Limited (the "Consultant") to carry out an in-depth analysis and an independent appraisal of the City's maritime collections at a cost of \$56,825 plus GST and on such other terms as are set out in the Administrative Report *Review of City's Maritime Collections - Award of Contract*, dated March 31, 2008, or considered advisable by the Director of Legal Services, in consultation with the Managing Director of Cultural Services; source of funding to be the 2008 Cultural budget.
- B. THAT no legal rights are hereby created and none shall arise until the agreement is drawn to the satisfaction of the Director of Legal Services and executed by her on behalf of the City.

ADOPTED ON CONSENT

5. **Business License Hearing Panels for May 2008**
April 3, 2008 (VanRIMS No. 08-2000-40)

THAT Council delegate the holding of the Business License Hearings presently scheduled for May 7, 2008, from 9:30am to 12:30pm; May 22, 2008, from 7:30pm to 10:30pm; and May 27, 2008, from 9:30am to 12:30pm, to a panel of three Council Members, pursuant to Section 277.1 of the Vancouver Charter, as follows:

The Business License Hearings pursuant to Section 275 of the Vancouver Charter regarding referrals to Council by the Chief License Inspector for the year 2008 business licenses and the power to make a Council decision in relation to those hearings be delegated to:

May 7, 2008 - 9:30am
Councillor Peter Ladner, Chair
Councillor Tim Stevenson
Councillor Suzanne Anton
Councillor Elizabeth Ball, Alternate

May 22, 2008 - 7:30pm
Councillor Heather Deal, Chair
Councillor Kim Capri
Councillor Raymond Louie
Councillor Tim Stevenson, Alternate

May 27, 2008 - 9:30am
Councillor Kim Capri, Chair
Councillor Elizabeth Ball
Councillor George Chow
Councillor BC Lee, Alternate

Should any of the above Members of Council be unable to attend the hearings, the hearings and the power to make a Council decision in relation to those hearings be delegated to the remaining two Councillors and alternate Councillors.

ADOPTED ON CONSENT

6. **Grant: HFBC Housing Foundation Purchase of 5550 Yew St.**
March 26, 2008 (VanRIMS No. 11-2400-10)

A. THAT, subject to B below, Council approve a capital grant of \$250,000 to the HFBC Housing Foundation for the purchase of 5550 Yew St. (Lot 20/21 of Lot 7, Block 17, DL 526, PL 4907 and PID: 011-280-093 & 011-280-107) to be secured by a Housing Agreement requiring that the property be owned and operated by a non-profit housing society with vacancies to be filled with core-need households for a term of 20 years as set out in the Administrative Report *Grant: HFBC Housing Foundation Purchase of 5550 Yew St.* dated March 26, 2008, with the source of funds to be the City-wide Development Cost Levies allocated to replacement housing.

- B. THAT no legal rights or obligations shall be created or arise from the approval of A above until all legal documentation is prepared and executed on terms and conditions to the satisfaction of the City's Director of Legal Services.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**7. 2008 Cultural Operating and Project Grants Allocation
April 1, 2008 (VanRIMS No. 05-5000-10)**

- A. THAT Council approve 92 Operating Grants for a total of \$2,463,700 and 27 Project Grants for a total of \$215,750 as listed in Appendix A of the Administrative Report *2008 Cultural Operating and Project Grants Allocation* dated April 1, 2008, for a total of \$2,679,450 including 3 conditional grants as noted. Source of funds to be the 2008 Cultural Grants budget.
- B. THAT Council approve 83 Operating supplemental grants for a total of \$300,000 and 19 Project supplemental grants for a total of \$50,000. Source of funds to be the 2008 Cultural Grants budget.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**8. 2008 Operating Budget - Final Estimates
April 9, 2008 (VanRIMS No. 05-1000-30)**

MOVED by Councillor Ladner

THAT Council approve the budget resolution attached as Appendix 2 to the Administrative Report *2008 Operating Budget - Final Estimates* dated April 9, 2008, thereby adopting the final 2008 Operating Budget with a property tax increase of 1.23%.

carried

AMENDMENT MOVED by Councillor Louie

THAT Council not approve one-time funding of \$300,000 for Project Civil City and reallocate the \$300,000 to the Board of Parks and Recreation to cover budgetary adjustments.

LOST

(Councillors Anton, Ball, Capri, Ladner and Lee, and the Mayor opposed)

AMENDMENT MOVED by Councillor Louie

THAT Contingency Reserve be reduced to \$2million.

LOST

(Councillors Anton, Ball, Capri, Ladner and Lee, and the Mayor opposed)

AMENDMENT MOVED by Councillor Louie

THAT Council approve an additional allocation of \$300,000 to the Library Board to provide additional access to Library Services.

LOST

(Councillors Anton, Ball, Capri, Ladner and Lee, and the Mayor opposed)

The amendments having lost, the motion was put and CARRIED UNANIMOUSLY.

9. **Southeast False Creek and Olympic Village - Award of Contract for Plaza Design and Construction Review**
April 3, 2008 (VanRIMS No. 11-2000-14)

- A. THAT a budget of \$550,000 be approved for the design and construction review services and related costs for the plaza in Southeast False Creek ("SEFC") Area 2A (the site for the Olympic Village), with source of funding to be the Park component of city-wide and area specific development cost levies as specified in the SEFC Financial Plan and Strategy.
- B. THAT, subject to the conditions set out in C, D and E below, the Director of Legal Services (on behalf of the City) be authorized to enter into a contract with Phillips Farevaag Smallemberg ("PFS") for design and construction review services for the plaza in SEFC Area 2A at an estimated cost of \$450,000 plus GST, with funding to be provided by the budget established pursuant to A above.
- C. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement B above.
- D. THAT all such legal documents be on terms and conditions satisfactory to the City Manager and the Director of Legal Services.
- E. THAT no legal rights or obligations will be created or arise unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

POLICY REPORTS

1. **CD-1 Text Amendment - 311 West 2nd Avenue
April 1, 2008 (VanRIMS No. 11-3600-20)**

THAT, subject to enactment of the CD-1 By-law for 311 West 2nd Avenue (approved in principle by Council on July 18, 2006), the Director of Planning be instructed to make application to amend the CD-1 By-law for 311 West 2nd Avenue to allow exemptions from the height and density provisions to facilitate access to landscaped rooftop areas for this proposed development, and that Council refer to Public Hearing the application together with draft CD-1 By-law amendments generally as presented in Appendix A of the Policy Report *CD-1 Text Amendment - 311 West 2nd Avenue* dated April 1, 2008.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law generally in accordance with Appendix A of the Policy Report for consideration at Public Hearing.

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 Stevenson

SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 9, and 11 to 13, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY AND
BY-LAW 5 BY THE REQUIRED MAJORITY

1. A By-law to amend Health By-law No. 9535 regarding signs to prohibit smoking in vehicles for hire (to set sign standards in vehicles for hire) (By-law No. 9624)
2. A By-law to amend Vehicles for Hire By-law No. 6066 regarding a housekeeping amendment (to delete a redundant anti-smoking provision) (By-law No. 9625)
3. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 71 East Hasting Street) (By-law No. 9626)
4. A By-law to designate certain real property as protected heritage property (re 71 East Hastings Street) (By-law No. 9627)
5. Heritage Taxation Exemption By-law for 71 East Hastings Street (By-law No. 9628)
6. A By-law to enact a Housing Agreement for 71 East Hastings Street (By-law No. 9629)
7. A By-law to amend License By-law No. 4450 regarding housekeeping amendment (By-law No. 9630)
8. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (re 5909 - 5989 Oak Street) (By-law No. 9631)
(Councillors Deal and Lee ineligible to vote on By-law No. 8)
9. A By-law to amend Subdivision By-law No. 5208 (re 5909 - 5989 Oak Street) (By-law No. 9632)
10. A By-law to impose fines for breaches of the Vancouver Charter or of by-laws that do not specify fines - WITHDRAWN
11. A By-law to modify fines for breaches of certain by-laws and related provisions and housekeeping changes (By-law No. 9633)
12. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 190 Prior Street) (By-law No. 9634)
13. A By-law to designate certain real property as protected heritage property (re 190 Prior Street) (By-law No. 9635)

MOTIONS

A. Administrative Motions

1. Form of Development: 5909 - 5989 Oak Street

MOVED by Councillor Louie
SECONDED by Councillor Chow

THAT the form of development for the CD-1 zoned site known as 5909-5989 Oak Street be approved generally as illustrated in Development Application No. DE411396 prepared by Stuart Howard Architects, and stamped "Received, City of Vancouver Planning Department, February 11, 2008", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Water Charges for Community Gardens

MOVED by Councillor Ladner
SECONDED by Councillor Capri

WHEREAS:

1. In May 2006, Vancouver City Council unanimously passed a motion to create 2,010 new food producing garden plots in the city by January 1, 2010 as an Olympic legacy;
2. Community Gardens in Vancouver are neighbourhood amenities that provide a valuable public service while contributing significantly to the City's environmental sustainability goals, physical activity goals, food security goals, community building goals and crime prevention goals;
3. At least 23 Community Gardens are located on property owned by the City or on land under the jurisdiction of the Vancouver Park Board;
4. Community Gardens are operated with limited funds on a non-profit basis by local residents - usually on a voluntary basis, many in economically challenged areas of the City;
5. Some Community Gardens pay a metered rate for water services while others pay a flat rate or none at all;

6. The cost of water use can represent a financial burden threatening the continued viability of those gardens or limiting access by low income residents;

THEREFORE BE IT RESOLVED THAT water use charges be deleted from utility bills issued to Community Gardens currently required to pay for water use, as well as for all future Community Gardens.

CARRIED UNANIMOUSLY

2. UBC Governance

MOVED by Councillor Anton
SECONDED by Councillor Ball

WHEREAS:

1. The City of Vancouver and the University of British Columbia enjoy a long shared history;
2. Successful global cities in the 21st Century will have knowledge-based economies;
3. UBC is one of the world's premier academic institutions and it is of great importance to the City and the Province of British Columbia that it maintain its pre-eminence as an academic institution;
4. Metro Vancouver has requested that UBC transfer its local government responsibilities from Metro Vancouver to a more suitable authority;
5. Joining the City is an option which may be investigated by UBC;
6. The option of joining the City raises many opportunities and issues for the City, some of which can be updated from previous work and others of which will be addressed for the first time.

THEREFORE BE IT RESOLVED THAT:

1. The City of Vancouver would welcome discussions regarding the joining of UBC to Vancouver; and
2. Staff are requested to report back on a consultant process to investigate the opportunities and the questions which need to be addressed should UBC wish to consider joining the City of Vancouver.

carried

AMENDMENT MOVED by Councillor Cadman

THAT the motion be amended to include the University Endowment Lands.

LOST

(Councillors Anton, Ball, Capri, Ladner and Lee, and the Mayor opposed)

The amendment having lost, the motion was put and CARRIED UNANIMOUSLY.

NOTICE OF MOTION

1. Affordable Rental Stock in the West End

The following Notice of Motion for the Regular Council meeting on April 29, 2008 was submitted by Councillor Stevenson and recognized by the Chair.

WHEREAS:

1. 82% of West End Residents rent;
2. there is a 0.2% vacancy rate in the West End;
3. the West End rental housing stock is diminishing;
4. affordable rental stock in the West End is diminishing.

THEREFORE BE IT RESOLVED THAT:

1. The City of Vancouver undertake a complete review and reworking of the 1989 zoning regulations and other pertinent regulations governing the residential and commercial districts in the West End in consultation with community groups and organizations, property owners, interested West Enders and City staff.
2. Put a moratorium on all requests for rezoning, whether pending or future, until a review and reworking of the current guidelines are completed and new guidelines are adopted and in place.
3. Ensure that all building maintenance standards are enforced throughout the West End so that all buildings remain in good order and habitable and are simply not being held with the view to redevelop at some time in the near or distant future.

Notice

ENQUIRIES AND OTHER MATTERS

1. Eviction of Tenants in Glenmore Building

Councillor Capri requested Housing Centre staff to provide a memorandum on the evictions of the tenants in the Glenmore Building in the West End. She also requested the staff to draft a letter for the Mayor to send to the appropriate provincial Minister with regard to Council's concern that RTA provisions are being neglected.

2. City of Vancouver Programs

Councillor Deal noted the recent announcement from the Province and the Mayor's Office on the Great Beginnings: Old Streets, New Pride project, and requested the City Manager to provide a memorandum on the appropriate use of the City's logo and identification of something as a City of Vancouver program.

The Council adjourned at 5:50 p.m.

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