



REGULAR COUNCIL MEETING MINUTES

NOVEMBER 16, 2010

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, November 16, 2010, at 2:00 pm, in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor David Cadman  
Councillor George Chow  
Councillor Kerry Jang  
Councillor Geoff Meggs  
Councillor Andrea Reimer  
Councillor Ellen Woodsworth

**ABSENT:** Councillor Heather Deal (Leave of Absence - Civic Business)  
Councillor Raymond Louie (Leave of Absence - Civic Business)  
Councillor Tim Stevenson (Leave of Absence - Civic Business)

**CITY MANAGER'S OFFICE:** Penny Ballem, City Manager

**CITY CLERK'S OFFICE:** Marg Coulson, City Clerk  
Laura Kazakoff, Meeting Coordinator

**PRAYER**

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

**PROCLAMATION - A DARE TO REMEMBER WEEK**

The Mayor proclaimed the week of November 21 to 27, 2010, as "Dare to Remember Week" in the City of Vancouver, and invited Nina Matthews, Grandmothers to Grandmothers campaign and Rochelle Tucker, Faculty of Health Sciences, SFU and Dare Organizer, to the podium to receive the proclamation and say a few words.

## "IN CAMERA" MEETING

MOVED by Councillor Jang  
SECONDED by Councillor Cadman

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 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;
- (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

## ITEM ARISING FROM THE "IN CAMERA" MEETING OF NOVEMBER 2, 2010

Council appointed Mr. Will Johnston, P.Eng., as the City's Chief License Inspector.

## ADOPTION OF MINUTES

1. Regular Council - November 2, 2010

MOVED by Councillor Cadman  
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Special Council (Court of Revision) - November 2, 2010

MOVED by Councillor Cadman  
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Services and Budgets) - November 4, 2010

MOVED by Councillor Jang  
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (Planning and Environment) - November 4, 2010

MOVED by Councillor Reimer  
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Cadman  
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor Jang

THAT Council adopt Administrative Reports A1 and A2 and Policy Reports P1 through P4 on consent.

CARRIED UNANIMOUSLY

## REPORT REFERENCE

### 1. Vancouver Airport Authority - Report on Activities and Future Plans

Philip Owen, City appointee to the Airport Authority Board of Directors, Larry Berg, President and CEO, and Anne Murray, Vice President, Community and Environmental Affairs, Vancouver Airport Authority, provided an overview of recent airport activities and initiatives as well as future plans for the Vancouver Airport, and responded to questions.

### 2. City of Vancouver Urban Health Initiative

Brenda Proskan, Deputy General Manager, Community Services, and Mary Clare Zak, Director, Social Policy, provided an overview of the City of Vancouver's Urban Health Initiatives, and responded to questions from Council members.

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## PRESENTATION - CULTURAL HARMONY AWARDS

Mayor Robertson and Commissioner Aaron Jasper, Chair, Park Board, recognized the following 2010 Cultural Harmony Award recipients and invited Karen Larcombe, Executive Director, South Vancouver Neighbourhood House, Leila El-Khatib, and Gregory Helem, C.A.R.E. Society, to the podium to receive the awards and say a few words:

- |                                       |                                   |
|---------------------------------------|-----------------------------------|
| • South Vancouver Neighbourhood House | Organization Award                |
| • Leila El-Khatib                     | Individual Award                  |
| • C.A.R.E. Society                    | Organization - Honourable Mention |

The Mayor invited Council and guests to the foyer outside Council Chamber for a reception in honour of the Cultural Harmony Awards recipients.

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*The Council recessed at 4:20 pm and reconvened at 4:55 pm with the same Council members present.*

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### ADMINISTRATIVE REPORTS

1. **Request to Attend 2010 International Gay & Lesbian Leadership Conference in Washington DC, December 2-5, 2010**  
November 1, 2010

THAT Council authorize Councillor Stevenson to attend the 2010 International Gay & Lesbian Leadership Conference being held in Washington, DC, December 2-5, 2010, at an estimated cost of \$ 1,686.00 to be funded from the Councillors 2010 Travel Budget.

ADOPTED ON CONSENT

2. **Request to Attend FCM Sustainable Communities Conference in Victoria BC, February 8-10, 2011**  
November 2, 2010

THAT Council authorize Councillor Deal to attend the FCM Sustainable Communities Conference in Victoria BC on February 8-10, 2011 at an estimated cost of \$1,602.00 to be funded from the Councillors 2010 Travel Budget.

ADOPTED ON CONSENT

### POLICY REPORTS

1. **Miscellaneous Text Amendments: CD-1 By-laws #415, #489, #491 and #492, and Protection of Trees By-law**  
November 3, 2010

A. THAT the Director of Planning be instructed to make application to amend the following CD-1 (Comprehensive Development) Districts:

- (i) CD-1 #415 (By-law No. 8587) for 651 Expo Boulevard,
- (ii) CD-1 #489 (By-law No. 10101) for 1201-1215 Bidwell Street and 1702-1726 Davie Street,
- (iii) CD-1 #491 (By-law No. 10127) for 1142 Granville Street, and
- (iv) CD-1 #492 (By law No. 10129) for 5912-5970 Oak Street, for miscellaneous text amendments generally as presented in Appendix A of the Policy Report dated November 3, 2010, entitled "Miscellaneous Text Amendments: CD-1 By-laws #415, #489, #491 and #492, and Protection of Trees By-law", and that the application be referred to a Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-laws, generally in accordance with Appendix A of the above-noted Policy Report, for consideration at the Public Hearing.

- B. THAT a miscellaneous text amendment to the Protection of Trees By-law be approved, generally in accordance with Appendix B of the Policy Report dated November 3, 2010, entitled "Miscellaneous Text Amendments: CD-1 By-laws #415, #489, #491 and #492, and Protection of Trees By-law";

FURTHER THAT the Director of Legal Services be instructed to bring forward the necessary by-laws, generally in accordance with Appendix B of the above-noted Policy Report, for enactment.

ADOPTED ON CONSENT

2. **Amendment to the Downtown Official Development Plan regarding 1277 Robson Street (Pacific Palisades)  
November 3, 2010**

THAT the application by W.T. Leung Architects Inc. on behalf of Austeville Properties Ltd. to amend the Downtown Official Development Plan Bylaw, to remove the density restrictions on non-residential uses in Area J, be referred to a Public Hearing, together with:

- (i) draft by-law amendments, generally as presented in Appendix A of the Policy Report dated November 3, 2010, entitled "Amendment to the Downtown Official Development Plan regarding 1277 Robson Street (Pacific Palisades)";
- (ii) the recommendation of the Director of Planning to approve the application;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix A of the above-noted Policy Report, for consideration at Public Hearing.

ADOPTED ON CONSENT

3. **CD-1 Text Amendment - 140 West 1<sup>st</sup> Avenue (Playhouse Theatre Company Site)  
November 2, 2010**

A. THAT the application by GBL Architects Group on behalf of Wall Financial Corporation to amend CD-1 (462) - By-law No. 9594 - for 140 West 1st Avenue to permit an increase in the maximum permitted height from 47 m (154.2 ft.) to 52 m (170.6 ft.), an increase in the maximum permitted floor area from 33 150 m<sup>2</sup> (356,835 sq. ft.) to 36 666 m<sup>2</sup> (394,682 sq. ft.). and a reduction in the required family units from 25% to 20% be referred to a Public Hearing, together with:

- (i) plans received May 26, 2010;
- (ii) draft CD-1 By-law amendments, generally as presented in Appendix A of the Policy Report dated November 2, 2010, entitled "CD-1 Text

Amendment - 140 West 1<sup>st</sup> Avenue (Playhouse Theatre Company Site)";  
and

- (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B of the above-noted Policy Report;

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

- B. THAT, if the application is referred to a Public Hearing, consequential amendments to the Southeast False Creek Official Development Plan to increase the floor area limits for maximum total floor area and for maximum residential floor area for the whole of the Southeast False Creek area and for Area 2B, as set out in Appendix C of the Policy Report dated November 2, 2010, entitled "CD-1 Text Amendment - 140 West 1<sup>st</sup> Avenue (Playhouse Theatre Company Site)", be referred to the same Public Hearing, together with the recommendation of the Director of Planning to approve;

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

- C. THAT A and B above be adopted on the following conditions:
  - (i) THAT the passage of the above resolution 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 to amend By-law CD-1 (462) and that any costs incurred in fulfilling requirements imposed as a condition of amending By law CD-1 (462) 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

**4. CD-1 Rezoning and Heritage Revitalization Agreement at 2305-2325 West 7th Avenue (Kitsilano Neighbourhood House)  
November 8, 2010**

- A. THAT the application by Sean McEwen Architect on behalf of Kitsilano Neighbourhood House, to rezone 2305-2325 West 7th Avenue (Lots 11, 12 and 13, Block 282, DL 526, Group 1 NWD Plan 1058; PID:008-890-285, 008-890-323,

008 890-366) from RT-8 (Two-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the revitalization of two heritage buildings and a four-storey, addition connecting them, to be used for low-income seniors housing and improved space for the Kitsilano Neighbourhood House at a floor space ratio (FSR) of 1.70 and a height of 13 m (42.5 ft.), be referred to a Public Hearing, together with:

- (i) plans received May 12, 2010;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated November 8, 2010, entitled "CD-1 Rezoning and Heritage Revitalization Agreement at 2305-2325 West 7<sup>th</sup> Avenue (Kitsilano Neighbourhood House)"; and
- (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B of the above-noted Policy Report.

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 above-noted Policy Report for consideration at the Public Hearing.

- B. THAT, if the application is referred to a public hearing, the Director of Legal Services be instructed to prepare a by-law, for consideration at the Public Hearing, designating the Vancouver Heritage Register "B" listed building at 2305 West 7th Avenue, and the Vancouver Heritage Register "C" listed building at 2325 West 7th Avenue, as municipally-protected heritage property under a heritage designation By-law.
- C. THAT, if the application is referred to public hearing, the Director of Legal Services be instructed to prepare a by-law, for consideration at the Public Hearing, authorizing the City to enter into a Heritage Revitalization Agreement, generally in accordance with the draft in Appendix G of the Policy Report dated November 8, 2010, entitled "CD-1 Rezoning and Heritage Revitalization Agreement at 2305-2325 West 7<sup>th</sup> Avenue (Kitsilano Neighbourhood House)" for the Vancouver Heritage Register "B" listed building at 2305 West 7th Avenue, and the Vancouver Heritage Register "C" listed building at 2325 West 7th Avenue, to secure the timely rehabilitation and long-term protection and conservation of the heritage resources.
- D. THAT A, B and 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

**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 Cadman  
SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

**BY-LAWS**

MOVED by Councillor Jang  
SECONDED by Councillor Cadman

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 2 and 3 and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

MOVED by Councillor Jang  
SECONDED by Councillor Cadman

THAT Council, except for those members ineligible to vote as noted below, enact the by-law listed on the agenda for this meeting as number 1, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (2665 Renfrew Street) (By-law No. 10174)  
*(Councillor Anton ineligible for the vote)*
2. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (97 East 2<sup>nd</sup> Avenue) (By-law No. 10175)
3. A By-law to designate certain real property as protected heritage property (97 East 2<sup>nd</sup> Avenue - Opsal Steel Buildings and interior building fixtures) (By-law No. 10176)

### MOTIONS

#### A. Administrative Motions

None.

#### B. Motions on Notice

##### 1. Taxi Licenses

MOVED by Councillor Anton

SECONDED by Councillor Meggs

#### WHEREAS

1. The Province of BC has reduced tolerance levels for drinking and driving;
2. Public transit is not universally available after midnight;
3. Taxis are reporting increased business;
4. There is anecdotal discussion regarding the difficulty of getting a taxi out of the city;
5. 111 new licenses were issued in 2007 and none have been issued since;
6. At the time of the issuance of the 2007 licenses, staff were requested to report back on license fees;

THEREFORE BE IT RESOLVED THAT staff be directed to report back with recommendations as to measures to improve service to customers at peak periods, including but not limited to possible temporary licenses.

referred

The Mayor noted that requests to speak to this motion have been received.

REFERRAL MOVED by Councillor Meggs  
SECONDED by Councillor Woodsworth

THAT the motion be referred to the Standing Committee on City Services and Budgets meeting on Thursday, November 18, 2010, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

## 2. Exit Interviews

MOVED by Councillor Anton  
SECONDED by Councillor Woodsworth

WHEREAS

1. Many senior staff have left the employment of the City of Vancouver in the last two years.
2. The reasons for the departures are not generally known to Council; and
3. Council in its oversight role would benefit from knowing as to why staff are leaving the City.

THEREFORE IT IS RESOLVED THAT the City Manager is requested to arrange exit interviews for all senior management staff leaving the City; such interviews to be taken by a third party agency and provided to Council in camera.

referred

REFERRAL MOVED by Councillor Reimer  
SECONDED by Councillor Woodsworth

THAT the motion be referred to staff for a report back in an Information Memorandum on the advisability of engaging an outside consultant and providing exit interview information to Council in camera;

FURTHER THAT the memorandum include information on the numbers of staff leaving due to retirement, as well as current recruitment strategies for filling vacancies.

CARRIED UNANIMOUSLY

### 3. Support for Bill C-389

MOVED by Councillor Woodsworth  
SECONDED by Councillor Chow

#### WHEREAS

1. The City of Vancouver is committed to ensuring the safety and well being of all the residents of the City of Vancouver and recognizes the right of every resident of Vancouver to live at all times in conditions of dignity, respect and freedom from violence, regardless of race, gender, age, physical and mental ability, religion, sexual orientation and gender identity or expression;
2. The City of Vancouver recognizes that in order for the city to thrive it needs the gifts, talents, and skills of all its residents including its transgendered and transsexual residents, cross-dressers, drag kings/queens, transsexuals, androgynes, Two-Spirit people, gender variant, gender queer, and people who are bi-gendered, multi-gendered or otherwise identified;
3. The City of Vancouver recognizes that people are experiencing injustices such as denial of employment, housing, and access to trans-sensitive health care, and inability to obtain identification documents because of their gender identity and gender expression;
4. The Canadian Human Rights Act (CHRA) does not explicitly protect people from discrimination and harassment and violence based on their gender identity or gender expression and the Criminal Code does not include gender identity and gender expression as an identifiable group and does not take gender identity and gender expression into account as aggravating factors to be considered at time of sentencing;
5. Bill C-389, introduced by our neighboring city's MP Bill Siksay of Burnaby, will update the Canadian Human Rights Act (CHRA) to include gender identity and gender expression as prohibited grounds of discrimination;
6. The City of Vancouver believes Bill C-389 to be an essential measure to protect its residents from any and all forms of discrimination, harassment, or violence and enable those residents to contribute their gifts, talents, and skills to the fullest extent.

THEREFORE BE IT RESOLVED THAT the City of Vancouver supports Bill C-389 and calls on Members of Parliament to recognize it as a necessary measure to ensure the health and well-being of the citizens and residents of Canada and the wider health of its cities and communities.

CARRIED UNANIMOUSLY

#### 4. Endorse the Vienna Declaration

MOVED by Councillor Jang

SECONDED by Councillor Woodsworth

##### WHEREAS

1. The City of Vancouver has provided municipal leadership by endorsing a comprehensive and evidence-based strategy to reduce harm from the sale and use of illegal drugs and is committed to work with all levels of government to implement the four pillars of prevention, treatment, harm reduction and enforcement;
2. It is important to distinguish between harms that result from drug use and harms that are consequences of policy, specifically the enforcement of prohibition;
3. The current policy of drug prohibition has failed to reduce drug production, availability and use with illegal drug prices falling and purity increasing as monitored by international drug surveillance systems;
4. There is no evidence that increasing law enforcement reduces the prevalence of drug use;
5. The number of countries where people inject illegal drugs is increasing;
6. Injecting illegal substances is the leading cause for approximately one in three new cases of HIV;
7. An illicit drug market worth an estimated value of US\$320 billion in the hands of criminals fuels violence, deaths and destabilizes entire nations;
8. The “War on Drugs” approach has been a waste of billions of tax dollars and has in fact resulted in consequences that are the very opposite of its stated aims and has spawned more harm to public health;
9. The Vienna Declaration was spearheaded by the scientific community, and in particular, the British Columbia Centre for Excellence in HIV/AIDS, in the wake of the XVIII International AIDS conference in Vienna to call for an acknowledgement of the harms of drug prohibition and for drug policy reform to remove barriers to effective HIV prevention, treatment and care.

THEREFORE BE IT RESOLVED THAT Council continue to support an urban health approach based on science to address safety and harms to community and individuals by formally endorsing the Vienna Declaration, writing to the Federation of Canadian Municipalities, the Union of BC Municipalities, and Provincial and Federal Ministers in the Justice and Health departments to inform them of our endorsement, as well as

urging the Mayor to put this issue on the agenda of the next meeting of the Big City Mayors Caucus.

referred

The Mayor noted that requests to speak to this motion have been received.

REFERRAL MOVED by Councillor Jang  
SECONDED by Councillor Woodsworth

THAT the motion be referred to the Standing Committee on City Services and Budgets meeting on Thursday, November 18, 2010, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

## 5. Improve Safety and Accessibility for Pedestrians

MOVED by Mayor Robertson  
SECONDED by Councillor Meggs

WHEREAS

1. Pedestrians are Vancouver's top transportation priority;
2. There are 318,000 walking trips made every day in the City, which represents 17% of total trips;
3. 41% of residents in the Downtown and West End either walk or cycle to work;
4. The City of Vancouver has the Greenest City goal of having at least 50% of all trips in the City be either by walking, cycling or transit by 2020;
5. The safety and accessibility of pedestrian routes is critical to the health and well-being of our citizens;

THEREFORE BE IT RESOLVED

- A. THAT City staff, in conjunction with the Vancouver Police Department and Vancouver School Board, identify locations and priority measures for improving pedestrian safety and accessibility in Vancouver.
- B. THAT staff be directed to report back in the spring of 2011, and that as part of the report, staff include recommendations on how to better improve pedestrian input into the City's Transportation Plan.

referred

The Mayor noted that requests to speak to this motion have been received.

REFERRAL MOVED by Councillor  
SECONDED by Councillor Cadman

THAT the motion be referred to the Standing Committee on City Services and Budgets meeting on Thursday, November 18, 2010, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

#### NEW BUSINESS

##### 1. Support for Vancouver Airport Authority's Applications to the Federal Government

Councillor Anton submitted the following Motion as New Business. Councillor Reimer called Notice under Section 10.3(d) of the Procedure By-law. The Motion will be placed on the agenda of the Regular Council meeting to be held on Tuesday, November 30, 2010, as a Motion on Notice.

MOVED by Councillor Anton

THAT the Mayor, on behalf of the City of Vancouver, write to the Federal Government in support of the two applications by the Vancouver Airport Authority regarding enabling flights to and from Taiwan and cargo flights from China.

notice

#### ENQUIRIES AND OTHER MATTERS

##### 1. Deputy City Electrician Job Posting

Councillor Anton enquired on the current job posting for a Deputy City Electrician at the same pay scale and qualifications of the previous "City Electrician" position which was eliminated. Penny Ballem, City Manager, noted the position was part of the overall restructuring plan of the inspections group, and agreed to request the Chief Building Official to provide an Information Memorandum to Council which outlines the restructure in detail.

The Council adjourned at 5:36 pm

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