



CITY OF VANCOUVER
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 13, 2005

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, September 13, 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: Brent MacGregor, 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.

PROCLAMATION - TERRY FOX WEEK (File 1051)

The Mayor proclaimed the week of September 11 to 18, 2005 as Terry Fox Week.

PRESENTATION - THE WINKS (File 1051)

Council welcomed The Winks who performed "Abalone".

"IN CAMERA" MEETING

MOVED by Councillor Cadman
SECONDED by Councillor Roberts

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 paragraphs:

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

CARRIED UNANIMOUSLY

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF JULY 19, 2005

Council made appointments to the following civic agencies:

- Board of Variance
- Fire and Rescue Services Citizens' Advisory Committee
- Gastown Historic Area Planning Committee
- Advisory Committee on Disability Issues
- Advisory Committee on Diversity Issues.

Names of those appointed are available from the City Clerk's Office.

ADOPTION OF MINUTES

1. Regular Council (City Services and Budgets) - July 14, 2005

MOVED by Councillor Louis
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Regular Council (Planning and Environment) - July 14, 2005

MOVED by Councillor Roberts
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Special Council (Public Hearing) - July 14, 2005

MOVED by Councillor Cadman
SECONDED by Councillor Woodsworth

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (Transportation and Traffic) - July 19, 2005

MOVED by Councillor Bass
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

5. Regular Council - July 19, 2005

MOVED by Councillor Cadman
SECONDED by Councillor Woodsworth

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

6. Business License Hearing - July 19, 2005

MOVED by Councillor Stevenson
SECONDED by Councillor Louie

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

7. Regular Council (City Services and Budgets) - July 21, 2005

MOVED by Councillor Louis
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

8. Regular Council (Planning and Environment) - July 21, 2005

MOVED by Councillor Roberts
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Louis

THAT Council adopt Administrative Reports A1 to A6, A8 and A9, A12 to A14, and Policy Reports P1 and P2, on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. Woodward's - 101 West Hastings Street: Design Development Update (File 8104)

Michael Flanigan, Deputy Director, Real Estate Services, and Gregory Henriquez, Henriquez Partners Architects, presented an update on the design development of the Woodward's site at 101 West Hastings Street. Mr. Flanigan referred to the Administrative Report *Woodward's - 101 West Hastings Street: Design Development Update* dated September 6, 2005 and provided a brief description of the different aspects of the design development, expected financial performance of the Project to date, and next steps.

Mr. Henriquez presented the updated urban design and program overview, and with Mr. Flanigan, responded to questions.

Councillor Bass rose on a point of order but the Mayor ruled Councillor Bass out of order.

Councillor Bass challenged the decision of the Chair.

The Chair then put the question:

Shall the decision of the chair be sustained?

(Councillor Bass opposed)

A two-thirds majority of those present is required to overrule the decision of the Chair.
Therefore, the decision of the Chair was SUSTAINED.

MOVED by Councillor Green

- A. THAT Council endorse in-principle the Westbank Projects Corp./The Peterson Investment Group Inc. (the "Developer") Project as described in this report, particularly with regard to the proposed Urban Design, Public Space Concept, Size and Location of Programmatic Elements, and Conceptual Site Density and Massing, on the understanding that the Developer must still adhere to the City's regulatory framework and process through the application for the Development and other Permits required for the Project;
- B. THAT Council authorize the Director of Legal Services, in consultation with the Director of Real Estate Services, to execute a Contract of Purchase and Sale for the sale of the Woodward's site legally described as Parcel Identifier 024-317-560, Lot E Block 4 Old Granville Townsite New Westminster District Plan LMP40092 to the Developer for the purchase price of \$6,335,000 (the "Sale Contract") pursuant to the Developer's RFP submission accepted by Council on September 29, 2004, and further THAT Council approve a no-interest take-back mortgage in favour of the City for the amount of the purchase price (the "Mortgage") provided the terms of such Mortgage provide for its discharge by the Developer by the fee simple conveyance to the City of the 31,500 square foot City Parcel for \$1.00 by January 1, 2010.
- C. THAT Council approve in principle the concept that any exchange of existing City-lane in the Woodward's block be for a new lane outlet of similar size and utility; THAT the land value attributable to any portion of City-lane to be closed and consolidated into the development site be deemed as an equivalent "land value for land value" transaction; all subject to a report back from the General Manager of Engineering Services on the terms and conditions of any closing, stopping-up and conveyance of portions of the City-lane;
- D. THAT Council authorize the City Manager, in consultation with the Director of Legal Services and the Director of Real Estate Services, to finalize the terms and conditions of the development agreements (the "Development Agreements") with the Developer and with BC Housing and other third parties and THAT the Director of Legal Services be authorized to then execute such Development Agreements for the development of the Project substantially in accordance with the revised development proposal as set out herein;

- E. THAT Council approve in principle the investment of City Wide Development Cost Levies ("DCL's") in the Project for public uses consistent with other major projects in accordance with the City's DCL Bylaw with a report back to Council for approval of specific uses;
- F. THAT Council authorize the Director of Legal Services, in consultation with the Director of the Housing Centre, to execute an agreement with the Developer to pay to the Developer the City's portion of the non-market housing construction shortfall of up to \$7,000,000 for the Project, provided the expenditure of such shortfall funds is at least matched by both the Federal and Provincial Governments. The source of funding to be from City Wide DCL's for Replacement Housing (\$4,000,000), Property Endowment Fund (\$2,000,000), and Community Amenity Contributions (CAC's) (\$1,000,000);
- G. THAT Council authorize the Woodward's Steering Committee to finalize the terms and conditions of a 37 space childcare centre agreement with the Developer for the Project for a price estimated at \$1,665,000; source of funding to be City wide DCL's for Childcare;
- H. THAT Council allocate a 2005/2006 Project Management Budget of \$400,000 for City expenses, source of funds to be from the Capital Facilities Reserve; and
- I. THAT Council authorize the General Manager of Engineering Services to undertake the City's responsibility, as the current property owner, to complete the off-site relocation of the City's sewer main onto Cordova Street and infilling of required tunnel works to be paid from the Sewer Capital Budget with a report back to Council authorizing a defined scope of work and final cost;
- J. THAT Council authorize the Director of Legal Services, in consultation with the Director of Real Estate Services, to acquire a statutory right-of-way from the Developer over the approximate half acre Urban Park and Public Plaza for public uses for a price estimated to be \$1,800,000; source of funding to be City wide DCL's for Parks;
- K. THAT Council authorize the City to pay to the Developer: (i) the upset price of \$500,000 to fill the underground Areaways around Woodward's; (ii) the upset price of \$300,000 for soils and asbestos remediation; and (iii) the upset price of \$250,000 for the removal of the existing Underground Storage Tanks under Cordova Street; source of funding to be \$150,000 from the Asbestos Program Capital Budget and \$900,000 from the Capital Facilities Reserve;
- L. THAT Council authorize the cancellation of the Woodward's site obligation to pay for work completed on the City owned Gastown Parkade Development funded by the Parking Sites Reserve estimated at \$1,000,000;

- M. THAT no legal rights or obligations shall arise or be created until each legal agreement is fully executed between the City and a third party on the terms and conditions to the satisfaction of the Director of Legal Services.

CARRIED

(Councillor Ladner opposed to A, F, I, J, K, and L)

(Councillor Sullivan opposed to A to M)

ADMINISTRATIVE REPORTS

**1. New Public Street Names - Langara Avenue and Extension of Carolina Street
July 26, 2005 (File 5527)**

- A. THAT the public road named Langara Street be renamed Langara Avenue.
- B. THAT the new public road, directly opposite to Carolina Street across Terminal Avenue, be named an extension of Carolina Street.
- C. THAT the Director of Legal Services be instructed to bring forward the appropriate amendments to the Street Name By-law.

ADOPTED ON CONSENT

**2. Parking Space for Leslie Lane House: 1117 Pendrell Street
August 11, 2005 (File 5651)**

THAT Council approve assigning its right to use a parking stall at 1125 Pendrell St. (Watson House) to the Vancouver Heritage Conservation Foundation for a nominal fee, approve the assignment of the right to use the stall to the 1117 Pendrell St. (the Leslie Lane House) Strata Corporation (Leasehold Strata BCS254), and authorize the Director of Legal Services to execute the necessary legal documents.

**ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY**

**3. Form of Development: 1500 Homer Mews - DE408703, CD-1 By-law No. 7675
August 15, 2005 (File 2606)**

THAT the form of development for this portion of the CD-1 zoned site known as 500 Pacific Street (1500 Homer Mews being the application address) be approved generally as illustrated in the Development Application Number DE408703, prepared by Nick Milkovich Architects Inc. & Arthur Erickson Design Consultant and stamped "Received, Community Service Group, Development Services June 3, 2005", provided that the Director of Planning approve design changes which would not adversely affect either the development character of this site or adjacent properties.

ADOPTED ON CONSENT

**4. 3611 West Broadway - The Jazz Cellar Café Ltd. - Restaurant Class 2 Liquor
License Seating Capacity Increase
August 17, 2005 (File 2613-1)**

THAT Council, having considered the opinion of area residents and business operators of the community, the proximity of residential development, and noise impacts, endorse the application by The Jazz Cellar Café Ltd., to increase the seating capacity from 67 to 87 seats for this existing Restaurant Class 2 at The Cellar, 3611 West Broadway.

ADOPTED ON CONSENT

**5. 2006 Interest Rate of Property Tax Arrears
August 19, 2005 (File 1552)**

- A. THAT City Council set an interest rate of 8.25% for real property tax arrears to be effective January 1, 2006, and
- B. THAT the Director of Legal Services be authorized to bring forward a by-law, on or before September 30, 2005, to implement the interest rate under section 415(2) of the Vancouver Charter.

ADOPTED ON CONSENT

**6. Woodward's Building Redevelopment Areaways and Tunnel Decommissioning
Proposed Amendment to Deadline Dates
August 19, 2005 (File 8104)**

THAT Council authorize the Director of Legal Services to enter into an Amending Agreement with the owner of the Woodward's Site at 101 West Hastings Street to extend the deadline for decommissioning of, and waiving of the annual fees for, the Areaways and Tunnel adjacent to the Woodward's Site under the Areaways and Tunnel Contract (registered on title to the Woodward's Site under numbers BR83600 and BR83601) for a further 5 years ending on November 30, 2010.

ADOPTED ON CONSENT

**7. Social Responsibility Fund - Edgewater Casino
August 29, 2005 (File 2633)**

MOVED by Councillor Sullivan

THAT Council request the Provincial Government to provide the \$25,000 towards the development of a Responsible Gambling Information Centre.

LOST

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

MOVED by Councillor Woodsworth

THAT City Council authorize a payment of \$25,000 from the Social Responsibility Fund towards the development of a Responsible Gambling Information Centre (RGIC) at Edgewater Casino in the terms outlined in the Administrative Report *Social Responsibility Fund - Edgewater Casino* dated August 29, 2005.

CARRIED

(Councillor Sullivan opposed)

**8. Bell Canada Contributions to the Vancouver Agreement Trust
August 17, 2005 (File 3508/2201)**

THAT City Council approve a grant of \$1.5 million to the Vancouver Agreement Trust, the source of funds to be donations to be received by the City from Bell Canada in the aggregate amount of \$1.5 million over the next five years (the "Bell Donation"); with the payment schedule as follows: 2005-\$275,000; 2006-\$375,000; 2007-\$375,000; 2008-\$375,000; and 2009-\$100,000.

Bell Canada has agreed to pay these amounts to the City on the condition that:

- (a) the City will issue a receipt under Section 110.1 of the Income Tax Act of Canada; and
- (b) the Bell Donation is to be used to implement the Downtown Eastside Economic Revitalization Project being undertaken by the parties to the Vancouver Agreement 2005, as well as a specific "Inclusive Initiative" selected by Bell Canada.

ADOPTED ON CONSENT

9. **2005 Debenture Program**
August 30, 2005 (File 1611)

- A. THAT Council approve the issuance of up to \$139 million City of Vancouver debentures utilizing debenture authority approved as part of the 2003 to 2005 Capital Budgets as follows:

<u>Category</u>	<u>Proposed Debenture</u>
Sewers	30,720,000
Waterworks	19,707,100
Public Works & Public Safety	54,008,000
Park & Recreation	15,091,000
Cost Shared Funding	<u>19,500,000</u>
Total	\$139,026,100

- B. THAT the Director of Finance be empowered to act and instruct the City's Fiscal Agent to proceed with the issue, after consultation with the Mayor, the Chair of the City Services and Budgets Committee, and the City Manager, or a majority of them, and to set the rate, price, and other terms on which the debentures will be marketed.
- C. THAT Council authorize the Director of Finance to enter into a fiscal agency agreement with CIBC World Markets for the debenture issue contemplated in A above.

ADOPTED ON CONSENT

10. South East False Creek and Olympic Village - Road Closures and Consolidations
August 22, 2005 (File 8206)

MOVED by Councillor Green

- A. THAT Council accept for information the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005 which lays out the process by which a number of perimeter property matters related to the City lands at South East False Creek ("SEFC") will be addressed.
- B. THAT Council authorize the Director of Legal Services ("DLS") in consultation with the Director of Real Estate Services ("DRES"), the General Manager of Engineering Services ("GMES") and the Project Manager, South East False Creek & Olympic Village ("PMSEFC") to proceed with plans and documents required to establish as Road all those portions (69.0 square metres +/-) of City-owned (PID 011-704-390); Lot 179, False Creek, Plan 21847 ("Lot 179") the same as shown heavy outlined on the sketch attached as Appendix "A" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005.
- C. THAT Council close and stop-up:
 - i. all that portion of Road dedicated by the deposit of Reference Plan 2923 on August 4, 1945 and being the same as shown in heavy outline on the plan attached as Appendix "B" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005;
 - ii. all that portion of Road dedicated by the deposit of Plan 590 on August 4, 1891 and being the same as shown hatched on the plan attached as Appendix "B" to the Administrative Report;
 - iii. all that portion of Road dedicated by the deposit of Plan 5832 on August 3, 1927 and being the same as shown cross-hatched on the plan attached as Appendix "B" to the Administrative Report; and
 - iv. (PID 023-421-045); That Part of Lot K in LMP 28213, Block 279, District Lot 526, Group 1, New Westminster District, Plan 20199 ("Part Lot K") established as Road by document filed BK 133883 the same as shown labelled "Road Plan LMP 28213" on the plan attached as Appendix "B" to the Administrative Report;

all subject to:

- a. the said portions of road being consolidated with the abutting lands, more particularly described as:

1. (PID: 006-865-968); Lot 139, except Plan BCP5395, False Creek, New Westminster District, Plan 20090 ("Lot 139"); and
2. (PID: 016-682-408); Lot 56, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568, ("Lot 56")

to form a single parcel, to be "Lot 306", the same as shown heavy outlined on the sketch attached as Appendix "C" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005;

- b. a reservation on disposition of Lot 306 until arrangements are made to the satisfaction of the GMES, DLS, DRES and PMSEFC for rights-of-way and /or dedication as road of those portions of Lot 306 containing the Cambie Street Bridge, it's northbound on ramp from 2nd Avenue, various existing City sewers and any other City or public utilities associated with Lot 306;
- D. THAT Council authorize the DLS in consultation with the DRES, the GMES and the PMSEFC to proceed with plans and documents required to complete:
- i. the establishment as Road of all those portions of Lot 306 required for the Commodore Road - 1st Avenue connection the same as shown labelled, "Road to be Established" and shown hatched on the plan attached as Appendix "C" to the Administrative Report
 - ii. rights-of-way or other arrangements for those portions of Lot 306 containing the Cambie Street Bridge, it's northbound on ramp from 2nd Avenue, various existing City sewers and any other City or other public utilities associated with Lot 306; the timing of completion of these rights-of-way and other arrangements to the satisfaction of the GMES.
- E. THAT Council close and stop-up (PID: 011-071-753); That Part of Lot 1 in Explanatory Plan 16373, Block 1, District Lot 302, Plan 5832 ("Part Lot 1") as established Road by document filed K67318 deposited in the Land Title Office on October 19, 1982, the same as shown shaded on the sketch attached as Appendix "B" to the Administrative Report subject to:
- i. consolidation of the Closed Road, Part Lot 1, with City owned:
 - a. (PID: 011-071-711); Lot 1, except part in Explanatory Plan 16373, now Road, Block 1, District Lot 302, Plan 5832;
 - b. (PID: 011-071-184); Lot 2, Block 1, District Lot 302, Plan 5832;
 - c. (PID: 011-071-192); Lot 3, Block 1, District Lot 302, Plan 5832;
 - d. (PID: 011-071-214); Lot 4, Block 1, District Lot 302, Plan 5832;
 - e. (PID: 011-071-257); Lot 5, Block 1, District Lot 302, Plan 5832;

- f. (PID: 011-071-273); Lot 6, Block 1, District Lot 302, Plan 5832;
- g. (PID: 011-071-290); Lot 7, Block 1, District Lot 302, Plan 5832;
- h. (PID: 011-071-320); Lot 8, Block 1, District Lot 302, Plan 5832;
- i. (PID: 011-071-346); Lot 9, Block 1, District Lot 302, Plan 5832;
- j. (PID: 024-716-367); Lot 10, Block 1, District Lot 302, Group 1, New Westminster District, Plan 5832;
- k. (PID: 011-071-401); Amended Lot 11, Block 1, District Lot 302, Plan 5832;
and
- l. (PID: 016-679-831); Lot 55, except Plan BCP5395, District lot 2064, Group 1, New Westminster District, Plan 5568:

to form a single parcel the same as shown in heavy outline on the plan attached hereto as Appendix "D" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005, to be "Lot 308."

- F. THAT Council authorize the DLS in consultation with the DRES, the GMES and the PMSEFC to proceed with the consolidation of City-owned:
 - a. (PID: 011-071-427); Amended Lot 12 (see 284180L), Block 1, District Lot 302, Plan 5832;
 - b. (PID: 011-071-435); Lot 13, Block 1, District Lot 302, Plan 5832;
 - c. (PID: 011-071-451); Lot 14, Block 1, District Lot 302, Plan 5832;
 - d. (PID: 011-071-494); Lot 15, Block 1, District Lot 302, Plan 5832;
 - e. (PID: 011-071-516); Amended Lot 16 (see 28941K), Block 1, District Lot 302, Plan 5832;
 - f. (PID: 004-670-779); Lot 21, Block 1, District Lot 302, Plan 5832;
 - g. (PID: 004-670-809); That Part of Lot 22 lying to the north of the Right of Way marked "V.V. & E. RY. & N. CO." on Plan 5832, Block 1, District Lot 302, Plan 5832;
 - h. (PID: 011-071-575); That Part of Lot 22 marked "V.V. & E. RY. & N. CO. Right of Way" on Plan 5832, Block 1, District Lot 302, Plan 5832;
 - i. (PID: 004-670-817); That Part of Lot 23 lying to the north of the Right of Way marked "V.V. & E. RY. & N. CO. on Plan 5832, Block 1, District Lot 302, Plan 5832;

- j. (PID: 011-071-583); That Part of Lot 23 marked "V.V. & E. RY. & N. CO. Right of Way" on Plan 5832, Block 1, District Lot 302, Plan 5832;
- k. (PID: 004-670-825); That Part of Lot 24 lying to the north of the Right of Way marked "V.V. & E. RY. & N. CO." on Plan 5832, Block 1, District 302 Plan 5832;
- l. (PID: 011-071-605); That Part of Lot 24 marked "V.V. & E. RY. & N. CO. Right of Way" on Plan 5832, Block 1, District Lot 302, Plan 5832;
- m. (PID: 004-670-833); That Part of Lot 25 lying to the north of the Right of Way marked "V.V. & E. RY. & N. CO." on Plan 5832, Block 1, District Lot 302, Plan 5832;
- n. (PID: 011-071-613); That Part of Lot 25 marked "V.V. & E. RY. & N. CO. Right of Way" on Plan 5832, Block 1, District Lot 302, Plan 5832;
- o. (PID: 004-670-850); That Part of Lot 26 lying to the north of the Right of Way marked "V.V. & E. RY. & N. CO." on Plan 5832, Block 1, District Lot 302, Plan 5832;
- p. (PID: 011-071-630); That part of Lot 26 marked "V.V. & E. RY. & N. CO. Right of Way" on Plan 5832, Block 1, District Lot 302, Plan 5832;
- q. (PID: 004-670-868); That Part of Lot 27 lying to the north of the Right of Way marked "V.V. & E. RY. & N. CO." on Plan 5832, Block 1, District Lot 302, Plan 5832 ;
- r. (PID: 011-071-664); That Part of Lot 27 marked "V.V. & E. RY. & N. CO. Right of Way" on Plan 5832, Block 1, District Lot 302, Plan 5832;
- s. (PID: 016-675-355); Lot 52, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;
- t. (PID: 016-675-380); Lot 52A, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;
- u. (PID: 009-001-891); Lot A, except Plan BCP5395, Block 1, District Lots 302 and 2064, Group 1, New Westminster District, Plan 11857; and
- v. (PID: 016-214-064); Lot 54, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;

to form a single parcel the same as shown in heavy outline on the plan attached as Appendix "E" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005 to be "Lot 309."

- G. THAT Council close and stop-up:
- i. all that portion of Columbia Street dedicated by the deposit of Plan 5832 on August 3, 1927; the same as shown in heavy outline in the plan attached as Appendix "F to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005;
 - ii. all that portion of Columbia Street dedicated by the deposit of Plan 197 on the 8th day of October, 1885 the same as shown hatched on the plan attached as Appendix "F;" to the Administrative Report;
 - iii. all that portion of Ontario Street dedicated by the deposit of Plan 12958 on the 28th day of March, 1968 the same as shown in heavy outline on the plan attached as Appendix "G;" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005;
 - iv. (PID 015-535-592); Lot 2, Block 2, District Lot 200A Plan 197 established as Road by document filed 132452 deposited in the Land Title Office on the 12th day of December, 1968 the same as shown and labelled "Lot 2" on the plan attached as Appendix "G." to the Administrative Report;

all subject to their consolidation with:

Firstly; City-owned:

- a. (PID: 016-659-627); Lot 44, except part in Plan 12958, District Lot 2037, Plan 5568;
- b. (PID: 016-663-179); Lot 45, District Lots 2037 and 2064, Plan 5568;
- c. (PID: 016-664-990); Lot 46, District Lot 2064, Plan 5568;
- d. (PID: 016-665-678); Lot 47, District Lot 2064, Plan 5568;
- e. (PID: 016-669-011); Lot 48, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;
- f. (PID: 016-673-506); Lot 49, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;
- g. (PID: 016-674-464); Lot 50, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;
- h. (PID: 016-674-995); Lot 50A, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;
- i. (PID: 016-675-053); Lot 51, District Lot 2064, Plan 5568;

- j. (PID: 016-675-274); Lot 51A, except Plan BCP5395, District Lot 2064, Group 1, New Westminster District, Plan 5568;
- k. (PID: 004-670-680); Lot 1, Block 1, District Lot 200A, Plan 197;
- l. (PID: 004-670-698); Lot 2, Block 1, District Lot 200A, Plan 197;
- m. (PID: 004-670-701); Lot 3, Block 1, District Lot 200 A, Plan 197;
- n. (PID: 004-670-710); Lot 4, Block 1, District Lot 200A, Plan 197;
- o. (PID: 004-670-728); Lot 5, Block 1, District Lot 200A, Plan 197;
- p. (PID: 004-670-736); Lot 6, Block 1, District Lot 200A, Plan 197;
- q. (PID: 004-670-744); Lot 7, Block 1, District Lot 200A, Plan 197;
- r. (PID: 004-670-752); Lot 8, Block 1, District Lot 200A, Plan 197;
- s. (PID: 015-535-649); Lot A (Reference Plan 2368) of Lot 13, Block 1, District Lot 200A, Plan 197;
- t. (PID: 015-535-576); That Part of Lot 1 in Explanatory Plan 5090, Block 2, District Lot 200A, Plan 197; and

Secondly; but subject to their acquisition by the City of privately owned:

- u. (PID: 008-462-054); Lot 9, Block 1, District Lot 200A, Plan 197;
- v. (PID: 003-132-811); Lot 10, Block 1, District Lot 200A, Plan 197;
- w. (PID: 003-132-854); Lot 11, Block 1, District Lot 200A, Plan 197;
- x. (PID: 003-132-871); Lot 12, Block 1, District Lot 200A, Plan 197;
- y. (PID: 003-132-935); Lot 13, except Parcel A (Reference Plan 2368), Block 1, District Lot 200A, Plan 197, and;
- z. (PID: 003-132-803); Lot 1, except that part included in Explanatory Plan 5090, Block 2, District Lot 200A, Plan 197:

all to form a single parcel the same as show in heavy outline on the plan attached as Appendix "H," to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005 to be "Lot 310."

- H. THAT Council authorize the DLS in consultation with the DRES, the GMES, and the PMSEFC to create "Lot 307," being the same as shown in the heavy outline on Appendix "I" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005; and being comprised of City-owned:
- a. (PID 016-966-538); Lot 1 (Reference Plan 5098) of Lot A (Reference 2529), Block 2, District Lot 200A, Plan 197 and of Lot 2, District Lot 2037, Plan 5568;
 - b. (PID: 008-765-162); Lot 2, Block E, District Lot 200A, Plan 12958;
 - c. (PID: 008-765-219); Lot 3, Block E, District Lots 200A and 2037, Plan 12958;
 - d. (PID: 008-765-243); Lot 4, Block E, District Lots 200A and 2037, Plan 12958; and
 - e. all that portion of (PID: 009-076-417); Right of Way (Railway Plan 1015), District Lots 200A and 2037, Plan 11398 lying westerly of the westerly limit of Quebec Street.
- I. THAT Council authorize the DLS, in consultation with the DRES, the GMES and the PMSEFC to proceed with the plans and documents required to:
- i. establish as Road all those portions of Lot 308, Lot 309, Lot 310, and Lot 307 generally the same as shown and labelled as "Road to be Established" on the plans attached as Appendix "D", Appendix "E," Appendix "H," and Appendix "I" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005 respectively and generally representing a 0.5 metre increase in the width of 1st Avenue between Cambie Street and Ontario Street; and
 - ii. register a right-of-way and an option to purchase for public access, use and utilities over all those portions of Lot 308, Lot 309, Lot 310 and Lot 307 being a 4.0 metre wide strip, parallel to the road widening authorized above the same as shown and labelled "Additional Right of Way Width" the same as shown on the plans attached as "Appendix "D", Appendix "E", Appendix "H", and Appendix "I" to the Administrative Report *South East False Creek and Olympic Village - Road Closures and Consolidations* dated August 22, 2005.
- J. THAT Council instruct the DLS in consultation with the DRES, the GMES and the PMSEFC to commence a review of all encumbrances registered against the City-owned lands and to seek release of all redundant charges from the holder of such charges.
- K. THAT Council authorize the DLS in consultation with the DRES, the GMES and the PMSEFC to approve minor amendments to the program of road closures, consolidations and road right-of-way establishments should either field survey

reveal, or timing of acquisition of privately owned lands dictate, the need for such variations.

- L. THAT Council instruct the PMSEFC, in consultation with the DRES, the GMES and the DLS to report back on a program to subdivide Lots 306-310 inclusive in a form consistent with the South East False Creek Official Development Plan, and Olympic Athletes Village design.
- M. THAT once the form of all legal documentation and plans has been approved by the GMES, the DRES and the PMSEFC and the DLS; the DLS, be authorized to execute and deliver such documentation and plans on behalf of the City.
- N. THAT the Street Naming Committee be requested to consider the following names for future streets in the South East False Creek and Olympic Village area: Marine Boilermakers Way and Tommy Mcgrath.

CARRIED UNANIMOUSLY

**11. 2005 Survey of Low-Income Housing in the Downtown Core
August 29, 2005 (File 4656)**

MOVED by Councillor Woodsworth

THAT the Administrative Report *2005 Survey of Low-Income Housing in the Downtown Core* dated August 29, 2005 be received for information.

CARRIED UNANIMOUSLY
(Councillor Green absent for the vote)

**12. Form of Development: 1139 West Cordova Street
August 29, 2005 (File 2604)**

THAT the form of development for this portion of the CD-1 zoned site known as 501 Bute Street (1139 West Cordova Street being the application address) be approved generally as illustrated in the Development Application Number DE408870, prepared by James K.M. Cheng, Architects and stamped "Received, Community Service Group, Development Services", May 17, 2005, provided that the Director of Planning may approve design changes which would not adversely affect either the development character of this site or adjacent properties.

ADOPTED ON CONSENT

**13. Housing Agreement: 4242-56 Fraser Street
August 12, 2005 (File 1203)**

THAT, subject to the purchase of the 4242-56 Fraser St. by the Vancouver Resource Society, Council approve replacing the existing Housing Agreement for 4242-56 Fraser St. with a Housing Agreement requiring rental operation and non-profit ownership, and that the Director of Legal Services be authorized to execute the necessary legal documentation on terms and conditions to her satisfaction.

ADOPTED ON CONSENT

**14. Award of Tender PS05027 Supply and Delivery of Mineral Aggregates
August 25, 2006 (File 1805)**

- A. THAT, subject to the conditions set out in B, C and D below, Council authorize the General Manager of Engineering Services and the Manager of Materials Management to enter into agreements with Lafarge Canada Inc. and., Mainland Sand and Gravel Ltd. for the supply and delivery of mineral aggregates for a period of three (3) years at an estimated cost of \$8,169,150,260,650.00 plus GST (less any municipal rebate received) and PST (where applicable) with subsequent renewal options for two (2) additional one (1) year extensions.
- 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 Engineering Services, the 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.

ADOPTED ON CONSENT

**15. UBCM - Sponsorship of the Welcome Reception
September 9, 2005 (File 3252)**

MOVED by Councillor Woodsworth

THAT Council approve funding in the amount of \$17,500 to sponsor the Welcome Reception of the UBCM Annual Convention being held at the Storyeum on September 26. The sponsorship funding is to be made available through the External Relations budget.

CARRIED UNANIMOUSLY

POLICY REPORTS

**1. Administrative CD-1 Text Amendment - 2020 Harrison Drive
August 5, 2005 (File 5305)**

THAT, following enactment of the CD-1 By-law for 2020 Harrison Drive, currently approved in principle, the Director of Current Planning be instructed to make application to amend the By-law to include standard floor area calculation inclusion and exclusion clauses, generally in accordance with Appendix A of the Policy Report *Administrative CD-1 Text Amendment - 2020 Harrison Drive* dated August 5, 2005, and that the application be referred to a Public Hearing.

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary 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 Text Amendment: 1402-1436 Kingsway and 4050 Knight Street
August 24, 2005 (File 5305)**

THAT the application by Keith Hemphill, Architect to amend CD-1 By-law No. 8880 for 1402-1436 Kingsway and 4050 Knight Street to increase the site area figure, generally in accordance with Appendix A of the Policy Report *CD-1 Text Amendment: 1402-1436 Kingsway and 4050 Knight Street* dated August 24, 2005, be referred to a Public Hearing and be approved subject to conditions contained in Appendix B of the Policy Report;

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

ADOPTED ON CONSENT

**3. RT-10/RT-10N and RM-1/RM-1N Districts Schedules
September 6, 2005 (File 5301)**

MOVED by Councillor Roberts

- A. THAT the Director of City Plans be instructed to make application to:
- (i) amend the Zoning and Development By-law to create a new RT-10/RT-10N Districts Schedule generally in accordance with Appendix A of the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005;

- (ii) amend the Zoning and Development By-law to create a new RM-1/RM-1N Districts Schedule, generally in accordance with Appendix B of the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005;
- (iii) rezone the "Kingsway and Knight Housing Plan" area shown as shaded in Figure 1 in the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005, from RS-1, RS-1A, RS-2 and RT-2 to RT-10/RT-10 N;
- (iv) rezone the "Kingsway and Knight Housing Plan" area shown as shaded in Figure 2 in the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005, from RS-1, RT-2 and RS-1A to RM-1/RM-1N.
- (v) amend the Zoning and Development By-law for consequential amendments generally in accordance with Appendix C of the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005.

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

AND FURTHER THAT the application and By-laws be referred to a Public Hearing.

- B. THAT subject to approval of the By-laws at the Public Hearing, the By-laws be accompanied at the time of enactment by the RT-10/RT-10N Small House/Duplex and RM-1/RM-1N Courtyard Rowhouse Guidelines, generally as outlined in Appendix D of the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005, to be adopted by resolution of Council.
- C. THAT subject to approval of the rezoning of the areas to RT-10/RT-10N; RM-1/RM-1N, the Subdivision By-law be amended to exclude the areas as shown in Figure 1 and Figure 2 from the regulations pertaining to RS-1/RS-1A/RS-2, and RT-2, as set out in Appendix C of the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005.
- D. THAT subject to approval of the rezoning of the areas to RT-10/RT-10N; RM-1/RM-1N, the Parking By-law be amended generally in accordance with Appendix C of the Policy Report *RT-10/RT-10N and RM-1/RM-1N Districts Schedules* dated September 6, 2005.

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote)

4. **Proposed Elimination of Pacific Centre Atrium and Replacement with Alternative Public Benefit - 777 Dunsmuir Street (Holt Renfrew, Pacific Centre)**
September 7, 2005 (File 2605)

As a request to speak had been received, Council agreed to refer consideration of Policy Report *Proposed Elimination of Pacific Centre Atrium and Replacement with Alternative Public Benefit - 777 Dunsmuir Street (Holt Renfrew, Pacific Centre)* dated September 7, 2005 to the Standing Committee on City Services and Budgets meeting on September 15, 2005 to hear the speaker.

5. **3585 Graveley Street: Proposed Rezoning from I-2 to CD-1**
September 7, 2005 (File 5304)

MOVED by Councillor Bass

- A. THAT the application by the Director of Real Estate Services to rezone 3585 Graveley Street (Lot 3, Block 113, Section 28 of THSL, Plan LMP 34147) from I-2 Industrial District to CD-1 Comprehensive Development District, to allow General Office use in two existing buildings, be referred to a Public Hearing, together with:
 - i) plans of existing development dated July 25, 2005 attached as Appendix D to the Policy Report *3585 Graveley Street: Proposed Rezoning from I-2 to CD-1* dated September 7, 2005;
 - ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report; 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 *3585 Graveley Street: Proposed Rezoning from I-2 to CD-1* dated September 7, 2005, 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 (I-2) as set out in Appendix C of the Policy Report.

- B. 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 as set out in Appendix C of the Policy Report; 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 CD-1 By-law.

- C. THAT, should the rezoning of 3585 Graveley Street be approved, Council instruct staff to report back on the feasibility of rezoning the CD-1 to I2 following the 2010 Winter Games and on the appropriate Community Amenity Contribution to be expected from the rezoning.

CARRIED UNANIMOUSLY

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 Woodsworth

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Cadman

SECONDED by Councillor Louis

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

CARRIED UNANIMOUSLY

1. A By-law to amend Noise Control By-law No. 6555 (755 West 42nd Avenue)
(By-law No. 9091)
2. A By-law to amend Noise Control By-law No. 6555 (950 Quebec Street)
(By-law No. 9092)
3. A By-law to amend Health By-law No. 6580 regarding beekeeping (By-law No. 9093)
4. A By-law to amend Health By-law No. 6580 regarding housekeeping
(By-law No. 9094)

5. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (1356 West 13th Avenue) (By-law No. 9095) (Councillor Roberts excused from voting on By-law No. 5)
6. A By-law to designate certain real property as protected heritage property (1356 West 13th Avenue) (By-law No. 9096) (Councillor Roberts excused from voting on By-law No. 6)
7. A By-law to amend Arbutus Neighbourhood Development Cost Levy By-law No. 7500 regarding miscellaneous matters (By-law No. 9097)
8. A By-law to amend Burrard Slopes Development Cost Levy By-law No. 7342 regarding miscellaneous matters (By-law No. 9098)
9. A By-law to amend Cedar Cottage/Welwyn Street Development Cost Levy By-law No. 7862 regarding miscellaneous matters (By-law No. 9099)
10. A By-law to amend Downtown South Development Cost Levy By-law No. 6294 regarding miscellaneous matters (By-law No. 9100)
11. A By-law to amend Dundas-Wall Neighbourhood Development Cost Levy By-law No. 7608 regarding miscellaneous matters (By-law No. 9101)
12. A By-law to amend False Creek Flats Development Cost Levy By-law No. 8332 regarding miscellaneous matters (By-law No. 9102)
13. A By-law to amend Grandview Boundary Industrial Area Development Cost Levy By-law No. 8583 regarding miscellaneous matters (By-law No. 9103)
14. A By-law to amend Oakridge/Langara Neighbourhood Development Cost Levy By-law No. 7630 regarding miscellaneous matters (By-law No. 9104)
15. A By-law to amend Triangle West Neighbourhood Development Cost Levy By-law No. 7847 regarding miscellaneous matters (By-law No. 9105)
16. A By-law to amend Vancouver Development Cost Levy By-law No. 8149 regarding miscellaneous matters (By-law No. 9106)
17. A By-law to amend Downtown South Development Cost Levy By-law No. 6924 regarding rate increase (By-law No. 9107)
18. A By-law to enact a Housing Agreement for 2020 Harrison Drive (By-law No. 9108)
19. A By-law to provide for the imposition of interest on delinquent property taxes for 2006 (By-law No. 9109)
20. A By-law to amend Street Name By-law No. 4054 regarding Carolina Street and Langara Avenue (By-law No. 9110)

MOTIONS

A. Administrative Motions

None.

B. Motions on Notice

1. Canadian Broadcasting Corporation (File 1263)

The following motion reflects an amendment to the Motion on Notice.

MOVED by Councillor Woodsworth

SECONDED by Councillor Cadman

WHEREAS

1. The CBC, Canada's public broadcaster, is fundamental to the cultural identity of Canada;
2. Canadians depend on the CBC to provide radio, television and internet services to keep them plugged into the world and their community for a Canadian perspective on news, current affairs, sports, music and the arts;
3. CBC Management locked out 5500 employees August 15, 2005 and pulled its regular programs off the airwaves;
4. CBC employees are eager to return to work and to provide Canadians with the high quality, made in Canada programs we've come to expect of the CBC.

THEREFORE BE IT RESOLVED

THAT the City of Vancouver Council support all efforts to ensure that a fair deal for CBC employees is reached as soon as possible.

CARRIED UNANIMOUSLY

NEW BUSINESS

1. Burrard Bridge Sidewalk Capacity Improvements for Pedestrians and Cyclists (File 5752-3)

MOVED by Councillor Green

SECONDED by Councillor Louie

THAT Council agree to reconsider the motion passed on July 19, 2005 on the *Burrard Bridge Sidewalk Capacity Improvements for Pedestrians and Cyclists*.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

MOVED by Councillor Green
SECONDED by Councillor Louie

THAT the following be added to the motion approved by Council on July 19, 2005 on the *Burrard Bridge Sidewalk Capacity Improvements for Pedestrians and Cyclists*:

THAT full public consultation, including a Special council meeting where any member of the public can speak, be undertaken once the plans for the pilot lane closure are finalised, and that after this consultation, Council have final approval on implementation of the pilot lane closure.

CARRIED UNANIMOUSLY

2. Leave of Absence - Councillor Louis (File 1254)

MOVED by Councillor Bass
SECONDED by Councillor Cadman

THAT Councillor Louis be granted Leave of Absence for the evenings of September 15 and 20, 2005.

Notice

Councillor Louie called Notice under Section 5.4(c) of the Procedure By-law. The Motion will be considered at the Regular Council meeting immediately following the Standing Committee on City Services and Budgets meeting on September 15, 2005.

3. Leave of Absence - Councillor Roberts (File 1254)

MOVED by Councillor Woodsworth
SECONDED by Councillor Louis

THAT Councillor Roberts be granted Leave of Absence due to civic business for the evening of September 15, 2005.

CARRIED UNANIMOUSLY

NOTICE OF MOTION

1. Sewer Service Charges for Community Gardens (File 1755)

The following Notice of Motion was submitted by Councillor Louis for the Regular Council meeting on September 20, 2005 and recognized by the Chair.

THAT WHEREAS:

1. Community Gardens in Vancouver are neighbourhood amenities that provide a valuable public service while contributing significantly to the City's environmental sustainability goals;
2. At least 18 Community Gardens are located on property owned by the City or on land under the jurisdiction of the Vancouver Park Board;
3. Community Gardens are operated with limited funds on a non-profit basis by local residents, many in economically challenged areas of the City;
4. Some Community Gardens pay for sewer services they neither receive nor require; the cost of which can represent a financial burden threatening the continued viability of those gardens;

THEREFORE BE IT RESOLVED THAT the said sewer service charges be deleted from utility bills issued to those Community Gardens currently required to pay for sewer services.

Notice

ENQUIRIES AND OTHER MATTERS

1. Density Bonusing for 1 West Hastings (File 5301)

Councillor Green requested staff to meet with the applicant for 1 West Hastings Street and advise on how the density bonusing would work for that site.

2. Bathtub Races from Nanaimo to Vancouver (File 4201)

Councillor Green advised he has been contacted by a person who said he owns the rights to the bathtub race from Nanaimo to Vancouver and would like to restart them. Councillor Green requested staff to provide information on what happened to the races.

3. International Association of Peace Messengers Cities Meeting (File 3120)

Councillor Cadman briefly reported on the International Association of Peace Messengers Cities meeting he attended recently in Slovenia. At the meeting, the City of Vancouver was presented with a commemorative plate which he gave to the City Clerk.

4. Report Reference on Emergency Preparedness in the City of Vancouver (File 3603)

Councillor Woodsworth noted the concern of citizens after Hurricane Katrina and requested staff provide a Report Reference on the emergency preparedness in the City of Vancouver, in particular to assure citizens what the City is doing and what they can do to be prepared.

5. Fair Trade Businesses on Commercial Drive (File 6001)

Councillor Louis advised he has been contacted by a number of Fair Trade businesses on Commercial Drive who would like to see all or a portion of Commercial Drive be designated a fair trade area. Councillor Louis requested staff to provide a memorandum on the feasibility of the request.

The Council adjourned at 6:25 p.m.

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