



REPORT TO COUNCIL

3

STANDING COMMITTEE OF COUNCIL  
ON PLANNING AND ENVIRONMENT

DECEMBER 18, 2008

A Regular Meeting of the Standing Committee of Council on Planning and Environment was held on Thursday, December 18, 2008, at 2:17 p.m., in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Councillor Andrea Reimer, Chair  
Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor David Cadman  
Councillor George Chow  
Councillor Heather Deal, Vice-Chair  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Geoff Meggs  
Councillor Tim Stevenson\*  
Councillor Ellen Woodsworth

**CITY MANAGER'S OFFICE:** Penny Ballem, City Manager (*portion of Item 1*)  
David McLellan, General Manager, Community Services Group

**CITY CLERK'S OFFICE:** Tina Hildebrandt, Meeting Coordinator

\*Denotes absence for a portion of the meeting.

**ADOPTION OF MINUTES**

The Minutes of the Standing Committee on Planning and Environment meeting of October 30, 2008, were adopted.

**1. Enforcement of Standards of Maintenance By-Law**

At its meeting on December 16, 2008, Vancouver City Council agreed to refer the following Motion to the Standing Committee on Planning and Environment meeting on December 18, 2008, in order to hear from speakers.

Staff from Licenses & Inspections responded to questions.

The Committee heard from five speakers; three of whom spoke in support of the Motion and two of whom spoke in opposition and expressed concerns.

MOVED by Councillor Stevenson  
THAT the Committee recommend to Council

WHEREAS there is a shortage of safe, secure, affordable housing in Vancouver, particularly for low-income tenants;

WHEREAS the Standards of Maintenance By-law is one of the most important tools the City has to maintain and protect rental housing stock;

WHEREAS without enforcement of the Standards of Maintenance By-law, properties can degrade to the point that tenants are forced to leave;

WHEREAS the City has the ability, through the Standards of Maintenance By-law to repair buildings and charge the costs to the owner;

AND WHEREAS the costs borne to the City go beyond the repair of buildings or staff time, but also include emergency aid and shelter displaced tenants;

THEREFORE BE IT RESOLVED THAT:

- A. Staff provide a report to Council by the end of January 2009, listing all the orders issued under the Standards of Maintenance By-law in the Downtown Eastside in 2007 and 2008, describing the orders, the response to the orders by the owners of the affected buildings, and identifying which orders have resulted in compliance and which remain outstanding and instances which have resulted in partial or total building closure.
- B. Staff report back on the specific steps the City would have to undertake, and the additional resources that would be required to immediately exercise its powers under the Standards of Maintenance By-law to use its own staff and resources to repair a building in violation of the Standards of Maintenance By-law to bring it into compliance with the By-law.

CARRIED UNANIMOUSLY

## 2. Burrard Bridge Bike Lanes

At its meeting on December 16, 2008, Vancouver City Council agreed to refer the following Motion to the Standing Committee on Planning and Environment meeting on December 18, 2008, in order to hear from speakers.

Staff from Engineering Services responded to questions.

The Committee heard from six speakers, all of whom spoke in support of the Motion.

The following Motion reflects amendments to the Motion on Notice.

MOVED by Councillor Chow  
THAT the Committee recommend to Council

WHEREAS

City Council passed motions on Burrard Bridge Sidewalk Capacity Improvements for Pedestrians and Cyclists in July of 2005.

THEREFORE BE IT RESOLVED THAT

Staff prepare a report and implementation plan by the end of February 2009, on options for lane re-allocation trials on the Burrard Bridge in 2009, including the following:

- cost estimates, including queue jumper initiatives for public transit and emergency vehicles, recommendations for improved bicycle access on both the north and south ends of the bridge, schedule and duration of trials;
- recommendations for mid-trial evaluation;
- have a public education and awareness campaign involving all stakeholders; and
- hold a public meeting by the end of January 2009 to gather input from all stakeholders.

CARRIED  
(Councillor Anton opposed)

### 3. Residential Tenancy Act

At its meeting on December 16, 2008, Vancouver City Council agreed to refer the following Motion to the Standing Committee on Planning and Environment meeting on December 18, 2008, in order to hear from speakers.

Staff from Social Development responded to questions.

The Committee heard from fifteen speakers; twelve of whom spoke in support of the Motion and three of whom spoke in opposition and expressed concerns.

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*Council recessed at 5:04 p.m. and reconvened at 5:20 p.m., all members present with the exception of Councillors Deal, Meggs and Stevenson, and the Mayor.*

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*MOVED by Councillor Cadman*

*THAT, under Section 2.3 (c) of the Procedure By-law, Council extend the length of the Standing Committee on Planning and Environment meeting by one hour to end at 7:00 p.m.*

*CARRIED AND BY THE  
REQUIRED MAJORITY  
(Councillor Anton opposed)  
(Councillor Stevenson and the Mayor absent for the vote)*

\* \* \* \* \*

The following Motion reflects amendments to the Motion on Notice.

MOVED by Councillor Deal  
THAT the Committee recommend to Council

WHEREAS Vancouver has a shortage of quality, affordable rental housing;

WHEREAS there are renters who are signing voluntary rent increase letters above and beyond the legislated cap of 4% per year rent increases;

WHEREAS tenants are being evicted from their homes by landlords for cosmetic renovations to their suites;

WHEREAS landlords are using loopholes in the Residential Tenancy Act to force renters from their homes in order to obtain massive rent increases far beyond the legislated 4% per year rent increases;

WHEREAS a lack of rental housing exacerbates Vancouver's labour shortage, particularly in neighbourhoods like the West End;

AND WHEREAS over half of the city of Vancouver rents;

A. THAT Council ask the Province to amend the Residential Tenancy Act to:

- Require landlords to provide tenants evicted for the purpose of renovations with the right of first refusal to reoccupy their units once renovations are completed at the same rent as they were paying prior to the renovations, with the next annual increase limited to "inflation + 5%" per year, and subject to justification by the landlord;
- Limit increases allowed to bring rents to average market rents for comparable units in the vicinity to "inflation + 5%" per year, and subject to justification by the landlord;
- Extend the notice period for evictions from 60 to 90 days;

- Require that all municipal building and other permits to be issued and that the Residential Tenancy Branch approve a termination of tenancies for the purpose of renovations after hearing from the tenants and the landlords in a public forum before eviction notices for the purpose of renovations can be issued; and
  - Require that landlords report rent rolls, rent increases, tenant turnover, number and reason for evictions annually to the Residential Tenancy Branch, and that the Residential Tenancy Branch publish an annual report on rents, rent increases, turnover and evictions.
- B. THAT Council ask the Province to investigate ways to prohibit landlords from abusing the use of their property, in order to protect tenants from being unfairly evicted.
- C. THAT Council ask the Province to look at measures that could open up vacant condo units for rental.
- D. THAT Council ask the Province to establish a Vancouver office of the Residential Tenancy Branch either downtown or along the Broadway corridor.
- E. THAT Staff be directed to report back by the end of February, 2009 with amendments to the City's Official Development Plan governing the rate of change of rental housing to require Council's approval for any material changes to a rental unit, such as a change to the number of bedrooms, which could lead to the eviction of the current tenants.

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*MOVED by Councillor Louie*

*THAT, under Section 2.3 (c) of the Procedure By-law, Council extend the length of the Standing Committee on Planning and Environment meeting by one hour to end at 8:00 p.m.*

*CARRIED AND BY THE  
REQUIRED MAJORITY  
(Councillor Anton opposed)*

\* \* \* \* \*

The Committee agreed to separate the vote on the Motion in two parts.

FINAL MOTION AS ADOPTED  
THAT the Committee recommend to Council

WHEREAS Vancouver has a shortage of quality, affordable rental housing;

WHEREAS there are renters who are signing voluntary rent increase letters above and beyond the legislated cap of 4% per year rent increases;

WHEREAS tenants are being evicted from their homes by landlords for cosmetic renovations to their suites;

WHEREAS landlords are using loopholes in the Residential Tenancy Act to force renters from their homes in order to obtain massive rent increases far beyond the legislated 4% per year rent increases;

WHEREAS a lack of rental housing exacerbates Vancouver's labour shortage, particularly in neighbourhoods like the West End;

AND WHEREAS over half of the city of Vancouver rents;

A. THAT Council ask the Province to amend the Residential Tenancy Act to:

- Require landlords to provide tenants evicted for the purpose of renovations with the right of first refusal to reoccupy their units once renovations are completed at the same rent as they were paying prior to the renovations, with the next annual increase limited to "inflation + 5%" per year, and subject to justification by the landlord;
- Limit increases allowed to bring rents to average market rents for comparable units in the vicinity to "inflation + 5%" per year, and subject to justification by the landlord;
- Extend the notice period for evictions from 60 to 90 days;
- Require that all municipal building and other permits to be issued and that the Residential Tenancy Branch approve a termination of tenancies for the purpose of renovations after hearing from the tenants and the landlords in a public form before eviction notices for the purpose of renovations can be issued; and
- Require that landlords report rent rolls, rent increases, tenant turnover, number and reason for evictions annually to the Residential Tenancy Branch, and that the Residential Tenancy Branch publish an annual report on rents, rent increases, turnover and evictions.

B. THAT Council ask the Province to investigate ways to prohibit landlords from abusing the use of their property, in order to protect tenants from being unfairly evicted.

C. THAT Council ask the Province to look at measures that could open up vacant condo units for rental.

CARRIED  
(Councillor Anton opposed)  
(Councillor Stevenson absent for the vote.)

- D. THAT Council ask the Province to establish a Vancouver office of the Residential Tenancy Branch either downtown or along the Broadway corridor.
- E. THAT Staff be directed to report back by the end of February, 2009 with amendments to the City's Official Development Plan governing the rate of change of rental housing to require Council's approval for any material changes to a rental unit, such as a change to the number of bedrooms, which could lead to the eviction of the current tenants.

CARRIED UNANIMOUSLY  
(Councillor Stevenson absent for the vote.)

The Committee adjourned at 7:17 p.m.

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REGULAR COUNCIL MEETING MINUTES  
STANDING COMMITTEE OF COUNCIL ON  
PLANNING AND ENVIRONMENT

DECEMBER 18, 2008

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, December 18, 2008, at 7:17 p.m., in the Council Chamber, Third Floor, City Hall, following the Standing Committee on Planning and Environment meeting, to consider the recommendations and actions of the Committee.

**PRESENT:** Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor David Cadman  
Councillor George Chow  
Councillor Heather Deal  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Geoff Meggs  
Councillor Andrea Reimer  
Councillor Ellen Woodsworth

**ABSENT:** Councillor Tim Stevenson

**CITY MANAGER'S OFFICE:** David McLellan, General Manager, Community Services Group

**CITY CLERK'S OFFICE:** Tina Hildebrandt, Meeting Coordinator

**ROLL CALL**

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Deal  
SECONDED by Councillor Cadman

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

**CARRIED UNANIMOUSLY**

**COMMITTEE REPORTS**

Report of Standing Committee on Planning and Environment  
December 18, 2008

Council considered the report containing the recommendations and actions taken by the Standing Committee on Planning and Environment. Its items of business included:



1. Enforcement of Standards of Maintenance By-law
2. Burrard Bridge Bike Lanes
3. Residential Tenancy Act

Items 1 - 3

MOVED by Councillor Cadman

THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of Thursday, December 18, 2008, as contained in items 1 - 3, be approved.

CARRIED UNANIMOUSLY

#### 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 Deal  
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

The Council adjourned at 7:19 p.m.

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