



REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL  
ON PLANNING AND ENVIRONMENT

JULY 23, 2009

A Regular Meeting of the Standing Committee of Council on Planning and Environment was held on Thursday, July 23, 2009, at 2:04 p.m., in the Council Chamber, Third Floor, City Hall.

**PRESENT:** Councillor Andrea Reimer, Chair  
Mayor Gregor Robertson  
Councillor Suzanne Anton  
Councillor David Cadman  
Councillor George Chow  
Councillor Heather Deal, Vice Chair  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Geoff Meggs  
Councillor Tim Stevenson  
Councillor Ellen Woodsworth

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

**CITY CLERK'S OFFICE:** Cobi Falconer, Meeting Coordinator (Minutes)  
Lori Isfeld, Meeting Coordinator

**ADOPTION OF MINUTES**

The Minutes of the Standing Committee on Planning and Environment meeting of July 9, 2009, were adopted.

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**NOTE FROM CLERK:**

*At the Standing Committee on City Services and Budgets meeting on July 23, 2009, due to time constraints, the Committee referred Items 4 and 5 on that agenda to the afternoon meeting of the Standing Committee on Planning and Environment, as items 10 and 11 and to be dealt with as the first items of business.*

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**10. 2010 Winter Games By-Law regarding the Vancouver 2010 Olympic and Paralympic Winter Games (Games)**

The Director for Olympic and Paralympic Operations responded to questions.

MOVED by Councillor Meggs

THAT the Committee recommend to Council

- A. THAT, in order to facilitate, accommodate, enhance, and secure the unique experience of the Games for citizens, participants, visitors, and all others engaged with the Games, and to create a fair and reasonable balance between those aims and the rights and privileges which citizens of the city customarily enjoy, Council approve temporary amendments to and relaxations of the 2010 Winter Games By-law Building Relaxation By-law, City Land Regulation By-law, License By-law, Graffiti By-law, Noise Control By-law, Street and Traffic By-law, Street Distribution of Publications By-law, Street Vending By-law, Vehicles for Hire By-law, and Zoning and Development By-law, all generally in accordance with Appendix A of the Administrative Report, "2010 Winter Games By-Law regarding the Vancouver 2010 Olympic and Paralympic Winter Games (Games)", dated July 6, 2009.
- B. THAT Council instruct the Director of Legal Services bring forward for enactment a new 2010 Winter Games By-law which includes the amendments and relaxations, generally as set out in Appendix A, of the Administrative Report, "2010 Winter Games By-Law regarding the Vancouver 2010 Olympic and Paralympic Winter Games (Games)", dated July 6, 2009, while deleting the reference to "promoting an idea" in the definition of signs on a street, and which repeals the existing 2010 Winter Games Building By-law Relaxation By-law, 2010 Winter Games By-law, and 2010 Winter Games By-law Sign Designation and Relaxation By-law, and then substantially incorporates their provisions into the new 2010 Winter Games By-law, to create one consolidated enactment which deals with all aspects of the Games.

FURTHER THAT the Civil Liberties Advisory Committee be invited to review and comment on the 2010 Olympic By-law changes to ensure implementation respects the Charter of Rights and Freedoms.

CARRIED

(Councillors Cadman and Woodsworth opposed)

## 11. 2010 Olympic and Paralympic Torch Relay

The Director of Community Relations and Special Projects, from the Olympic and Paralympic Operations Office, provided an overview of the report and with the Project Manager, responded to questions.

The Committee heard two speakers who expressed concern regarding the report recommendations.

MOVED by Councillor Anton  
THAT the Committee recommend to Council

THAT Council approve a funding allocation of \$280,000 for activities related to the 2010 Olympic and Paralympic Torch Relay. Source of funding to be from the Olympic and Paralympic Legacy Reserve Fund approved by Council on December 11, 2007.

carried

AMENDMENT MOVED by Councillor Woodsworth  
THAT the Committee recommend to Council

THAT the motion be amended by adding the following at the end:

“THAT the Civil Liberties Advisory Committee be invited to review and comment on the 2010 Olympic and Paralympic Torch Relay to ensure implementation respects the Charter of Rights and Freedoms.”

LOST  
(Councillors Anton, Cadman, Chow, Deal, Jang, Louie, Meggs, Reimer, Stevenson and the Mayor opposed)

The amendment having lost, the motion was put and CARRIED UNANIMOUSLY.

\* \* \* \* \*

*NOTE FROM CLERK: The Chief License Inspector/Assistant Director of Licenses and Inspections introduced and provided an update for items 1, 3, 4, and 5 to the Committee and responded to questions along with the Director of Licenses & Inspections/Chief Building Official.*

\* \* \* \* \*

1. Request for 336D Warning Notice - 2200 Dundas Street  
July 10, 2009

The Committee heard from the owner's lawyer who requested that this matter be postponed until September in order to assess the performance of the owners.

\* \* \* \* \*

*NOTE FROM CLERK: At this point in the proceedings, Councillor Reimer left the Chamber and Councillor Deal assumed the chair.*

\* \* \* \* \*

POSTPONEMENT MOVED by Stevenson  
THAT the Committee recommend to Council

THAT the Request for 336D Warning Notice regarding 2200 Dundas Street be postponed to a future meeting.

CARRIED UNANIMOUSLY  
(Councillor Reimer absent for the vote)

2. Request for Injunctive Relief - 2867 Rupert Street  
June 12, 2009

License and Inspections staff advised new information has been received on this matter. The Committee agreed to postpone the matter to a future meeting pending new information.

3. Request for Injunctive Relief - Lucky Lodge at 134 Powell Street  
July 6, 2009

License and Inspections staff reviewed the report and responded to questions.

\* \* \* \* \*

*NOTE FROM CLERK: Councillor Reimer resumed the Chair*

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The Committee heard from the owner's lawyer who requested that this matter be postponed until September in order to assess the performance of the owners.

MOVED by Stevenson

THAT the Committee recommend to Council

THAT Council authorize the Director of Legal Services, in her discretion, to commence a legal action proceeding in relation to the premises at 134 Powell Street (Lucky Lodge) and to seek injunctive relief in that action or proceeding, in order to bring this building into compliance with City by-laws.

CARRIED UNANIMOUSLY

**4. Request for Injunctive Relief - Keefer Rooms at 222 Keefer Street  
July 7, 2009**

License and Inspections staff noted that no injunctive measures are necessary at this time.

The Committee agreed to withdraw this item from the agenda.

**5. Request for Injunctive Relief - Balmoral Hotel at 159 East Hastings Street  
July 7, 2009**

License and Inspections staff reviewed the report and responded to questions.

MOVED by Stevenson

THAT the Committee recommend to Council

THAT Council authorize the Director of Legal Services, in her discretion, to commence a legal action proceeding in relation to the premises at 159 East Hastings Street (Balmoral Hotel) and to seek injunctive relief in that action or proceeding, in order to bring this building into compliance with City by-laws.

CARRIED UNANIMOUSLY

6. **1619 West Broadway - Tiara Food & Beverage Concepts Ltd., Liquor Primary Liquor License Application with Outdoor Patio Seating Bogart's**  
June 10, 2009

Liquor Licensing staff as well as a Consultant in the Liquor Hospitality Industry were available for questions.

MOVED by Councillor Deal

THAT the Committee recommend to Council

THAT Council, having considered the opinion of local area residents and business operators as determined by neighbourhood notifications, noise impacts and relevant Council policy as outlined in this Administrative Report dated June 10, 2009, entitled "1619 West Broadway - Tiara Food & Beverage Concepts Ltd., Liquor Primary Liquor License Application with Outdoor Patio Seating" (Bogart's), endorse the request by Tiara Food & Beverage Concepts Ltd. for a Liquor Primary liquor licence (Liquor Establishment Class 3) at 1619 West Broadway subject to:

- i. Standard hours of operation for the first six months are limited to 11:00 a.m. to 12:00 a.m., Sunday to Thursday; and 11:00 a.m. to 1:00 a.m., Friday and Saturday; after which time the Extended hours of operation may be considered which are limited to 9:00 a.m. to 1:00 a.m., Sunday to Thursday; and 9:00 a.m. to 2:00 a.m., Friday and Saturday;
- ii. The patio ceasing all liquor service and vacated by 11:00 p.m.;
- iii. A maximum total capacity of 164 persons inside and 28 persons on the patio;
- iv. Acoustic report to be submitted certifying that the establishment meets Noise Control By-law requirements;
- v. No music permitted on the patio;
- vi. Signing a Good Neighbour Agreement with the City prior to business license issuance and a license agreement with Engineering Services with an initial one-year term for the patio;
- vii. A Time-limited Development Permit;
- viii. Food service to be provided while the establishment is operating as well as on the patio when open;
- ix. The terminating the Liquor Primary liquor license #022580 which was for Barcode Nightclub and Lounge (360 seats) in support of this application; and
- x. The surrendering of the existing Food Primary liquor license #300467 at the time of issuance of the Liquor Primary liquor license.

CARRIED UNANIMOUSLY

**7. South Vancouver Industrial Area Issues and Directions**  
July 7, 2009

The Director of the Central Area Planning Branch and the Community Planner provided a presentation and along with Engineering, Real Estate Services, and Planning staff, responded to questions.

The Committee heard from five speakers, three who were in support of the recommendations and two who expressed concern.

**8. Cambie Corridor Planning**  
July 7, 2009

The Director of the Central Area Planning Branch and the Community Planner provided a presentation and along with Engineering, Real Estate Services, and Planning staff, responded to questions.

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*During the hearing of questions it was  
MOVED by Councillor Cadman*

*THAT, under Section 2.3 (c) of the Procedure By-law, Council extend the  
length of the Standing Committee on Planning and Environment meeting by  
one hour or less.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

The Committee heard from nine speakers some of whom were in support of the staff's recommendations, as well as some who expressed concern and requested to have the decision postponed. One of the speakers was the Manager of Policy and Plans for TransLink and spoke to items 7 and 8.

REFERRAL MOVED by Councillor Louie  
THAT the Committee recommend to Council

THAT discussion and decision on Items 7 and 8 be referred to the Council meeting following the Special Standing Committee of City Services and Budgets, to be held on July 28, 2009, as Unfinished Business.

CARRIED UNANIMOUSLY

9. **Tender No. C421.201 for Vancouver City Hall North Lawn Improvement -  
Award of Construction Contract and Approval of Funding Transfer**

MOVED by Councillor Louie  
THAT the Committee recommend to Council

THAT item 9 be postponed to the Special Standing Committee of City Services  
and Budgets, to be held on July 28, 2009, due to time constraints.

CARRIED UNANIMOUSLY

The Committee adjourned at 6:57 p.m.

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

JULY 23, 2009

A Regular Meeting of the Council of the City of Vancouver was held on Thursday, July 23, 2009, at 6:58 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 Suzanne Anton  
Councillor David Cadman  
Councillor George Chow  
Councillor Kerry Jang  
Councillor Raymond Louie  
Councillor Geoff Meggs  
Councillor Andrea Reimer  
Councillor Tim Stevenson  
Councillor Ellen Woodsworth

**ABSENT:** Councillor Heather Deal

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

**CITY CLERK'S OFFICE:** Cobi Falconer, Meeting Coordinator

**COMMITTEE OF THE WHOLE**

MOVED by Councillor Woodsworth  
SECONDED by Councillor Cadman  
(Councillor Deal absent for the vote)

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

**COMMITTEE REPORTS**

Report of Standing Committee on Planning and Environment  
July 23, 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. Request for 336D Warning Notice - 2200 Dundas Street
2. Request for Injunctive Relief - 2867 Rupert Street

3. Request for Injunctive Relief - Lucky Lodge at 134 Powell Street
4. Request for Injunctive Relief - Keefer Rooms at 222 Keefer Street
5. Request for Injunctive Relief - Balmoral Hotel at 159 East Hastings Street
6. 1619 West Broadway - Tiara Food & Beverage Concepts Ltd., Liquor Primary Liquor License Application with Outdoor Patio Seating Bogart's
7. South Vancouver Industrial Area Issues and Directions
8. Cambie Corridor Planning
9. Tender No. C421.201 for Vancouver City Hall North Lawn Improvement - Award of Construction Contract and Approval of Funding Transfer
10. 2010 Winter Games By-Law regarding the Vancouver 2010 Olympic and Paralympic Winter Games (Games)
11. 2010 Olympic and Paralympic Torch Relay

MOVED by Councillor Cadman

THAT the recommendations and actions taken by the Standing Committee on Planning and Environment at its meeting of July 23, 2009, as contained in items 1-11, be approved.

CARRIED UNANIMOUSLY  
(Councillor Deal absent for the vote)

#### RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY  
(Councillor Deal absent for the vote)

#### ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Woodsworth  
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY  
(Councillor Deal absent for the vote)

BY-LAWS

MOVED by Councillor Anton  
SECONDED by Councillor Jang

THAT Council enact the by-law listed on the agenda for this meeting as number 1, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY  
(Councillor Deal absent for the vote)

1. 2010 Winter Games By-law No. 9908

The Council adjourned at 7:00 p.m.

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