



REPORT TO COUNCIL
STANDING COMMITTEE OF COUNCIL
ON PLANNING AND ENVIRONMENT

NOVEMBER 3, 2005

A Regular Meeting of the Standing Committee of Council on Planning and Environment was held on Thursday, November 3, 2005, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Councillor Anne Roberts, Chair
*Councillor Fred Bass
Councillor David Cadman
Councillor Jim Green, Vice-Chair
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Tim Louis
Councillor Tim Stevenson
Councillor Sam Sullivan
Councillor Ellen Woodsworth

ABSENT: Mayor Larry Campbell (Sick Leave)

CITY MANAGER'S OFFICE: Judy Rogers, City Manager

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

*Denotes absence for a portion of the meeting.

ADOPTION OF MINUTES

The Minutes of the Standing Committee on Planning and Environment meeting of October 6, 2005, were adopted.

INFORMATION

1. **Annual Report for the year 2005 - Advisory Committee on Diversity Issues**
(File 3055-1)

The Committee had before it an Other Report dated October 13, 2005, in which the Advisory Committee on Diversity Issues presented Council with a report on its activities for the period of December 2, 2004, to October 13, 2005. The City Manager submitted the 2005 Annual Report from the Advisory Committee on Diversity Issues for information, noting attached recommendations and recommending if the new Council supports those recommendations, they be referred to staff to review as they will impact on the 2006 Budget and departmental work programs

MOVED by Councillor Louis
THAT the Committee recommend to Council

THAT this report be received for information.

In accordance with the 2005 Workplan submitted by the Advisory Committee on Diversity Issues to Council on March 17, 2005, the Committee has included three reports as appendices to the 2005 Annual Report. These reports are:

- Civic Youth Programs and Diversity Issues
- Planning for Diversity for 2010 Olympic Games
- Internationally Trained Professionals Mentorship Initiative

The Advisory Committee on Diversity Issues requests that the incoming Council be made aware of the recommendations contained in each of these reports.

CARRIED UNANIMOUSLY
(Councillor Bass absent for the vote)

RECOMMENDATION

2. 2960 East 1st Avenue - Warning to Prospective Purchasers (File 2701-1)

The Committee had before it an Administrative Report dated September 26, 2005, in which the City Building Inspector sought Council approval to file a 336D Notice against the title to 2960 East 1st Avenue to warn prospective purchasers of By-law violations and to request approval to seek injunctive relief. The General Manager of Community Services recommended approval.

MOVED by Councillor Louis
THAT the Committee recommend to Council

- A. THAT the City Clerk be directed to file a 336D Notice against the title to the property at 2960 East 1st Avenue, Lot 15, Block 57, Section 31 Town of Hastings Suburban Lands, Plan 4529, PID 011-514-205 in order to warn prospective purchasers that this building has been used as an illegal marijuana grow operation on three occasions and there are contraventions of the Vancouver Building, Standards of Maintenance and Electrical By-laws related to this unapproved use.
- B. THAT the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceedings in relation to the premises located at 2960 East 1st Avenue and may, in her discretion, seek injunctive relief in that action or proceeding, in order to bring this building into compliance with City By-laws.

CARRIED UNANIMOUSLY

3. 1805 East 51st Avenue - Warning to Prospective Purchasers (File 2701-1)

The Committee had before it an Administrative Report dated October 11, 2005, in which the City Building Inspector sought Council approval to file a 336D Notice against the title to 1805 East 51st Avenue to warn prospective purchasers that this building has been a grow op on two occasions and that there are By-law violations and to request approval to seek injunctive relief. The General Manager of Community Services recommended approval.

MOVED by Councillor Louis

THAT the Committee recommend to Council

- A. THAT the City Clerk be directed to file a 336D Notice against the title to the property at 1805 East 51st Avenue, Lot 43, Block 2, District Lot 735 Plan 3421 PID 004-966-546 in order to warn prospective purchasers that this building has been used as an illegal marijuana grow operation on two occasions and there are contraventions of the Vancouver Building, Standards of Maintenance and Electrical By-laws related to this unapproved use.
- B. THAT the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceedings in relation to the premises located at 1805 East 51st Avenue and may, in her discretion, seek injunctive relief in that action or proceeding, in order to bring this building into compliance with City By-laws.

CARRIED UNANIMOUSLY

**4. Proposed Amendment to Subdivision By-law No. 5208 -
Reclassification of 4838 Marguerite Street (File 113/5306)**

The Committee had before it an Administrative Report dated October 17, 2005, in which the Subdivision Approving Officer sought Council approval to reclassify the property at 4838 Marguerite Street (Lot 5) from Category E to Category B for the purpose of subdivision in accordance with the minimum parcel size requirements of Schedule A, Table 1, of the Subdivision By-law. The General Manager of Community Services recommended approval.

MOVED by Councillor Louis

THAT the Committee recommend to Council

- A. THAT Council approve the application to reclassify the property at 4838 Marguerite Street from Category E to Category B of Schedule A, Table 1, of Subdivision By-law No. 5208.
- B. THAT if Council approves A, the Director of Legal Services be instructed to prepare the necessary by-law to amend the Subdivision By-law implementing the required changes.

CARRIED UNANIMOUSLY

5. Vancouver Green Building Strategy (File 3501)

The Committee had before it a Policy Report dated October 17, 2005, in which the Director of Central Area Planning, in consultation with the Manager of Sustainability Office and Chief Building Official, presented Council with a proactive green building strategy (GBS) to reduce the environmental impacts that buildings have on the local environment and global climate change, and outlined staff work and external stakeholder consultation that led to the recommended GBS approach. The City Manager and the General Manager of Community Services recommended approval.

Larry Beasley, Director of Current Planning, Dale Mikkelsen, Current Planning, and Rob Bennet, Project Manager - Sustainability, reviewed the report, provided an overview of the green building process to date, and responded to questions regarding:

- feedback on living in green buildings;
- viability of doing post-occupancy evaluations and cost-benefit analyses;
- level of resistance from developers for the new regulations and By-law changes;
- comparisons with other jurisdictions;
- when single family homes and smaller buildings will be included in the regulations;
- opportunities for innovation and creativity; prioritization of goals;
- comparison to Southeast False Creek;
- possibility of doing a showcase at the World Urban Forum;
- percentage of new construction that is under 4 stories; and
- if there would be any impact in the absence of regulations.

The following delegations spoke in general support of the strategy, noting concerns:

Ron Bain (*brief distributed - on file*)
Brenda Martens, NAIOC

Their comments included:

- GBS needs to be proactive rather than solely regulatory;
- GBS should look at creating partnerships with industry, not just regulating; updating the By-laws is only part of the changes necessary;
- stakeholder involvement;
- GBS needs to consider economic and social issues; and,
- work should continue on low-rise building.

The Committee requested implementation of the GBS reflect, over time, lessons learned from the development of the 2010 Olympic Athletes' Village, and the green buildings on the private lands of Southeast False Creek.

MOVED by Councillor Bass

THAT the Committee recommend to Council

- A. THAT Council endorse the development and implementation of the Vancouver Green Building Strategy for all buildings regulated under Part Three of the Vancouver Building By-law (e.g. generally buildings four stories and above) in accordance with the "City Regulation with Voluntary LEED" approach described in the Policy Report dated October 17, 2005, entitled "Vancouver Green Building Strategy".
- B. THAT Council approve a total budget allocation of \$100,000, with the existing sources of funding being \$75,000 remaining in the green building budget approved by Council in July 2004, and \$25,000 from the Sustainability Office operating budget.
- C. THAT Council approve the creation of a temporary Civil Engineer 1 position for a period of one year, to be assigned to the Office of the Chief Building Official, to undertake work as described in the Policy Report dated October 17, 2005, entitled "Vancouver Green Building Strategy" report.
- D. THAT staff report back with a program for systematic tracking of people's experience with buildings built through the new green building regulations.

CARRIED UNANIMOUSLY

**6. 1181 Davie Street - David Battersby
Liquor Primary Liquor License (File 2615)**

The Committee had before it an Administrative Report dated October 18, 2005, in which the Chief License Inspector sought, on behalf of David Battersby, a Council resolution endorsing the application for a 60 seat Liquor Primary liquor license Liquor Establishment Class 1 at 1181 Davie Street. The General Manager of Community Services recommended approval.

David Battersby and Heather Howat, Applicants, along with Bert Hick, Rising Tide Consultants, noted the intention of the application is to create a lounge establishment that would be a sustainable model for the community.

The following spoke in favour of the recommendations:

Chris Staples
Jim Deva

Their comments included:

- applicants have a good reputation;
- Vancouver needs more well-designed bars;
- proposal is good for Davie Village and supports LGTB community and travel; and,
- lounge will fill an empty niche in Davie Village.

MOVED by Councillor Stevenson

THAT the Committee recommend to Council

THAT Council, having considered that the majority of area residents and business operators of the community are in favour of the application as determined by neighbourhood notification and public meeting and having considered the proximity of residential developments, traffic patterns, road access, availability of parking, noise impacts, the overall design, and relevant Council policy as outlined in the Administrative Report dated October 18, 2005, entitled "1181 Davie Street - David Battersby - Liquor Primary Liquor License", endorse the application by David Battersby for a 60 seat Liquor Primary liquor license Liquor Establishment Class 1 (Neighbourhood Pub use) at 1181 Davie Street subject to:

- i. A Time Limited Development Permit;
- ii. A signed Good Neighbour Agreement prior to issuance of the business license;
- iii. Standard Hours of operation of 11:00 a.m. to 2:00 a.m., Monday to Sunday subject to Council enactment of the required Business Premise Regulation Bylaw;
- iv. Extended Hours of operation of 9:00 a.m. to 3:00 a.m., Monday to Sunday per the license bylaw requirements subject to Council enactment of the required Business Premise Hours of Regulation Bylaw; and
- v. Adherence to clean air principles.

CARRIED UNANIMOUSLY

7. Demolition of Kogawa House - 1450 West 64th Avenue (File 5051/5102)

The Committee had before it an Administrative Report dated October 31, 2005, in which the Director of Current Planning sought a Council order to protect the Kogawa House property at 1450 West 64th Avenue for 120 days. The General Manager of Community Services recommended approval.

Gerry McGeough, Senior Heritage Planner, reviewed the report, noting the house has heritage value on many levels and that the goal of the report is to create time to allow the Save the Kogawa House Committee to raise money to buy the house. Mr. McGeough, along with Larry Beasley, Director of Current Planning, responded to questions regarding the timing of the application for demolition, if the order of protection can be dated to start the day before the application for demolition is granted, and the worst-case scenario.

The following delegations spoke in favour of the order of protection:

Diane Switzer, Vancouver Heritage Foundation
Heather Redfern, Alliance for Arts and Culture (*brief distributed - on file*)
Todd Wong, Save Kogawa House Committee
Anne-Marie Metten, Save Kogawa House Committee (*brief distributed - on file*)
Marion Quednau, Writer's Union of Canada

Their comments included:

- urged Council to grant the order of protection;
- Vancouver Heritage Foundation will carry on being the conduit of donations for the Save Kogawa House Committee;
- Kogawa House is important to multiculturalism; this is a Canadian issue;
- Review offundraising plan; and,
- suggested Kogawa House be transformed into a writers' centre.

Ms. Joy Kogawa was present and read a passage from her book, "Obasan".

MOVED by Councillor Green

THAT the Committee recommend to Council

- A. THAT Council considers the property, known as the Kogawa House, at 1450 West 64th Avenue, to have heritage value meriting conservation.
- B. THAT pursuant to section 589 of the Vancouver Charter, Council orders that the property and the apple and cherry trees at 1450 West 64th Avenue be subject to temporary protection in accordance with the provision of section 591 of the Vancouver Charter for a period of 120 days, from November 30, 2005.
- C. THAT Council agrees that the form of this Order shall be satisfactory to the City's Director of Legal Services and THAT the Order shall be executed on behalf of Council by the Director of Legal Services.
- D. THAT Council commends the property owners for their collaboration in the preservation effort.

CARRIED UNANIMOUSLY

8. Taxi Host Level Two Requirement (File 2801)

Vancouver City Council, at its meeting immediately following the Standing Committee on City Services and Budgets meeting on November 3, 2005, received requests to speak on this matter and agreed to refer consideration to the Standing Committee on Planning and Environment meeting on November 3 to hear from speakers.

Accordingly, the Committee had the following documents before it:

1. Motion entitled "Taxi Host Level Two Requirement", submitted at the Regular Council Meeting on November 1, 2005, and
2. Memo from the Chief License Inspector dated October 25, 2005.

MOVED by Councillor Green

THAT the motion entitled "Taxi Host Level Two Requirement" originally submitted at the Regular Council Meeting on November 1, 2005, be withdrawn.

CARRIED UNANIMOUSLY

MOVED by Councillor Louis

THAT the Committee recommend to Council

WHEREAS:

1. The Taxi Host Level Two has yet to be implemented in any of Vancouver's surrounding Municipalities.
2. The Taxi Industry would like additional input and time for implementation of the Taxi Host Level Two.
3. Taxi drivers are a very important component of Vancouver's Service Industry.
4. Many feel that requiring drivers to take a course about the job that they have been doing for years is not worthwhile.
5. The disability community and the tourism industry have expressed concerns about the need for Level II training.

RESOLVED

THAT City of Vancouver staff call the interested parties back together to find a compromise to the issue of taxi drivers being required to take Level II Training; and,

FURTHER THAT the implementation of the requirement to have Level II before being granted a taxi license be suspended until March 31st, 2006.

CARRIED UNANIMOUSLY

Carol Bauer, MacLure's Cabs, and Ramendra Sahay, Black Top Cabs, thanked Council for the new motion.

9. Level II Training for Taxi Drivers (File 2801)

Vancouver City Council, at its meeting immediately following the Standing Committee on City Services and Budgets meeting on November 3, 2005, received requests to speak on this matter and agreed to refer consideration to the Standing Committee on Planning and Environment meeting on November 3 to hear from speakers.

Accordingly, the Committee had the following documents before it:

1. Motion entitled, "Level II Training for Taxi Drivers", submitted at the Regular Council meeting on November 1, 2005, and
2. Memo from the Chief License Inspector dated October 25, 2005

MOVED by Councillor Green

THAT the Committee recommend to Council

THAT the motion entitled "Level II Training for Taxi Drivers" originally submitted at the Regular Council Meeting on November 1, 2005, be withdrawn.

CARRIED UNANIMOUSLY

The Committee adjourned at 4:12 p.m.

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CITY OF VANCOUVER

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

NOVEMBER 3, 2005

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, November 3, 2005, at 4:12 p.m., in the Council Chamber, Third Floor, City Hall, following the Standing Committee on Planning and Environment meeting, to consider the recommendations and actions of the Committee.

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

ABSENT: Mayor Larry Campbell (Sick Leave)

CITY MANAGER'S OFFICE: Judy Rogers, City Manager

CITY CLERK'S OFFICE: Nicole Ludwig, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Report of Standing Committee on Planning and Environment November 3, 2005

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

1. Annual Report for the Year 2005 - Advisory Committee on Diversity Issues
2. 2960 East 1st Avenue - Warning to Prospective Purchasers
3. 1805 East 51st Avenue - Warning to Prospective Purchasers
4. Proposed Amendment to Subdivision By-law No. 5208 - Reclassification of 4838 Marguerite Street
5. Vancouver Green Building Strategy
6. 1181 Davie Street - David Battersby Liquor Primary Liquor License
7. Demolition of Kogawa House - 1450 West 64th Avenue
8. Taxi Host Level Two Requirement
9. Level II Training for Taxi Drivers

Items 1 to 9

MOVED by Councillor Cadman

THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of November 3, 2005, as contained in items 1 to 9, be approved.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louis

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

MOTIONS

A. Administrative Motions

1. Form of Development: 1211 Melville Street (File 5306)

MOVER: Councillor Roberts

SECONDER: Councillor Cadman

THAT the form of development for the CD-1 zoned site known as 1211 Melville Street be approved generally as illustrated in Development Application No. DE409395 prepared by Hancock, Bruckner, Eng + Wright Architects, and stamped "Received, City of Vancouver Planning Department, September 19, 2005", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

CARRIED UNANIMOUSLY

ENQUIRIES AND OTHER MATTERS

1. Wireless Cities (File 1188)

Councillor Green requested an information memo back on moving to a wireless Vancouver.

Councillor Cadman requested the memo include health studies around hot zones.

Councillor Ladner requested the memo include funding for the system, specifically , if it is a public expense or "pay-as you-go" system.

The Council adjourned at 4:15 p.m.

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