

REGULAR COUNCIL MEETING MINUTES

NOVEMBER 1, 2011

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, November 1, 2011, at 2:00 pm, in the Council Chamber, Third Floor, City Hall.

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 Tim Stevenson
- Councillor Ellen Woodsworth

CITY MANAGER'S OFFICE:

- Penny Ballem, City Manager
- Sadhu Johnston, Deputy City Manager

CITY CLERK'S OFFICE:

- Marg Coulson, City Clerk
- Laura Kazakoff, Meeting Coordinator

PRAYER

The proceedings in the Council Chamber were opened with a prayer read by Councillor Meggs.

PROCLAMATION - RED RIBBON MONTH

The Mayor proclaimed November as Red Ribbon Month in the city of Vancouver and invited Bradford McIntyre, Vice-Chair, Board of Directors, AIDS Vancouver, and Brian Chittock, Executive Director, AIDS Vancouver, to the podium to receive the proclamation and say a few words about the month.

"IN CAMERA" MEETING

THAT Council will go into a meeting later this day and/or on Thursday, November 3, 2011, which is closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraphs:

(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;

(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*.

CARRIED UNANIMOUSLY

ITEM ARISING FROM THE "IN CAMERA" MEETING OF OCTOBER 18, 2011

- Council appointed Neal Stratton, Director of Financial Planning and Analysis, as a Deputy Director of Finance, and removed Annette Klein, Director of Operational Information and Planning, as a Deputy Director of Finance.

ADOPTION OF MINUTES

1. Regular Council - October 18, 2011

MOVED by Councillor Deal
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Special Council (Public Hearing) - October 18, 2011

MOVED by Councillor Deal
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Services and Budgets) - October 20, 2011

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (Planning and Environment) - October 20, 2011

MOVED by Councillor Reimer
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

Councillor Anton rose and declared a Conflict of Interest in regard to Administrative Reports A1 and A2, and the related Administrative Motions 1 and 2 to be dealt with later in the meeting, as her husband is an auditor for Telus. Councillor Anton therefore did not vote on the two Administrative Reports or Administrative Motions.

MOVED by Councillor Stevenson

THAT Council adopt Administrative Reports A1 to A3 on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. Occupy Vancouver

Penny Ballem, City Manager, and Sadhu Johnston, Deputy City Manager, provided a presentation to update Council on the ongoing Occupy Vancouver action, and the measures being undertaken by the City and its partners to deal with and monitor the situation. Chief Constable Jim Chu, Fire Chief John McKearney, and Judy Graves, Tenant Assistance Program Coordinator, were also in attendance and responded to questions.

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Council recessed at 3:40 pm, and reconvened at 3:55 pm.

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PRESENTATION - CULTURAL HARMONY AWARDS 2011

Mayor Gregor Robertson and Commissioner Aaron Jasper, Chair, Park Board, recognized the following 2011 Cultural Harmony Award recipients and invited Nathalie Tarkowska, French Editor, and Sam Ramos, Editor, The Source/La Source, Sadie Kuehn, and Eric Wong, to the podium to receive the awards and say a few words:

- | | |
|----------------------------------|---------------------------------|
| • The Source/La Source Newspaper | Organization Award |
| • Sadie Kuehn | Individual Award |
| • Eric Wong | Individual - Honourable Mention |

The Mayor invited Council and guests to a reception in honour of the Cultural Harmony Awards recipients.

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Council recessed at 4:30 pm, and, following a reception in the Mayor's Office, reconvened at 5:05 pm.

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REPORT REFERENCE (CONT'D)

2. Snow and Ice Removal

Neal Carley, Director - Streets, and Murray Wightman, Manager - Streets Operations, Engineering Services, provided a presentation outlining the preparations being undertaken with regard to snow and ice removal from city streets during the upcoming winter months, and along with Chris Dodd, Superintendent, Maintenance, Streets Operations, responded to questions.

ADMINISTRATIVE REPORTS

1. 555 Robson Street (Telus Garden) - Closure and Sale of Lane October 6, 2011

THAT Council close, stop-up and convey to the owners of 555 Robson Street (TELUS Communications Inc.) that approximately 214.1 square metre portion of lane (hereinafter, the "City Lane"), as generally shown hatched on the sketch attached as Appendix "A" to the Administrative Report dated October 6, 2011, entitled "555 Robson Street (Telus Garden) - Closure and Sale of Lane", to be consolidated with the

abutting lands subject to the terms and conditions as noted in Appendix "B" of the same Administrative Report;

FURTHER THAT the sale proceeds of \$115,250 be credited to the Property Endowment Fund.

ADOPTED ON CONSENT

(Councillor Anton ineligible for the vote due to Conflict of Interest)

**2. 555 Robson Street (Telus Garden) - Lease of Volumetric Portions of Seymour and Richards Streets
October 18, 2011**

- A. THAT Council authorize the Director of Legal Services, ("DLS"), to apply and raise title in the name of the City of Vancouver to those portions of Seymour and Richards Streets, the same as shown generally in bold outline on the plan attached as Appendix "A" to the Administrative Report dated October 18, 2011, entitled "555 Robson Street (Telus Garden) - Lease of Volumetric Portions of Seymour and Richards Streets", to contain the office building projections proposed to be constructed under the CD-1 Rezoning - 555 Robson Street, 775 Richards Street, 520 West Georgia Street (Telus Garden) Application (the "Telus Garden Rezoning").
- B. THAT Council close, stop-up, and authorize the Director of Real Estate Services ("DRES") to enter into a lease for the volumetric portions of Seymour and Richards Streets (the "Lease Premises") with Telus Communications Inc., or their permitted assignee (the "Lessee"), as shown generally within bold outline and illustrated isometrically on the plan attached as Appendix "B" to the Administrative Report dated October 18, 2011, entitled "555 Robson Street (Telus Garden) - Lease of Volumetric Portions of Seymour and Richards Streets", subject to the terms and conditions as noted in Appendix "C" of the same Administrative Report.
- C. THAT the lease payments for the Lease Premises be based on the annual charges as prescribed in the Encroachment Bylaw and allocated to the Encroachment Revenue Account.
- D. THAT Council authorize the General Manager of Engineering Services ("GMES") to approve minor and inconsequential amendments to the dimensions of the Lease Premises upon provision of legal survey plans and as-built surveys prepared by a British Columbia Land Surveyor.

ADOPTED ON CONSENT

(Councillor Anton ineligible for the vote due to Conflict of Interest)

**3. Closure of Terry Fox Way and Triangle Sites between Pacific Boulevard and Expo Boulevard - 777 Pacific Boulevard
October 18, 2011**

THAT Council close, stop-up and convey to the owner of 777 Pacific Boulevard, BC Pavilion Corporation ("PavCo"), that approximately 1548 square metre portion of Terry Fox Way (the "Surplus Road Area") as generally shown hatched on the sketch attached as Appendix "A" to the Administrative Report dated October 18, 2011, entitled "Closure of Terry Fox Way and Triangle Sites between Pacific Boulevard and Expo Boulevard - 777 Pacific Boulevard" and those approximately 608 and 9 square metre portions (the "Triangle Sites"), as generally shown shaded on the sketch attached as Appendix "A" to the same Administrative Report, such transfers to be subject to the terms and conditions of the BC Place Upgrade Commitment Agreement and the terms and conditions as noted in Appendix "B" of the same Administrative Report.

ADOPTED ON CONSENT

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Stevenson

SECONDED by Councillor Deal

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 1-8 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to exempt from taxation certain lands and improvements pursuant to section 396 of the Vancouver Charter (By-law No. 10385)
2. A By-law to amend Noise Control By-law No. 6555 (2402 East Broadway) (By-law No. 10386)
3. A By-law to designate certain real property as protected heritage property (1196 West 59th Avenue - The Ramsay Residence) (By-law No. 10387)
(Councillor Chow ineligible for the vote)
4. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (1196 West 59th Avenue - The Ramsay Residence) (By-law No. 10388)
(Councillor Chow ineligible for the vote)
5. A By-law to amend Vehicles for Hire By-law No. 6066 regarding Car-Sharing Vehicles (By-law No. 10389)
6. A By-law to enact a Housing Agreement for 7101-7201 Granville Street (Shannon Mews) (By-law No. 10390)
(Councillor Jang ineligible for the vote)
7. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (8495 Granville Street) (By-law No. 10391)
8. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (428 Terminal Avenue) (By-law No. 10392)

MOTIONS

A. Administrative Motions

1. 555 Robson Street (Telus Garden) - Closure and Sale of Lane

MOVED by Councillor Woodsworth

SECONDED by Councillor Jang

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 owner of Lot 1 Block 54 District Lot 541 Plan 15050 ("Lot 1") has made application to purchase an abutting 20 foot wide portion of lane west of Richards Street, south from Georgia Street;

3. The said portion of lane to be closed was dedicated by the deposit of Plan 210 circa 1900;
4. The said portion of lane to be closed is no longer required for municipal purposes;
5. The said portion of lane to be closed will be conveyed to the owner of Lot 1 and subdivided with Lot 1, and Lots 32 and 33 Plan 210 and Lots 34 and 35 Plan 8259 all of Block 54 District Lot 541 (the "City Parkade Lands"), to form a single parcel.

THEREFORE BE IT RESOLVED THAT all that portion of lane west of Richards Street, south from Georgia Street, the same as shown in heavy outline on the Reference Plan prepared by James G. Shaw, B.C.L.S., completed and checked on the 19th day of October, 2011, and marginally noted "File: 2112-08111-03", be closed, stopped-up and conveyed to the owner of abutting Lot 1; and

BE IT FURTHER RESOLVED THAT the said portion of lane to be closed is to be subdivided with Lot 1 and the City Parkade Lands to form a single parcel, to the satisfaction of the Director of Legal Services and the Approving Officer.

CARRIED UNANIMOUSLY
(Councillor Anton ineligible for the vote due to Conflict of Interest)

2. 555 Robson Street (Telus Garden) - Lease of Volumetric Portions of Seymour and Richards Streets

MOVED by Councillor Woodsworth
SECONDED by Councillor Jang

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 Lot A Block 54 District Lot 541 BCP _____ ("Lot A") for commercial purposes;
3. The proposal seeks to construct projections of an office building within a volumetric portion of Seymour Street and a volumetric portion of Richards Street both abutting Lot A (the "Volumetric Portions");
4. The owner of Lot A has applied to lease the Volumetric Portions;
5. The Volumetric Portions consist of City street dedicated by the deposit of Plan 210;
6. The Volumetric Portions are not required for municipal purposes;

7. To provide for the registration of the said lease it is necessary to raise title to the portions of Seymour Street and Richards Street that contain the Volumetric Portions;
8. To enable the lease of the Volumetric Portions to be registered it is necessary for Council to close and stop-up the Volumetric Portions;

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 that portion of Seymour Street dedicated by the deposit of Plan 210 and included within the heavy bold outline on the Reference Plan prepared by James G. Shaw, B.C.L.S., completed and checked on the 19th day of October, 2011, and marginally numbered 2112-08111-09;

BE IT FURTHER RESOLVED THAT all that volumetric portion of Seymour Street included within heavy bold outline and illustrated isometrically on an Explanatory Plan prepared by James G. Shaw, B.C.L.S., completed and checked on the 20th day of October, 2011, and marginally numbered 2112-08111-10, be closed, stopped-up and leased to the owner of abutting Lot A Block 54 District Lot 541 Plan BCP_____. The lease to be to the satisfaction of the General Manager of Engineering Services and he Director of Legal Services;

BE IT FURTHER 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 that portion of Richards Street dedicated by the deposit of Plan 210 and included within the heavy bold outline on the Reference Plan prepared by James G. Shaw, B.C.L.S., completed and checked on the 19th day of October, 2011, and marginally numbered 2112-08111-11;

BE IT FURTHER RESOLVED THAT all that volumetric portion of Richards Street included within heavy bold outline and illustrated isometrically on an Explanatory Plan prepared by James G. Shaw, B.C.L.S., completed and checked on the 20th day of October, 2011, and marginally numbered 2112-08111-12, be closed, stopped-up and leased to the owner of abutting Lot A Block 54 District Lot 541 Plan BCP_____. The lease to be to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services.

CARRIED UNANIMOUSLY
(Councillor Anton ineligible for the vote due to Conflict of Interest)

3. Closure of Terry Fox Way and Triangle Sites between Pacific Boulevard and Expo Boulevard - 777 Pacific Boulevard

MOVED by Councillor Woodsworth
SECONDED by Councillor Jang

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 Lot 153 False Creek Plan 20421 ("Lot 153");
3. The proposal requires the closure of a portion of road (Terry Fox Way) and abutting newly dedicated road lying between Expo Boulevard and Pacific Boulevard;
4. The said portions of road to be closed were dedicated by the deposit of Plan 20421 on September 2, 1987, and Plan BCP_____;
5. The said portions of road to be closed are no longer required for municipal purposes;
6. The said portions of road to be closed will be conveyed to the owner of abutting Lot 153 and subdivided with Lot 153, to form a single parcel and dedicated road.

THEREFORE BE IT RESOLVED THAT all those portions of road between Expo Boulevard and Pacific Boulevard, the same as shown in heavy outline on the Reference Plan prepared by Jesse Morin, B.C.L.S., completed and checked on the 24th day of October, 2011, and marginally noted "Dwg: 3860-RC1", be closed, stopped-up and conveyed to the owner of abutting Lot 153; and

BE IT FURTHER RESOLVED THAT the said portions of road to be closed are to be subdivided with Lot 153 to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Annual Events

MOVED by Councillor Louie
SECONDED by Councillor Reimer

WHEREAS

1. Black History Month, Eid al-Adha, and World Refugee Day are all important events that reflect different dimensions of diversity in our City;
2. Each of these events represent meaningful cultural traditions that are observed and celebrated by a wide spectrum of Vancouver residents throughout the year and deserve special recognition;
3. These events represent the spirit of inclusiveness, intercultural understanding and community harmony that are an important part of our City's heritage.

THEREFORE BE IT RESOLVED THAT Black History Month, Eid al-Adha and World Refugee Day each be designated as a Special Event by the City of Vancouver and be funded as per Council Policy.

CARRIED UNANIMOUSLY

2. Chinatown Plan

The following Motion contains amendments to the original Motion on Notice, which were accepted by the mover.

MOVED by Councillor Anton
SECONDED by Councillor Louie

WHEREAS

1. Vancouver's Chinatown is one of the oldest and largest historic Chinatowns in North America;
2. On October 13, 2011, Vancouver Chinatown was declared a Canadian Heritage Site by the Federal Government of Canada;
3. During the last decade, Vancouver developed a series of work plans for Chinatown including the Chinatown Vision, Chinatown Neighbourhood Plan, and the Chinatown Economic Revitalization Plan, to preserve, develop and revitalize Chinatown;
4. A comprehensive report of the Chinatown Plan has not come to Council;

5. On October 7, 2011, the Vancouver Chinatown Revitalization Committee sent a letter to the Mayor and Council requesting that the City present the Chinatown Plan to Council for consideration and adoption.

THEREFORE BE IT RESOLVED THAT Council reaffirm the standing request that the comprehensive report "Chinatown Plan" be reviewed and presented to Council with recommendations for next steps.

CARRIED UNANIMOUSLY

NEW BUSINESS

1. Art Gallery Tent City

MOVED by Councillor Anton
NOT SECONDED

WHEREAS

1. A tent encampment has been set up at the Vancouver Art Gallery plaza since October 15, 2011;
2. The encampment is in breach of City by-laws;
3. The encampment is extremely costly to city taxpayers - over \$500,000 to date;
4. Council has not yet given direction to staff.

THEREFORE BE IT RESOLVED

- A. THAT a notice be sent forthwith from the City to the campers requesting an immediate removal of all structures from the Art Gallery plaza.
- B. THAT a staff team from groups including housing, engineering, community services, fire, health and police are requested to implement the removal of the structures in a peaceful manner.

not put

The motion, having not received a Seconder, was not put to a vote.

2. Request for Leaves of Absence - Councillor Chow and Councillor Reimer

MOVED by Councillor Stevenson
SECONDED by Councillor Louie

THAT Councillors Chow and Reimer be granted Leaves of Absence for personal reasons from the Public Hearing to be held on November 1, 2011.

CARRIED UNANIMOUSLY

The Council adjourned at 5:45 pm

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