



REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL
ON PLANNING AND ENVIRONMENT

MARCH 5, 2009

A Regular Meeting of the Standing Committee of Council on Planning and Environment was held on Thursday, March 5, 2009, at 2:05 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Councillor Andrea Reimer, Chair
Mayor Gregor Robertson
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal, Vice-Chair
Councillor Kerry Jang
Councillor Geoff Meggs
Councillor Ellen Woodsworth

ABSENT: Councillor Suzanne Anton (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: Pat Boomhower, Meeting Coordinator

ADOPTION OF MINUTES

The Minutes of the Standing Committee on Planning and Environment meeting of February 19, 2009, were adopted.

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Deal
THAT the Committee recommend to Council

THAT item 5 be adopted on consent.

CARRIED UNANIMOUSLY

MOVED by Councillor Deal

THAT the Committee close the Speakers' List for items 1 through 9.

CARRIED
(Councillor Woodsworth opposed)

1. **Nuisance Property at 2031 Stainsbury Avenue**
February 2, 2009

The Committee heard from the property owner who spoke in opposition to the report recommendation and provided background on the situation for this site.

MOVED by Councillor Deal

THAT the Committee recommend to Council

- A. THAT Council declare that the condition of the property at 2031 Stainsbury Avenue, Lot 7, Block 6 to 8, District Lot 195, Plan 1976, PID 014-138-301 is a nuisance pursuant to Section 324A of the Vancouver Charter.
- B. THAT Council approve the Resolution as contained in Appendix A of the Administrative Report *Nuisance Property at 2031 Stainsbury Avenue* dated February 2, 2009, and order the Registered owner of the property to remove all debris, miscellaneous items and materials stored in the yards and remove all unlicensed, dismantled or wrecked vehicles parked/stored in the yards within 30 days of a copy of the Resolution being served pursuant to Section 324A of the Vancouver Charter.
- C. THAT in the event of the failure of the owner to comply with the order of Council, Council further orders and hereby authorizes the City Building Inspector and/or his designate, to carry out the work outlined in B above and have all unlicensed, dismantled or wrecked vehicles parked/stored in the yards removed, disposed of or sold pursuant to Section 324A(2) of the Vancouver Charter. Council further orders that from the proceeds of such sale or disposal shall be deducted for the use of the city the actual costs and disbursements incurred by the city in carrying out the removal, sale and disposal and the remainder of such proceeds shall be paid by the city to the owner.
- D. THAT in default of the order, in the event that the owner fails to allow the City Building Inspector and/or his designate access to the site to carry out the work outlined in C above, the Director of Legal Services is hereby authorized, in her discretion, to commence a legal action or proceeding in relation to the premises at 2031 Stainsbury Avenue, and may, in her discretion, seek injunctive relief in that action or proceeding, in order to bring this property into compliance with City By-laws.
- E. THAT the City Clerk be directed to file a 336D Notice against the Certificate of Title to the property at 2031 Stainsbury Avenue, in order to warn prospective purchasers that there are violations of the Standards of Maintenance and Untidy Premises By-laws and that there is an order of Council against the property.

CARRIED UNANIMOUSLY

2. Non-Conforming Billboards
February 19, 2009

Staff from the Planning Department presented the report and, along with staff from Development Services, responded to questions.

The Committee heard from two speakers in support of the report recommendations, and four who spoke in opposition.

MOVED by Councillor Meggs
THAT the Committee recommend to Council

THAT Council defer decision on the Administrative Report *Non-conforming Billboards*, dated February 19, 2009, until staff have completed a review of the sign by-law, taking into consideration the new Charter powers sought by the City to regulate signs and emerging new technologies which render the current policies less effective.

carried

AMENDMENT MOVED by Councillor Cadman

THAT the motion be struck and substituted with:

THAT the Committee recommend to Council

- A. THAT the Director of Licenses and Inspections be instructed to implement the process and approach described in the Administrative Report *Non-Conforming Billboards*, dated February 19, 2009, for bringing non-conforming billboards before Council to seek resolutions pursuant to section 571A of the Vancouver Charter.
- B. THAT, in accordance with the process and approach described in the Administrative Report *Non-Conforming Billboards*, dated February 19, 2009, the Director of Real Estate Services, in consultation with the Director of Legal Services, be instructed to take the necessary steps to terminate leases for non-conforming billboards located on City owned land.
- C. THAT Council direct staff to bring forward a report on the cost and priority of initiating a review of the sign by-law, taking into consideration the new Charter powers sought by the City to regulate signs and emerging new technologies.

LOST

(Councillors Chow, Deal, Jang, Meggs and Reimer and the Mayor opposed)

The amendment having lost, the main motion was put and CARRIED with Councillors Cadman and Woodsworth opposed.

3. Removal of Non-Conforming Rooftop Sign and Structure at 2950 - 2960 Granville Street
January 21, 2009

Staff from the Property Use Branch presented the report and, along with staff from Community Services and Olympic and Paralympic Operations, responded to questions.

The Committee heard from one speaker who spoke in opposition to the report recommendations.

MOVED by Councillor Cadman

THAT the Committee recommend to Council

- A. THAT Council approve the Resolution as contained in Appendix A of the Administrative Report *Removal of Non-Conforming Rooftop Sign and Structure at 2950 - 2960 Granville Street*, dated January 21, 2009, and order the registered owners of the building at 2950 - 2960 Granville Street, pursuant to Section 571A(2) of the Vancouver Charter, to remove the non-conforming sign and supporting sign structure located on the roof of the above noted building within 30 days of a copy of the resolution being served.
- B. THAT in the event that the owners fail to comply with the order set forth in the preceding paragraph, Council authorize the Director of Legal Services, in her discretion, to commence a legal action or proceeding in relation to the non-conforming rooftop sign at 2950 - 2960 Granville Street and may in her discretion seek injunctive relief in that action or proceeding in order to have the rooftop sign removed.

Reconsidered

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The motion was CARRIED UNANIMOUSLY and by the required majority, however following Item 4, Council agreed to reconsider Item 3.

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Subsequent to Council's decision to reconsider this matter, it was:

MOVED by Councillor Cadman

THAT the Committee recommend to Council

- A. THAT Council approve a revision to the Resolution attached in Appendix A of the Administrative Report *Removal of Non-Conforming Rooftop Sign and Structure at 2950 - 2960 Granville Street* dated January 21, 2009, and order the registered owners of the building at 2950 - 2960 Granville Street, pursuant to Section 571A(2) of the Vancouver Charter, to remove the non-conforming sign and supporting sign structure located on the roof of the above noted building within 30 days after completion of the Paralympic Games on March 23, 2010;

The above deferral is subject to the Director of Licenses and Inspections receiving letters of commitment from the registered property owner and sign company

confirming they will remove the sign and supporting structure within 30 days after completion of the Paralympic Games on March 23, 2010.

- B. THAT in the event that the owner and/or sign company fail to submit the letters of commitment as outlined in A above, Council authorize the Director of Legal Services, in her discretion, to commence a legal action or proceeding in relation to the non-conforming rooftop sign at 2950 - 2960 Granville Street and may in her discretion seek injunctive relief in that action or proceeding in order to have the rooftop sign and supporting structure removed.

CARRIED UNANIMOUSLY
AND BY THE REQUIRED MAJORITY

4. **Removal of Non-Conforming Rooftop Sign and Structure at 1880 - 1888 Main Street**
January 21, 2009

Staff from the Property Use Branch presented the report and, along with staff from Community Services, responded to questions.

The Committee heard from two speakers opposed to the report recommendations, who expressed concern the building was purchased with the sign and removing the structure would be difficult.

MOVED by Councillor Cadman
THAT the Committee recommend to Council

- A. THAT Council approve a revision to the Resolution attached in Appendix A of the Administrative Report *Removal of Non-Conforming Rooftop Sign and Structure at 1880 - 1888 Main Street* dated January 21, 2009, and order the registered owners of the building at 1880 - 1888 Main Street, pursuant to Section 571A(2) of the Vancouver Charter, to remove the non-conforming sign and supporting sign structure located on the roof of the above noted building within 30 days after completion of the Paralympic Games on March 23, 2010;

The above deferral is subject to the Director of Licenses and Inspections receiving letters of commitment from the registered property owner and sign company confirming they will remove the sign and supporting structure within 30 days after completion of the Paralympic Games on March 23, 2010.

- B. THAT in the event that the owner and/or sign company fail to submit the letters of commitment as outlined in A above, Council authorize the Director of Legal Services, in her discretion, to commence a legal action or proceeding in relation to the non-conforming rooftop sign at 1880 - 1888 Main Street and may in her discretion seek injunctive relief in that action or proceeding in order to have the rooftop sign and supporting structure removed.

CARRIED UNANIMOUSLY
AND BY THE REQUIRED MAJORITY

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Following decision on Item 4, Council agreed to reconsider Item 3.

MOVED by Councillor Deal

THAT the Committee reconsider its decision on Item 3 made earlier this day.

CARRIED UNANIMOUSLY

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**5. Repeat (Grow-op) Building at 729 East 58th Avenue
January 23, 2009**

THAT the Committee recommend to Council

- A. THAT Council authorize the Director of Legal Services, in her discretion, to commence a legal action or proceeding in relation to the property at 729 East 58th Avenue, and to seek injunctive relief in that action or proceeding in order to:
 - i. Have the registered owner obtain permits, correct all deficiencies in the building and obtain a re-occupancy permit;

And

 - ii. Prohibit the current registered owner from renting the building or allowing anyone other than himself and his immediate family to live in the building.
- B. THAT the City Clerk be directed to file a 336D Warning Notice against the Certificate of Title to the property at 729 East 58th Avenue, in order to warn prospective purchasers that there are violations of the Vancouver Building, Electrical and Standards of Maintenance By-law related to this property.

ADOPTED ON CONSENT

**6. Form of Development: 525 Abbott Street
February 3, 2009**

Vancouver City Council, at its meeting on February 19, 2009, referred this matter to a future Standing Committee meeting due to time constraints.

Staff from Development Services presented the report.

MOVED by Councillor Deal

THAT the Committee recommend to Council

THAT the form of development for this portion of the CD-1 zoned site known as International Village (525 Abbott Street being the application address) be approved generally as illustrated in the Development Application Number DE412115 prepared by GBL Architects Group, and stamped "Received, Community Service Group, Development Services, April 30, 2008", provided that the Director of Planning may approve design

changes which would not adversely effect either the development character of this site or adjacent properties.

CARRIED UNANIMOUSLY

7. Report Back: Award for Expression of Interest PS08182 Collection of Recyclable Materials from Multi-Family Buildings
March 3, 2009

The Committee heard from one speaker in general support of the report.

MOVED by Councillor Deal
THAT the Committee recommend to Council

- A. THAT, subject to the conditions set out in C, D and E below, Council authorize the General Manager of Engineering Services to enter into an agreement with Waste Management of Canada for Collection of Recyclable Materials from Multi-Family Buildings in the contracted areas (Area I, II and III) for a period of five (5) years at an estimated annual cost of \$1.96 million plus GST with a subsequent renewal option for up to one (1) additional two (2) year period.
- B. THAT, subject to the conditions set out in C, D and E below, Council authorize the General Manager of Engineering Services to enter into an agreement with Waste Management of Canada to begin Collection of Recyclable Materials from Multi-Family Buildings in Area II on May 1, 2009 rather than August 1, 2009 at an estimated additional cost of \$75,000.
- C. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement A and B above.
- D. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services.
- E. THAT no legal rights or obligations will be created by Council's adoption of A, B, C and D above unless and until such legal documents are executed and delivered by the Director of Legal Services.

CARRIED UNANIMOUSLY

8. St. Paul's Hospital

Vancouver City Council, at its meeting on March 3, 2009, referred this item to the Standing Committee on Planning and Environment meeting on March 5, 2009, in order to hear from speakers.

The Committee heard from six speakers in support of the motion.

The following motion reflects an amendment to the original motion which was accepted by Council.

MOVED by Councillor Meggs
THAT the Committee recommend to Council

WHEREAS St. Paul's Hospital is a vital part of Vancouver's health services and a provincial centre for tertiary and quaternary health care with an international reputation for excellence for research, teaching and care;

WHEREAS patients from all over the province receive tertiary and quaternary care at St. Paul's;

WHEREAS the medical staff of St. Paul's Hospital have learned that the Provincial Government is considering removing key programs from the hospital and transferring them to other hospitals or health authorities;

WHEREAS such transfers would effectively dismantle core services at St. Paul's with a destructive impact on the HIV/AIDs, cardiology, cardiac surgery, renal, geriatric and other programs British Columbians rely on; and

WHEREAS the loss of St. Paul's Hospital as a provincial teaching and research centre would deal a very serious blow to both the health services and economic benefits to the citizens of Vancouver but a renewal of St. Paul's would provide new impetus to provincial services while enhancing the regional economy;

THEREFORE BE IT RESOLVED THAT the City of Vancouver endorse the call of St. Paul's Hospital physicians for an immediate provincial commitment to invest in the hospital's revitalization and renewal, including:

- assurance that St. Paul's Hospital will not be dismantled and its key tertiary/quaternary programs will not be moved to other organizations in whole or in part;
- commitment that St. Paul's will continue to be an Academic Health Sciences Centre, maintaining its UBC-affiliated research and teaching components in the heart of Vancouver;
- support for Providence Health Care's plan for a "bridging strategy" to meet immediate short-term and medium-term needs; and
- commitment that the Provincial Government will begin the process for St. Paul's Hospital's long-term renewal and redevelopment within four years;

BE IT FURTHER RESOLVED THAT the City of Vancouver declare its readiness to work with all stakeholders, especially Providence Health Care, the Provincial Government and St. Paul's Hospital to achieve these objectives through redevelopment of both the Burrard and Station Street sites; and

BE IT FINALLY RESOLVED THAT Vancouver City Council communicate this motion to the Premier of British Columbia, the Minister of Health and the Leader of the Official Opposition.

CARRIED UNANIMOUSLY

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At this point in the proceedings, Councillor Reimer stepped down as Chair in order to participate in debate. Councillor Deal, as Vice-Chair, assumed the Chair for the remainder of the meeting.

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9. Legalizing Backyard Hens

Vancouver City Council, at its meeting on March 3, 2009, referred this item to the Standing Committee on Planning and Environment meeting on March 5, 2009, in order to hear from speakers.

Staff from Social Policy and the Vancouver Coastal Health Authority responded to questions.

The Committee heard from five speakers in support of the motion, and two in opposition who expressed concerns regarding animal welfare, increased predation, monitoring urban set-ups, avian flu, and lack of expertise in poultry care.

MOVED by Councillor Reimer

THAT the Committee recommend to Council

WHEREAS Vancouver's current Animal Control By-law (#9433 section 7.2) forbids the keeping of chickens in our City;

AND WHEREAS on July 8, 2003, Council approved a motion supporting the development of a just and sustainable food system for the City of Vancouver that fosters equitable food production, distribution and consumption; nutrition; community development and environmental health;

AND WHEREAS in April 2002 the City adopted a formal position, definition and principles on sustainability;

AND WHEREAS in January 2007, Council adopted the Vancouver Food Charter which sets out the City's commitment to the development of a coordinated municipal food policy that recognizes access to safe, sufficient, culturally appropriate and nutritious food as a basic human right for all Vancouver residents;

AND WHEREAS many cities in North America such as Victoria, BC, Seattle, Washington, and New York City already permit households to keep chickens;

AND WHEREAS urban chicken-keeping can contribute to our City's improved food security, decrease greenhouse gas emissions related to the transportation of food, and the goal of creating a just and sustainable food system for our City;

BE IT RESOLVED

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment an amendment to the Animal Control By-law in order to repeal the prohibition against keeping of backyard hens in the City of Vancouver.

- B. THAT Council direct staff to develop policy guidelines for the keeping of backyard hens in the City of Vancouver that both protects the health and welfare of citizens, and ensures the humane treatment of backyard hens.
- C. THAT Council thanks the City's Food Policy Council for their significant investigations into the feasibility of repealing the prohibition on the keeping of backyard hens and advocacy for improved food security in the City of Vancouver.

CARRIED UNANIMOUSLY

The Committee adjourned at 5:28 p.m.

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

MARCH 5, 2009

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, March 5, 2009, at 5:29 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 Gregor Robertson
Councillor David Cadman
Councillor George Chow
Councillor Heather Deal
Councillor Kerry Jang
Councillor Geoff Meggs
Councillor Andrea Reimer
Councillor Ellen Woodsworth

ABSENT: Councillor Suzanne Anton (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: Pat Boomhower, Meeting Coordinator

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

COMMITTEE REPORTS

Report of Standing Committee on Planning and Environment
March 5, 2009

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

1. Nuisance Property at 2031 Stainsbury Avenue
2. Non-Conforming Billboards
3. Removal of Non-Conforming Rooftop Sign and Structure at 2950 - 2960 Granville Street
4. Removal of Non-Conforming Rooftop Sign and Structure at 1880 - 1888 Main Street
5. Repeat (Grow-op) Building at 729 East 58th Avenue
6. Form of Development: 525 Abbott Street
7. Report Back: Award for Expression of Interest PS08182 Collection of Recyclable Materials from Multi-Family Buildings
8. St. Paul's Hospital
9. Legalizing Backyard Hens

Items 1 - 9

MOVED by Councillor Deal

THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of March 5, 2009, as contained in items 1 to 9 , 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 Deal

SECONDED by Councillor Jang

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

CARRIED UNANIMOUSLY

The Council adjourned at 5:30 p.m.

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