

LATE DISTRIBUTION FOR COUNCIL -OCTOBER 3, 2006

4



CITY OF VANCOUVER
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 26, 2006

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, September 26, 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: Syd Baxter, 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 Lee
SECONDED by Councillor Capri

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;
- (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.

CARRIED UNANIMOUSLY

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF SEPTEMBER 12, 2006

- Council awarded Dr. Jennifer Simons with the 2006 Vancouver Citizens' Peace Award.

ADOPTION OF MINUTES

1. Regular Council - September 12, 2006

MOVED by Councillor Stevenson
SECONDED by Councillor Ladner

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Ball

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Lee

THAT Council adopt Administrative Reports A1, A2, A6, A8, A9, A11, and A15, and Policy Reports P1 to P3, and P5, on consent.

CARRIED UNANIMOUSLY

REPORT REFERENCE

1. Improving Citizen Accessibility to Information and Services (VanRIMS No. 04-4400-50)

Syd Baxter, City Clerk, and Marg Coulson, Deputy City Clerk, presented a Report Reference on a plan to implement a consolidated citizen service contact centre and 311 service for the City of Vancouver. They referred to the Administrative Report *Improving Citizen Accessibility to*

Information and Services dated September 12, 2006, described the proposed 311 service, and sought Council approval for approval in principle of the plan to implement the service.

Also before Council was a letter dated September 25, 2006, from the President, CUPE 15, requesting to speak on the report.

Council agreed to refer discussion and decision on the Administrative Report to the Standing Committee on City Services and Budgets meeting on September 28, 2006 to hear from the speaker.

ADMINISTRATIVE REPORTS

1. **Form of Development: Vancouver General Hospital Master Plan
August 29, 2006 (VanRIMS No. 11-3500-10)**

THAT the form of development for the Master Plan of the CD-1 zoned site known as Vancouver General Hospital be approved generally as illustrated in the Development Application Number DE408792, prepared by Davidson Yuen Simpson Architects and stamped "Received, Community Service Group, Development Services, May 30th 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;

AND FURTHER that the Director of Legal Services be instructed to prepare amendments to the Servicing and Open Space Agreement to revise the phases of development and schedule for delivery of public open space, in accordance with the Form of Development.

ADOPTED ON CONSENT

2. **Form of Development: VGH Precinct - 818 West 10th Avenue (ICORD)
August 29, 2006 (VanRIMS No. 11-3500-10)**

THAT, subject to Council's approval of the overall form of development for the VGH Precinct this day, the form of development for this portion of the CD-1 zoned site known as Vancouver General Hospital (818 West 10th Avenue being the application address) be approved generally as illustrated in the Development Application Number DE409911, prepared by Musson Cattell Mackey Partnership and stamped "Received, Community Service Group, Development Services, May 8, 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

3. **2006 Project Grants - Supplement Allocation
September 8, 2006 (VanRIMS No. 05-5000-10)**

MOVED by Councillor Lee

THAT Council approve 41 supplemental Project Grants for a total of \$170,000, as listed in Appendix A of the Administrative Report *2006 Project Grants - Supplement Allocation*, dated September 8, 2006, source of funds to be the 2006 Cultural Grants budget.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY
(Councillors Deal and Ladner absent for the vote)

4. **Business License Hearing Panels for October 2006
September 6, 2006 (VanRIMS No. 08-2000-40)**

MOVED by Councillor Ball

THAT Council delegate the holding of the Business License Hearings presently scheduled for October 3, 2006, from 9:30am to 12:30pm, October 5, 2006, from 7:30 pm to 10:30pm, and October 18, 2006, from 9:30am to 12:30pm, 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:

October 3, 2006 - 9:30 am
Councillor George Chow, Chair
Councillor Kim Capri
Councillor BC Lee
Councillor David Cadman, Alternate

October 5, 2006 - 7:30 pm
Councillor Tim Stevenson, Chair
Councillor Suzanne Anton
Councillor Elizabeth Ball
Councillor Heather Deal, Alternate

October 18, 2006 - 9:30 am
Councillor George Chow, Chair
Councillor David Cadman
Councillor Kim Capri
Councillor B.C. Lee, 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.

CARRIED UNANIMOUSLY
(Councillors Deal and Ladner absent for the vote)

5. **Southeast False Creek Olympic Village Neighbourhood - New Public Streets
September 8, 2006 (VanRIMS No. 08-3000-11)**

AMENDMENT MOVED by Councillor Louie

THAT Recommendation D be amended by substituting the name *Marine Workers Avenue* for *Shipyard Avenue*.

Postponed

MOVED by Councillor Ball

- A. THAT the following three extensions of existing public streets be named as recommended below:
- Extension of Columbia Street - to be named *Columbia Street*
 - Extension of Manitoba Street - to be named *Manitoba Street*
 - Extension of Ontario Street - to be named *Ontario Street*.
- B. THAT Council postpone consideration of the following street names to the Regular Council meeting on October 17, 2006, and refer them to the Street Naming Committee for further consideration, with additional suggestions for street names from Council members:
- THAT the new public north/south street located east of the Salt Building be named *Slipway Street*.
 - THAT the new public east/west street located north of First Avenue be named *Salt Avenue*.
 - THAT the new public east/west street located closest to False Creek be named *Shipyard Avenue*.

CARRIED

(Councillor Stevenson opposed to B)

6. **Grant-in-Lieu of Property Taxes: Greater Vancouver Water District
September 11, 2006 (VanRIMS No. 05-5000-20)**

THAT Council consent to the receipt of a payment-in-lieu of property taxes from the Greater Vancouver Water District in 2006 of \$10,298.

ADOPTED ON CONSENT

7. **65 E. Hastings St. Lease Terms (formerly 55 E. Hastings St.) and Other Arrangements**
September 12, 2006 (VanRIMS No. 02-3000-10)

MOVED by Councillor Ladner

- A. THAT Council approve the ground lease for 65 East Hastings, legally described as Lot C, Block 8. D.L. 196, Plan LMP 45514 to the Triage Emergency Services and Care Society for 60 years for \$862,500 in accordance with the terms and conditions described in the Administrative Report *65 E. Hastings St. Lease Terms (formerly 55 E. Hastings St.) and Other Arrangements*, dated September 12, 2006, as well as other terms and conditions satisfactory to the Director of the Housing Centre, the Director of Real Estate Services and the Director of Legal Services.

AND FURTHER approve a grant to Triage Emergency Services and Care Society of \$862,500, source of funds, the Affordable Housing Fund which will reimburse the PEF upon project completion.

- B. THAT Council approve the sub-leasing of the retail space in the building, totaling approximately 6,722 square feet including one shared loading bay, 5 parking stalls and other terms as determined by the General Managers of Corporate Services, Community Services and Director of Legal Services, from the Triage Emergency Services and Care Society to the City of Vancouver for 60 years less a day at a prepaid cost of \$1.045 million plus GST (equal to the construction cost), disbursed at time of first construction loan advance as advised by BC Housing; source of funds, PEF.
- C. THAT Council approve a budget of up to \$360,000 plus GST for tenant improvements, the amount to be negotiated by the Director of Real Estate Services as part of the retail lease negotiations with prospective tenants, source of funds, PEF.
- D. THAT the Director of Legal Services be authorized to execute all necessary agreements, plans and other documents on behalf of the City and that no legal rights or obligations are hereby created and none shall arise hereafter except upon execution of all legal documents required to complete these transactions to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY AND A,
BY THE REQUIRED MAJORITY

8. **Award of Design Consultant Contract for the Woodward's Child Care**
September 11, 2006 (VanRIMS No. 03-1200-11)

THAT Council approve the appointment of Henriquez Partners to complete the design contract for the Woodward's Child Care at a cost of up to \$120,000 (plus applicable GST); source of funding to be the City-owned Childcare Capital Budget.

ADOPTED ON CONSENT

9. **2006 Social and Cultural Capital Grant Allocations**
September 8, 2006 (VanRIMS No. 05-5000-10)

- A. THAT Council approve the following Capital Grants, totalling \$86,349 subject to the conditions outlined in the Administrative Report *2006 Social and Cultural Capital Grant Allocations*, dated September 8, 2006 and as noted in Appendix A of the Administrative Report; source of funds to be the 2006 Capital Grants Unallocated accounts.

Organization	Recommendation
The 411 Seniors Centre Society	\$15,000
ANH/South Vancouver Neighbourhood House	\$3,267
C.S.C. Parent Advisory Society – The Vancouver Child Study Centre	\$10,000
Montessori Training Centre Society of BC	\$10,000
St. James Community Square Society	\$15,520
Taiwanese Canadian Cultural Centre	\$8,568
Wesbrook Preschool Group Association	\$7,994
WISE Social and Athletic Club	\$16,000
Total	\$86,349

- B. THAT two additional criteria be added to Capital Grants on and after this date as follows:
- i. Grant recipients be required to report back to the Director of Social Planning or Managing Director of Cultural Services by the following year's Capital Grant application deadline on any outstanding work, including a timeline for completion, and;
 - ii. In situations where Grants have been approved, but where conditions have not been met and therefore City funds not advanced within three years from the original application deadline, that the allocated amount be returned to the Social and Cultural Capital Grant unallocated account.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

10. **Active Communities Initiative**
September 12, 2006 (VanRIMS No. 08-8000-01)

MOVED by Councillor Deal

- A. THAT Council approve the Active Communities initiative effective January 1, 2007, with annual funding of \$100,000, source of funds to be the operating budget without offset.
- B. THAT Council authorize staff to seek additional funding support from other levels of government and participating organizations for the implementation of the initiative.
- C. THAT Council request the Board of Parks and Recreation to lead the project, with representatives from other City Departments and Boards and report back annually on the progress of the Active Communities initiative.
- D. THAT the Vancouver Active Community Network be established as an advisory body to the City to guide the implementation of the Active Communities initiative.
- E. THAT Council authorize the General Manager of the Park Board, in consultation with the Director of Legal Services and Director of Risk Management to execute any legal agreements and documentation required in order to implement the decisions of Council with respect to the Active Communities initiative.

CARRIED UNANIMOUSLY

11. **AMANDA - Replacement Information Technology for PRISM to Support Permitting, Inspection and Compliance Activities**
September 6, 2006 (VanRIMS No. 04-4000-21)

- A. THAT Council authorize the General Manager of Community Services, in consultation with the City Manager and the Director of Finance, to negotiate an agreement, satisfactory to the Director of Legal Services, with CSDC Systems Inc., as is necessary to acquire and implement required AMANDA modules to replace the existing PRISM system running on the City's mainframe computer, within the overall implementation budget as in D below.
- B. THAT, upon the City Manager, in consultation with the Director of Information Technology, Director of Legal Services and Director of Finance being satisfied as to the terms and conditions of the legal agreement, that the General Manager of Community Services and the Director of Legal Services be authorized to execute to deliver same on behalf of Council.
- C. THAT no legal rights or obligations will be created or arise by virtue of Council's approval of A, B and D unless and until the necessary legal agreements have been executed and delivered by the General Manager of Community Services and the Director of Legal Services.
- D. THAT Council approve the budget for acquisition and implementation of the "permitting" module in the AMANDA application (estimated at \$2.0 million net

of available funding in the CSG Operating Budget) with interim financing to be provided from the Capital Financing Fund on terms acceptable to the Director of Finance; AND THAT Council approve the additional ongoing operating costs associated with the application as detailed in Appendix A of the Administrative Report *AMANDA - Replacement Information Technology for PRISM to Support Permitting, Inspection and Compliance Activities*, dated September 6, 2006, source of funding to be the existing Information Systems Improvement Budget in Community Services and a 1% increase in application/service fees in each of 2007 and 2008.

- E. THAT Council approve the addition of the following five RFT positions, subject to classification by Human Resources: one regular full-time Systems Analyst II position in Corporate Services Information Technology Division; and four regular full-time positions in Community Services Information Services Division (A Network Support Specialist 1, a Systems Analyst IA, a Systems Analyst II, and a Systems Analyst III). The cost of these positions, including benefits is estimated at \$366,000 per year, at no net impact to the City's operating budget, as detailed in Appendix A of the Administrative Report.

ADOPTED ON CONSENT

12. **Vancouver Police Department Fleet Review Update
September 11, 2006 (VanRIMS No. 03-2400-10)**

MOVED by Councillor Cadman

- A. THAT, Council receives as information the joint Equipment Services Branch (EQS) and Vancouver Police Department (VPD) update on the justification of vehicle type, usage and fleet size for the VPD fleet.
- B. THAT, Equipment Services Branch and Vancouver Police Department staff update Council on the VPD fleet size following the upcoming joint City and VPD Operational Review.
- C. THAT, Council approve the reinstatement of twenty-seven (27) mid-size vehicles, deferred by Council on March 11, 2004, and staff be given authorization to replace the vehicles at a cost of approximately \$810,000 from the Truck and Equipment Plant Account;

FURTHER THAT, subject to Budget Review, \$97,500 be added to the VPD, without offset, to repay the capital and operating costs of these vehicles.

- D. THAT, Council instruct staff to report back on VPD vehicles listed in this report that are pending review, no later than March 2007. The report back is to include an assessment of the operational requirements of the vehicles and recommendations for additions to the fleet as well as agreements on any outstanding processes.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

**13. Ethical and Sustainable Purchasing Policy
September 7, 2006 (VanRIMS No. 03-1200-01)**

The Chair advised requests to speak on Administrative Report A13 have been received. Council agreed to refer consideration of the report to the Standing Committee on Planning and Environment meeting on October 5, 2006 to hear the speakers.

**14. Non-Commercial Use Agreement with the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games
September 1, 2006 (VanRIMS No. 06-3200-10)**

MOVED by Councillor Deal

- A. THAT Council authorize the Director of Legal Services to enter into an agreement (the "Non-Commercial Use Agreement") with the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games ("VANOC") to provide for the use by the City of certain Olympic and Paralympic marks, on terms and conditions acceptable to the Director of Legal Services and the General Manager of Olympic Operations, including an indemnity by the City in favour of VANOC, the Canadian Olympic Committee and the International Olympic Committee;
- B. THAT Council authorize the Director of Legal Services to negotiate and execute agreements with the Vancouver Park Board, the Vancouver Police Department and the Vancouver Public Library to permit such agencies to benefit from the rights granted to the City in the Non-Commercial Use Agreement, on terms and conditions acceptable to the Director of Legal Services and the General Manager of Olympic Operations.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

15. **Proposed Street Utilities By-law**
September 12, 2006 (VanRIMS No. 08-4000-10)

- A. THAT Council authorize the General Manager of Engineering Services to distribute the draft Street Utilities By-law attached as Appendix A to the Administrative Report *Proposed Street Utilities By-law*, dated September 12, 2006, for consultation and comment by the various utility companies using City streets.
- B. THAT, after the consultation process is completed, the General Manager of Engineering Services report back to Council concerning the results of the consultation, including the comments made by the utility companies about the draft Street Utilities By-law.

ADOPTED ON CONSENT

POLICY REPORTS

1. **CD-1 Text Amendment - 100 West 49th Avenue (Langara College)**
September 12, 2006 (VanRIMS No. 11-3600-03)

- A. THAT the application by Brook Development Planning Inc., to amend CD-1 By-law No. 4412 for 100 West 49th Avenue (Langara College) (Parcel Identifier: 008-778-842, LOT 1 of A, DL 526 PLAN 9812) by adding 25 200 m² of floor area for school and related uses, be referred to a Public Hearing together with,
 - (i) plans received May 25, 2006;
 - (ii) draft CD-1 By-law amendments, generally as contained in Appendix A of the Policy Report *CD-1 Text Amendment - 100 West 49th Avenue (Langara College)*, dated September 12, 2006, and;
 - (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B of the 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 Policy Report, for consideration at Public Hearing.

- B. 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 (C-2) as set out in Appendix A of the Policy Report for consideration at the Public Hearing.

ADOPTED ON CONSENT

2. **CD-1 Text Amendment - 1380 Hornby Street
September 12, 2006 (VanRIMS No. 11-3600-03)**

THAT the application by IBI/HB Architects, to amend Comprehensive Development District (CD-1) By-law No. 9116 (reference No. 435) for 1380 Hornby Street (Lot A, Block 111, District Lot 541, Plan BCP12494) to amend the rear yard setback requirement, be referred to a Public Hearing, together with:

- (i) plans received May 24, 2006;
- (ii) draft CD-1 By-law amendments, generally as contained in Appendix A of the Policy Report *CD-1 Text Amendment - 1380 Hornby Street*, dated September 12, 2006; and
- (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B of the 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 Policy Report for consideration at Public Hearing.

ADOPTED ON CONSENT

3. **CD-1 Rezoning: 201 West 2nd Avenue
September 13, 2006 (VanRIMS No. 11-3600-03)**

A. THAT the application by VIA Architecture on behalf of Murphy Stationery Co. Ltd. to rezone 201 West 2nd Avenue (PID: 011-069-589; Block 5, Explanatory Plan 3389, DL 302, Plan 5832) from M-2 (Industrial) to CD-1 (Comprehensive Development District), to permit a 16 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 April 7, 2006;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report *CD-1 Rezoning: 201 West 2nd Avenue*, dated September 13, 2006; and
- (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B of the 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 Policy Report for consideration at the Public Hearing.

FURTHER THAT if the application is referred to a public hearing, the applicant be advised to make application to amend the Sign By-law, to establish regulations for this CD-1 in accordance with Schedule E (assigned Schedule "B" (DD)) and that the Director of Legal Services be instructed to prepare the

necessary by-law as set out in Appendix C of the Policy Report *CD-1 Rezoning: 201 West 2nd Avenue*, dated September 13, 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 Development 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 and B 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

4. **CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599-1651 Ontario Street and 1598-1650 Columbia Street (Olympic Village site)**
September 14, 2006 (VanRIMS No. 11-3600-03)

MOVED by Councillor Anton

- A. THAT the application by Merrick Architecture Ltd. on behalf of Millennium Southeast False Creek Properties Ltd. and the City of Vancouver to rezone 51, 85 and 199 West 1st Avenue, 1599 -1651 Ontario Street, 1598 -1650 Columbia Street and a portion of 215 West 1st Avenue (Lots 314, 315, 316, 318, 319, 320 and 321, Plan BCP24394, a portion of Lot 309, Plan BCP20726 and a portion of Lot 313, Plan BCP24394) from M-2 (Industrial) to CD-1 (Comprehensive Development District) be referred to a Public Hearing, together with:
- (i) plans prepared by Merrick Architecture received August 10, 2006 represented in Appendix E of the Policy Report *CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599-1651 Ontario Street and 1598-1650 Columbia Street (Olympic Village site)*, dated September 14, 2006;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report;

- (iii) the recommendation of the Director of Planning to approve the application, subject to approval of conditions contained in Appendix B of the Policy Report;
- (iv) draft consequential amendments to the South East False Creek Official Development Plan (SEFC ODP) generally as presented in Appendix C of the 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 Policy Report and the necessary amendments to the SEFC ODP By-law generally in accordance with Appendix C 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 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 and B 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 and 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.

CARRIED

(Councillors Cadman, Chow, Deal, Louie and Stevenson opposed)

- 5. **Miscellaneous Text Amendment to the Downtown Official Development Plan By-law September 19, 2006** (VanRIMS No. 08-4000-11)

THAT the Director of Planning be instructed to make application to amend the Downtown Official Development Plan By-law generally as described in Appendix A of the Policy Report *Miscellaneous Text Amendment to the Downtown Official Development Plan By-law*, dated September 19, 2006, and that the application be referred to Public Hearing;

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

ADOPTED ON CONSENT

OTHER REPORTS

I. **Bicycle Advisory Committee**
August 2, 2006

1. **Southeast False Creek and Olympic Village: Bike Movement** (VanRIMS No. 11-2000-14/08-3000-11)

The Chair advised requests to speak on the Other Report have been received. Council agreed to refer consideration of the report to the Public Hearing on October 17, 2006 to hear the speakers. The Other Report will be considered with the Policy Report P4, *CD-1 Rezoning: 51-85 and 199-215 West 1st Avenue, 1599-1651 Ontario Street and 1598-1650 Columbia Street (Olympic Village site)*, dated September 13, 2006, also referred to the Public Hearing.

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 Ball
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Lee
SECONDED by Councillor Ball

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 and 2, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Noise Control By-law No. 6555 (re 955 Burrard Street and 969 Burrard Street) (By-law No. 9359)
2. Ticket Offences By-law (By-law No. 9360)

MOTIONS

A. Administrative Motions

1. Establishing Road on the west side of Knight Street, between 49th Avenue and 51st Avenue, adjacent to 6595 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 Louie

SECONDED by Councillor Deal

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 33, 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 August 31, 2006, attested to by Eric I. Kaardal, B.C.L.S. and marginally numbered LB874.

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

2. **Establishing Road on the east side of Knight Street, between 49th Avenue and 51st Avenue, adjacent to 6540 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 Louie
SECONDED by Councillor Deal

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 those portions of Lots 9 and 10, except the West 7 feet now road, Block 9, West ½ of District Lot 738, Plan 1681, Group 1, New Westminster District, as shown heavy outlined on plan of survey completed August 21, 2006, attested to by Eric I. Kaardal, B.C.L.S. and marginally numbered LB873.

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

NEW BUSINESS

1. **Naming of Island - South East False Creek (VanRIMS No. 11-2000-14)**

MOVED by Councillor Ball
SECONDED by Councillor Lee

WHEREAS:

1. A small Habitat Island is to be constructed on the shore of South East False Creek;
2. Given the past history of South East False Creek, the Habitat Island should be named in such a way as to honour the culture and history of the Coast Salish people.

THEREFORE BE IT RESOLVED:

1. That Council direct staff to begin the process towards the naming of this small Habitat Island and honouring of the Coast Salish people; and
2. That Council direct staff to engage the appropriate consultants for this project and report back their recommendations to Council.

Notice

Councillor Stevenson called Notice under Section 5.4(c) of the Procedure By-law. The motion will be considered at the Regular Council meeting immediately following the Standing Committee on City Services and Budgets meeting on September 28, 2006.

NOTICE OF MOTION

1. Community to Community Forums (VanRIMS No.01-5500-40)

The Mayor submitted the following Notice of Motion for consideration at the Regular Council meeting on October 3, 2006.

WHEREAS Community to Community Forums (Forums) are jointly organized meetings between elected leaders from neighbouring First Nation and local governments, which aim to foster understanding and improve overall relations between the governments;

AND WHEREAS the Union of British Columbia Municipalities (UBCM) provides grants to First Nation and local governments who wish to participate in Community to Community Forums;

AND WHEREAS the Musqueam First Nation Chief has passed a resolution to coordinate Forums between Musqueam First Nation and City of Vancouver elected officials and staff, to be held between September and December 2006;

AND WHEREAS Musqueam First Nation has applied to UBCM for grant monies to hold these Forums;

AND WHEREAS the City of Vancouver wishes to strengthen relations with local First Nation governments and City Council by participating in these Forums;

THEREFORE BE IT RESOLVED, THAT Vancouver City Council:

- (a) Hereby support the Musqueam First Nation's grant application to UBCM by agreeing to participate at the Community to Community Forums;
- (b) Hereby instruct city staff to work with Musqueam First Nations in the organization of the Forums.

Notice

ENQUIRIES AND OTHER MATTERS

1. Housing Concerns (VanRIMS No. 11-2200-21)

Councillor Capri referred to recent concerns expressed by the Pivot Society in its report about housing issues, including adherence to the City's Standards of Maintenance By-law, and the City's ability to enforce it. She requested staff to provide a memorandum in response to the comments raised in the report.

2. Third Party Appeals to Board of Variance (VanRIMS No. 08-3000-12)

Councillor Deal requested staff to provide a memorandum on opportunities for third party appeals to decisions of the Director of Planning and options in response to the recent Supreme Court ruling on the Board of Variance.

The Council adjourned at 6:15 p.m.

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