

These Minutes will be adopted at the Regular Council meeting on October 28, 2008.



CITY OF VANCOUVER

REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL ON PLANNING AND ENVIRONMENT

OCTOBER 16, 2008

A Regular Meeting of the Standing Committee of Council on Planning and Environment was held on Thursday, October 16, 2008, at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT:

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

ABSENT: Councillor Elizabeth Ball (Leave of Absence)

CITY MANAGER'S OFFICE: Judy Rogers, City Manager
James Ridge, Deputy City Manager

CITY CLERK'S OFFICE: Diane M. Clairmont, 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 July 24, 2008 and September 18, 2008, were adopted.

1. Proposed Amendment to Subdivision By-Law 5208 - Reclassification of Properties at 3994 and 3928 West 33rd Avenue (September 10, 2008)

Staff from Community Services reviewed the report and responded to questions.

The Committee heard from the Owner of the property who spoke in opposition to staff recommendations.

MOVED by Councillor Anton
THAT the Committee recommend to Council

That Council refuse both options of the application to reclassify properties at 3994 and 3928 West 33rd Avenue from Category D to Category A of Schedule A, Table 1, of Subdivision By-law No. 5208

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

**2. 1046 Granville Street - Hyde Entertainment Ltd., Liquor Primary Liquor License
(September 19, 2008)**

Staff from License & Inspections reviewed the report and along with staff from the Department of Social Development and the Vancouver Police Department, responded to questions.

The Committee heard from 3 speakers, all in favour of Recommendation B.

MOVED by Councillor Deal
THAT the Committee recommend to Council

THAT Council, having considered the opinion of local area residents and business operators of the community as determined by neighbourhood notifications, the proximity of residential developments, potential noise impacts and relevant Council policy as outlined in Administrative Report dated September 19, 2008, entitled "1046 Granville Street - Hyde Entertainment Ltd., Liquor Primary Liquor License", endorse the application by Hyde Entertainment Ltd. for a Liquor Primary liquor license (Liquor Establishment Class 3) at 1046 Granville Street, subject to:

- i. Hours of operation limited to Standard Hours: 11:00 a.m. to 2:00 a.m., Friday and Saturday and 11:00 a.m. to 1:00 a.m. Sunday to Thursday for six months;
- ii. A maximum total capacity of 200 persons;
- iii. A Housing Agreement with a 25 year term requiring all the rooms in the Regal (1040 Granville St) be rented monthly in accordance with the Residential Tenancy Act and eliminating the option to rent up to 10% of the rooms for tourist use in exchange for the proposed increase in the number of licensed seats;
- iv. Terminating the Liquor Primary liquor license #038689 which was for the Al Ritrovo (175 seats) in support of the increase in capacity for this application;
- v. Food service to be provided until midnight, 7 days a week;
- vi. Acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;

- vii. Signing a Good Neighbour Agreement with the City prior to business license issuance; and
- viii. A Time-limited Development Permit.

CARRIED UNANIMOUSLY

3. SRA Exemption and Conversion Applications for 403 East Hastings Street - Patricia Hotel
(October 7, 2008)

Staff from the Department of Social Development reviewed the report and along with the City Manager, responded to questions.

The Committee heard from two speakers, both in favour of Recommendations A & C of the report.

MOVED by Councillor Anton
THAT the Committee recommend to Council

- A. THAT Council authorize an exemption from the requirements of the Single Room Accommodation By-law for 101 SRA-designated rooms at 403 East Hastings Street (Patricia Hotel), attached as Appendix A to Administrative Report *SRA Exemption and Conversion Applications for 403 East Hastings Street- Patricia Hotel* dated October 7, 2008.
- B. THAT Council approve a Conversion/Demolition Permit (see Appendix B of Administrative Report *Exemption and Conversion Applications for 403 East Hastings Street- Patricia Hotel* dated October 7, 2008.) to convert and remove from the SRA inventory the remaining 94 units at 403 East Hastings Street conditional upon re-classification of the property to 100% Class 6 - Business/Other for 2008 onward.

carried

AMENDMENT MOVED by Councillor Louie

THAT Clause B be replaced by the following:

“THAT Council approve a Conversion/Demolition Permit (see Appendix B) to convert and remove from the SRA inventory the remaining 94 units at 403 East Hastings Street conditional upon:

- i. the payment of \$255,000, which is equivalent to both:
 - (a) the amount of foregone property taxes between 2004-2008; and

- (b) the assessment of \$15,000 per unit which the City may impose as a condition of approving a conversion, on 17 of the 94 units sought to be converted, to be deposited into the City's reserve fund for the creation of replacement housing; and
- ii. re-classification of the property to 100% Class 6 - Business/Other for 2008 onward."

LOST (Tie Vote)

(Councillors Anton, Capri, Ladner, Lee and Mayor Sullivan opposed)

The amendment having lost, the Committee agreed to separate the vote on the components of the motion.

A CARRIED UNANIMOUSLY AND B LOST (Tie Vote) (Councillors Cadman, Chow, Deal, Louie and Stevenson opposed to B)

FINAL MOTION AS APPROVED.

THAT Council authorize an exemption from the requirements of the Single Room Accommodation By-law for 101 SRA-designated rooms at 403 East Hastings Street (Patricia Hotel), see Appendix A of Administrative Report *Exemption and Conversion Applications for 403 East Hastings Street- Patricia Hotel* dated October 7, 2008.

The Committee adjourned at 4:30 p.m.

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CITY OF VANCOUVER

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

OCTOBER 16, 2008

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, October 16, 2008, at 4:30 p.m., in the Council Chamber, Third Floor, City Hall, following the Standing Committee on Planning and Environment meeting, to consider the recommendations and actions of the Committee.

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

ABSENT: Councillor Elizabeth Ball (Leave of Absence)

CITY MANAGER'S OFFICE: Judy Rogers, City Manager
James Ridge, Deputy City Manager

CITY CLERK'S OFFICE: Diane M. Clairmont, Meeting Coordinator

PUBLIC NOTICE

Council will give consideration to amend its Procedure By-law at its Regular Council meeting of October 28, 2008.

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Stevenson

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

CARRIED UNANIMOUSLY

COMMITTEE REPORTS

Report of Standing Committee on Planning and Environment October 16, 2008

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

1. Proposed Amendment to Subdivision By-Law 5208 - Reclassification of Properties at 3994 and 3928 West 33rd Avenue
2. 1046 Granville Street- Hyde Entertainment Ltd., Liquor Primary Liquor License
3. SRA Exemption and Conversion Applications for 403 East Hastings Street- Patricia Hotel

Items 1- 3

MOVED by Councillor Ladner

THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of October 16, 2008, as contained in items 1 to 3, be approved.

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 Stevenson

SECONDED by Councillor Anton

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

CARRIED UNANIMOUSLY

MOTIONS

A. Administrative Motions

None.

B. Motions on Notice

1. Transparency Around Southeast False Creek

At the Regular Council meeting on October 14, 2008, the following motion was submitted by Councillor Stevenson. Councillor Ball called Notice under Section 5.4(c) of the Procedure By-law.

MOVED by Councillor Stevenson
SECONDED by

WHEREAS:

1. The recent financial crisis has created challenges for the Southeast False Creek project, and may result in an increased burden on city taxpayers;
2. The Southeast False Creek project is integral to the success of the 2010 Olympics, and that the city is obligated to complete the project in time for the Games;
3. City taxpayers have a right to be informed as much as possible on the emerging developments around the Southeast False Creek project, in light of the recent financial crisis;
4. The City needs to work closely and constructively with the development community to ensure the project is fiscally responsible, and that all efforts are undertaken to prevent any undue burden for City taxpayers; and
5. The Southeast False Creek project will be a legacy development of the 2010 Games.

THEREFORE BE IT RESOLVED

Any decision requiring the city to commit funding to the Southeast False Creek development be made in public.

not put

The Chair ruled the motion out of order.

NEW BUSINESS

1. Taxes Relating to Commercial Hotels Operating as Residential Facilities

The following motion was submitted by Councillor Cadman and seconded by Councillor Deal. Councillor Anton called Notice under Section 5.4(c) of the Procedure By-law.

THAT a Report back be provided to Council on facilities known to be operating as commercial hotels, but taxed as residential facilities in order to inform the tax authorities of the nature of the problem from the City 's perspective to change the taxes from a residential to a commercial base.

Notice

The Council adjourned at 4:45 p.m.

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