

These minutes will be adopted at the Regular Council meeting on May 16, 2006



REPORT TO COUNCIL
STANDING COMMITTEE OF COUNCIL
ON PLANNING AND ENVIRONMENT

APRIL 20, 2006

A Regular Meeting of the Standing Committee of Council on Planning and Environment was held on Thursday, April 20, 2006, at 3:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Councillor Suzanne Anton, Chair
*Mayor Sam Sullivan
*Councillor Elizabeth Ball
Councillor David Cadman
Councillor Kim Capri, Vice-Chair
*Councillor George Chow
Councillor Heather Deal
Councillor Peter Ladner
*Councillor B.C. Lee
Councillor Raymond Louie
Councillor Tim Stevenson

CITY MANAGER'S OFFICE: Judy Rogers, City Manager

CITY CLERK'S OFFICE: Diane Clairmont, Meeting Coordinator

* Denotes absence for a portion of the meeting.

1. Child Issues (VanRIMS No. 08-0500-11/08-3000-11)

The Committee had before it an Other Report dated November 9, 2005, in which the Advisory Committee on Disability Issues recommended Council urge the Ministry of the Attorney General to expand legislation to allow children under the age of 19 with disabilities equal access and entitlement to all disability benefits. The City Manager submitted the motion for Council's consideration.

Kathleen Shiels and Tasia Alexis, representatives of the Advisory Committee on Disability Issues, reviewed the report and responded to questions relating to the level of consideration given to this issue by the Advisory Committee, ramifications and impacts on children if legislation is not changed, need for collaboration with other levels of Government and whether the Advisory Committee has had dialogue with the Provincial Government, and support processes through the school system.

MOVED by Councillor Capri
THAT the Committee recommend to Council

THAT the Other Report *Child Issues*, dated November 9, 2006 be referred to a Standing Committee within the next 30 days.

CARRIED
(Councillors Cadman, Chow, Deal, Louie and Stevenson opposed)

It was agreed that Councillors Deal and Capri would work with the Advisory Committee on Disability Issues to develop a more comprehensive recommendation.

Council recessed at 3:35 p.m. and reconvened at 3:43 p.m. with all members present, with the exception of Councillors Chow, Lee and Mayor Sullivan.

2. 2046 East 43rd Avenue-Warning to Prospective Purchasers (VanRIMS No. 11-4400-10)

The Committee had before it an Administrative Report dated February 20, 2006, in which the City Building Inspector sought Council approval to file a 336D Notice against the title to 2046 East 43rd Avenue to warn prospective purchasers of By-law violations. The General Manager of Community Services recommended approval.

Peter Sweeney, Manager, Building Inspection Branch, reviewed the report.

MOVED by Councillor Capri
THAT the Committee recommend to Council

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 2046 East 43rd Avenue Lot 10, District Lot 719, Plan 2609, PID 013-586-483 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 and Electrical By-laws related to this unapproved use.

CARRIED UNANIMOUSLY
(Councillors Chow, Lee and Mayor Sullivan not present for the vote)

3. 2185 East 43rd Avenue-Warning to Prospective Purchasers (VanRIMS No. 11-4400-10)

The Committee had before it an Administrative Report dated March 7, 2006, in which the City Building Inspector sought Council approval to file a 336D Notice against the title to 2185 East 43rd Avenue to warn prospective purchasers of By-law violations. The General Manager of Community Services recommended approval.

Peter Sweeney, Manager, Building Inspection Branch, reviewed the report.

MOVED by Councillor Deal
THAT the Committee recommend to Council

THAT the City Clerk be directed to file a 336D Notice against the title to the property at 2185 East 43rd Avenue, Lot 63 N H1f of the west part of District Lot 719, Plan 2331, PID 013-895-524 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 and Electrical By-laws related to this unapproved use.

CARRIED UNANIMOUSLY
(Councillors Chow, Lee and Mayor Sullivan not present for the vote)

4. 456 East 12th Avenue-Warning to Prospective Purchasers (VanRIMS No. 11-4400-10)

This item was withdrawn

5. 3535 - 3539 West 3rd Avenue-Warning to Prospective Purchasers
(VanRIMS No. 11-4400-10)

The Committee had before it an Administrative Report dated March 27, 2006, in which the City Building Inspector sought Council approval to file a 336D Notice against the title to 3535 - 3539 West 3rd 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.

Peter Sweeney, Manager, Building Inspection Branch, reviewed the report and responded to questions relating to floor space ratio and the extent of the suite in question.

Jose Luis Carmona, Owner, indicated one west-side wall should be allowed to stay and there is enough floor space to permit the addition. He advised that while the City says the additions are not allowed because the building is already at capacity, other buildings in the area are large or larger and they have done the same thing. He advised his Mother has lived there for 17 years and the injunction to remove the two walls would eliminate her suite. However, he has no objection to a 336D notice being filed.

In response to Council questions, Mr. Sweeney clarified the floor space ratio concern as well as the status and length of time the addition in question has been in place.

MOVED by Councillor Capri
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 3535-3539 West 3rd Avenue (Lot 18, Block 16, District Lot 540, Plan 229) in order to warn prospective purchasers that there are contraventions of the Zoning and Development and Vancouver Building By-laws related to this building.
- B. THAT the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceeding in relation to the premises located at 3535-3539 West 3rd Avenue (Lot 18, Block 16, District Lot 540, Plan 229) 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
(Councillor Chow and Mayor Sullivan not present for the vote)

6. Nuisance Property at 3073 East 3rd Avenue (VanRIMS No. 11-4400-10)

The Committee had before it an Administrative Report dated March 27, 2006, in which the City Building Inspector sought Council approval to declare the property at 3073 East 3rd Avenue a nuisance. The General Manager of Community Services recommended approval.

Peter Sweeney, Manager, Building Inspection Branch, reviewed the report and in response to Council questions advised the City is unaware if the owner is operating a business on the property.

MOVED by Councillor Louie
THAT the Committee recommend to Council

- A. THAT Council declare that the condition of the property at 3073 East 3rd Avenue, Lot 18, Block 63 DL Section 31, THSL Plan 7009, PID 010-748-113 is a nuisance pursuant to Section 324A of the Vancouver Charter.
- B. THAT Council approve the Resolution attached to Administrative Report *Nuisance Property at 3073 East 3rd Avenue*, dated March 27, 2006, and order the registered owners of the property to remove all debris, miscellaneous items, materials stored in the yards and remove all unlicensed, dismantled or wrecked vehicles parked/stored in the yards within 30 days of a copy of the Resolution being served pursuant to Section 324A of the Vancouver Charter.

- C. THAT in the event that the owner fails to comply with this order of Council, Council further orders and hereby authorizes the City Building Inspector to have all miscellaneous items/materials stored in the yards and all unlicensed, dismantled or wrecked vehicles parked/stored in the yards removed, disposed of or sold pursuant to Section 324A(2) of the Vancouver Charter. Council further orders that from the proceeds of such sale or disposal shall be deducted for the use of the City the actual costs and disbursements incurred by the city in carrying out the removal, sale and disposal and the remainder of such proceeds shall be paid by the City to the owner.
- D. THAT in the event of the failure of the owner to allow the City Building Inspector and/or his designate access to the site to carry out the work as outlined in Recommendation C above, the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceeding in relation to the property located at 3073 East 3rd Avenue, and may, in her discretion, seek injunctive relief in that action or proceeding in order to bring this property into compliance with the City By-laws and Council's resolution
- E. THAT the City Clerk be directed to file a 336D Notice against the Certificate of Title to the property at 3073 East 3rd Avenue, in order to warn prospective purchasers that there are violations of the Standards of Maintenance and Untidy Premises By-laws related to this property and that there is an order of Council against the property.

CARRIED UNANIMOUSLY

(Councillor Chow and Mayor Sullivan not present for the vote)

7. Annual Special Events Report (VanRIMS No. 13-4800-10)

The Committee had before it an Administrative Report dated March 1, 2006, in which the General Manager, Engineering Services, sought Council approval of a list of 2006 special events received and vetted by the Special Events Office, and to identify issues about specific events for which FEST is seeking Council direction.

Muriel Honey, Manager, Film & Special Events Office, reviewed the report and noted that Consideration E in the Administrative Report relating to the a proposal by Elite Racing was withdrawn by the event organizers and also that a memo dated April 20, 2006, was submitted to Council at this meeting with an additional recommendation "F" (on file in City Clerk's Office). Ms. Honey, and Tom Timm, General Manager, Engineering Services, responded to questions relating to airspace required by the Vancouver Aviation Event, Red Bull Flugtag event and suitability of the sponsor's produce for family use, health issues relating to the body of water being flown over, cultural components of the events, Celebration grants, status of the Sport Hosting Task Force, and the Coal Harbour event.

MOVED by Councillor Deal

THAT the Committee recommend to Council

- A. THAT the Special Events in Appendix A of Administrative Report *Annual Special Events Report*, dated March 1, 2006, be approved, subject to staff finalizing acceptable arrangements with the event organizers; and that Council authorize the Film and Special Events Office and FEST to approve minor events that arise during the remainder of 2006.
- B. THAT Council approve in principle a proposal for a Vancouver Aviation Event in the summer of 2007; subject to Park Board approval of the use of Spanish Banks as the viewing venue, and subject to neighbourhood consultation.
- C. THAT Council approve in principle the International Triathlon Union's application to hold the World Triathlon Championship in downtown Vancouver in 2008, and a 2007 ITU World Cup 'test' event in the same area; subject to final arrangements being approved by FEST; and that Council defer any discussion about financial support for either the 2007 or 2008 events until the Sport Hosting staff group reports back on a policy framework for support for sports events.
- D. THAT Council approve the Hudson's Bay Company application to hold the HBC Run for Canada in downtown Vancouver on July 1, 2006; subject to final arrangements being approved by FEST.
- E. THAT the City of Vancouver endorses and welcomes the National & ITU World Cup in 2007 and 2008 ITU Triathlon World Championships and agrees to work with the Vancouver Triathlon Society with respect to venue selection, road access and traffic regulation, utilities and infrastructure, security and such other matters regarding the event as to how they may impact the City.

CARRIED UNANIMOUSLY

(Councillor Ball not present for the vote)

**8. Relocation of 2936 West 4th Avenue to 2626 Highbury Street
(VanRIMS No. 11-2800-40)**

The Committee had before it an Administrative Report dated April 4, 2006, in which the Director of Current Planning in consultation with the Subdivision Approving Officer sought Council support in principle for entering into a Heritage Revitalization Agreement (HRA) to facilitate the relocation and conservation of the Black Swan Records Building on a new site at 2626 Highbury Street. The General Manager of Community Services recommended approval.

Hugh McLean, Heritage Planning Analyst, reviewed the report and along with Gerry McGeough, Senior Heritage Planner, noted that if Council supports the Heritage Revitalization Agreement (HRA), in principle, BC Hydro will enter into discussion with prospective developers to arrange sale of the land. If sold, the new owner would take on all obligations relating to moving the building and dealing with staff and Council concerns. Pending Council's decision, provision has been made to allow subdivision of the property to take place in advance of the HRA. Mr. McLean also noted that an environmental review of the site has been completed and there is evidence of contamination (pipes). Therefore, remediation issues may limit moving the building in the short term and storage of the building may be required. Based on this additional information, staff submitted the staff recommendation in the Administrative Report *Relocation of 2936 West 4th Avenue to 2626 Highbury Street* dated April 4, 2006, for Council approval.

Staff responded to questions relating to obligations of the owner who may buy the land from BC Hydro and impacts of the environmental study.

MOVED by Councillor Deal

THAT the Committee recommend to Council

THAT Council support in principle entering into a Heritage Revitalization Agreement with the owner of 2626 Highbury Street to vary the Subdivision By-law and to secure the on-site rehabilitation and long term conservation of the Black Swan Records Building currently located at 2936 West 4th Avenue, and proposed to be relocated to 2626 Highbury Street.

CARRIED UNANIMOUSLY

(Councillor Ball not present for the vote)

9. Development Cost Levies (DCLs) for Residential Developments With Fewer Than Four Units and For Low to Medium Density Housing Forms (VanRIMS No. 02-3000-11)

The Committee had before it a Policy Report dated April 12, 2006, in which the Director of City Plans presented amendments to Development Cost Levies for collecting growth costs from residential developments containing fewer than four units, as well as new low to medium density housing forms recently allowed in the Kingsway and Knight Neighbourhood Centre and also to seek Council direction to undertake community consultation. The General Manager of Community Services recommended approval.

MOVED by Mayor Sullivan

THAT the Committee recommend to Council

- A. THAT Council receive Policy Report *Development Cost Levies (DCLs) for Residential Developments With Fewer Than Four Units and For Low to Medium Density Housing Forms* dated April 12, 2006, the following proposed amendments to Development Cost Levies (DCL):
- apply DCLs to previously-exempted residential projects containing fewer than four units (including area-specific DCL areas);
 - reduce the DCL rate for low to medium density residential development (i.e., up to 1.2 FSR); and
 - exempt any residential renovations, which may include additions less than 500 square feet, in structures containing fewer than 4 dwelling units
- as described in Policy Report *Development Cost Levies (DCLs) for Residential Developments With Fewer Than Four Units and For Low to Medium Density Housing Forms*, dated April 12, 2006;
- B. FURTHER THAT Council direct staff to undertake a community consultation process with key stakeholders as described in Policy Report *Development Cost Levies (DCLs) for Residential Developments With Fewer Than Four Units and For Low to Medium Density Housing Forms*, dated April 12, 2006;
- C. AND FURTHER THAT Council direct staff to report back by July 2006 with final recommendations and a by-law to implement the proposed DCL amendments.

CARRIED UNANIMOUSLY

(Councillor Ball not present for the vote)

The Committee adjourned at 4:30 p.m.

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CITY OF VANCOUVER

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

APRIL 20, 2006

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, April 20, 2006, at 4:30 p.m., in the Council Chamber, Third Floor, City Hall, following the Standing Committee on Planning and Environment meeting, to consider the recommendations and actions of the Committee.

PRESENT: Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor David Cadman
Councillor Kim Capri
Councillor George Chow
Councillor Heather Deal
Councillor Peter Ladner
Councillor B.C. Lee
Councillor Raymond Louie
Councillor Tim Stevenson

ABSENT: Councillor Elizabeth Ball

CITY MANAGER'S OFFICE: Judy Rogers, City Manager

CITY CLERK'S OFFICE: Diane Clairmont, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Ladner

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

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Report of Standing Committee on Planning and Environment
April 20, 2006

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

1. Child Issues
2. 2046 East 43rd Avenue - Warning to Prospective Purchasers
3. 2185 East 43rd Avenue - Warning to Prospective Purchasers
4. 456 East 12th Avenue - Warning to Prospective Purchasers
5. 3535 - 3539 West 3rd Avenue Warning to Prospective Purchasers
6. Nuisance Property at 3073 East 3rd Avenue
7. Annual Special Events Report
8. Relocation of 2936 West 4th Avenue to 2626 Highbury Street
9. Development Cost Levies (DCLs) for Residential Developments With Fewer Than Four Units and For Low to Medium Density Housing Forms

Items 1 to 9

MOVED by Councillor Chow

THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of April 20, 2006 as contained in items 1 to 9, be approved.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Lee

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Capri
SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

BY-LAWS

The By-laws were withdrawn.

MOTIONS ON NOTICE

1. Council's Four-Pillar Policy

This item was withdrawn.

2. Hosting International Association of Peace Messenger Cities General Assembly (VanRIMS No.: 08-3000-11)

At the Regular Council meeting on April 18, 2006, the following motion was submitted by Mayor Sullivan. Councillor Anton called Notice under Section 5.4(c) of the Procedure By-law. The motion was to be considered at the Regular Council meeting immediately following the Standing Committee on City Services and Budgets meeting of April 20, 2006; however, due to time constraints, the item was referred to the Council meeting following Standing Committee on Planning and Environment.

MOVER: Mayor Sullivan

SECONDER: Councillor Louie

WHEREAS

- Vancouver has a long history of promoting world peace
- The International Association of Peace Messenger Cities General Assembly will be meeting in Vancouver, June 23 - 27, 2006 in conjunction with the World Peace forum
- The GVRD and member municipalities have written a letter of invitation and will be hosting certain parts of the Assembly
- City Council had originally committed up to \$50,000 to support the IAPMC General Assembly

THEREFORE BE IT RESOLVED

THAT Vancouver host members of the General Assembly at a dinner on Sunday, June 25, 2006 and co-sponsor the dialogue session at the Wosk Centre for Dialogue earlier that day, at a cost of not more than \$25,000, source of funds to be from Contingency Fund.

CARRIED UNANIMOUSLY

NEW BUSINESS

1. Economic Impacts (VamRIMS No.: 11-2000-20)

The following motion was submitted by Councillor Ladner. Councillor Anton called Notice under Section 5.4(c) of the Procedure By-law. The motion will be considered at the Regular Council meeting of May 2, 2006.

MOVED by Councillor Ladner
SECONDED by Councillor

WHEREAS:

1. This Council values the creation of jobs, investment and economic opportunity in the City;
2. Many Council decisions have an impact on the economic viability and health of the City;
3. Other impacts (social, environmental, financial, legal) are often briefly outlined for Council's attention when decisions are brought before Council.

THEREFORE BE IT RESOLVED

That the City Manager and the Vancouver Economic Development Commission report back on a process for alerting Council to economic impacts of major decisions coming before Council.

Notice

2. Annual Budgeting (VanRIMS No.: 05-1000-30)

The following motion was submitted by Councillor Ladner. Councillor Anton called Notice under Section 5.4(c) of the Procedure By-law. The motion will be considered at the Regular Council meeting of May 2, 2006.

MOVED by Councillor Ladner
SECONDED by Councillor

WHEREAS:

1. the City of Vancouver fiscal year begins on January 1;
2. the legislative requirement to finalize the budget by April 30 has resulted in annual budgets being finalized during the second quarter of the fiscal year;

3. this creates uncertainty and requires interim funding in advance of the final budget approval.

THEREFORE BE IT RESOLVED

THAT the Director of Finance report back on a plan to ensure the operating budget is finalized as close to the beginning of the year as possible and not in the second quarter of the fiscal year.

Notice

ENQUIRIES AND OTHER MATTERS

1. **Indemnification of Volunteers** (VanRIMS No.: 05-5000-12)

At the request of Councillor Louie, the City Manager advised that the status of volunteer indemnification is being reviewed and will be reported back to Council.

2. **Asbestos Materials in Civic Buildings** (VanRIMS No.: 02-2000-10)

At the request of Councillor Cadman, the City Manager agreed an inventory of civic buildings would be undertaken, taking into consideration the process being conducted in Winnipeg. The intent of the study would be to determine the level, if any, of asbestos in civic buildings.

The Council adjourned at 4:40 p.m.

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