



CITY OF VANCOUVER
REGULAR COUNCIL MEETING MINUTES

JUNE 27, 2006

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, June 27, 2006, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT:

- Mayor Sam Sullivan
- Councillor Suzanne Anton
- *Councillor Elizabeth Ball
- 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

CITY MANAGER'S OFFICE: Judy Rogers, City Manager

CITY CLERK'S OFFICE: Marg Coulson, Deputy 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.

"IN CAMERA" MEETING

MOVED by Councillor Chow
 SECONDED by Councillor Deal

THAT Council will go into a meeting later this day which is closed to the public, pursuant to Section 165.2(1) of the Vancouver Charter, to discuss matters related to paragraph(s):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the city or another position appointed by the city;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;

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

CARRIED UNANIMOUSLY

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF JUNE 13, 2006

Council approved the following appointments:

- Eric Cohen, Keith Darvell, Hilary Meredith and Gloria Smith to the Vancouver Museum Commission; and
- Jerry Adams to fill the Vancouver City Appointee vacancy on the Vancouver Police Board.

ADOPTION OF MINUTES

1. **Special Council (Standing Committee on Transportation and Traffic) - June 6, 2006**

MOVED by Councillor Lee

SECONDED by Councillor Ball

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. **Regular Council - June 13, 2006**

MOVED by Councillor Capri

SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Chow

THAT Council adopt Administrative Reports A2, A3, A5, A8, A10, A11 and A14, and Policy Reports P1 to P3, on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. Future Area Planning Programs (VanRIMS No. 11-2000-14)

Ann McAfee, Co-Director of Planning/Director-City Plans; and Ted Sebastian, Senior Planner, Community Plans, presented a Report Reference on future area planning programs. They referred to the Administrative Report *Future Area Planning Programs*, dated June 9, 2006, and provided an overview of CityPlan directions from 1996 to 2006, information on outstanding requests for City funded area planning services, the availability of staff teams, and recommended team assignments.

Council referred consideration of the Administrative Report to the Standing Committee on Planning and Environment meeting on June 29, 2006 to hear from speakers.

UNFINISHED BUSINESS

1. 2006 UBCM Resolutions (VanRIMS No. 01-1500-10)

At the Standing Committee on Planning and Environment meeting on June 15, 2006, Council approved 2006 UBCM resolutions from Council and staff. However, Council agreed to prioritize these resolutions before submitting them to the 2006 UBCM Convention.

Council agreed to forward the resolutions to the UBCM as submitted by Council members and City Departments.

MOVED by Councillor Capri

THAT the following resolutions received from Council and City departments be submitted to the 2006 Union of BC Municipalities Convention:

A. MEASURING UP

WHEREAS accessibility and inclusion are fundamental factors in empowering people with disabilities to fully participate in and contribute to society and the City of Vancouver strives to take a leadership role in increasing accessibility and inclusion both within and outside its own city limits;

AND WHEREAS the City has partnered with 2010 Legacies Now and the Provincial and Federal governments to produce *Measuring Up*, a comprehensive, step-by-step guide that enables communities to assess and remedy their accessibility and inclusion barriers.

THEREFORE BE IT RESOLVED that City Council endorse *Measuring Up* as a resource for communities throughout British Columbia as they work to improve accessibility and inclusion; and

BE IT FURTHER RESOLVED that the City bring a resolution to the UBCM 2006 convention requesting every BC municipality adopt *Measuring Up* as their guide to accessibility and inclusion; and

BE IT FURTHER RESOLVED that the City propose a resolution to UCBM that a formal request be made to the Provincial and Federal governments to allocate infrastructure funding to support accessibility and inclusion initiatives in communities throughout BC.

B. PROVINCIAL MENTAL HEALTH PLAN AND AN ADDICTIONS TREATMENT

WHEREAS problematic drug use is a persistent and serious issue that municipalities across British Columbia must continue to address;

AND WHEREAS responsibility for the implementation of Mental Health and Addiction Services lies with regional health authorities;

AND WHEREAS provincial mental health and addictions policy advocates partnerships with municipalities;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request the Provincial Government through the Ministry of Health to articulate a provincial Mental Health Plan and an Addictions Treatment plan that addresses regional needs, outlines best practice in treatment interventions, addresses the need for expanded treatment capacity, particularly in the area of youth treatment and acknowledges municipalities as key partners in the development and implementation of the treatment plan.

C. PROVINCIAL SUPPORT FOR PUBLIC LIBRARIES

WHEREAS the Ministry of Education in its 2005/06 fiscal year began the implementation of its strategic plan for public libraries "Libraries Without Walls", by providing new direct and indirect funding programs exceeding \$6 million to the benefit of BC's public libraries;

AND WHEREAS these new funds have increased the benefits derived from local public Library expenditures and enhanced library collaboration Province-wide.

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities thank the Minister of Education for this significant increase in financial support for BC's public libraries and encourage the Minister to enhance this support in future years.

D. BEDBUGS

WHEREAS the infestation of bedbugs is a serious problem specifically in the low-income housing stock in the Downtown Eastside of Vancouver and possibly in other types of housing and hotel accommodation across the city and in other BC municipalities;

AND WHEREAS bedbugs are impacting not only the health of tenants, but also the livability and economic viability of the rental housing.

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the Provincial government acknowledge that the infestation of bedbugs in Vancouver and other BC municipalities poses a health and social risk and that the Provincial Ministry of Health be directed to convene a task force to work with local health authorities and municipalities to:

- Provide financial resources to develop innovative programs to control bedbugs;
- Further research the impact on individuals with a compromised immune system; and
- Increase public awareness and education about controlling and preventing the spread of bedbugs.

E. MILK CONTAINERS

WHEREAS beverage containers for milk, milk substitutes and meal replacements are not yet covered by the Provincial Beverage Container Product Stewardship Program, contribute to garbage and litter, and require extensive space in municipal blue boxes and collection vehicles;

AND WHEREAS milk containers make up 20% by volume of the materials collected in municipal recycling programs, and the Beverage Container Stewardship Program is the most effective and environmentally responsible way to divert these containers from disposal.

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request the Provincial government to include milk, milk substitute and meal replacement beverage containers in the Provincial Beverage Container Stewardship Program.

F. EXCESSIVE PACKAGING

WHEREAS there is excessive and wasteful packaging that ends up in the garbage;

AND WHEREAS the producers rather than the taxpayers should fund the recycling of this packaging.

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request that the Provincial and Federal governments mandate reduction of excessive packaging through product stewardship recycling programs, including materials such as plastic shopping bags, disposable cups and dishes, Styrofoam packing, bubble wrap packing and plastic film packaging.

G. ENABLING MUNICIPALITIES TO CREATE BLANKET SPEED ZONES

WHEREAS the speed limit in cities and municipalities in BC is "50 km/h unless otherwise posted", with no differentiation between major roads and local streets;

AND WHEREAS lower speeds can decrease the severity and incidence of car crashes, benefit livability and safety of neighbourhoods, improve drivers' respect for neighbourhoods, and improve cyclist and pedestrian safety;

AND WHEREAS in 1999 the Union of BC Municipalities passed a resolution supporting blanket speed zones in residential areas; however, removing the words "in residential areas" from the original resolution would simplify the process of amending the Motor Vehicle Act;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request the Minister of Transportation and Highways to consider an amendment to the Motor Vehicle Act that would allow incorporated municipalities to institute blanket speed zones.

H. MULTI-JURISDICTIONAL COOPERATION ON TELECOMMUNICATION POLICY

WHEREAS the current Federal legislation governing the telecommunications industry and, in particular, the use of municipal and provincial lands and streets, is complex and results in a subsidy to telecommunications companies from the municipal and provincial taxpayers;

AND WHEREAS the recent report from the Telecommunications Policy Review Panel established by the Federal Minister of Industry has recommended significant changes to the Telecommunications Act, which will increase the level of regulation imposed upon municipalities in dealing with the use of public lands by telecommunication companies;

THEREFORE BE IT RESOLVED that the Office of the Premier and the Minister of State for Intergovernmental Affairs be invited to join with the UBCM and ask the Federal Minister of Industry to consult with municipalities and provinces on contemplated changes to the Federal Telecommunications Act in order to restore the ability for municipalities and provinces to adequately manage telecommunication companies use of public lands.

CARRIED UNANIMOUSLY

COMMUNICATIONS

1. **2006 UBCM Resolutions (VanRIMS No. 01-1500-10)**

MOVED by Councillor Stevenson

THAT consideration of the resolutions received from the Vancouver Police Department for submission to the 2006 UBCM Convention be postponed to a Council meeting on Thursday, June 29, 2006.

CARRIED UNANIMOUSLY

ADMINISTRATIVE REPORTS

1. **Vehicle for Hire By-law Amendment - Issuance of Chauffeur's Permits
June 2, 2006 (VanRIMS No. 11-4600-70)**

MOVED by Councillor Louie

- A. THAT Council approve an amendment to the Vehicles for Hire By-law which would establish the expiration of a chauffeur's permit as the holder's month of birth instead of the current February 28th of every year.
- B. THAT the Director of Legal Services be requested to prepare the necessary By-Law amendments to the Vehicles for Hire By-Law generally as set out in the Administrative Report *Vehicle for Hire By-law Amendment - Issuance of Chauffeur's Permits*, dated June 2, 2006.

CARRIED UNANIMOUSLY

2. **Interim Site-Specific Municipal Access Agreement - Bell Canada
May 25, 2006 (VanRIMS No. 06-3200-10)**

- A. THAT the General Manager of Engineering Services and Director of Legal Services be authorized to conclude negotiations, and execute and deliver a legal agreement with Bell Canada to permit it to extend its telecommunications network under City streets at the five locations identified and on terms and conditions generally as described in the Administrative Report *Interim Site-Specific Municipal Access Agreement - Bell Canada*, dated May 25, 2006, and such other terms and conditions satisfactory to the General Manager of Engineering Services and Director of Legal Services.
- B. THAT no legal rights or obligations will arise or be created by Council's adoption of A above, unless and until all legal documentation has been executed and delivered by the respective parties.

ADOPTED ON CONSENT

3. **Theatre Rental Rates for September 1, 2006 to August 31, 2007
June 9, 2006 (VanRIMS No. 02-4000-01)**

THAT Council approve the Schedule of Rental Rates for Civic Theatres, as contained in Appendix "A" of the Administrative Report *Theatre Rental Rates for September 1, 2006 to August 31, 2007*, dated June 9, 2006, effective September 1, 2006.

ADOPTED ON CONSENT

4. **Musqueam Creek Remediation Project
June 8, 2006 (VanRIMS No. 05-1400-20)**

MOVED by Councillor Deal

THAT Council approve funding for the remediation work at Musqueam Creek in the amount of \$219,000, re-allocated from the 2006 Waterworks Capital for Distribution Main Replacement Program. The works are to be completed in cooperation with the Musqueam Band. The funds will be used to finance Musqueam Band labour, City supplied materials, and consultant site management.

CARRIED UNANIMOUSLY

5. **Form of Development: 830 West Hastings Street
June 13, 2006 (VanRIMS No. 11-3600-03)**

THAT the form of development for this portion of the CD-1 zoned site known as 826 - 848 West Hastings Street (830 West Hastings Street being the application address) be approved generally as illustrated in the Development Application Number DE 409808, prepared by Foster and Partners Architects and Designers / Walter Francl Architects Incorporated and stamped "Received, Community Services Group, Development Services April 11, 2006", 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

6. **2006 Childcare Endowment Reserve Report
June 12, 2006 (VanRIMS No. 05-5000-10)**

MOVED by Councillor Anton

- A. THAT Council authorize a payment of \$1,650 per space, per year, as an operating subsidy, up to a total of \$99,000, to the Vancouver Society for Children's Centres for the 60 infant/toddler spaces at Dorothy Lam Children's Centre, Quayside, and Library Square, for the period January 1, 2006 - December 31, 2006. Source of funds: City Childcare Endowment Reserve;
- B. THAT Council authorize payment of \$1,650 per space, per year, as an operating subsidy, up to a total of \$19,800, to the Vancouver Society for Children's Centres for 12 infant toddler spaces at Shaw Tower Children's Centre, for the period January 1, 2006 - December 31, 2006. Source of funds: City Childcare Endowment Reserve;
- C. THAT Council authorize payment of \$1,650 per space, as an operating subsidy, up to a total of \$39,600 per year, to the Vancouver YWCA for the 24 infant/toddler spaces at the Leslie Diamond Centre, for the period January 1, 2006 - December 31, 2006. Source of funds: City Childcare Endowment Reserve;
- D. THAT Council authorize payment of \$1,650 per space, as an operating subsidy, up to a total of \$39,600 per year, to Collingwood Neighbourhood House, for the 24 infant/toddler spaces for the period January 1, 2006 - December 31, 2006. Source of funds: City Childcare Endowment Reserve;
- E. THAT Council authorize payment of \$1,650 per space, as an operating subsidy, up to a total of \$13,200, to Vancouver Society for Children's Centres - Bayshore Children's Centre for the 24 infant/toddler spaces, for the period September 1, 2006 - December 31, 2006. Source of funds: City Childcare Endowment Reserve;

- F. THAT Council authorize payment of \$2,000 per space over two years for start-up funds up to \$37,000, for the period January 1, 2006 to December 31, 2006, to the Vancouver Society for Children's Centres - 37 space Shaw Tower Children's Centre. Source of funds: City Childcare Endowment Reserve;
- G. THAT Council authorize payment of \$2,000 per space, over two years for start-up funds up to \$20,416 for the period August 1, 2006 to December 31, 2006, to the Vancouver Society for Children's Centres - 49 space Bayshore Children's Centre. Source of funds: City Childcare Endowment Reserve.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

7. **Resolution on Advanced Taxicab Driver Training and Progress on Other Taxi-Related Issues and Opportunities**
June 2, 2006 (VanRIMS No. 11-4600-70)

MOVED by Councillor Anton

- A. THAT Council approve an amendment to the Vehicles for Hire By-law which replaces the advanced training requirement for taxicab drivers with a phased training program based on the driver's years of experience generally as set out in Appendix A of the Administrative Report *Resolution on Advanced Taxicab Driver Training and Progress on Other Taxi-Related Issues and Opportunities*, dated June 2, 2006.
- B. THAT the Director of Legal Services be requested to prepare the necessary By-Law amendments to the Vehicles for Hire By-Law to reflect the new phased advanced driver training requirement generally as set out in Appendix A of the Administrative Report.

CARRIED UNANIMOUSLY

8. **Taxicab Rate Increase**
June 9, 2006 (VanRIMS No. 11-4600-70)

- A. THAT taxicab meter fares and time or distance fares in the City be increased to the following rates, respectively (excluding GST):

POINT TO POINT ON METER:

For the first 67 meters or fraction thereof.....	\$2.58
For each additional 67 meters or fraction thereof.....	.10
For each 14 seconds of stopping or waiting time.....	.10

TIME OR DISTANCE:

For the first hour or fraction thereof.....	\$26.65
Or for each 67 meters, whichever is greater.....	.10
For each succeeding quarter hour or fraction thereof.....	6.66
Or for each 67 meters, which ever is greater.....	.10

- B. THAT the Director of Legal Services be instructed to bring forward the necessary by-law amendments to the Vehicles for Hire By-Law to give effect to the proposed taxicab rate increases by July 1, 2006.

ADOPTED ON CONSENT

- 9. **Local Improvement Reballots from May 4, 2006, Court of Revision & Tupper Street from 19th Avenue to 20th Avenue**
June 9, 2006 (VanRIMS No. 08-2000-50)

MOVED by Councillor Capri

- A. THAT Court #621, Item #007, NOT BE APPROVED for pavement & curbs & trees & bulges on Tanner Street from 29th Avenue to McHardy Street excluding 82.3 feet fronting Lot 6 (3370 E 29th).
- B. THAT Court #621, Item #013, NOT BE APPROVED for pavement & curbs & trees & bulges on 52nd Avenue from Doman Street to Brooks Street.
- C. THAT Court #621, Item #026, NOT BE APPROVED for lane pavement on the lane south of 23rd Avenue from Glen Drive to Inverness Street.
- D. THAT Court #621, Item 028, NOT BE APPROVED for lane pavement on the lane south of 40th Avenue from Marguerite Street to Churchill Street.
- E. THAT Court #622, Item 003, BE DEFEATED for Pavement, Curbs, Trees and Bulges on Tupper Street from 19th Avenue to 20th Avenue.

CARRIED UNANIMOUSLY

- 10. **Business License Hearing Panels for July 2006**
June 16, 2006 (VanRIMS No. 08-2000-40)

THAT Council delegate the holding of the Business License Hearings presently scheduled for July 11, 2006, from 9:30 a.m. to 12:30 p.m., July 13, 2006, from 7:30 p.m. to 10:30 p.m., and July 19, 2006, from 9:30 a.m. to 12:30 p.m., to a panel of three Council Members, pursuant to Section 277.1 of the Vancouver Charter, as follows:

The Business License Hearings pursuant to Section 275 of the Vancouver Charter regarding referrals to Council by the Chief License Inspector for the year 2006 business licenses and the power to make a Council decision in relation to those hearings be delegated to:

July 11, 2006 - 9:30 a.m.
Councillor Suzanne Anton, Chair
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Tim Stevenson, Alternate

July 13, 2006 - 7:30 p.m.
Councillor Heather Deal, Chair
Councillor Kim Capri
Councillor BC Lee
Councillor George Chow, Alternate

July 19, 2006 - 9:30 a.m.
Councillor Elizabeth Ball, Chair
Councillor David Cadman
Councillor Tim Stevenson
Councillor Suzanne Anton, Alternate

Should any of the above Members of Council be unable to attend the hearings, the hearings and the power to make a Council decision in relation to those hearings be delegated to the remaining two Councillors and alternate Councillors.

ADOPTED ON CONSENT

11. **Award of Tender PS06031 - Supply and Delivery of Fire Hydrants and Waterworks Gate Valves**
June 8, 2006 (VanRIMS No. 03-1200-11)

- 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 an agreement with Four Star Waterworks Ltd. for the supply and delivery of fire hydrants and waterworks gate valves for a period of three (3) years at an estimated total cost of \$1,199,117.00 plus GST (less any municipal rebate received) and PST (where applicable) with subsequent renewal options for two (2) additional one (1) year periods.
- 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 Manger 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

12. **Web Services - Staffing Implications in Application Development**
May 20, 2006 (VanRIMS No. 07-3000-20)

MOVED by Councillor Anton

THAT Council approve the establishment of three full time regular positions in the Corporate Services Group, Information Technology (IT) Department, subject to classification by the General Manager of Human Resources, at an annual cost of \$203,880, plus benefits, with the source of funding to be from the savings in the elimination of the one Data Services Clerk and three Computer Systems Operator positions (annual salary savings of \$206,218, plus benefits) in the Corporate Services Group, IT Department, as detailed in the Administrative Report *Web Services - Staffing Implications in Application Development*, dated May 20, 2006, effective August 19, 2006

CARRIED UNANIMOUSLY

13. **Southeast False Creek and Olympic Village - List of Respondents to Advance to Next Stage of Selection Process for the Restoration and Re-Use of the Salt Building**
June 16, 2006 (VanRIMS No. 03-1000-10)

MOVED by Councillor Louie

- A. THAT Council endorse the recommended short list of respondents to be invited to participate in the detailed Request for Proposals for the Restoration and Re-Use of the Salt Building at 85 West First Avenue as follows:
- i. Acton Ostry Architects Inc.;
 - ii. Ecotrust Canada with the Tsleil-Waututh Nation and Musqueam Band;
 - iii. Omicron Architecture Engineering Construction Ltd.; and
 - iv. Millennium Properties Ltd.
- B. THAT Council endorse the Salt Building Restoration and Re-use Principles attached in Appendix A of the Administrative Report *Southeast False Creek and Olympic Village - List of Respondents to Advance to Next Stage of Selection Process for the Restoration and Re-Use of the Salt Building*, dated June 16, 2006; and

- C. THAT Council approve a leasehold strategy for the Salt Building RFP that would allow the City of Vancouver to retain ownership of the Salt Building and property on which it is located.

CARRIED UNANIMOUSLY

(Councillors Ball and Chow absent for the vote)

14. **Southeast False Creek and Olympic Village - Award of Contract for Construction of Roads and Utilities**

June 23, 2006 (VanRIMS No. 03-1000-10)

- A. THAT, subject to the conditions set out in B, C and D below, the City Manager be authorized to enter into a contract with BelPacific Excavating and Shoring Limited Partnership ("BelPacific") for construction of roads and utilities at an estimated cost of \$7,847,080 plus GST, with \$6,597,620 plus GST of the funding to be provided by the Property Endowment Fund: Southeast False Creek Development and \$1,249,460 plus GST to be financed by the Capital Financing Fund, with recovery from the Neighbourhood Energy Utility;
- 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 City Manager and the Director of Legal Services;
- D. THAT no legal rights or obligations will be created or arise 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; and
- E. THAT the SEFC Project Manager be authorized to construct the BC Hydro and communications infrastructure work as a part of the contract for Construction of Roads and Utilities at a cost of \$214,593 for BC Hydro and \$530,776 for Telus and seek to recover these costs from BC Hydro and Telus respectively; AND THAT should these cost recovery efforts fail, the SEFC Project Manager be authorized to eliminate the portion of the tender price for BC Hydro and Telus Infrastructure work from the contract for Construction of Roads and Utilities by Change Order due to insufficient funding for this work, and request that:
 - 1) BC Hydro install and pay for its infrastructure, according to the British Columbia Hydro and Power Authority Electric Tariff; and
 - 2) Telus install and pay for its infrastructure.

ADOPTED ON CONSENT

POLICY REPORTS

1. **CD-1 Rezoning - 360 West 1st Avenue**
June 22, 2006 (VanRIMS No. 11-3600-03)

- A. THAT the application by Polygon Homes Ltd. to rezone 360 West 1st Avenue (Lots 4, 5, 6, 7, and 8 Block 3 District Lot 302 Plan 5832) from M-2 to CD-1, to permit a 13 storey residential building with a total density of 3.5 Floor Space Ratio, be referred to a Public Hearing, together with:
- (i) plans received March 16, 2006;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning - 360 West 1st Avenue*, dated June 22, 2006, and
 - (iii) the recommendation of the Director of Current Planning to approve the application, subject to conditions contained in Appendix B of the Policy Report *CD-1 Rezoning - 360 West 1st Avenue*, dated June 22, 2006.

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

FURTHER THAT the Director of Legal Services be instructed to prepare a consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (DD) as set out in Appendix C of the Policy Report *CD-1 Rezoning - 360 West 1st Avenue*, dated June 22, 2006, for consideration at the Public Hearing.

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

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

- C. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

2. **CD-1 Rezoning: 311 West 2nd Avenue**
June 22, 2006 (VanRIMS No. 11-3600-03)

- A. THAT the application by Brook Development Planning to rezone 311 West 2nd Avenue (Lot C, Block 3, DL 302, Plan 22772) from M-2 to CD-1, to permit a 10 storey mixed use building with a total density of 3.5 Floor Space Ratio, be referred to a Public Hearing, together with:
 - (i) plans received March 27, 2006;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning: 311 West 2nd Avenue*, dated June 22, 2006; and
 - (iii) the recommendation of the Director of Current Planning to approve the application, subject to conditions contained in Appendix B of the Policy Report *CD-1 Rezoning: 311 West 2nd Avenue*, dated June 22, 2006;

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

FURTHER THAT the Director of Legal Services be instructed to prepare a consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (DD) as set out in Appendix C of the Policy Report *CD-1 Rezoning: 311 West 2nd Avenue*, dated June 22, 2006 for consideration at the Public Hearing.

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

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

- C. THAT, consequential amendments to the Parking By-law establishing regulations for South East False Creek generally in accordance with Appendix I, be approved.

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally in accordance with Appendix I, for enactment.

D. THAT A to C above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and

THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

3. **CD-1 Rezoning: 2-88 West 1st Avenue, 2-26 East 1st Avenue and 27-99 West 2nd Avenue**
June 23, 2006 (VanRIMS No. 11-3600-03)

- A. THAT the application by Pinnacle International (West First) Plaza Inc. to rezone 2 - 88 West 1st Avenue (E1/2 of Lot1, W1/2 of Lot 1, Lots 2-8, Blk 9, DL 200A, Plan 197), 27 - 99 West 2nd Avenue (Lots 11-16, Blk 9, DL 200A, Plan 197) and 2 - 26 East 1st Avenue (Lots 1-3, Blk 8, DL 200A, Plan 197) from M-2 to CD-1 (Comprehensive Development District) be referred to a Public Hearing, together with:
 - (i) plans prepared by Howard Bingham Hill Architects received March 24, 2006 represented in Appendix F of the Policy Report *CD-1 Rezoning: 2-88 West 1st Avenue, 2-26 East 1st Avenue and 27-99 West 2nd Avenue*, dated June 23, 2006;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning: 2-88 West 1st Avenue, 2-26 East 1st Avenue and 27-99 West 2nd Avenue*, dated June 23, 2006; and
 - (iii) the recommendation of the Director of Current Planning to approve the application, subject to approval of conditions contained in Appendix B of the Policy Report *CD-1 Rezoning: 2-88 West 1st Avenue, 2-26 East 1st Avenue and 27-99 West 2nd Avenue*, dated June 23, 2006;

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

AND FURTHER THAT the Director of Legal Services be instructed to prepare a consequential amendment to the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (DD) as set out in Appendix C of the Policy Report *CD-1 Rezoning: 2-88 West 1st Avenue, 2-26 East 1st Avenue and 27-99 West 2nd Avenue*, dated June 23, 2006, for consideration at the Public Hearing.

- 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 B as set out in Appendix C of the Policy Report; and

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

- C. THAT A to B above be adopted on the following conditions:

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

ADOPTED ON CONSENT

OTHER REPORTS

I. Advisory Committee on Seniors' Issues May 31, 2006

1. Support for Regional Seniors' Advocacy Office

MOVED by Councillor Capri

WHEREAS there are no coordinated seniors' advocacy services funded by any level of government;

AND WHEREAS the senior population is increasing dramatically at the same time that government funding cutbacks are severely impacting seniors;

AND WHEREAS this gap in social policy is leading to potential abuse of seniors, causes unnecessary anxiety to seniors and their families, and places additional stress on municipalities;

THEREFORE BE IT RESOLVED THAT

- a) the City of Vancouver supports in principle the establishment of Regional Seniors' Advocacy Offices (RSAO) as a means of providing security and protection to seniors by ensuring they have an independent voice to advocate for seniors' rights in accordance with federal, provincial and municipal legislation;
- b) this resolution be forwarded to the Union of British Columbia Municipalities (UBCM) and the Federation of Canadian Municipalities (FCM) for endorsement;
- c) this resolution be forwarded to the provincial government requesting support for this BC initiative; and
- d) the City of Vancouver will collaborate with other municipalities in the UBCM and the FCM to lobby the federal government for support of this initiative.

CARRIED

(Councillors Louie and Stevenson opposed)
(Councillor Chow absent for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Anton
SECONDED by Councillor Stevenson

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Chow
SECONDED by Councillor Deal

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 levy rates on qualifying real property in the Cambie Village Business Improvement Area (By-law No. 9313)**
2. **A By-law to levy rates on qualifying real property in the Chinatown Business Improvement Area (By-law No. 9314)**
3. **A By-law to levy rates on qualifying real property in the Collingwood Business Improvement Area (By-law No. 9315)**
4. **A By-law to levy rates on qualifying real property in the Commercial Drive Business Improvement Area (By-law No. 9316)**
5. **A By-law to levy rates on qualifying real property in the Davie Village Business Improvement Area (By-law No. 9317)**
6. **A By-law to levy rates on qualifying real property in the Downtown Vancouver Business Improvement Area (By-law No. 9318)**
7. **A By-law to levy rates on qualifying real property in the Gastown Business Improvement Area (By-law No. 9319)**
8. **A By-law to levy rates on qualifying real property in the Hastings North Business Improvement Area (By-law No. 9320)**
9. **A By-law to levy rates on qualifying real property in the Kerrisdale Business Improvement Area (By-law No. 9321)**

10. A By-law to levy rates on qualifying real property in the Kitsilano Fourth Avenue Business Improvement Area (By-law No. 9322)
11. A By-law to levy rates on qualifying real property in the Marpole Business Improvement Area (By-law No. 9323)
12. A By-law to levy rates on qualifying real property in the Mount Pleasant Business Improvement Area (By-law No. 9324)
13. A By-law to levy rates on qualifying real property in the Point Grey Village Business Improvement Area (By-law No. 9325)
14. A By-law to levy rates on qualifying real property in the Robson Street Business Improvement Area (By-law No. 9326)
15. A By-law to levy rates on qualifying real property in the South Granville Business Improvement Area (By-law No. 9327)
16. A By-law to levy rates on qualifying real property in the Strathcona Business Improvement Area (By-law No. 9328)
17. A By-law to levy rates on qualifying real property in the Victoria Drive Business Improvement Area (By-law No. 9329)
18. A By-law to levy rates on qualifying real property in the Yaletown Business Improvement Area (By-law No. 9330)
19. A By-law to amend Business Premises Regulation of Hours By-law No. 8022 (By-law No. 9331)
20. A By-law to amend Vehicles for Hire By-law No. 6066 to increase taxicab rates (By-law No. 9332)

MOTIONS

A. Administrative Motions

1. Closing portions of Vernon Drive northerly of Powell Street (VanRIMS No. 13-2000-30)

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister

of Transport, c/o the The Vancouver Port Authority (the "VPA") has requested that the City convey to the VPA a 233.2 square metre portion of Vernon Drive northerly of Powell Street and adjacent to Parcel F (Reference Plan 19952) Block 2 District Lot 182 Group 1 New Westminster District Plan 14625;

3. The conveyance requires the closure of the said portion of Vernon Drive;
4. The said portion of Vernon Drive to be closed was dedicated by the deposit of Plan 355 on 3rd day of December, 1889;
5. The portion of Vernon Drive to be closed is no longer required for municipal purposes;
6. The conveyance requires the consolidation of the said portion of Vernon Drive with the said adjacent Parcel F and Parcel G (Reference Plan 19952) Block 3 District Lot 182 and of the Public Harbour of Burrard Inlet Group 1 New Westminster District Plan 14625;

THEREFORE BE IT RESOLVED THAT all that 233.2 square metre portion of Vernon Drive, as dedicated by the deposit of Plan 355 and being adjacent to Parcel F (Reference Plan 19952) Block 2 District Lot 182 Group 1 New Westminster District Plan 14625, the same as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_1, be closed, stopped up and conveyed to HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister of Transport, c/o the The Vancouver Port Authority, to the satisfaction of the Director of Legal Services.

BE IT FURTHER RESOLVED THAT the said 233.2 square metre portion of Vernon Drive to be closed be consolidated with the abutting lands being: the said Parcel F; and Parcel G (Reference Plan 19952) Block 3 District Lot 182 and of the Public Harbour of Burrard Inlet Group 1 New Westminster District Plan 14625, to form a single parcel, the same as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_2, to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

2. Closing portions of Vernon Drive northerly of Powell Street (VanRIMS No. 13-2000-30)

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. The Canadian Pacific Railway Company (the "CPR") has requested that the City convey to the CPR a 389.7 square metre portion of Vernon Drive northerly of

Powell Street and adjacent to Parcel U Block 2 of Block A District Lot 182 Group 1 New Westminster District Plan LMP43458;

3. The conveyance requires the closure of the said portion of Vernon Drive;
4. The said portion of Vernon Drive to be closed was dedicated by the deposit of Plan 355 on 3rd day of December, 1889;
5. The portion of Vernon Drive to be closed is no longer required for municipal purposes;
6. The conveyance requires the consolidation of the said portion of Vernon Drive with the said adjacent Parcel U and Lot 2, Except Part in Reference Plan 19952, Block 3 District Lot 182 and of the Public Harbour of Burrard Inlet Plan 14625;

THEREFORE BE IT RESOLVED THAT all that 389.7 square metre portion of Vernon Drive, as dedicated by the deposit of Plan 355 and being adjacent to Parcel U Block 2 of Block A District Lot 182 Group 1 New Westminster District Plan LMP43458, the same as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_3, be closed, stopped up and conveyed to the Canadian Pacific Railway Company; and

BE IT FURTHER RESOLVED THAT the said 389.7 square metre portion of Vernon Drive to be closed be consolidated with the abutting lands being: the said Parcel U; and Lot 2, Except Part in Reference Plan 19952, Block 3 District Lot 182 and of the Public Harbour of Burrard Inlet Plan 14625, to form a single parcel, the same as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_4, to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

3. Closing portions of Vernon Drive northerly of Powell Street (VanRIMS No. 13-2000-30)

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister of Transport, c/o the The Vancouver Port Authority (the "VPA") has requested that the City convey to the VPA an 80.1 square metre portion of Vernon Drive northerly of Powell Street and adjacent to Lot 25, Except the Canadian Pacific Railway Right of Way, Block 3 of Block A District Lot 182 Plan 355;

3. Certain VPA lands being Lots 25 to 28, Except The Canadian Pacific Railway Right of Way, Block 3 of Block A District Lot 182 Plan 355 are to be consolidated into Lot A Block 3 of Block A District Lot 182 Group 1 New Westminster District Plan BCP _ _ _ _ as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_6A;
4. In exchange for the 80.1 square metre portion of Vernon Drive to be closed, the VPA will be conveying to the City, for road purposes, a 62.8 square metre portion of said Lot A, on the north side of Powell Street east of Vernon Drive;
5. The VPA has also requested that the City convey to the VPA a 155.8 square metre portion of Vernon Drive northerly of Powell Street and adjacent to Lot S Except: Firstly: Part Road on Plan LMP35881; Secondly: Part on Plan LMP43457; Block 2 of Block A District Lot 182 Group 1 New Westminster District Plan LMP35311;
6. The conveyances to the VPA require the closure of the said portions of Vernon Drive;
7. The said portions of Vernon Drive to be closed were dedicated by the deposit of Plan 355 on 3rd day of December, 1889;
8. The portions of Vernon Drive to be closed are no longer required for municipal purposes;
9. It is deemed expedient and in the public interest to accept and allocate the said 62.8 square metre portion of said Lot A for road purposes.

THEREFORE BE IT RESOLVED THAT all that 80.1 square metre portion of Vernon Drive, as dedicated by the deposit of Plan 355 and being adjacent to Lot 25, Except the Canadian Pacific Railway Right of Way, Block 3 of Block A District Lot 182 Plan 355, the same as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_5, be closed, stopped up and conveyed to HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister of Transport, c/o the The Vancouver Port Authority ("the VPA"), to the satisfaction of the Director of Legal Services.

BE IT FURTHER RESOLVED THAT all that 62.8 square metre portion of Lot A Block 3 of Block A District Lot 182 Group 1 New Westminster District Plan BCP _ _ _ _ ; as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005; and marginally noted FILE: 6059_7A, to be conveyed to the City, is hereby accepted and allocated for road purposes and declared to form and to constitute a portion of a road.

BE IT FURTHER RESOLVED THAT all that 155.8 square metre portion of Vernon Drive, as dedicated by the deposit of Plan 355 and being adjacent to Lot S Except: Firstly: Part

Road on Plan LMP35881; Secondly: Part on Plan LMP43457; Block 2 of Block A District Lot 182 Group 1 New Westminster District Plan LMP35311, the same as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_7B, be closed, stopped up and conveyed to the VPA, to the satisfaction of the Director of Legal Services.

BE IT FURTHER RESOLVED THAT the said 80.1 and 155.8 square metre portions of Vernon Drive to be closed be consolidated with the abutting lands being: the said Lot S; and Lot A, Except Part in Plan BCP _ _ _ _ , Block 3 of Block A District Lot 182 Group 1 New Westminster District Plan BCP _ _ _ _ , to form a single parcel, the same as shown in heavy bold outline on Reference Plan of survey attested to by Shannon Onderwater, B.C.L.S., completed on the 1st day of December, 2005, and marginally noted FILE: 6059_8, to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

4. **Establishing Road on the west side of Knight Street, between 49th Avenue and 51st Avenue, adjacent to 6553 Knight Street, for a widening strip for the installation of left turn bays on Knight Street at 49th Avenue (VanRIMS No. 13-2000-30)**

MOVED by Councillor Anton
SECONDED by Councillor Louie

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All that portion of Lot 37, except the East 7 feet now road, Block 2, District Lot 739, Plan 1645, Group 1, New Westminster District, as shown heavy outlined on plan of survey completed June 5, 2006, attested to by Eric I. Kaardal, B.C.L.S. and marginally numbered LB861.

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes.

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of a road.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Community Court Motion (VanRIMS No. 01-5500-20)

MOVED by Mayor Sullivan
SECONDED by Councillor Capri

WHEREAS there are approximately 1,500 individuals in downtown Vancouver, many of whom are repeat offenders, who are brought to court for committing street crime offences each year;

AND WHEREAS the majority of street crime offenders are suffering from mental illness, drug addiction and homelessness;

AND WHEREAS significant justice system resources are taken up by these offenders and individual cases often take several months;

AND WHEREAS there is a need for coordination of health and social services to respond to the needs of offenders;

AND WHEREAS successfully addressing the needs of these offenders will contribute to the safety and quality of life for all downtown Vancouver residents;

AND WHEREAS a community court has been demonstrated to be effective in reducing repetitive street crime in other cities and will provide innovative, coordinated case management with better linkages to health and social services to street crime offenders.

THEREFORE BE IT RESOLVED THAT Vancouver City Council supports the current initiative by the Ministry of the Attorney General to establish a community court pilot with related health and social services.

CARRIED UNANIMOUSLY

ENQUIRIES AND OTHER MATTERS

1. Chinese Head Tax Apology from Prime Minister (VanRIMS No. 01-5500-30)

Councillor Lee referred to the recent formal apology from the Prime Minister for the Chinese Head Tax. Councillors Lee, Louie, Chow and Cadman acknowledged the apology gives closure to that part of history and noted it was important to learn from the past.

2. **Robberies at Chinese Restaurants (VanRIMS No. 08-2000-20)**

Councillor Chow referred to recent reports of a number of hold-ups at Chinese restaurants during late nights and requested the Mayor to bring this issue to the attention of the Police Board.

The Mayor advised the robberies are a high priority for the Police Department and the Police Board are receiving updates on the issue.

3. **Briefing Materials Available to Council (VanRIMS No. 08-2200-01)**

Councillor Cadman referred to a previous request for all Councillors to receive any briefing notes provided to those Councillors who attended recent meetings with the Mayor in Ottawa.

The Mayor agreed to consider the request.

The Council adjourned at 5:40 p.m.

* * * * *