



CITY OF VANCOUVER

CITY OF VANCOUVER
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 30, 2008

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, September 30, 2008, 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: Marg Coulson, Acting City Clerk
Tina Hildebrandt, Meeting Coordinator

PRAYER

The proceedings in the Council Chamber were opened with a prayer read by the Acting City Clerk.

PROCLAMATIONS:

- **RIDE SHARE WEEK**

The Mayor proclaimed the week of October 6 - 10, 2008, as "Ride-Share Week".

- **MINING AND MINERAL EXPLORATION DAY**

The Mayor proclaimed September 30, 2008, as "Mining and Mineral Exploration Day".

"IN CAMERA" MEETING

MOVED by Councillor Capri
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 paragraph(s):

(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;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 [*disclosure harmful to business interests of a third party*] of the *Freedom of Information and Protection of Privacy Act*.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

1. Special Council (2009 - 2011 Capital Plan) - September 15, 2008

MOVED by Councillor Ladner
SECONDED by Councillor Stevenson

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Regular Council - September 16, 2008

MOVED by Councillor Louie
SECONDED by Councillor Ball

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Special Council (Public Hearing) - September 16, 2008

MOVED by Councillor Lee
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (City Services and Budgets) - September 18, 2008

MOVED by Councillor Louie
SECONDED by Councillor Anton

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

5. Regular Council (Planning and Environment) - September 18, 2008

MOVED by Councillor Capri
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Deal
SECONDED by Councillor Chow

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Capri

THAT Council adopt Administrative Reports A1-A7, A10-A18 and Policy Report P1, on consent.

CARRIED UNANIMOUSLY

ADMINISTRATIVE REPORTS

**1. Form of Development: 1575 Homer Mews
September 15, 2008**

THAT the form of development for this portion of the CD-1 zoned site known as 500 Pacific Street (1575 Homer Mews being the application address) be approved generally as illustrated in the Development Application Number DE410905, prepared by Walter Franci Architects and stamped "Received, Community Services Group, Development Services August 15, 2008", 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

**2. Form of Development: 277 Thurlow Street
September 15, 2008**

THAT the form of development for this portion of the CD-1 zoned site known as 501 Bute Street (277 Thurlow Street being the application address) be approved generally as illustrated in the Development Application Number DE411944, prepared by IBI/HB Architects and stamped "Received, Community Services Group, Development Services July 10, 2008", 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. Proposed Closure of a Portion of Water Street Adjacent to 36 Water Street
August 29, 2008**

A. THAT Council authorize the Director of Legal Services to apply and raise title in the name of the City of Vancouver to a portion of Water Street that contains the encroachment by the existing building at 36 Water Street, the said portion is shown on a reduced copy of a Reference Plan, attached hereto as Appendix "A" to the Administrative Report "*Proposed Closure of a Portion of Water Street Adjacent to 36 Water Street*", dated August 29, 2008.

B. THAT all that volumetric portion of Water Street included within the heavy outline and illustrated isometrically on a plan of survey, a reduced copy of which is attached as Appendix "B" to the Administrative Report "*Proposed Closure of a Portion of Water Street Adjacent to 36 Water Street*", dated August 29, 2008, be closed, stopped-up and that an easement be granted to the owner of the abutting Parcel X Block 2 Old Granville Townsite Plan BCP19290 ("Parcel X") to contain the portions of the existing building which encroach onto Water Street. The easement to be for the life of the encroaching portions of the existing building on Parcel X and to be to the satisfaction of the Director of Legal Services.

- C. THAT fees for the document preparation, registration and use of the easement referred to in "B" are to be in accordance with those charged for in an agreement prepared pursuant to the Encroachment By-law.
- D. THAT the Director of Legal Services be authorized to execute all documents and plans required.

ADOPTED ON CONSENT

**4. Purchase of Ductile Iron Water Pipe
September 10, 2008**

THAT Council authorize the Manager of Purchasing Services to enter into an agreement for the supply and delivery of ductile iron water pipe with Canada Pipe Company Ltd./Tuyauteries Canada Ltee without calling of formal tenders, at an estimated annual cost of \$1,352,000 plus the 5% Goods and Services Tax (less any municipal rebate received) and Provincial Sales Tax, for a period of one (1) year commencing October 1, 2008, to September 30, 2009, with the possibility to renew for one (1) additional twelve (12) month period.

ADOPTED ON CONSENT

**5. Expo Deck Repair Funding and Amendment to Professional Services Agreement
August 14, 2008**

- A. THAT Council approve a total budget of \$2.5M to support repairs to the Expo Deck wharf structure; source of funding to be:
 - \$200,000 to be re-allocated from the 2006-08 Streets Basic Capital for Street Beautification Program (A2f)
 - \$700,000 to be re-allocated from the 2006-08 Streets Basic Capital for Curb Ramp Program (A2d)
 - \$1.6M to be provided from the proceeds of sale of Wylie Street lane (RTS#06819).
- B. THAT, subject to approval of A above, Council approve funding allocation of \$900,000 from the Citywide Development Cost Levy for Streets to the following 2006-08 Streets capital programs:
 - \$200,000 to Street Beautification Program (A2f)
 - \$700,000 to Curb Ramp Program (A2g).
- C. THAT Council approve funds for consulting services and related expenses for the Expo Deck repair design at an estimated cost of \$93,000.00; source of funding to be the project budget established pursuant to A above.
- D. THAT, subject to the conditions set out in E, F, and G, the existing Professional Services Agreement with Westmar Consultants Inc. dated November 16, 2007, be amended to include an additional scope of work including the preparation of detailed design drawings and technical specifications for the repairs to the

Expo Deck wharf structure at a cost of \$85,000 plus any applicable taxes with the source of funding as indicated in C above.

- E. THAT the Professional Services Agreement be amended by way of a formal legal amending agreement satisfactory to the Director of Legal Services, General Manager of Engineering Services, and General Manager of the Park Board.
- F. THAT, upon approval of the legal amending agreement pursuant to E above, the Director of Legal Services be authorized to execute and deliver same on behalf of the City.
- G. THAT no legal rights or obligations will be created or arise by Council's adoption of D, E and F above unless and until such legal amending agreement has been executed and delivered by the Director of Legal Services, General Manager of Engineering Services, and the General Manager of the Park Board.

ADOPTED ON CONSENT

**6. Municipal Access Agreement with Novus Entertainment Inc. for the use of Surface Inland Fibre Optic Cable
September 15, 2008**

- A. THAT the General Manager of Engineering Services and the Director of Legal Services be authorized to conclude negotiations, and execute and deliver a Municipal Access Agreement with Novus Entertainment Inc., to permit Novus to install and use surface inlaid fibre optic cable in City streets, as set out in the Administrative Report "*Municipal Access Agreement with Novus Entertainment Inc. for the use of Surface Inland Fibre Optic Cable*", dated September 15, 2008, and such other terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services.
- B. THAT no legal rights or obligations will arise or be created by Council's adoption of A above unless and until all legal documentation has been executed and delivered by the respective parties.

ADOPTED ON CONSENT

**7. Proposed Test Hole Cost Recovery Initiative
September 12, 2008**

- A. THAT Council approve an amendment to the Street and Traffic By-law to codify a requirement for a street use permit for drill holes, and an amendment to the Street and Traffic By-law and Engineering Services Department Permit Fees Schedule, to charge fees for plan review and inspection of test holes on City streets, as set out in the Administrative Report "*Proposed Test Hole Cost Recovery Initiative*", dated September 12, 2008.

- B. THAT Council request the Director of Legal Services to prepare the appropriate by-law to amend the Street and Traffic By-law generally as set out in Appendix A of the Administrative Report *"Proposed Test Hole Cost Recovery Initiative"*, dated September 12, 2008.

ADOPTED ON CONSENT

**8. Neighbourhood Zero Emission Vehicles/Low-Speed Vehicles
September 16, 2008**

MOVED by Councillor Deal

- A. THAT the Street and Traffic By-Law be amended to allow Neighbourhood Zero Emission Vehicles to travel on streets with speed limits of 50 km/hr or less;
- B. THAT the Street and Traffic By-Law be amended to restrict Neighbourhood Zero Emission Vehicles to the lane on the street that is closest to the right hand edge or curb of the street, except when a left hand turn is necessary or when passing another vehicle;
- C. THAT Council instruct the Director of Legal Services to prepare an amendment to the Street and Traffic By-Law, generally as set out in Appendix A of the Administrative Report *"Neighbourhood Zero Emission Vehicles/Low-Speed Vehicles"* dated September 16, 2008, for consideration by Council; and
- D. THAT staff work together with the Insurance Corporation of British Columbia and the Vancouver Police Department to monitor the use of Neighbourhood Zero Emission Vehicles and report back to Council in 36 months.

CARRIED UNANIMOUSLY

**9. Form of Development: 800 Robson Street (Robson Square Complex)
September 16, 2008**

MOVED by Councillor Deal

- A. THAT the revised form of development for this portion of the CD-1 zoned site known as the Robson Square Complex (800 Robson Street being the application address) be approved generally as illustrated in the Development Application Number DE412241, prepared by Clive Grout Architect and stamped "Received, Community Services Group, Development Services June 17, 2008", provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of this site or adjacent properties.

- B. THAT the Vancouver Heritage Commission, with regards to the project at 800 Robson Street, recommends that the City of Vancouver commission a comprehensive Statement of Significance for the entire 3-block complex known as Robson Square for its adoption to the Vancouver Heritage Register; and

FURTHER THAT the Director of Planning consider input from the Vancouver Heritage Commission in any decisions regarding Robson Square, including the Commission's recommendation for a comprehensive Statement of Significance.

CARRIED UNANIMOUSLY

**10. Proposed Closure of a Portion of West Hastings Street and Lane Adjacent to 53 West Hastings Street
September 11, 2008**

- A. THAT Council authorize the Director of Legal Services to apply and raise title in the name of the City of Vancouver to the portions of West Hastings Street and Lane that contain the encroachments by the existing building at 53 West Hastings Street, the said portions are shown on a Reference Plan, a reduced copy of which is attached hereto as Appendix "A" to the Administrative Report *"Proposed Closure of a Portion of West Hastings Street and Lane Adjacent to 53 West Hastings Street"*, dated September 11, 2008.
- B. THAT all that volumetric portion of West Hastings Street and all that volumetric portion of Lane included within the heavy outline and illustrated isometrically on a plan of survey, a reduced copy of which is attached as Appendix "B" to the Administrative Report *"Proposed Closure of a Portion of West Hastings Street and Lane Adjacent to 53 West Hastings Street"*, dated September 11, 2008, be closed, stopped-up and that easements be granted to the owner of the abutting Parcel H, Block 3 Old Granville Townsite Reference Plan BCP_____ ("Parcel H") to contain the portions of the existing building which encroach onto West Hastings Street and Lane. The easements to be for the life of the encroaching portions of the existing building on Parcel H and to be to the satisfaction of the Director of Legal Services.
- C. THAT fees for the document preparation, registration and use of the easements referred to in "B" above are to be in accordance with those charged for in an agreement prepared pursuant to the Encroachment By-law.
- D. THAT the Director of Legal Services be authorized to execute all documents and plans required.
- E. THAT the authorities granted in "A", "B", "C", and "D" above be subject to the Approving Officer granting approval of the application to convert the previously occupied building situated on Parcel H to strata title ownership.

ADOPTED ON CONSENT

**11. Lease Terms for City-owned Social Housing Site at 1050 Expo Boulevard
September 15, 2008**

A. THAT Council authorize the Director of Real Estate Services to lease lands located at 1050 Expo Boulevard, legally described as PID: 018-557-694, Lot 232, PL LMP13010, NWD, DL False Creek (the "Lands"), subject to the City exercising the option to purchase the site, by way of ground lease to the 127 Society for Housing (127 Society) to enable the development of a non-market housing project, which ground lease will provide for:

- i) a term of 60 years;
- ii) a nominal prepaid rent; and
- iii) a waiver of property taxes for the term of the lease on the project, as long as it continues to provide supportive housing for the homeless and as long as BC Housing continues to provide operating subsidies;

and otherwise will be in accordance with the terms and conditions as set out in the Administrative Report "*Lease Terms for City-owned Social Housing Site at 1050 Expo Boulevard*", dated September 15, 2008, and to the satisfaction of the Managing Director of Social Development, the Director of Real Estate Services and the Director of Legal Services.

B. 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.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**12. Lease Terms and Other Arrangements for Development of a Social and Supportive
Housing Project and a Social Service Centre on the City-owned site at 1601 West
7th Avenue
September 16, 2008**

A. THAT Council authorize the Director of Real Estate Services to lease lands located at 1601 West 7th Avenue, legally described as PID:026-644-321, Parcel J, Block 289, D.L. 526, Group 1, Plan BCP23168 (the "Lands") by way of ground lease to the Katherine Sanford Housing Society (KSHS) to enable the development of a non-market housing project, which ground lease will provide for:

- i) a term of 60 years;
- ii) a nominal prepaid rent; and
- iii) a waiver of property taxes for the term of the lease on the residential portion of the project, as long as it continues to provide supportive housing for the homeless and as long as BC Housing continues to provide operating subsidies;

and otherwise will be in accordance with the terms and conditions outlined in the Administrative Report *"Lease Terms and Other Arrangements for Development of a Social and Supportive Housing Project and a Social Service Centre on the City-owned site at 1601 West 7th Avenue"*, dated September 16, 2008, and to the satisfaction of the Managing Director of Social Development, the Director of Real Estate Services and the Director of Legal Services.

- B. THAT Council approve a sublease of the Social Service Centre on the 1st and 2nd floors of the Non-Market Housing Project, from Katherine Sanford Housing Society to BC Housing, for the term of the ground lease less one day at nominal rent, for the purpose of providing services to individuals with mental illnesses, in accordance with the terms described in the Administrative Report *"Lease Terms and Other Arrangements for Development of a Social and Supportive Housing Project and a Social Service Centre on the City-owned site at 1601 West 7th Avenue"*, dated September 16, 2008.
- C. THAT no legal rights or obligations are hereby created and none shall arise hereafter except upon signing of all of the agreements by all parties. All agreements shall be on the terms hereby approved and such other terms as satisfy the Director of Legal Services in consultation with the Managing Director of Social Development and the Directors of Risk Management and Real Estate Services.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**13. Lease Terms and Other Arrangements for City-owned Social Housing Site at 188 E. 1st Avenue
September 18, 2008**

- A. THAT Council authorize the Director of Real Estate Services to lease lands located at 188 E. 1st Avenue, legally described as PID: 007-224-516, Lot 7 and PID: 007-224-648, Lot 8, both of Block 7, District Lot 200A, Plan 197 (the "Lands") by way of ground lease to Lookout Emergency Aid Society ("Lookout") to enable the development of a non-market housing project, which ground lease will provide for:

- i) a term of 60 years;
- ii) a nominal prepaid rent; and
- iii) a waiver of property taxes for the term of the lease on the residential portion of the project, as long as it continues to provide supportive housing for the homeless and as long as BC Housing continues to provide operating subsidies;

and otherwise will be in accordance with the terms and conditions outlined in the Administrative Report *"Lease Terms and Other Arrangements for City-owned Social Housing Site at 188 E. 1st Avenue"*, dated September 18, 2008, and to the satisfaction of the Managing Director of Social Development, the Director of Real Estate Services and the Director of Legal Services.

- B. THAT Council authorize the Director of Real Estate Services to enter into a sublease between Lookout as landlord and the City as tenant of a retail space of approximately 222 m² (2,390 ft.²) in the project to be constructed by Lookout on the Lands, which sublease will provide for:

- i) a term which is the term of the ground lease less a day;
- ii) a nominal prepaid rent; and
- iii) the right to use 6 parking spaces and the loading bay;

and otherwise will be subject to such other terms and conditions as determined by the General Managers of Business Planning and Services, Community Services and the Director of Legal Services

- C. THAT Council approve payment to BC Housing of up to \$2,100,000 plus GST equal to the total construction costs of the retail space, disbursed during the construction period in two payments, 50% prior to start of construction and 50% upon completion and subject to the approval of the Director of Real Estate Services; source of funds is the Property Endowment Fund .
- D. THAT Council approve a budget of up to \$353,000 plus GST for required tenant improvements undertaken by the City or negotiated by the Director of Real Estate Services as part of the retail lease negotiations with prospective tenants; source of funds is the Property Endowment Fund.
- E. 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.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**14. Vancouver Landfill Pump Station Controls Upgrade Project - Increase in Scope
September 16, 2008**

- A. THAT, the Vancouver Landfill Pump Station Controls Upgrade Project (the "Project") scope be revised to include improvements as detailed in the Administrative Report "*Vancouver Landfill Pump Station Controls Upgrade Project - Increase in Scope*", dated September 16, 2008, and the Project budget be increased from \$250,000 to \$625,000; the additional budget of \$375,000 to be funded by an increase in the loan from the Capital Financing Fund.
- B. THAT Council approve increasing the scope of the existing consulting contract with Stantec Consulting Ltd. to include additional professional services to implement the improvements needed for the Landfill's pump station controls upgrades in the amount of \$39,500 (the "Contract Amendment"), including disbursements and excluding GST, with funding to be provided by the budget established pursuant to A above.
- C. THAT the Contract Amendment be on terms satisfactory to and approved by the General Manager of Engineering Services and the Director of Legal Services, and that the General Manager of Engineering Services be authorized to sign such Contract Amendment on behalf of the City.
- D. THAT no legal rights or obligations will be created or arise by Council's approvals hereunder unless and until the Contract Amendment is signed and delivered by the General Manager of Engineering Services.

ADOPTED ON CONSENT

**15. 2010 Olympic and Paralympic Winter Games Public Art Plan Completion
September 10, 2008**

- A. THAT Council approve the allocation of \$2 million to complete public art projects and partnerships set out in the Olympic and Paralympic Public Art Plan attached as Appendix A to the Administrative Report "*2010 Olympic and Paralympic Winter Games Public Art Plan Completion*", dated September 10, 2008, with source of funds to be:
 - i. \$1.7 million from the 2008 Capital Budget for Cultural Reinvestment/Olympic Legacy Projects;
 - ii. \$150,000 Olympic Legacy Reserve Fund, Look of the City Program;
 - iii. \$150,000 from the Olympic Village developer public art account.
- B. THAT Council receive for information the completed Olympic and Paralympic Public Art Plan (Appendix A to the Administrative Report "*2010 Olympic and Paralympic Winter Games Public Art Plan Completion*", dated September 10, 2008).

- C. THAT Council authorize the Director of Legal Services to execute agreements with artists and others respecting the projects above, provided the documents are drawn to her satisfaction in consultation with the Director of Public Art, Cultural Planning, and Facilities Development for Cultural Services.

ADOPTED ON CONSENT

**16. Federation of Canadian Municipalities (FCM) Report on Housing and Homelessness
September 12, 2008**

THAT Council endorse the FCM report on housing "Sustaining the Momentum: Recommendations for a National Action Plan on Housing and Homelessness", January 23, 2008.

ADOPTED ON CONSENT

**17. Southeast False Creek and Olympic Village - Award of Contract C113 for
Streetscape Construction
September 18, 2008**

- A. THAT a budget of \$8,500,000.00 be approved for the streetscapes construction in Southeast False Creek ("SEFC") and related work (collectively, "Streetscape Construction"), with funding to be provided by the Property Endowment Fund: Southeast False Creek Development;
- B. THAT, subject to the conditions set out in C, D and E below, the Director of Legal Services (on behalf of the City) be authorized to enter into a contract with Wilco Landscape Westcoast Inc. ("Wilco") for Streetscape Construction in SEFC at an estimated cost of \$6,438,765.80 plus GST, with funding to be provided by the budget established pursuant to A;
- C. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement B;
- D. THAT all such legal documents be on terms and conditions satisfactory to the City Manager and the Director of Legal Services; and
- E. THAT no legal rights or obligations will be created or arise by Council's adoption of B, C and D above unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

**18. 2009 - 2011 Capital Plan: Financial Plan and Plebiscite Questions
September 26, 2008**

- A. THAT Council approve the allocation of debenture authority, capital from revenue and development cost levy funding to programs/projects in the 2009 - 2011 Capital Plan as summarized in Appendix A of the Administrative Report *"2009 - 2011 Capital Plan: Financial Plan and Plebiscite Questions"*, dated September 26, 2008.
- B. THAT the 2009 - 2011 Capital Plan borrowing plebiscite contain three questions in the following categories:

Public Works	\$93,820,000
Public Safety and Civic Facilities	\$68,605,000
Parks and Recreation	\$59,575,000;

AND THAT the wording of the questions be generally as set out in Appendix B of the Administrative Report *"2009 - 2011 Capital Plan: Financial Plan and Plebiscite Questions"*, dated September 26, 2008, subject to any modifications required by Director of Legal Services to ensure consistency with the requirements of the Vancouver Charter.

ADOPTED ON CONSENT

POLICY REPORTS

**1. 700 Hamilton Street (CBC/Radio Canada Broadcasting Centre) - Sign By-law Text Amendments - Automatic Changeable Copy Signs (including a Video Sign)
September 5, 2008**

THAT the application by the Kent Allen Design Group, on behalf of the Canadian Broadcasting Corporation, to amend the Sign By-law provisions applying to 700 Hamilton Street to permit four automatic changeable copy signs, including one video sign on the site of Vancouver Broadcasting Centre that will include third- party advertising, and further that the Sign By-law amendments include provisions to permit a stand-alone way-finding sign adjacent to the corner of Robson and Hamilton Streets, be referred to a Public Hearing, together with:

- (i) draft Sign By-law provisions, generally as contained in Appendix 'A;' to the Policy Report *"700 Hamilton Street (CBC/Radio Canada Broadcasting Centre) - Sign By-law Text Amendments - Automatic Changeable Copy Signs (including a Video Sign)"*, dated September 5, 2008, and

- (ii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix 'B' to the Policy Report *"700 Hamilton Street (CBC/Radio Canada Broadcasting Centre) - Sign By-law Text Amendments - Automatic Changeable Copy Signs (including a Video Sign)"*, dated September 5, 2008;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix 'A' to the Policy Report *"700 Hamilton Street (CBC/Radio Canada Broadcasting Centre) - Sign By-law Text Amendments - Automatic Changeable Copy Signs (including a Video Sign)"*, dated September 5, 2008, for consideration at the Public Hearing.

ADOPTED ON CONSENT

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Anton

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Lee
SECONDED by Councillor Louie

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Capri
SECONDED by Councillor Chow

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 5 and 7 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

MOVED by Councillor Capri
SECONDED by Councillor Ball

THAT Council, except for those members excused as noted in the agenda, enact the by-law listed on the agenda for this meeting as number 6 and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. A By-law to amend Crossing By-law No. 4644 regarding 2009 fee increases (By-law No. 9722)
2. A By-law to amend Encroachment By-law No. 4243 regarding 2009 fee increases (By-law No. 9723)
3. A By-law to amend Street Distribution of Publications By-law No. 9350 regarding 2009 fee increases (By-law No. 9724)
4. A By-law to amend Street and Traffic By-law No. 2849 regarding 2009 fee increases (By-law No. 9725)
5. A By-law to amend Street Vending By-law No. 4781 regarding 2009 fee increases (By-law No. 9726)
6. A By-law to amend CD-1 By-law No. 5091 (By-law No. 9727)
(Councillor Chow ineligible to vote)
7. A By-law to amend Southeast False Creek Official Development Plan By-law No. 9073 (By-law No. 9728)

MOTIONS

A. Administrative Motions

1. Proposed Closure of a Portion of Water Street Adjacent to 36 Water Street

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. Portions of the building constructed on Parcel X Block 2 Old Granville Townsite Plan BCP19290 encroach onto the southerly side of Water Street;

3. The portion of Water Street encroached upon, abutting said Lot X, was dedicated by the deposit of Plan 168;
4. To provide for the registration of an easement to contain the said encroachments onto Water Street, as required by Section 244 of the Strata Property Act, it is necessary to raise title to the portion of Water Street that is encroached upon;
5. To enable Council to grant the required easement to contain the said encroachments it is necessary for Council to close and stop-up the volumetric portions of Water Street that are encroached upon;

THEREFORE BE IT RESOLVED THAT the Director of Legal Services be authorized to make application on behalf of the City of Vancouver to raise title in the name of the City of Vancouver to that portion of road dedicated by the deposit of Plan 168 and included within the heavy bold outline on a Reference Plan attested to by William P. Wong, B.C.L.S., completed and checked on the 22nd day of August, 2008, and marginally numbered V-08-14127-REF, a reduced copy of which is attached hereto as Appendix "A"; and

BE IT FURTHER RESOLVED THAT all that volumetric portion of Water Street included within heavy bold outline and illustrated isometrically on an Explanatory Plan attested to by William P. Wong, B.C.L.S., completed and checked on the 22nd day of August, 2008, marginally numbered V-08-14127-PCL X-AIR SPACE, a reduced copy of which is attached hereto as Appendix "B", be closed, stopped-up and that an easement be granted to the owner of abutting Lot X Block 2 Old Granville Townsite Plan BCP19290 to contain the portions of the existing building which encroach onto Water Street; the said easement to be to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

2. Proposed Closure of a Portion of West Hastings Street and Lane Adjacent to 53 West Hastings Street

MOVED by Councillor Louie

SECONDED by Councillor Stevenson

THAT WHEREAS:

1. The City of Vancouver is the owner of all the streets and lanes lying within the limits of the City of Vancouver;
2. Portions of the building constructed on Parcel H Block 3 Old Granville Townsite Plan BCP38241 encroach onto the northerly side of West Hastings Street;
3. Portions of the building constructed on Parcel H Block 3 Old Granville Townsite Plan BCP38241 encroach onto the southerly side of the Lane;

4. The portions of West Hastings Street and Lane encroached upon, abutting said Parcel H, were dedicated by the deposit of Plan 168;
5. To provide for the registration of easements to contain the said encroachments onto West Hastings Street and the Lane, as required by Section 244 of the Strata Property Act, it is necessary to raise title to the portions of West Hastings Street and the Lane that are encroached upon;
6. To enable Council to grant the required easements to contain the said encroachments it is necessary for Council to close and stop-up the volumetric portions of West Hastings Street and Lane that are encroached upon;

THEREFORE BE IT RESOLVED THAT the Director of Legal Services be authorized to make application on behalf of the City of Vancouver to raise title in the name of the City of Vancouver to those portions of West Hastings Street and lane dedicated by the deposit of Plan 168 and included within the heavy bold outline on a Reference Plan attested to by William P. Wong, B.C.L.S., completed and checked on the 25th day of August, 2008, marginally numbered V-08-15044-REF-RD, a reduced copy of which is attached hereto as Appendix "A"; and

BE IT FURTHER RESOLVED THAT all those volumetric portions of West Hastings Street and Lane included within heavy bold outline and illustrated isometrically on an Explanatory Plan attested to by William P. Wong, B.C.L.S. completed and checked on the 25th day of August, 2008, marginally numbered V-08-15044-VOL-EASE, a reduced copy of which is attached hereto as Appendix "B", be closed, stopped-up and that easements be granted to the owner of abutting Lot H Block 3 Old Granville Townsite Plan BCP38241 to contain the portions of the existing building which encroach onto West Hastings Street and Lane; the said easements to be to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Eliminating Plastic Grocery Bags

MOVED by Councillor Stevenson

SECONDED by Councillor Deal

WHEREAS:

1. the City of Vancouver has a duty to protect the natural environment, the economy, and the health of its citizens;
2. plastic grocery bags cannot be composted and are not accepted in Vancouver's curb side recycling program;
3. plastic bags don't biodegrade - breaking down into smaller toxic bits that contaminate soil and waterways;
4. plastic bags can take between 15 - 1000 years to break down in the environment;

5. in the Mayor's State of the City address, he stated that one of his five goals for a better Vancouver was "Becoming a world leader in environmental practices and sustainable transportation";
6. the expansive usage of plastic grocery bags and their typical disposal creates an impediment to Metro Vancouver's Zero Waste Challenge;
7. Metro Vancouver will be working with local business associations to discourage the use of disposable shopping bags;
8. Metro Vancouver will be pursuing alternative educational strategies to reduce plastic shopping bags; and
9. Metro Vancouver urges member Municipalities to ask the Provincial Government for the right to ban plastic grocery bags with their jurisdiction.

THEREFORE BE IT RESOLVED:

1. THAT staff provide a report on ways of pursuing educational strategies to help reduce the use of all disposable plastic shopping bags within the City of Vancouver using the "Rossland Model" as a guide.
2. THAT staff explore ways with Metro Vancouver to work with Vancouver business associations to discourage the use of disposable shopping bags.
3. THAT staff review all legal means whereby the City of Vancouver might ban plastic shopping bags.
4. THAT staff immediately request the Provincial Government to change the Vancouver Charter to allow the City of Vancouver to ban the use of plastic shopping bags.
5. THAT staff provide a report early in the new year with options of phasing out plastic grocery bags until a ban can be implemented.

referred

The Mayor advised that a request to speak on the Motion had been received.

POSTPONEMENT MOVED by Councillor Ladner

THAT Council postpone consideration of the Motion regarding *Eliminating Plastic Grocery Bags* until the first Council meeting following the Metro Vancouver Board's decision on this matter on Friday, October 3, 2008.

amended

AMENDMENT MOVED by Councillor Cadman

THAT Councillor Ladner's Motion to postpone be amended as follows:

THAT Council refer the Motion regarding *Eliminating Plastic Grocery Bags* to the Standing Committee on City Services and Budgets meeting on Thursday, October 2, 2008, in order to hear from speakers and determine whether to make a decision on the Motion on that day or after the Metro Vancouver Board meeting on Friday, October 3, 2008.

CARRIED UNANIMOUSLY

The amendment having carried, the Motion as amended was put and CARRIED UNANIMOUSLY.

NEW BUSINESS

1. Support Federal Arts Funding

The following Motion was submitted by Councillor Deal. Councillor Ball 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 Thursday, October 2, 2008.

WHEREAS the Federal Government recently cut funding to arts programs by \$45 million dollars, and

WHEREAS these cuts included the complete elimination of several programs including PromArt, Trade Routes and Canadian Cultural Observatory, and

WHEREAS these programs provide industry support for Canadian artists working internationally (including touring companies of Canadian productions), expansion of digital media, training programs for cultural workers, research and development programs, and

WHEREAS there are over a million Canadian artists and cultural workers who inject \$85 billion (directly and indirectly) into the Canadian economy, representing over 7% of the GDP, and

WHEREAS Vancouver, the Provincial Government and VANOC are currently encouraging and supporting cultural tourism and actively promoting local artists overseas in the lead-up to the 2010 Olympics, and

WHEREAS cultural tourism is supported by the presence of Canadian artists in communities around the world.

THEREFORE BE IT RESOLVED THAT Vancouver City Council go on record in opposition to these cuts in Federal arts funding and that the Mayor of Vancouver request that the Prime Minister reverse the cuts to arts programs.

notice

ENQUIRIES AND OTHER MATTERS

1. Property Tax Issues

Councillor Capri requested the City Manager provide an information memorandum on the new class three and how it will impact the property tax base, assessments and qualifications.

2. Cooperative Auto Network

Councillor Cadman requested the City Manager provide a memorandum on the status of Zipcar's application submitted to the City of Vancouver a year ago.

3. Hate Crimes

Councillor Stevenson referred to the recent "hate crime" in the West End and noted that this particular incident has raised enormous concerns in the gay community. He requested the Mayor send a letter of concern to the gay community. The Mayor agreed to the request.

The Council adjourned at 3:18 p.m.

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