

JULY 7, 2009

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, July 7, 2009, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Gregor Robertson
Councillor Suzanne Anton
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal
Councillor Kerry Jang
Councillor Raymond Louie
Councillor Andrea Reimer
Councillor Tim Stevenson
Councillor Ellen Woodsworth

ABSENT: Councillor Geoff Meggs (Leave of Absence)

CITY MANAGER'S OFFICE: Penny Ballem, City Manager

CITY CLERK'S OFFICE: Marg Coulson, Acting City Clerk
Tina Hildebrandt, Meeting Coordinator

*Denotes absence for a portion of the meeting.

PRAYER

The proceedings in the Council Chamber were opened with a prayer read by Councillor Chow.

AWARDS:

- **VANCOUVER FIRE & RESCUE SERVICES, EMERGENCY MEDICAL SERVICES DIVISION**

The Mayor acknowledged the Vancouver Fire & Rescue Services' Emergency Medical Services Division for receiving the "Excellence in Health Promotion Award" by the British Columbia Medical Association.

- **SOUTHEAST FALSE CREEK NEIGHBOURHOOD ENERGY UTILITY**

Penny Cochrane and Cathy Marr, Canadian Institute of Energy, presented Council with the 2009 Research and Development award in recognition for the use of sewage heat recovery technology at the Southeast False Creek Neighbourhood Energy Utility.

Kelly Daniels, Chief Administrative Officer, Capital Regional District, Canadian Association of Municipal Administrators, presented Council with the Willis Award for Innovation for the development of the Neighbourhood Energy Utility.

"IN CAMERA" MEETING

MOVED by Councillor Anton
SECONDED by Councillor Cadman

- A. 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:
- (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.
- B. THAT Council will go into a meeting on Thursday, July 9, 2009, which is closed to the public, pursuant to Section 165.2(1) of the Vancouver Charter, to discuss matters related to paragraphs:
- (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; and
- (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 16, 2009

- Council appointed Commissioner Raj Hundal as the Park Board Commissioner representative on the Pacific National Exhibition Board of Directors; and
- Council made appointments to the Chinatown Historic Area Planning Committee and the First Shaughnessy Advisory Design Panel. Names of those appointed can be obtained from the City Clerk's Office.

ADOPTION OF MINUTES

1. Business License Hearing - March 24 and May 13, 2009

MOVED by Councillor Anton
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Business License Hearing - June 10, 2009

MOVED by Councillor Chow
SECONDED by Councillor Louie

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Services and Budgets) - June 11, 2009

MOVED by Councillor Louie
SECONDED by Councillor Stevenson

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (Planning and Environment) - June 11, 2009

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

5. Special Council (Special Transportation and Traffic) - June 16, 2009

MOVED by Councillor Chow
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

6. Regular Council - June 16, 2009

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

7. Special Council (Public Hearing) - June 16, 2009

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

8. Regular Council (City Services and Budgets) - June 18, 2009

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

9. Regular Council (Planning and Environment) - June 18, 2009

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Stevenson

THAT Council adopt Communication 1 and Administrative Reports A1, A2, A4 - A7, and A10, on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. 2010 Olympics and Paralympics Security

Deputy Chief Constable Steve Sweeney, and Bud Mercer, Assistant Commissioner, RCMP/ Chief Operating Officer, Vancouver 2010 Integrated Security Unit, provided a Report Reference to update Council on 2010 Olympics and Paralympics security and responded to questions.

The Mayor advised that requests to speak had been received and Council agreed to refer this matter to the Standing Committee on City Services and Budgets meeting on Thursday, July 9, 2009, in order to hear from the speakers.

COMMUNICATIONS

1. Sponsorship of 2009 UBCM Convention Welcome Reception

THAT Vancouver City Council approve a hospitality grant of \$17,500 toward the 2009 UBCM Convention, source of funds to be the Contingency Reserve.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

ADMINISTRATIVE REPORTS

1. Request for approval of an easement agreement to validate an encroachment on City-owned Property at 1406 East 49th Avenue and approval to release the property for sale June 15, 2009

- A. THAT Council authorize the granting of an easement agreement on terms acceptable to the Director of Legal Services and the Director of Real Estate Services charging the City owned property located at 1406 East 49th Avenue, legally described as PID 027-914-003; Lot A Block 9 District Lot 738 Group 1 New Westminster District, Plan BCP40920 (the "City Lot") to permit for the encroachment of a building on the adjacent property at 1412-1420 East 49th Avenue legally described as PID 014-460-947; Lot 3, Except the North 7 Feet Now Lane, Block 9 West 1/2 of District Lot 738 Plan 1681 (the "Adjacent Lot"), and to authorize the Director of Legal Services to execute the easement agreement on behalf of the City in accordance with the provisions in the Administrative Report *"Request for approval of an easement agreement to validate an encroachment on City-owned Property at 1406 East 49th Avenue and approval to release the property for sale"*, dated June 15, 2009.

- B. THAT Council authorize staff to solicit offers to purchase the City Lot subject to the approval of the sale and purchase by Council with the sale proceeds to be credited to the 2008 Engineering Streets Capital Budget (Arterial Improvements - Knight & 49th Left Turn Bay Project - Property Acquisition).

ADOPTED ON CONSENT

**2. Sale of 4854 Knight Street by Tender
June 19, 2009**

- A. THAT Council accept the Offer to Purchase the City-owned property at 4854 Knight Street, legally described as PID: 011-723-335 Lot 8, Block 7, District Lot 705 Group1 NWD Plan 2571 Except the West 7 Feet Now Road and Plan BCP39766, from Mr. Gurjit K. Dhaliwal in the amount of \$370,000.00 under the terms and conditions contained in the City's "Tender Form - Offer to Purchase" and the Administrative Report "*Sale of 4854 Knight Street by Tender*", dated June 19, 2009.
- B. THAT the 2009 Streets Basic Capital Budget (Arterial Improvements) be reimbursed with the proceeds of the sale.

ADOPTED ON CONSENT

**3. Proposed New Board of Variance By-law
June 29, 2009**

This item was referred to the Standing Committee on City Services and Budgets meeting on Thursday, July 9, 2009, in order to hear from speakers.

**4. Arts Partners in Creative Development - 2009 Allocation
June 15, 2009**

THAT Council approve an Arts Partners in Creative Development (APCD) grant of \$170,000 to 2010 Legacies Now, for the 2009 program deadlines, for subsequent distribution to Vancouver arts organizations; source of funds is the unallocated funding from the 2009 Cultural Budget.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**5. 2009 Childcare Endowment Reserve
June 23, 2009**

- A. THAT Council authorize a payment up to \$178,200, as an operating subsidy, to the Vancouver Society of Children's Centres (VSOCC) for 108 infant/toddler spaces operating out of 6 VSOCC centres: Dorothy Lam, Quayside, Library Square, Shaw Tower, Sapphire, and Bayshore Gardens Children's Centres for the period January 1, 2009 - December 31, 2009. Source of funds: City Childcare Endowment Reserve.

- B. THAT Council authorize a payment up to \$39,600, as an operating subsidy, to the Vancouver YWCA for the 24 infant/toddler spaces at the Leslie Diamond Child Care Centre, for the period January 1, 2009 - December 31, 2009. Source of funds: City Childcare Endowment Reserve.
- C. THAT Council authorize a payment up to \$39,600 as an operating subsidy, to Collingwood Neighbourhood House, for the 24 infant/toddler spaces for the period January 1, 2009 - December 31, 2009. Source of funds: City Childcare Endowment Reserve.
- D. 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, 2009 to December 31, 2009, to VSOCC for the 37 spaces at Sapphire Children's Centre. Source of funds: City Childcare Endowment Reserve.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**6. Award of Consulting Contract for Implementation of e-Procurement and Accounts Payable Automation (Procure to Pay)
June 28, 2009**

- A. THAT, subject to the conditions set out in B, C, and D below, the Director of Finance, and the Director of Legal Services, be authorized to negotiate a contract with:
 - i. Western Pacific Consulting Group for professional services to a maximum value of \$270,000, plus applicable taxes, for the implementation of SAP e-Procurement; and
 - ii. Echovera Consulting for professional services to a maximum value of \$180,000, plus applicable taxes, for the implementation of accounts payable automation.Source of funds is the 2008 Capital Budget for SAP Evolution/Development (e-Procurement/AP Automation).
- B. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement A above.
- C. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Financial Services Group, Manager of Supply Management 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 or C above unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

**7. Cambie Bridge Repairs - Seismic Capacity Reinstatement - Piers W7 and E7
June 22, 2009**

- A. THAT Council approve a total budget of \$475,000 to support the repairs to Piers E7 and W7 of the Cambie bridge; source of funding to be:
 - \$475,000 to be re-allocated from the approved Expo Deck Repair budget (RTS#07161).
- B. THAT, subject to the conditions as set out in D, E and F below, the existing contract with MMM Group Ltd. be amended to include an additional scope of work to include services during construction at a cost of \$15,000 plus applicable taxes with the source of funding as approved in A to the above-noted report.
- C. THAT, subject to the conditions as set out in D, E and F below, the existing contract with Golder Associates Ltd. be amended to include an additional scope of work to include services during construction and environmental monitoring at a cost of \$15,000 plus applicable taxes with the source of funding as approved in A above.
- D. THAT the General Manager of Engineering Services be authorised to execute and deliver on behalf of the City all legal documents required to implement B and C above.
- E. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Engineering Services.
- F. THAT no legal rights or obligations will be created or arise from Council's adoption of B, C and D above unless and until such legal documents are executed and delivered by the General Manager of Engineering Services in the case of Recommendations.
- G. THAT Council waive City procurement policy and authorize the General Manager of Engineering Services to engage in direct negotiations with one or more qualified vendors in order to complete the Cambie Bridge repair work in the required timeframe.

ADOPTED ON CONSENT

**8. Parking Corporation of Vancouver (EasyPark) 2008 Year End Review and 2009
Operating and Capital Budgets
June 23, 2009**

This item was referred to the Standing Committee on City Services and Budgets meeting on Thursday, July 9, 2009, in order to hear from speakers.

9. Award of Request for Proposal (RFP) No. PS09066 for property management services for the City owned residential market rental tower located at 228 East 7th Avenue which forms part of the Mount Pleasant Civic Centre development (1 Kingsway)
June 19, 2009

This item was referred to the Standing Committee on City Services and Budgets meeting on Thursday, July 9, 2009, in order to hear from speakers.

10. Award of Contract ITT PS09115 - Construction of PC Concrete Curb & Gutters, Sidewalks, and Asphalt Concrete on Sundry Streets
June 19, 2009
 - A. THAT, subject to the conditions set out in C, D and E below, the General Manager of Engineering Services be authorized to enter into a contract with Lafarge Canada Inc. C.O.B. as Columbia Bitulithic for the construction of portland cement concrete curbs, gutters and sidewalks & asphalt concrete pavement on sundry streets at an estimated cost of \$784,184.00 plus applicable taxes (less any municipal rebate received), with funding provided from the 2006 - 2008 Streets Basic Capital Budgets as noted in the above report (as this is a unit rate contract, the contractor will be paid for the actual quantities of items constructed, whether they are more or less than the amount estimated).
 - B. THAT, subject to the approval of A above, the General Manager of Engineering Services be authorized to enter into change order(s) under the contract with Lafarge Canada Inc. C.O.B. as Columbia Bitulithic as may be required for the construction of proposed provisional items and related works for the construction of bicycle route infrastructure and pedestrian accessibility improvements, up to an estimated total cost of \$500,000, subject to approved funding from the Streets and Transportation Basic Capital Budgets.
 - C. 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.
 - D. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services.
 - E. THAT no legal rights or obligations will be created or arise by Council's adoption of A, C and D above unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

**11. Form of Development: 1450 McRae Avenue
June 23, 2009**

MOVED by Councillor Chow

THAT Council recommend to the Director of Planning that the Form of Development of 1450 McRae Avenue be referred to the Development Permit Board and Advisory Panel for a formal meeting, including hearing of delegations, in order to provide advice to Council; and

FURTHER THAT a Council decision on the Form of Development of 1450 McRae Avenue be deferred until the Development Permit Board and Advisory Panel have considered the matter.

carried

REFERRAL MOVED by Councillor Anton

THAT Councillor Chow's Motion on the Form of Development of 1450 McRae Avenue be referred to a Standing Committee meeting on Thursday, July 9, 2009, in order to allow the developer an opportunity to speak to this matter.

LOST

(Councillors Cadman, Chow, Deal, Jang, Reimer, Stevenson, Woodsworth and the Mayor opposed.)

The referral motion having lost, the motion was put and CARRIED, with Councillor Anton opposed.

**12. Joint Vancouver Fire & Rescue Services (VF&RS) and Vancouver Fire Fighters' Union (Local 18) Physical Fitness Training and Equipment Program
April 24, 2009**

MOVED by Councillor Anton

- A. THAT Council approve the initiative between VF&RS and Local 18 to develop and implement a joint physical fitness training and equipment program through a 50/50 cost-sharing arrangement.
- B. THAT Council approve the purchase of 22 treadmills and 22 elliptical trainers, with the capital and one time implementation costs of approximately \$324,000 to be cost-shared (50/50) between VF&RS and Local 18; source of funding to be a loan from the Truck and Equipment Plant account.
- C. THAT Council approve the annual operating costs of \$45,000 (\$90,000 total costs with \$45,000 cost-sharing from Local 18) for the fitness training and equipment program, with funding to be provided from within VF&RS' operating budget beginning in 2010.

CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

1. **A By-law to amend Parking By-law No. 6059 with regard to for-profit affordable rental housing development parking requirements (By-law No. 9897)**
2. **A By-law to amend Vancouver Development Cost Levy By-law 9755 regarding eligible developments (By-law No. 9898)**
3. **A By-law to amend Area Specific Development Cost Levy By-law No. 9418 regarding eligible developments (By-law No. 9899)**
4. **A By-law to amend Zoning and Development By-law No. 3575 regarding additional floor area in connection with basements (By-law No. 9900)**
(Councillors Cadman and Stevenson ineligible to vote.)
5. **A By-law to enter into a Heritage Revitalization Agreement (re 2145 West 45th Avenue) (By-law No. 9901)**
(Councillors Cadman and Stevenson ineligible to vote.)
6. **A By-law to designate certain real property as protected heritage property (re 2145 West 45th Avenue) (By-law No. 9902)**
(Councillors Cadman and Stevenson ineligible to vote.)

7. **A By-law to designate certain real property as protected heritage property (re 4446 James Street) (By-law No. 9903)**
(Councillors Cadman and Stevenson ineligible to vote.)
8. **A By-law to Contract a Debt by the Issue and Sale of 4.9% Sinking Fund Debentures in the Aggregate Principal Amount of \$125,000,000 for the Objects Set Out in Schedule "B" (By-law No. 9904)**

MOTIONS

A. Administrative Motions

None.

B. Motions on Notice

The following Motions on Notice from Councillor Woodsworth were referred to the Standing Committee on City Services and Budgets meeting on Thursday, July 9, 2009, in order to hear from speakers.

1. **Council Endorsement of Coventry Declaration**
2. **Request for Provincial Timeline for Development of 14 Supportive Housing Sites**

ENQUIRIES AND OTHER MATTERS

1. Building Code Issues - Olympic Village

Councillor Anton expressed concern with regard to reports in the media regarding the possibility of building code issues in relation to the Olympic Village project and asked the City Manager to provide an update on how staff are addressing this issue.

The City Manager advised that staff are working with the chief design consultant and the developer to investigate the matter and noted that a preliminary report has indicated good results. She noted that the City has an extensive inspection and review process for this project.

2. Housing Issues

Councillor Anton asked the City Manager for a status report on housing issues and negotiations between the City and the Province in relation to Little Mountain.

The City Manager provided an update on staff discussions with senior officials from B.C. Housing on progress with the various interim housing issues, shelters and Little Mountain.

Councillor Woodsworth expressed concern about the imminent lose of affordable housing at Little Mountain and enquired on negotiations with the province.

The City Manager advised that senior officials from B.C. Housing have made it clear that the housing on the Little Mountain site cannot be reopened due to the expenses, given much of the infrastructure has already been removed from the site.

The Council adjourned at 4:55 p.m.

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