



(These Minutes to be adopted at the Regular Council meeting on April 7, 2009)

REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL
ON PLANNING AND ENVIRONMENT

MARCH 26, 2009

A Regular Meeting of the Standing Committee of Council on Planning and Environment was held on Thursday, March 26, 2009, at 2:05 p.m. in the Council Chamber, Third Floor, City Hall.

- PRESENT:** Councillor Andrea Reimer, Chair
Mayor Gregor Robertson*
Councillor Suzanne Anton*
Councillor George Chow
Councillor Heather Deal, Vice-Chair
Councillor Kerry Jang*
Councillor Geoff Meggs*
Councillor Tim Stevenson
Councillor Ellen Woodsworth
- ABSENT:** Councillor David Cadman (Leave of Absence - Civic Business)
Councillor Raymond Louie (Leave of Absence - Civic Business)
- CITY MANAGER'S OFFICE:** James Ridge, Deputy City Manager
- CITY CLERK'S OFFICE:** Pat Boomhower, 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 March 5, 2009, were adopted.

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VARY ORDER OF AGENDA

MOVED by Councillor Deal

THAT item 4 be dealt with prior to item 3.

***CARRIED UNANIMOUSLY
AND BY THE REQUIRED MAJORITY***

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Note from Meeting Coordinator: Committee minutes are recorded in chronological order to ensure clarity.

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MATTERS ADOPTED ON CONSENT

MOVED by Councillor Deal

THAT the Committee recommend to Council

THAT agenda items 1 and 2 be adopted on consent.

CARRIED UNANIMOUSLY

1. Nuisance Building at 3441 East 4th Avenue March 2, 2009

THAT the Committee recommend to Council

- A. THAT Council declare that the condition of the building and accessory building at 3441 East 4th Avenue, Lot 21, Block 94, Section 29, THSL, Plan 7494, PID 010-600-809, is a nuisance and dangerous to public health pursuant to Section 324A of the Vancouver Charter.
- B. THAT Council approve the Resolution as contained in Appendix A of the Administrative Report "Nuisance Building at 3441 East 4th Avenue" dated March 2, 2009, and order the registered owner of the property to
 - remove all garbage, debris and soiled finishes from the interior of the building;
 - clean, sanitize and fumigate the building;
 - repair the rear porch and stairs;
 - repair the front entry door and lock;
 - remove all items stored in the rear detached garage including the unlicensed vehicle;
 - demolish the unsafe detached garage at the rear of the property

within 30 days of a copy of the Resolution being served pursuant to Section 324A of the Vancouver Charter.

- C. THAT in the event of the failure of the owner to comply with the order of Council, Council further orders and hereby authorizes the City Building Inspector and/or his designate, to carry out the work outlined in paragraph B above and have the unlicensed vehicle stored in the unsafe garage disposed of or sold pursuant to Section 342A(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 default of the order, in the event that the owner fails to allow the City Building Inspector and/or his designate access to the building and site to carry out the work outlined in paragraph C above, the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceeding in relation to the premises at 3441 East 4th Avenue, and may, in her discretion, seek injunctive relief in that action or proceeding, in order to bring this property into compliance with city by-laws.
- E. THAT the City Clerk be directed to file a 336D Notice against the Certificate of Title to the property at 3441 East 4th Avenue, in order to warn prospective purchasers that there are violations of the Standards of Maintenance By-law and Vancouver Building By-law and that there is an order of Council against the property.

ADOPTED BY CONSENT

- 2. **135 Keefer St - 0817864 B.C. Ltd.**
Liquor Primary Liquor License Application with Outdoor Patio Seating
March 3, 2009

THAT the Committee recommend to Council

THAT Council, having considered the opinion of local area residents and business operators as determined by neighbourhood notifications, noise impacts and relevant Council policy as outlined in this Administrative Report dated March 3, 2009, entitled "135 Keefer Street - 0817864 B.C. Ltd., Liquor Primary Liquor License Application with Outdoor Patio Seating", endorse the request by 0817864 B.C. Ltd. for a Liquor Primary liquor licence (Liquor Establishment Class 1) at 135 Keefer Street subject to:

- i. Standard hours of operation for the first six months are limited to 11:00 a.m. to 12:00 a.m., Sunday to Thursday; and 11:00 a.m. to 1:00 a.m., Friday and Saturday; after which time the Extended hours of operation may be considered which are limited to 9:00 a.m. to 1:00 a.m., Sunday to Thursday; and 9:00 a.m. to 2:00 a.m., Friday and Saturday;
- ii. The patio ceasing all liquor service and vacated by 11:00 p.m.;
- iii. A maximum total capacity of 60 persons inside and 12 persons on the patio;
- iv. Acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;
- v. No music permitted on the patio;
- vi. Signing a Good Neighbour Agreement with the City prior to business license issuance and a license agreement with Engineering Services with an initial one-year term for the patio;
- vii. A Time-limited Development Permit; and
- viii. Food service to be provided while the establishment is operating as well as on the patio when open.

ADOPTED BY CONSENT

**4. Report Back on the Enforcement of the Standards of Maintenance By-law in the
Downtown East Side**
March 12, 2009

Staff from Licences and Inspections presented the report and, along with Housing Policy staff, responded to questions.

The Committee heard from six speakers who spoke in support of stronger enforcement of building maintenance and expressed concerns regarding the number of SROs needed, tenant displacement, and feedback on complaints and trained staff needed.

MOVED by Councillor Stevenson
THAT the Committee recommend to Council

WHEREAS:

1. Almost 1/3 (one-third) of all existing SRO's (single room occupancy buildings) in the DTES had violations that required the issuance of letters by the Chief Building Inspector.
2. Ten to sixteen percent of these SRO's were not in compliance in 2007 and 2008.

THEREFORE BE IT RESOLVED

THAT staff proceed with a pilot project on one of the worst offenders by testing the injunction option; and

FURTHER THAT staff report back in 90 days, including an assessment of mandatory third party management and amendment to the SRO By-Law to treat room closures as conversions.

CARRIED UNANIMOUSLY
(Councillor Jang absent for the vote)

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At this point in the proceedings, Council agreed to recess at 3:25 p.m. to permit time for additional delegations to register to speak to item 3. The Committee reconvened at 3:30 p.m. with Councillor Reimer in the Chair.
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3. #200 - 911 Denman Street - Calverton Holdings Ltd.
Relocation of Liquor Primary Liquor License
March 5, 2009

MOVED by Councillor Deal

THAT the Speakers List for item 3 be closed.

CARRIED UNANIMOUSLY
(Councillors Anton and Jang absent for the vote)

Licence staff presented the report and noted a correction to the map in Appendix A regarding the location of the Dover Arms Pub.

Licence and Inspection staff, along with Planning staff and the Vancouver Police Department Licence Coordinator, responded to questions.

The Committee heard from 14 people opposed to the application, and two who spoke in support, including the Odyssey Nightclub owner who requested support of the application with an amendment to allow him to apply for an extended hours license without the six-month wait period.

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Note from Meeting Coordinator: Part way through the hearing of speakers, Council agreed to recess.

MOVED by Councillor Deal

THAT the Standing Committee on Planning and Environment recess at 5:00 p.m. to permit Council to meet at 5:15 p.m. regarding urgent business; and

FURTHER THAT the Standing Committee on Planning and Environment reconvene at 6:15 p.m. to continue with item 3.

CARRIED UNANIMOUSLY

(The Mayor absent on civic business for the vote)

The Standing Committee on Planning and Environment recessed at 5:02 p.m. and reconvened at 6:25 pm, with the following members present: Councillors Chow, Deal, Jang, Stevenson, Woodsworth, and Councillor Reimer in the Chair.

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MOVED by Councillor Stevenson

THAT the Committee recommend to Council

THAT the hearing of the remaining registered speakers on item 3 continue at the next Standing Committee on Planning and Environment to be held on April 9, 2009, due to time constraints.

CARRIED UNANIMOUSLY

(Councillors Anton and Meggs and the Mayor absent on civic business for the vote)

The Committee adjourned at 7:02 p.m.

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

MARCH 26, 2009

A Regular Meeting of the Council of the City of Vancouver took place on Thursday, March 26, 2009, at 5:16 p.m. in the Council Chamber, Third Floor, City Hall, recessed at 5:20 pm, and reconvened at 7:02 p.m. following the Standing Committee on Planning and Environment meeting, to consider the recommendations and actions of the Committee.

PRESENT: Deputy Mayor Kerry Jang
Councillor Suzanne Anton*
Councillor George Chow
Councillor Heather Deal
Councillor Geoff Meggs*
Councillor Andrea Reimer
Councillor Tim Stevenson
Councillor Ellen Woodsworth

ABSENT: Mayor Gregor Robertson (Civic Business)
Councillor David Cadman (Leave of Absence - Civic Business)
Councillor Raymond Louie (Leave of Absence - Civic Business)

CITY CLERK'S OFFICE: Marg Coulson, Acting City Clerk
Pat Boomhower, Meeting Coordinator

* Denotes absence for a portion of the meeting.

URGENT BUSINESS

1. **Funding Advance to Business Improvement Areas (BIAs)**
March 26, 2009

MOVED by Councillor Deal
SECONDED by Councillor Woodsworth

THAT Council approve a one-time grant advance to Business Improvement Areas (BIAs), in an amount of up to one-twelfth of a BIA's 2008-09 approved grant amount, to supplement BIA cash-flow pending Council approval of the 2009-10 BIA budgets.

CARRIED UNANIMOUSLY
AND BY THE REQUIRED MAJORITY

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Council recessed at 5:20 pm, and reconvened at 7:02 p.m. with Councillors Anton and Meggs absent for civic business.

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COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth

SECONDED by Councillor Chow

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

CARRIED UNANIMOUSLY

(Councillors Anton and Meggs absent on civic business for the vote)

COMMITTEE REPORTS

Report of Standing Committee on Planning and Environment March 26, 2009

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

1. Nuisance Building at 3441 East 4th Avenue
2. 135 Keefer St - 0817864 B.C. Ltd. -
Liquor Primary Liquor License Application with Outdoor Patio Seating
3. #200 - 911 Denman Street - Calverton Holdings Ltd. -
Relocation of Liquor Primary Liquor License
4. Report Back on the Enforcement of the Standards of Maintenance By-law in the
Downtown East Side

Items 1 - 4

MOVED by Councillor Deal

THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of March 26, 2009, as contained in items 1 - 4, be approved.

CARRIED UNANIMOUSLY

(Councillors Anton and Meggs absent on civic business for the vote)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

(Councillors Anton and Meggs absent on civic business for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth

SECONDED by Councillor Reimer

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

CARRIED UNANIMOUSLY

(Councillors Anton and Meggs absent on civic business for the vote)

The Council adjourned at 7:05 p.m.

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