



**CITY OF VANCOUVER**  
**REGULAR COUNCIL MEETING MINUTES**  
**MAY 10, 2005**

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, May 10, 2005, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Mayor Larry Campbell  
Councillor Fred Bass  
Councillor David Cadman  
Councillor Jim Green  
Councillor Peter Ladner  
Councillor Raymond Louie  
Councillor Tim Louis  
Councillor Anne Roberts  
Councillor Tim Stevenson  
Councillor Sam Sullivan  
Councillor Ellen Woodsworth

**CITY MANAGER'S OFFICE:** Judy Rogers, City Manager

**CITY CLERK'S OFFICE:** Syd Baxter, City Clerk  
Tarja Tuominen, Meeting Coordinator

**PRAYER**

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

**PRESENTATION - - VANCOUVER TAP DANCE SOCIETY (File 1051)**

Council welcomed Sasha Hodgson of the Vancouver Tap Dance Society (representing The Vancouver Children's Festival) who performed "Musicology".

**"IN CAMERA" MEETING**

MOVED by Councillor Cadman  
SECONDED by Councillor Bass

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):

- (h) litigation or potential litigation affecting the city;
- (i) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

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

CARRIED UNANIMOUSLY

**ADOPTION OF MINUTES**

**1. Special Council (Public Hearing) - April 12, 2005**

MOVED by Councillor Bass  
SECONDED by Councillor Roberts

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

**2. Regular Council (City Services and Budgets) - April 14, 2005**

MOVED by Councillor Louis  
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

**3. Regular Council (Planning and Environment) - April 14, 2005**

MOVED by Councillor Roberts  
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved, with the following amendment:

Page 3, Regular Council Minutes of April 14, 2005, the vote for the Unfinished Business item: substitute Councillor Louis for Councillor Louie for Council members opposed.

CARRIED UNANIMOUSLY

**4. Regular Council - April 26, 2005**

MOVED by Councillor Cadman  
SECONDED by Councillor Bass

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

## COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman  
SECONDED by Councillor Bass

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

CARRIED UNANIMOUSLY

## MATTERS ADOPTED ON CONSENT

MOVED by Councillor Bass

THAT Council adopt Communication 1, Administrative Reports A1 to A3, A6, A7, A9 and A12, and Policy Reports P1 to P4 and P6, on consent.

CARRIED UNANIMOUSLY

## REPORT REFERENCE

### 1. Revised Homeless Action Plan (File 4659)

Jill Davidson, Senior Housing Planner, presented a Report Reference on the Homeless Action Plan. City Council asked staff to prepare a Homeless Action Plan, which was received in draft form by Council in the fall of 2004. The draft Plan was circulated for public comment and the revised Plan was before Council this date.

Ms. Davidson reviewed the revised Plan and provided highlights of proposed actions under the following three strategic directions:

- Reducing Barriers to Accessing Welfare by the Homeless
- Developing 3,200 Units of Supportive Housing and
- Increasing Health and Addiction Services.

Ms. Davidson also asked Council to refer consideration of the Policy Report and the revised Housing Action Plan to a Special Council Meeting on May 25, 2005 to hear speakers.

MOVED by Councillor Green

THAT Council refer Recommendations A to I contained in the Policy Report *Revised Homeless Action Plan* dated April 26, 2005, the actions contained in the Homeless Action Plan attached to the Policy Report, and the following amendments to the Policy Report and revised Plan for consideration at the Special Council meeting on May 25, 2005:

- THAT the Income Priority with the Homeless Action Plan be modified to include not only Reducing Barriers to Accessing Welfare by the Homeless, but also Creating Job Opportunities for the Homeless.
- THAT an additional action be added to the Homeless Action Plan under the Income section as follows: "the City of Vancouver to work with the Vancouver Agreement to ensure that job opportunities are available to the

homeless, through such means as including employment objectives as part of large project permitting, where appropriate, and supporting the Vancouver Downtown Eastside Economic Revitalization Plan and the Vancouver Food Council".

- THAT the following bullet be added to Action 36 in the Homeless Action Plan: "including staying open longer hours appropriate to people's needs, for example 9:00 p.m. to 8:00 a.m.
- THAT the data in the report back be disaggregated by gender.

CARRIED UNANIMOUSLY

## 2. Citizens' Assembly on Electoral Reform (File 1263)

At its meeting on April 26, 2005, Vancouver City Council agreed to invite a representative of the BC Citizens' Assembly on Electoral Reform to its Regular Council meeting on May 10, 2005.

In the Fall of 2004, after an extensive deliberation process, the Citizens' Assembly concluded that the current First Past the Post electoral system should be replaced by the BC - Single Transferable Vote. The recommendation of the Citizens' Assembly will be going to the people of British Columbia in a referendum on May 17.

Craig Henschel, a member of the Citizens' Assembly, gave a brief presentation on the Assembly's recommendation for electoral reform.

Council thanked Mr. Henschel for his presentation.

## ACKNOWLEDGEMENT - SUMMER STREET BANNER PROGRAM (File 5766)

The Mayor acknowledged the Summer Street Banner Program and the unveiling of the 2005 Banners. The Street Decoration Committee and the artist, Sylvia Tait, were recognized for their contributions.

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The Council recessed at 3:55 p.m. and, following a reception in the foyer, reconvened at 4:15 p.m. with all Councillors present.

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## COMMUNICATIONS

### 1. Deputy and Acting Mayor Roster Adjustment (File 1251))

THAT Councillor Louis be named the Deputy Mayor and Acting Mayor for August 2005 and that Councillor Cadman be named the Deputy Mayor and Acting Mayor for September 2005.

ADOPTED ON CONSENT

## ADMINISTRATIVE REPORTS

1. **Local Improvements by Petition - June 8, 2005 - First and Second Step Report April 12, 2005 (File 5802)**
  - A. THAT petition projects listed in Appendix I of the Administrative Report *Local Improvements by Petition - June 8, 2005 - First and Second Step Report* dated April 12, 2005, be brought before a Court of Revision on June 8, 2005.
  - B. THAT the reports of the City Engineer and Director of Finance be adopted together with details of the Second Step Report as summarized in Appendix II of the Administrative Report *Local Improvements by Petition - June 8, 2005 - First and Second Step Report* dated April 12, 2005. Source of funds for the total City's share of \$514,911 is \$114,821 from existing Engineering Basic Capital Accounts and \$400,090 is subject to approval of the 2005 Streets Basic Capital Budget.
  - C. THAT sidewalk project Number 20, as described in Appendix I of the Administrative Report, be designated as "pedestrian collector route" so that the abutting residential property owners' rates are reduced by the required 25%.

ADOPTED ON CONSENT

2. **Review of Graffiti Management Program April 8, 2005 (File 3501)**
  - A. THAT Council approve changes to the Graffiti Management Program as noted in the Administrative Report *Review of Graffiti Management Program* dated April 8, 2005, for a reduction of \$187,000 in 2005 (\$182,400 ongoing).
  - B. THAT Council approve the following changes to staff resources in the Graffiti Management program:
    - i. The elimination of an Engineering Technician (TFT) and a Clerk-Typist II (TFT) position; and,
    - ii. The conversion of two Clerk III positions and a Property Use Inspector position to Regular Full-Time.

ADOPTED ON CONSENT

3. **Engineering - Streets Design and Administration Branch Reorganizations April 8, 2005 (File 1375)**
  - A. THAT Council approve reorganizations of the Streets Design and Streets Administration branches as detailed in the Administrative Report *Engineering - Streets Design and Administration Branch Reorganizations* dated April 8, 2005, at a net annual cost of \$31,500 in 2005 (\$67,700 ongoing) to be funded through savings in the Graffiti Management Program as recommended in the accompanying report *Review of Graffiti Management Program* dated April 8, 2005, and approve the following staff requests:

Streets Design Branch

- i. The creation of a Civil Engineer I (Regular Full Time, RFT) and three Engineering Assistant III (RFT) positions subject to classification review by the Director of Human Resources;
- ii. The conversion of a Civil Engineer I to a Civil Engineer II and an Engineering Assistant III to a Business Systems Administrator;
- iii. The elimination of two Survey Assistant II positions (Temporary Full Time {TFT}); and an Engineering Assistant IV (RFT) position;

Streets Administration Branch:

- iv. The creation of a Civil Engineer I (RFT), a Clerk III (RFT) and an Engineering Assistant II (RPT - half-time) position subject to classification review by the Director of Human Resources;
  - v. The conversion of one TFT Engineering Assistant II position to Regular Full-Time; and,
  - vi. The allocation of \$23,000 from the Truck & Equipment Replacement Reserve (Plant Account) to add one station wagon to the vehicle fleet.
- B. THAT Council approve the expenditure of \$50,000 for the upgrade of Survey Equipment, previously planned for 2007 funded through savings in the Graffiti Management Program as recommended in the accompanying report *Review of Graffiti Management Program*.

ADOPTED ON CONSENT

4. 2005 Property Taxation: Taxation Bylaws and Resolutions  
April 28, 2005 (File 1552)

MOVED by Councillor Ladner

THAT Council reconsider the distribution of the general purposes property tax levy between non-residential and residential properties.

LOST NOT HAVING RECEIVED

THE REQUIRED MAJORITY

(Councillors Bass, Cadman, Green, Louie, Louis, Roberts, Stevenson, Woodsworth and the Mayor opposed)

MOVED by Councillor Roberts

- A. THAT Council approve the 2005 Rating Bylaw establishing the City's general purposes property tax rates.
- B. THAT Council approve the 2005 Rating Bylaw for the property tax requisition of the Greater Vancouver Regional District.
- C. THAT Council approve the resolutions attached as Appendices B through E to the Administrative Report *2005 Property Taxation: Taxation Bylaws and*

*Resolutions* dated April 8, 2005, adopting adjusted tax rates for the Provincial Schools, the B.C. Assessment Authority, the Municipal Finance Authority and the Greater Vancouver Transportation Authority levies, pursuant to the Vancouver Charter and the Averaging Bylaw No. 9017 adopted by Council on March 31, 2005.

- D. THAT staff report back on a process to analyze the range of challenges facing small businesses, including city taxes, and to generate measures the City could consider to ensure the success of small businesses.

Amended

AMENDMENT MOVED by Councillor Ladner

THAT D be amended by striking out the word "small" before the word "businesses" in both occurrences.

CARRIED  
(Councillor Bass opposed)

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY.

MOTION AS AMENDED AND ADOPTED

- A. THAT Council approve the 2005 Rating Bylaw establishing the City's general purposes property tax rates.
  - B. THAT Council approve the 2005 Rating Bylaw for the property tax requisition of the Greater Vancouver Regional District.
  - C. THAT Council approve the resolutions attached as Appendices B through E to the Administrative Report *2005 Property Taxation: Taxation Bylaws and Resolutions* dated April 8, 2005, adopting adjusted tax rates for the Provincial Schools, the B.C. Assessment Authority, the Municipal Finance Authority and the Greater Vancouver Transportation Authority levies, pursuant to the Vancouver Charter and the Averaging Bylaw No. 9017 adopted by Council on March 31, 2005.
  - D. THAT staff report back on a process to analyze the range of challenges facing businesses, including city taxes, and to generate measures the City could consider to ensure the success of businesses.
5. **Single Room Accommodation Demolition Permit - 909 Richards Street (Roseberry House)**  
April 26, 2005 (File 4657)

MOVED by Councillor Green

THAT Council refer consideration of the Administrative Report *Single Room Accommodation Demolition Permit - 909 Richards Street (Roseberry House)* dated April 26, 2005 to a Standing Committee meeting to allow the applicant to speak.

CARRIED

(Councillors Ladner and Sullivan opposed)

**6. 2004 and 2005 Baxter Theatre Rental Grants  
April 15, 2005 (File 2300)**

- A. THAT Council receive the Administrative Report *2004 and 2005 Baxter Theatre Rental Grants* dated April 15, 2005, for information.
- B. THAT Council direct staff to review and report back with alternate grant programs or strategies to ensure ongoing access for Vancouver-based arts organizations that are new or occasional users of the Civic Theatres.

ADOPTED ON CONSENT

**7. Get Out! - Olympic Youth Legacy for Physical Activity, Sport, Culture and the Arts -  
Amendment to Grants Recommendations  
April 25, 2005 (File 4209/4102)**

THAT Council approve the reallocation of a \$3,800 GetOut! grant previously approved on March 31, 2005 from the Stone Soup Festival Committee to the Britannia Community Centre Society as outlined in the Administrative Report *Get Out! - Olympic Youth Legacy for Physical Activity, Sport, Culture and the Arts - Amendment to Grants Recommendations* dated April 25, 2005.

ADOPTED ON CONSENT AND  
BY THE REQUIRED MAJORITY

**8. Additional Open Hours  
April 25, 2005 (File 4004)**

MOVED by Councillor Louie

- A. THAT Council approve an increase to the Library's operating budget, without offset, to allow the Library to open additional hours at the Renfrew, Kitsilano and Joe Fortes Branches as outlined in the Administrative Report *Additional Open Hours* dated April 25, 2005, at an estimated 2005 cost of \$111,400 (\$336,800 annually). 2005 source of funds to be Contingency Reserve and subsequent years funding to be added to the Operating Budget without offset.
- B. THAT Council approve an increase to the Library's operating budget, without offset, to allow the Library to open additional hours in the community, at an estimated 2005 cost of \$37,000 (\$110,00 annually). 2005 source of funds to be Contingency Reserve and subsequent years funding to be added to the Operating Budget without offset.



amended

AMENDMENT MOVED by Councillor Cadman

THAT B be amended as follows:

- strike out the words "in the community" and substitute the words "at the Board's discretion";
- strike out the amount of "\$110,000" and substitute the amount of "127,200".

CARRIED

(Councillors Ladner and Sullivan opposed)

The amendment having carried, the motion as amended was put and CARRIED with Councillors Ladner and Sullivan opposed.

MOTION AS AMENDED AND ADOPTED

- A. THAT Council approve an increase to the Library's operating budget, without offset, to allow the Library to open additional hours at the Renfrew, Kitsilano and Joe Fortes Branches as outlined in the Administrative Report *Additional Open Hours* dated April 25, 2005, at an estimated 2005 cost of \$111,400 (\$336,800 annually). 2005 source of funds to be Contingency Reserve and subsequent years funding to be added to the Operating Budget without offset.
- B. THAT Council approve an increase to the Library's operating budget, without offset, to allow the Library to open additional hours at the Board's discretion, at an estimated 2005 cost of \$37,000 (\$127,200 annually). 2005 source of funds to be Contingency Reserve and subsequent years funding to be added to the Operating Budget without offset.
9. City of Vancouver wins "Award of Excellence - Honourable Mention" from the Planning Institute of British Columbia for the Kingsway and Knight Neighbourhood Centre Housing Area Plan  
April 25, 2005 (File 1051)

THAT Council receive the Administrative Report *City of Vancouver wins "Award of Excellence - Honourable Mention" from the Planning Institute of British Columbia for the Kingsway and Knight Neighbourhood Centre Housing Area Plan* dated April 25, 2005 for information

ADOPTED ON CONSENT

10. Montessori Day Care Redevelopment - 2096 West 8<sup>th</sup> Avenue  
April 22, 2005 (File 4102)

MOVED by Councillor Louie

- A. THAT Council approve the transfer of Lots 20 and 19 Except ROW, Block 305, District Lot 526, Plan 590 from Capital Asset to Property Endowment Fund.

- B. THAT Council approve the transfer of Lots F and 2 Except ROW, Block 325, District Lot 526, LMP34535 from Property Endowment Fund to Capital Asset.
- C. THAT Council approve the allocation of City-owned Lots F and 2 (except ROW), Block 325, District Lot 526, for the purposes of constructing a 40-space licensed child care facility, to be operated by The Montessori Day Care Society.
- D. THAT Council to approve up to \$100,000 for site analysis and design development of a 40-space licensed child care centre on the new site for report back by Staff before September 30, 2005 on the project budget and a recommended funding plan; source of funding for this phase to be the Property Endowment Fund.

CARRIED UNANIMOUSLY

**11. Authority to Contract with Vimar Equipment Ltd. - RFP PS04096 - Supply and Delivery of Street Sweeper Units  
April 21, 2005 (File 1805)**

MOVED by Councillor Green

- A. THAT, subject to the conditions set out in B, C, D, and E, Council authorize a contract with Vimar Equipment Ltd. for five (5) - 2005 Freightliner FC80 cab and chassis and five (5) Elgin Crosswind street sweeper bodies at an estimated cost of \$929,805 plus the Provincial Sales Tax, the Goods and Services Tax (less any municipal rebate received) and the Provincial Environmental Levy.
- 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.
- C. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Engineering Services, Manager of Materials Management and the Director of Legal Services.
- D. THAT no legal rights or obligations will be created 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.
- E. THAT funding for the purchase described in A be provided from the Truck and Equipment Plant Account.

CARRIED UNANIMOUSLY

**12. Kerrisdale Park/Point Grey Secondary School - License Agreement  
April 12, 2005 (File 1203)**

- A. THAT Council approve the attached license agreement from the School Board.
- B. THAT seven days following the signing of the agreement by all parties, the School Board lands so held by the City shall be in the custody, care and

management of the Park Board to the fullest extent for the full term of the license.

- C. THAT no legal rights shall arise hereby, and none shall arise until execution of the contemplated agreement by all parties.

ADOPTED ON CONSENT

#### POLICY REPORTS

1. **Administrative CD-1 Text Amendments for 3837 Point Grey Road and 2669-2675 Vanness Avenue**  
April 21, 2005 (File 5307/5308)

THAT the Director of Current Planning be instructed to make application to amend CD-1 By-law No.8893 for 3837 Point Grey Road and CD-1 By-law No. 7835 for 2669-2675 Vanness Avenue to correct errors generally in accordance with Appendix A of the Policy Report *Administrative CD-1 Text Amendments for 3837 Point Grey Road and 2669-2675 Vanness Avenue* dated April 21, 2005, and that the application be referred to Public Hearing.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 amending by-law, generally in accordance with Appendix A of the Policy Report, for consideration at the Public Hearing.

ADOPTED ON CONSENT

2. **CD-1 Rezoning: 5541-5675 Willow Street**  
April 21, 2005 (File 5308)

- A. THAT the application by Mosaic Homes for 5541-5675 Willow Street (Lots 8 to 13, Block 867, District Lot 526, Plan 8454) to permit 35 two-and-a-half- and three-and-a-half-storey townhouses at a floor space ratio of 1.00, be referred to Public Hearing, together with:

- i. Plans received January 24, 2005;
- ii. Draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning: 5541-5675 Willow Street* dated April 21, 2005; and
- iii. The recommendation of the Director of Current Planning to approve, subject to conditions contained in Appendix B of the Policy Report;

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 the Public Hearing.

- B. THAT, subject to approval of the rezoning at the Public Hearing, the Noise Control By-law be amended to include the Comprehensive District in Schedule B as set out in Appendix C of the Policy Report;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Noise Control Bylaw at the time of enactment of the rezoning bylaw.

ADOPTED ON CONSENT

3. **CD-1 Rezoning: 1752-1760 West 3<sup>rd</sup> Avenue  
April 25, 2005 (File 5308)**

A. THAT the application by GBL Architects to rezone 1752-1760 West 3<sup>rd</sup> Avenue (Lots 6, 7 and A, Block 238, DL 526, Plan 590) from IC-1 to CD-1, to permit a 3-storey mixed-use building, be referred to a Public Hearing, together with:

- (i) plans received November 5, 2004;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning: 1752-1760 West 3<sup>rd</sup> Avenue* dated April 25, 2005; and
- (iii) the recommendation of the Director of Current Planning to approve, subject to conditions contained in Appendix B of the Policy Report.

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

B. THAT, the application to amend the Sign By-law, to establish regulations for this CD-1 in accordance with Schedule "B" (IC-1), be referred to the same Public Hearing; and

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law for consideration at the Public Hearing.

C. THAT, subject to approval of the rezoning at the Public Hearing, the Noise Control By-law be amended to include this Comprehensive District in Schedule A as set out in Appendix C of the Policy Report *CD-1 Rezoning: 1752-1760 West 3<sup>rd</sup> Avenue* dated April 25, 2005.

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

ADOPTED ON CONSENT

4. **CD-1 Text Amendment: 4176 Alexandra Street - York House School  
April 29, 2005 (File 5303)**

THAT the application by CJP Architects to amend the text of CD-1 By-law No. 7045 for 4176 Alexandra Street (Block 670, Lot 526, Group 1, NWD; PID: 007993811) to permit replacement of and addition to student facilities, including a new Senior School

building, below-grade parking and a performance arts centre, be referred to Public Hearing, together with:

- iv. Plans received April 26, 2005;
- v. Draft CD-1 By-law amendments, generally as presented in Appendix A of the Policy Report *CD-1 Text Amendment: 4176 Alexandra Street - York House School* dated April 29, 2005; and
- vi. The recommendation of the Director of Current Planning to approve, subject to conditions contained in Appendix B of the Policy Report.

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 the Public Hearing.

ADOPTED ON CONSENT

5. **CD-1 Rezoning - 2950-3190 Celtic Avenue  
April 28, 2005 (File 5303)**

Councillor Bass requested staff to provide a memorandum giving information on what would be the peak flood occurring in that area given worldwide flooding trends and should the City even consider building on a flood plain.

MOVED by Councillor Bass

- A. THAT the application by Progressive Construction Ltd. to rezone 2950-3190 Celtic Avenue [Lots 1 - 10, Block 16, DL 194, Plan 2242; Part of Lot B (Amended Ref Plan 1624), DL 194 lying east of the production southerly of the west boundary of Lot 1, Block 16, DL 194, Plan 2242; and Lot D, Block 8, DL 194, Plan 11178] from RA-1 to CD-1 to permit the site's legal parcels to be reconfigured for single-family residential development, be referred to a Public Hearing, together with:
  - (i) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning - 2950-3190 Celtic Avenue* dated April 28, 2005; and
  - (ii) the recommendation of the Director of Current Planning to approve, subject to conditions contained in Appendix B of the Policy Report; and

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

- B. THAT, subject to approval of the rezoning at a Public Hearing, at the time of enactment the by-laws be accompanied by the draft design guidelines, generally as presented in Appendix D of the Policy Report *CD-1 Rezoning - 2950-3190 Celtic Avenue* dated April 28, 2005.
- C. THAT, subject to approval of the rezoning at a Public Hearing, the Noise Control By-law be amended to include this CD-1 in Schedule B; and

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

- D. THAT, subject to approval of the rezoning at a Public Hearing, authorization for the property owner to apply to the Agricultural Land Commission, as required under the Agricultural Land Commission Act, to subdivide the site at 2950 - 3190 Celtic Avenue to reconfigure the site's legal parcels be approved; and

FURTHER THAT, prior to enactment of the CD-1 By-law, the Director of Current Planning be in receipt of a decision by the Agricultural Land Commission that approves the property owner's application.

CARRIED UNANIMOUSLY

**6. Rezoning at 826-848 West Hastings Street from DD(B) to CD-1 and Heritage Revitalization Agreements at 840 and 848 West Hastings Street April 25, 2005 (File 5305)**

- A. THAT the application by Brook Development Planning on behalf of Jameson Development Corp. to rezone 826 - 848 West Hastings Street (Lots 3-6, Block 21, DL 541, Plan 210) from DD (Downtown District) to CD-1 (Comprehensive Development District) be referred to a Public Hearing, together with:
- (i) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *Rezoning at 826-848 West Hastings Street from DD(B) to CD-1 and Heritage Revitalization Agreements at 840 and 848 West Hastings Street* dated April 25, 2005;
  - (ii) plans prepared by Foster and Partners Architects received October 12, 2004, represented in Appendix F of the Policy Report; and
  - (iii) the recommendation of the Director of Current Planning to approve the application, subject to approval of conditions contained in Appendix B of the Policy Report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-laws for consideration at the Public Hearing, including a consequential amendment to the Downtown Official Development Plan to remove the site from all map figures.

- B. THAT, if the application is referred to a public hearing, the applicant be advised to make application to amend the Sign By-law, to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" (DD)), and that the application be referred to the same Public Hearing; and

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law for consideration at the Public Hearing.

- C. THAT, subject to approval of the rezoning at a Public Hearing, the Noise Control By-law be amended to include this CD-1 in Schedule A; and

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

- D. THAT the Director of Legal Services be instructed to prepare the necessary Heritage By-laws for consideration at the public hearing, to:
- i) designate as municipally-protected heritage property under Schedule "A" of the Heritage By-law the Ceperley Rounsfell Building (formerly Mineral Museum) and its interior, an "A" listed Vancouver Heritage Register building at 848 West Hastings Street; and
  - ii) designate as municipally-protected heritage property under Schedule "B" of the Heritage By-law the façade of the Chamber of Mines Building a "B" listed Vancouver Heritage Register building at 840 West Hastings Street.
- E. THAT the Director of Legal Services be instructed to prepare for consideration at the public hearing two Heritage Revitalization Agreements and their authorizing by-laws, one for the "A" listed Ceperely Rounsefell Building at 848 West Hastings Street and one for the façade of the "B" listed Chamber of Mines Building at 840 West Hastings Street, subject to conditions contained in Appendix B of the Policy Report *Rezoning at 826-848 West Hastings Street from DD(B) to CD-1 and Heritage Revitalization Agreements at 840 and 848 West Hastings Street* dated April 25, 2005, to secure the rehabilitation, protection and on-going maintenance of the "A" listed building at 848 West Hastings Street and the façade of the "B" listed building at 840 West Hastings;

FURTHER THAT, the Director of Legal Services be instructed to prepare side agreements for the timely restoration of both buildings and their protection during the construction process.

- F. THAT A to E be adopted on the following conditions:
- i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
  - iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

7. CD-1 Rezoning - 86 SE Marine Drive/101 East 69<sup>th</sup> Avenue (Wal-Mart)  
April 29, 2005 (file 5306)

MOVED by Councillor Sullivan

- A. THAT the application by Busby Perkins + Will to rezone 86 SE Marine Drive and 101 East 69<sup>th</sup> Avenue (Lots 1 & 2, North Part Block 13, District Lot 322, Plan 12653) from I-2 Industrial District and RS-1 One-family Dwelling District to CD-1 Comprehensive Development District to permit highway oriented retail development, be referred to a Public Hearing, together with:
- (i) plans received February 2, 2005 and April 5, 2005;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning - 86 SE Marine Drive/101 East 69<sup>th</sup> Avenue (Wal-Mart)* dated April 29, 2005; and
  - (iii) the recommendation of the Director of Current Planning to approve, subject to conditions contained in Appendix C of the Policy Report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law, including a limit on clothing and food sales generally in accordance with Appendix A of the Policy Report for consideration at the Public Hearing, including a consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule "B" (M-2).

- B. THAT the Director of Current Planning be instructed to make application to amend Schedule C of the Zoning and Development By-law No. 3575 to establish a landscape setback for the site, generally in accordance with Appendix B of the Policy Report

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law;

AND FURTHER THAT the application and by-law be referred to the same Public Hearing as required for A.

- C. THAT, if Council approves the rezoning of 86 SE Marine Drive/101 East 69<sup>th</sup> Avenue, staff be instructed to undertake further consultation with business and community interests in the Fraser Street area and report back on the specific details of the proposed mitigation package for Fraser Street Neighbourhood Shopping Area generally as described in the Policy Report *CD-1 Rezoning - 86 SE Marine Drive/101 East 69<sup>th</sup> Avenue (Wal-Mart)* dated April 29, 2005.
- D. THAT the Highway Oriented Retail Rezoning Policies and Guidelines: Marine Drive Industrial Area be amended as set out in Appendix B of the Policy Report to remove the sale of clothing as a possible retail use.

CARRIED  
(Councillors Louis and Roberts opposed)



## RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

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 Bass

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

CARRIED UNANIMOUSLY

1. **A By-law to levy rates on all taxable real property in the City of Vancouver to raise a sum which, added to the estimated revenue of the City of Vancouver from other sources, will be sufficient to pay all debts and obligations of the City of Vancouver falling due within the year 2005 and not otherwise provided for (By-law No. 9033)**
2. **A By-law to levy a rate on property to raise monies required to be paid to the Greater Vancouver Regional District (By-law No. 9034)**
3. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (5 West Pender Street) (By-law No. 9035)**  
(Councillors Louis, Woodsworth and Mayor Campbell excused from voting on By-law 3)
4. **Heritage Taxation Exemption By-law for 5 West Pender Street (By-law No. 9036)**  
(Councillors Louis, Woodsworth and Mayor Campbell excused from voting on By-law 4)
5. **A By-law to amend Noise Control By-law No. 6555 (re 3704-3720 Welwyn Street) (By-law No. 9037)**
6. **A By-law to amend Street and Traffic By-law No. 2849 regarding truck and construction safety and truck routes (By-law No. 9038)**

## MOTIONS

### A. Administrative Motions

#### 1. Tax Levies for Provincial Schools (File 1552)

MOVED by Councillor Green

SECONDED by Councillor Woodsworth

THAT WHEREAS pursuant to Section 119(3) of the *School Act*, the Surveyor of Taxes for the Province of British Columbia in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver;

AND WHEREAS on April 15, 2005 by Orders-in-Council No. 431 and No. 432, the Lieutenant-Governor in Council levied the following tax rates on Class 1 - Residential and Class 6 - business and other:

Class 1 - residential	2.2379
Class 6 - business and other	9.6000

being dollars of tax for each one thousand dollars of taxable value, for the 2005 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver would raise the following sums:

Class 1 - residential	\$ 175,095,754
Class 6 - business and other	\$ 148,395,445

AND WHEREAS on March 31, 2005, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9017 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 31, 2005, of land in the above-noted Classes subject to taxation under the *School Act* for the year 2005 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 78,241,098,469	\$ 70,790,207,696
Class 6 - business & other	15,457,858,829	14,600,721,574

AND WHEREAS Council is obliged to vary the rate set by the Lieutenant-Governor in Council in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 2.47345 is hereby substituted for the rate of 2.2379; and in the case of Class 6 - business and other, the rate of 10.16357 is substituted for the rate of 9.6000 for taxation pursuant to the *School Act* within the City of Vancouver for the 2005 taxation year.

CARRIED UNANIMOUSLY

2. Tax Levies for British Columbia Assessment Authority (File 1552)

MOVED by Councillor Green

SECONDED by Councillor Woodsworth

THAT WHEREAS pursuant to Section 17(2) of the *Assessment Authority Act*, the British Columbia Assessment Authority in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property that is taxable for school purposes only by special act);

AND WHEREAS on March 1, 2005, the Authority, levied the following tax rates on Class 1 - residential and Class 6 - business and other:

Class 1 - residential	0.0920
Class 6 - business and other	0.2860

being dollars of tax for each one thousand dollars of taxable value, for the 2005 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 - residential	\$ 7,198,117
Class 6 - business and other	\$ 4,403,983

AND WHEREAS on March 31, 2005, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9017 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 31, 2005, of land in the above-noted Classes subject to taxation under the *British Columbia Assessment Authority Act* for the year 2005 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 78,240,396,969	\$ 70,789,506,196
Class 6 - business & other	15,398,543,129	14,542,574,542

AND WHEREAS Council is obliged to vary the rate set by the British Columbia Assessment Authority in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 0.10168 is hereby substituted for the rate of 0.0920; and in the case of Class 6 - business and other, the rate of 0.30283 is substituted for the rate of 0.2860 for taxation pursuant to the *Assessment Authority Act* within the City of Vancouver for the 2005 taxation year.

CARRIED UNANIMOUSLY

3. Tax Levies for Municipal Finance Authority of British Columbia (File 1552)

MOVED by Councillor Green  
SECONDED by Councillor Woodsworth

THAT WHEREAS pursuant to Section 17 and 18 of the *Municipal Finance Authority Act*, the Municipal Finance Authority of BC in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property that is taxable for school purposes only by special act);

AND WHEREAS on March 24, 2005, the Authority, with the approval of the Lieutenant-Governor in Council, levied the following tax rates on Class 1 - residential and Class 6 - business and other:

Class 1 - residential	0.00030
Class 6 - business and other	0.00010

being dollars of tax for each one thousand dollars of taxable value, for the 2005 taxation year, which when applied to the net taxable value of all land and improvements in the respective Classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 - residential	\$ 23,472
Class 6 - business and other	\$ 1,540

AND WHEREAS on March 31, 2005, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9017 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 31, 2005, of land in the above-noted Classes subject to taxation under the *Municipal Finance Authority Act* for the year 2005 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 78,240,396,969	\$ 70,789,506,196
Class 6 - business & other	15,398,543,129	14,542,574,542

AND WHEREAS Council is obliged to vary the rate set by the Municipal Finance Authority in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 0.00033 is hereby substituted for the rate of 0.00030; and in the case of Class 6 - business and other, the rate of 0.00011 is substituted for the rate of 0.00010 for taxation pursuant to the *Municipal Finance Authority Act* within the City of Vancouver for the 2005 taxation year.

CARRIED UNANIMOUSLY

4. Tax Levies for Greater Vancouver Transportation Authority (File 1552)

MOVED by Councillor Green  
SECONDED by Councillor Woodsworth

THAT WHEREAS pursuant to Section 25(9) of the *Greater Vancouver Transportation Act*, the Greater Vancouver Transportation Authority in each year levies a tax on the net taxable value of all land and improvements in the City of Vancouver (excluding property that is taxable for school purposes only by special act);

AND WHEREAS, on December 10, 2003, the Authority levied the following tax rates on Class 1 - residential and Class 6 - business and other:

Class 1 - residential	0.47380
Class 6 - business and other	2.12230

being dollars of tax for each one thousand dollars of taxable value, for the 2005 taxation year, which when applied to the net taxable value of all land and improvements in the respective classes in the City of Vancouver (excluding property taxable for school purposes only by special act) would raise the following sums:

Class 1 - residential	\$ 37,070,300
Class 6 - business and other	\$ 32,680,328

AND WHEREAS on March 31, 2005, pursuant to provisions of the *Vancouver Charter*, Council approved Bylaw 9017 which authorized adjustment of the net taxable value of land in Class 1 - residential and Class 6 - business and other, within the City of Vancouver;

AND WHEREAS the net taxable value and the adjusted taxable value pursuant to the Council by-law of March 31, 2005, of land in the above-noted Classes subject to taxation under the *Greater Vancouver Transportation Act* for the year 2005 are as follows:

	<u>Net Taxable Value</u>	<u>Adjusted Taxable Value</u>
Class 1 - residential	\$ 78,240,396,969	\$ 70,789,506,196
Class 6 - business & other	15,398,543,129	14,542,574,542

AND WHEREAS Council is obliged to vary the rate set by the Greater Vancouver Transportation Authority in order to produce the same amount of revenue that would have been raised if the net taxable value of the specified land had not been adjusted;

NOW THEREFORE BE IT RESOLVED THAT, in the case of Class 1 - residential, the rate of 0.52367 is hereby substituted for the rate of 0.47380; and in the case of Class 6 - business and other, the rate of 2.24722 is substituted for the rate of 2.12230 for taxation pursuant to the *Greater Vancouver Transportation Act* within the City of Vancouver for the 2005 taxation year.

CARRIED UNANIMOUSLY

**B. Motions on Notice**

**1. Electronic Property Reporting Legislation (File 1263)**

MOVED by Councillor Woodsworth  
SECONDED by Councillor Louis

WHEREAS property crime has become a major contributor to the overall crime rate in British Columbia; and

WHEREAS Property Crime and the Illegal Drug Trade are closely linked; and

WHEREAS a tremendous amount of police resources have to be dedicated to both the property crime issue and the illegal drug trade; and

WHEREAS citizens of British Columbia are increasingly negatively impacted by both property crime and the illegal drug trade; and

WHEREAS the problem of theft and robbery cost the Canadian economy several billion dollars a year; and

WHEREAS electronic second-hand property reporting technology exists today and is presently in use in several jurisdictions across Canada, and has had a positive impact on the problem of property crime by assisting police in identifying active criminals and in returning property to victims;

THEREFORE BE IT RESOLVED THAT the City of Vancouver urge the Provincial Government to adopt legislation making it mandatory to report second-hand property transactions to police, using the Xtract electronic property reporting technology that exists today.

AND BE IT FURTHER RESOLVED THAT the motion be sent to the UBCM Convention for ratification.

LOST

(Councillors Bass, Cadman, Green, Ladner, Louie, Roberts, Stevenson, Sullivan and the Mayor opposed)

#### NEW BUSINESS

##### 1. Air India Inquiry (File 1263)

MOVED by Councillor Woodsworth  
SECONDED by Councillor Louis

WHEREAS

1. On June 23, 1985, 329 innocent men, women, children and infants were murdered in a mid-air explosion aboard Air India flight 182; and
2. on the same day, in a related explosion, two innocent baggage handlers were murdered at the Narita, Japan, airport; and
3. on 2005 March 16 Mr. Justice Ian Josephson of the BC Supreme Court determined that the explosion aboard Air India flight 182 and the explosion at the Narita airport resulted from the two bombs originating in Vancouver; and

4. after twenty years of pain and suffering the families of the victims have not yet received answers to the identity of the guilty party; and
5. there is evidence of mishandling of investigation into the worst mass-murder of Canadians and foreign nationals in the history of our country; and
6. there is evidence that the government of Canada was ill-prepared to control terrorists' activities within Canada;

THEREFORE IT BE RESOLVED

1. THAT the City of Vancouver urge Public Safety Minister, Anne McLellan, to immediately launch a public inquiry into the investigation of the Air India bombing; and
2. THAT a copy of this resolution be forwarded to the Prime Minister of Canada, all Opposition Leaders, Vancouver's Members of Parliament and members of the UBCM."

Notice

Councillor Louie called Notice under Section 5.4(c) of the Procedure By-law. The Motion will be placed on agenda of the Regular Council meeting to be May 12, 2005, immediately following the Standing Committee on Planning and Environment meeting.

**2. In Memory of Environmental Activist and Journalist Bob Hunter (File 1055)**

MOVED by Councillor Bass  
SECONDED by Councillor Louis

WHEREAS, on May 2, 2005, Bob Hunter, one of the most influential environmental activists in Canadian history died;

WHEREAS in 1971 Hunter helped found Greenpeace in Vancouver;

WHEREAS Greenpeace and the environmental movement it sparked have had a profound impact on Vancouver, Canada and the world;

THEREFORE BE IT RESOLVED THAT Council recognize Bob Hunter's remarkable achievements in raising awareness about the issues of the environment, peace, First Nations and social justice.

CARRIED UNANIMOUSLY

**3. Library's Efforts to Improve Literacy and Learning (File 4004)**

MOVED by Councillor Green  
SECONDED by Councillor Stevenson

WHEREAS

- the City of Vancouver supports efforts to improve literacy and learning; and
- the library system is central to this effort.

THEREFORE BE IT RESOLVED that City staff work with the Vancouver Library Board to investigate the possibility of using the North Plaza of Library Square as a site to allow the exchange and purchase and sale of used books.

CARRIED UNANIMOUSLY

**4. Placemaking in Canadian Cities (File 5301)**

MOVED by Councillor Green

SECONDED by Councillor Louis

WHEREAS Vancouver City Council support the Placemaking in Canadian Cities Initiative of the Samuel and Saidye Bronfman Family Foundation (SSBFF) as an opportunity to engage citizens to enhance the quality of public space in disadvantaged neighbourhoods in major Canadian cities and direct staff to report back on appropriate opportunities that may be eligible for funding under this initiative.

THEREFORE BE IT RESOLVED the City of Vancouver request that The Federation of Canadian Municipalities at its AGM in June adopt this program as a national pilot.

CARRIED UNANIMOUSLY

**5. Leave of Absence - Councillor Stevenson (File 1254)**

MOVED by Councillor Louie

SECONDED by Councillor Cadman

THAT Councillor Stevenson be granted Leave of Absence due to Civic Business for the following dates:

- May 12, 2005 for the Standing Committee on City Services and Budgets meeting (9:30 to 10:30 a.m.)
- May 26, 2005.

CARRIED UNANIMOUSLY

**6. Leave of Absence - Councillor Louie (File 1254)**

MOVED by Councillor Stevenson

SECONDED by Councillor Cadman

THAT Councillor Louie be granted Leave of Absence due to Civic Business for the Standing Committee on Transportation and Traffic meeting on May 24, 2005.

CARRIED UNANIMOUSLY

**7. Leave of Absence - Councillor Sullivan (File 1254)**



MOVED by Councillor Green  
SECONDED by Councillor Cadman

THAT Councillor Sullivan be granted Leave of Absence for the Public Hearing on the evening of May 12, 2005.

CARRIED UNANIMOUSLY

**8. Leave of Absence - Councillor Woodsworth (File 1254)**

MOVED by Councillor Roberts  
SECONDED by Councillor Cadman

THAT Councillor Woodsworth be granted Leave of Absence due to Civic Business for the Standing Committee on Planning and Environment meeting and the Public Hearing on May 12, 2005.

CARRIED UNANIMOUSLY

**ENQUIRIES AND OTHER MATTERS**

**1. Expansion of Highway No. 1 and Twinning of Port Mann Bridge (File 5551)**

Councillor Louie requested a memorandum from staff advising what the Province can do to the City of Vancouver if the City is on record that it does not want the highway and bridge expansion and does not want it affecting the city.

**2. Request for Workshop on LMTAC First Principles (File 3139)**

Councillor Woodsworth requested staff to organize a workshop to review LMTAC First Principles, which need to be reviewed and endorsed by July 2005.

**3. Woodward's Process (File 8104)**

Councillor Woodsworth requested staff to report back by memorandum on the Woodward's process, in particular a summary of community proposals and the process how those are being incorporated.

**4. Status of TransLink Replacement Vehicles (File 5559)**

Councillor Bass requested the TransLink Board members to provide a memo on the status of purchase orders for replacement vehicles.

The Council adjourned at 7:10 p.m.

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