



REPORT TO COUNCIL
REGULAR COUNCIL MEETING MINUTES

FEBRUARY 2, 2010

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, February 2, 2010, at 2:08 p.m., in the Council Chamber, Third Floor, City Hall.

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

CITY MANAGER'S OFFICE: Penny Ballem, City Manager
Sadhu Johnston, Deputy City Manager

CITY CLERK'S OFFICE: Marg Coulson, City Clerk
Tina Hildebrandt, Meeting Coordinator

*Denotes absence for a portion of the meeting.

PRAYER

The proceedings in the Council Chamber were opened with a prayer read by Councillor Jang.

PROCLAMATION - "TOASTMASTERS INTERNATIONAL MONTH"

The Mayor proclaimed the month of February, 2010, as "Toastmasters International Month" in the City of Vancouver and invited Ms. Kathy Bengston, VP of Membership for City Hall Connaught Club, Ms. Nancy Largent, Advanced Communicator Bronze/VP of Education for City Hall Connaught Club, and Dr. Doug Thiessen, District 21 Governor (Province of BC) to the podium to receive the proclamation and say a few words.

"IN CAMERA" MEETING

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

THAT Council will go into a meeting on Thursday, February 4, 2010, which is closed to the public, pursuant to Section 165.2(1) of the Vancouver Charter, to discuss matters related to paragraphs:

(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;

(g) litigation or potential litigation affecting the city; and

(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF JANUARY 19, 2010

Council appointed Ms. Marg Coulson to the position of City Clerk.

Council made appointments to the following civic agencies:

- Vancouver Athletic Commission
- Vancouver Civic Theatres Board
- Urban Design Panel
- Chinatown Historic Area Planning Committee
- Public Art Committee

Names of those appointed can be obtained from the City Clerk's Office.

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF JANUARY 21, 2010

Council appointed Mr. Will Johnston to the position of City Electrician.

ADOPTION OF MINUTES

1. Regular Council (Transportation and Traffic) - January 19, 2010

MOVED by Councillor Cadman

SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Regular Council - January 19, 2010

MOVED by Councillor Cadman
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Special Council (Public Hearing) - January 19, 2010

MOVED by Councillor Cadman
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (City Services and Budgets) - January 21, 2010

MOVED by Councillor Louie
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

5. Regular Council (Planning and Environment) - January 21, 2010

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Deal

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

CARRIED UNANIMOUSLY

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Reimer

THAT Council adopt Administrative Reports A1 to A5, A7 to A14, and Policy Report P1, on consent.

CARRIED UNANIMOUSLY

ADMINISTRATIVE REPORTS

General Administration

1. Gingerbread House Day Care, 3350 East 54th Avenue - Renewal of Licences and Sub-License for Portions of Captain Cook School Site and Captain Cook Park Site January 19, 2010
 - A. THAT the City offer to renew the licence agreement with the Vancouver Board of Education to use that portion of the Captain Cook School site shown on Appendix A of the Administrative Report dated January 19, 2010, entitled "Gingerbread House Day Care, 3350 East 54th Avenue - Renewal of Licences and Sub-License for Portions of Captain Cook School Site and Captain Cook Park Site" for this child care centre. The renewal term requested to be for a maximum of 10 years starting December 1, 2009, on the terms and conditions set out in Appendix B of the above-noted report.
 - B. THAT the City renew the licence agreement with the Board of Parks and Recreation of the City of Vancouver to use that portion of the Captain Cook Park shown on Appendix A of the Administrative Report dated January 19, 2010, entitled "Gingerbread House Day Care, 3350 East 54th Avenue - Renewal of Licences and Sub-License for Portions of Captain Cook School Site and Captain Cook Park Site" as the outdoor play area for this child care centre. The renewal will be coterminous to the Board of Education licence, on the terms and conditions set out in Appendix B of the above-noted report.
 - C. THAT the City renew the sub-licence agreement with Champlain Heights Citizens Society to use the school and park lands shown on Appendix A of the Administrative Report dated January 19, 2010, entitled "Gingerbread House Day Care, 3350 East 54th Avenue - Renewal of Licences and Sub-License for Portions of Captain Cook School Site and Captain Cook Park Site" to operate this childcare centre. The renewal will be coterminous to the Board of Education licence, on the terms and conditions set out in Appendix B of the above-noted report.
 - D. THAT no rights or obligation hereby arise or take effect until each of the three agreements is fully signed.

ADOPTED ON CONSENT

2. **Closure and Sale of Portions of Lane Adjacent to 3721 and 3725 West 11th Avenue January 18, 2010**
 - A. THAT Council close, stop-up and convey to the owner of 3725 West 11th Avenue (legally described as [PID: 011-105-101] Lot 5 of Lot E Block 1 of Block 181 District Lot 540 Plan 5885 (hereinafter, "Lot 5")) that approximately 2,444 square foot portion of abutting lane (the "Lane Portion"), the same as generally shown hatched on the plan attached as Appendix "A" of the Administrative Report dated January 18, 2010, entitled "Closure and Sale of Portions of Lane Adjacent to 3721 and 3725 West 11th Avenue", subject to the terms and conditions as noted in Appendix "B" of the above-noted report.
 - B. THAT Council close, stop-up and convey to the owners of 3721 West 11th Avenue (legally described as [PID: 019-196-407] Lot 6 Block 181 District Lot 540 Plan LMP22204 (hereinafter, "Lot 6")) that approximately 50 square foot portion of abutting lane (the "Corner-Cut Lane Portion"), the same as generally shown shaded on the plan attached as Appendix "A" of the Administrative Report dated January 18, 2010, entitled "Closure and Sale of Portions of Lane Adjacent to 3721 and 3725 West 11th Avenue", subject to the terms and conditions as noted in Appendix "C" of the above-noted report.
 - C. THAT the total sale proceeds of \$356,627.00 be credited to the Property Endowment Fund.

ADOPTED ON CONSENT

3. **Proposed Closure of a Portion of Princess Avenue Adjacent to 595 East Georgia Street January 8, 2010**
 - A. THAT Council authorize the Director of Legal Services to apply and raise title in the name of the City of Vancouver to the portion of Princess Avenue that contains the encroachments by the existing building at 595 East Georgia Street (the "Road"), the said portion being shown on a reduced copy of a Reference Plan attached hereto as Appendix "A" of the Administrative report dated January 8, 2010, entitled "Proposed Closure of a Portion of Princess Avenue Adjacent to 595 East Georgia Street".
 - B. THAT all that volumetric portion of Road included within the heavy outline and illustrated isometrically on a plan of survey, a reduced copy of which is attached as Appendix "B" of the Administrative report dated January 8, 2010, entitled "Proposed Closure of a Portion of Princess Avenue Adjacent to 595 East Georgia Street", be closed, stopped-up and that an easement be granted to the owner of abutting Parcel S Block 85 District Lot 196 Group 1 New Westminster District Plan BCP36117 ("Parcel S") to contain the portions of the existing building which encroach onto the Road. The easement is to be for the life of the encroaching portions of the existing building on Parcel S 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" above are to be in accordance with those charged for 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 S to strata title ownership.

ADOPTED ON CONSENT

4. **555 Pacific Street - Land Exchange
January 11, 2010**

- A. THAT Council close, stop-up and convey to the owner of Lots 8 to 18 Block 114 District Lot 541 Group 1 New Westminster District Plan 210 and Lot 19, Except Part in Explanatory Plan 3342 Now Road Block 114 District Lot 541 Group 1 New Westminster District Plan 210 ("Lot 19"), (collectively the "Abutting Lands"); that portion of Pacific Street (the "Old Road Portion") the same as generally shown in heavy bold outline on the plan attached as Appendix "B" to the Administrative Report dated January 11, 2010, entitled "555 Pacific Street - Land Exchange", subject to the following conditions:
 - 1. The owner of the Abutting Lands (the "Owner") to consolidate the Old Road Portion with Lot 19 to form a single parcel ("Lot A"), as shown within heavy bold outline on the plan attached as Appendix "C" of the above-noted report, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services;
 - 2. The transfer back to the City by the Owner of that 29.6 square metre portion of Lot A generally shown bold outlined on Reference Plan attached as Appendix "D" of the above-noted report and establishment as road of said portion, to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services; and
 - 3. The Owner to subdivide the remainder of Lot A with Lots 8 to 18 Block 114 District Lot 541 Group 1 New Westminster District Plan 210 to form a single parcel and road as shown within the heavy bold outline on the plan attached as Appendix "E" of the above-noted report, to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer.
- B. THAT A above be subject to the additional conditions (the "Additional Conditions") described in Appendix "A" to the Administrative Report dated January 11, 2010, entitled "555 Pacific Street - Land Exchange".

- C. THAT the land exchange be completed on an equivalent land value for land value basis such that no purchase money changes hands for the road closure and conveyance, the road establishment and the road dedication.
- D. THAT any agreements are to be to the satisfaction of the Director of Legal Services.
- E. THAT the Director of Legal Services or the Director of Real Estate Services, as applicable, be authorized to execute all plans, transfers, and documents as required.
- F. THAT no legal right or obligation shall be created and none shall arise hereafter until the documents are executed by the parties thereto.

ADOPTED ON CONSENT

**5. Proposed Closure of Portions of Gore Avenue and Lane Adjacent to 663 Gore Avenue
January 18, 2010**

- 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 Gore Avenue and Lane north of East Georgia Street, east from Gore Avenue (the "Road and Lane") that contain the encroachments by the existing building at 663 Gore Avenue, the said portion as shown on a reduced copy of a Reference Plan attached hereto as Appendix "A" of the Administrative Report dated January 18, 2010, entitled "Proposed Closure of Portions of Gore Avenue and Lane Adjacent to 663 Gore Avenue".
- B. THAT all those volumetric portions of Road and Lane included within the heavy outline and illustrated isometrically on a plan of survey, a reduced copy of which is attached as Appendix "B" of the Administrative Report dated January 18, 2010, entitled "Proposed Closure of Portions of Gore Avenue and Lane Adjacent to 663 Gore Avenue", be closed, stopped-up and that an easement be granted to the owner of abutting Lot H Block 17 District Lot 196 New Westminster District Plan BCP11929 ("Lot H") to contain the portions of the existing building which encroach onto the Road and Lane. The easement is to be for the life of the encroaching portions of the existing building on Lot 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 easement 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.

ADOPTED ON CONSENT

**6. Federation of Canadian Municipalities (FCM), Union of British Columbia Municipalities (UBCM) and Lower Mainland Local Government Association (LMLGA) Membership Fees for 2010-2011
January 18, 2010**

REFERRAL MOVED by Councillor Anton

THAT Council refer the Administrative Report dated January 18, 2010, entitled "Federation of Canadian Municipalities (FCM), Union of British Columbia Municipalities (UBCM) and Lower Mainland Local Government Association (LMLGA) Membership Fees for 2010-2011" to a Council meeting on Thursday, February 4, 2010, in order to obtain further information from staff on the grant to the Federation of Canadian Municipalities (FCM) for travel funds to support participation of elected officials from smaller communities.

LOST

(Councillors Cadman, Chow, Deal, Jang, Louie, Meggs, Reimer, Stevenson and Mayor Robertson opposed.)

MOVED by Councillor Cadman

- A. THAT grants to the following organizations for the 2010-2011 membership fees be approved, the source of funds being the 2010 Operating Budget:
- | | | |
|-----|---|--------------|
| (a) | Federation of Canadian Municipalities (FCM) | \$72,555.13 |
| (b) | Union of British Columbia Municipalities (UBCM) | \$49,189.61 |
| (c) | Lower Mainland Local Government Association (LMLGA) | \$ 2,000.00. |
- B. THAT a grant to the FCM be approved in the amount of \$10,115.72, representing an optional contribution to a travel fund, supporting the participation of elected officials from small communities in FCM's National Board of Directors.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY

Finance, Budgets, Grants, Contracts

**7. Award of RFP PS09127 - Consulting Services for Pit Wall Repairs at the Vancouver South Transfer Station
January 18, 2010**

- A. THAT, subject to the conditions set out in B, C, and D below, Council authorize a contract with McElhanney Consulting Services Ltd. to provide Consulting Services for the repair of the pit walls at the Vancouver South Transfer Station at an estimated cost of \$56,723 (including disbursements) plus applicable

taxes; source of funds to be the previously approved Pit Wall Repairs Project Budget.

- B. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement A above.
- C. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Engineering Services, the Manager of Supply Management and the Director of Legal Services.
- D. THAT no legal rights or obligations will be created by Council's adoption of A, B and C above unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

**8. The Orpheum Upgrades and Capitol 6 Interface and Finish Project - Award of Consultant Contract
January 22, 2010**

- A. THAT, subject to the conditions set out in B, C, and D below, the City be authorized to enter into a sole source Contract with Proscenium Architecture + Interiors Inc. ("Proscenium") for the Orpheum Upgrades and Capitol 6 Interface and Finish Project for a sum of \$200,750 (plus applicable taxes), source of funds to be The Orpheum Upgrades and Capitol 6 Interface and Finish project budget.
- B. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement A above.
- C. THAT all such legal documents be on terms and conditions satisfactory to the General Manager of Business Planning and Services and the Director of Legal Services.
- D. THAT no legal rights or obligations will be created or arise by Council's adoption of A, B and C above unless and until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

**9. Award of Contract - RFP PS09200 - Replacement/ Rehabilitation Design of the Granville Bridge Bearings
January 13, 2010**

- A. THAT Council approve funds for professional services and related expenses for the Replacement/Rehabilitation Design of the Granville Bridge Bearings at an estimated cost of \$ 700,000, source of funding to be:
 - 2009 Streets Basic Capital - Special Projects - PCB Removal Bridges (A2c2) - \$450,000; and

- \$250,000 to be provided from the 2009 Translink Major Road Network - Minor Capital Program.
- B. THAT, subject to the conditions set out in C, D and E below, the General Manager of Engineering Services be authorized to award a Professional Services Agreement to Associated Engineering (B.C.) Ltd. for engineering professional services at an estimated total cost of \$570,254 (including disbursements) plus applicable taxes, with the source of funding as indicated in A above.
- 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 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 or arise by Council's adoption of B, C and D above until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

**10. Vancouver City Planning Commission - 2010 Operating Budget
January 22, 2010**

THAT Council approve \$57,000 as the 2010 operating grant to the Vancouver City Planning Commission; source of funds to be the 2010 "Other Grants" budget.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**11. Olympic and Paralympic Street Banner Donation for Haiti Relief
January 26, 2010**

THAT Council approve the donation of up to 3,000 of the 6,000 Olympic and Paralympic street banners to UNICEF for the purpose of raising funds to benefit Haiti.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**12. Support of the BC Olympic Athlete of the Year Award
January 27, 2010**

THAT Council approve a \$10,000 grant to Sport BC for hosting the BC Athlete of the Year awards dinner on March 31, 2010.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

Housing, Zoning, Development, Heritage, Culture

**13. Form of Development: 2950 Celtic Avenue
January 12, 2010**

THAT the form of development for this portion of the site known as 2950 Celtic Avenue be approved generally as illustrated in the Development Application Number DE413424, prepared by Margo Innes Consultants, and stamped "Received, Community Services Group, Development Services, on November 3, 2009", provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

ADOPTED ON CONSENT

Late Distribution

**14. Award of Contract for RFP PS10011 Consulting Services for Web Strategic Planning & Design
January 29, 2010**

- A. THAT, subject to conditions set out in B, C and D below, the Director of Legal Services (on behalf of the City) be authorized to enter into a contract with OpenRoad Communications ("OpenRoad") for consultant services related to web strategic planning and design at an estimated cost of \$100,000 plus GST with funding to be provided from the 2008 Capital Budget for Website Renewal Phase 2.
- B. THAT the Director of Legal Services be authorized to execute and deliver on behalf of the City all legal documents required to implement A above.
- C. THAT all such legal documents be on terms and conditions satisfactory to the City Manager and the Director of Legal Services.
- D. THAT no legal right or obligations will be created by Council's adoption of A, B, and C above until such legal documents are executed and delivered by the Director of Legal Services.

ADOPTED ON CONSENT

POLICY REPORTS

**1. CD-1 Rezoning - 1134 Burrard Street
January 11, 2010**

- A. THAT the application by dysarchitecture on behalf of the Kettle Friendship Society to rezone 1134 Burrard Street (PID 007-074-531, Lot G, Block 90, DL 541, Plan 18877 NWD) from DD (Downtown District) to CD-1 (Comprehensive

Development District), to permit the development of 141 units of supportive housing, in conjunction with new program space for the Directions Youth Services Centre, with a height of 16 storeys and a total FSR of 7.4 (floor space ratio), be referred to a Public Hearing, together with:

- (i) plans received July 28, 2009;
- (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated January 11, 2010, entitled "CD-1 Rezoning - 1134 Burrard Street"; and
- (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B of the above-noted report; and

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A above 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 above-noted report 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 dated January 11, 2010, entitled "CD-1 Rezoning - 1134 Burrard Street"; and

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.

ADOPTED ON CONSENT

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 Cadman
SECONDED by Councillor Woodsworth

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

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Reimer
SECONDED by Councillor Stevenson

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 1, 2, 5, 6 and 12 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

* * * * *

Councillor Deal rose and advised she had received a report of the relevant Public Hearing in relation to By-laws 3, 4, 9 and 10, and she would therefore be voting on the By-laws.

Councillor Reimer rose and advised she had received a report of the relevant Public Hearing in relation to By-law 11, and she would therefore be voting on the By-law.

* * * * *

MOVED by Councillor Reimer
SECONDED by Councillor Stevenson

THAT Council, except for those members excused as noted below, enact the by-laws listed on the agenda for this meeting as numbers 3, 4 and 7 to 11 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Street and Traffic By-law No. 2849 regarding shared vehicle parking and miscellaneous matters (By-law No. 9987)
2. A By-law to amend Parking By-law No. 6059 with regard to the definition of shared vehicle organization (By-law No. 9988)

3. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (By-law No. 9989)**
(Councillor Stevenson ineligible to vote.)
4. **A By-law to designate certain real property as protected heritage property (208 East Georgia Street) (By-law No. 9990)**
(Councillor Stevenson ineligible to vote.)
5. **A By-law to amend Impounding By-law No. 3519 regarding impounding charges (By-law No. 9991)**
6. **A By-law to amend 2010 Winter Games By-law No. 9962 regarding a minor housekeeping matter under the Ticket Offences By-law No. 9360 (By-law No. 9992)**
7. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (6338-6432 Ash Street) (By-law No. 9993)**
(Councillor Cadman ineligible to vote.)
8. **A By-law to amend Subdivision By-law No. 5208 (6338-6432 Ash Street) (By-law No. 9994)**
(Councillor Cadman Ineligible to vote.)
9. **A By-law to designate certain real property as protected heritage property (1842 West 12th Avenue, The Ogilvie Residence) (By-law No. 9995)**
(Councillor Stevenson ineligible to vote.)
10. **A By-law to amend CD-1 By-law No. 7476 (1600 - 1636 West 1st Avenue) (By-law No. 9996)**
(Councillor Stevenson ineligible to vote.)
11. **A By-law to amend Sign By-law No. 6510 (CBC/Radio Canada, Vancouver Broadcasting Centre) (By-law No. 9997)**
(Councillors Jang, Meggs, Woodsworth and Mayor Robertson ineligible to vote.)
12. **A By-law to amend Parking By-law No. 6059 (By-law No. 9998)**

MOTIONS

A. Administrative Motions

1. 6338-6432 Ash Street Approval of Form of Development

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

THAT the form of development for the CD-1 zoned site known as 6338-6432 Ash Street be approved generally as illustrated in Development Application No. DE413103 prepared by W.T. Leung Architects, and stamped "Received, City of Vancouver Planning Department, November 5, 2009", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

CARRIED UNANIMOUSLY

2. Proposed Closure of a Portion of Princess Avenue Adjacent to 595 East Georgia Street

MOVED by Councillor Louie
SECONDED by Councillor Jang

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 S Block 85 District Lot 196 Group 1 New Westminster District Plan BCP36117 encroach onto the westerly side of Princess Avenue;
3. The portion of Princess Avenue encroached upon, abutting said Parcel S, was dedicated by the deposit of Plan 196;
4. To provide for the registration of an easement to contain the said encroachments onto Princess Avenue, as required by Section 244 of the Strata Property Act, it is necessary to raise title to the portion of Princess Avenue that is encroached upon; and
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 portion of Princess Avenue that is 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 196 and

included within the heavy bold outline on the Reference Plan attested to by William P. Wong, B.C.L.S., completed and checked on the 24th day of December, 2009, and marginally numbered V-09-15492-REF; and

BE IT FURTHER RESOLVED THAT all that volumetric portion of Princess Avenue 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 24th day of December, 2009, and marginally numbered V-09-15492-EASE, be closed, stopped-up and that an easement be granted to the owner of abutting Parcel S Block 85 District Lot 196 Group 1 New Westminster District Plan BCP36117 to contain the portions of the existing building which encroach onto Princess Avenue; the said easement to be to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

3. 555 Pacific Street - Land Exchange

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

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. There is a proposal to re-develop privately owned Lots 8 to 18 inclusive; and Lot 19, Except Part in Explanatory Plan 3342 Now Road, all of Block 114 District Lot 541 Group 1 New Westminster District Plan 210 (the "Abutting Lands");
3. The proposal requires the closure of a portion of the north side of Pacific Street lying to the east of Seymour Street, being adjacent to the Abutting Lands and being That Part of Lot 19 in Explanatory Plan 3342 Block 114 District Lot 541 Group 1 New Westminster District Plan 210;
4. The said That Part of Lot 19 was established as road under filing E30528 on May 16, 1977;
5. Only a portion of said That Part of Lot 19 is required for municipal purposes;
6. On November 5, 2002 Council passed a resolution dealing with the road closure and exchange but the resolution was never deposited in the Land Title Office and it is necessary to pass a new resolution since the road dedication geometry has changed;
7. The owner of the abutting Lot 19, Except Part in Explanatory Plan 3342 Now Road, Block 114 District Lot 541 Group 1 New Westminster District Plan 210 ("Rem 19") has agreed to exchange a portion of his land which is required for road purposes for the said That Part of Lot 19 which is no longer required for road purposes;

8. The said That Part of Lot 19 to be closed will be conveyed to the owner of Rem 19 and consolidated with said Rem 19 to form a single parcel;
9. The establishment as road of portions of the consolidated parcel is required by the City for road purposes; and
10. The remainder of the said consolidated parcel is to be subdivided with Lots 8 to 18 inclusive Block 114 District Lot 541 Group 1 New Westminster District Plan 210 to form a single parcel and dedicated road.

THEREFORE BE IT RESOLVED THAT Council rescind the resolution, with respect to the road closure of That Part of Lot 19 in Explanatory Plan 3342 Block 114 District Lot 541 Group 1 New Westminster District Plan 210 on the north side of Pacific Street, east of Seymour Street, passed at its November 5, 2002, meeting; and

BE IT FURTHER RESOLVED THAT Part of Lot 19 in Explanatory Plan 3342 Block 114 District Lot 541 Group 1 New Westminster District Plan 210 be closed, stopped-up and conveyed to the abutting owner and consolidated with Lot 19 Except Part in Explanatory Plan 3342, Now Road, Block 114 District Lot 541 Group 1 New Westminster District Plan 210 to form a single parcel ("Lot A"), as shown within heavy bold outline on the Reference Plan prepared by Gregory Marston, B.C.L.S., completed and checked on the 23rd day of December, 2009, and marginally noted "FILE 9541-03", to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services; and

BE IT FURTHER RESOLVED THAT all that portion of Lot A Block 114 District Lot 541 Group 1 New Westminster District Plan BCP_____ shown heavy outlined on a Reference Plan prepared by Gregory Marston, B.C.L.S., completed and checked on the 23rd day of December, 2009, and marginally noted "FILE 9541-04", a copy of which is attached hereto as Appendix B, be accepted and allocated for road purposes and declared to form and constitute a portion of a road; and

BE IT FURTHER RESOLVED THAT all that portion of Lot A Except Part in Plan BCP_____ Now Road, Block 114 District Lot 541 Group 1 New Westminster District Plan BCP_____ be subdivided with Lots 8 to 18 inclusive Block 114 District Lot 541 Group 1 New Westminster District Plan 210 to form a single parcel and road as shown within heavy bold outline on the Subdivision Plan prepared by Gregory Marston, B.C.L.S., completed and checked on the 23rd day of December, 2009, and marginally noted "FILE 9541-05", to the satisfaction of the General Manager of Engineering Services, the Director of Legal Services and the Approving Officer.

CARRIED UNANIMOUSLY

4. Closure and Sale of Portions of Lane Adjacent to 3721 and 3725 West 11th Avenue

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

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. The owner of [PID: 011-105-101] Lot 5 of Lot E Block 1 of Block 181 District Lot 540 Group 1 New Westminster District Plan 5885 ("Lot 5") at 3725 West 11th Avenue has made application to purchase the abutting 226.9 square metre portion of lane west of Alma Street, north from 11th Avenue;
3. The said portion of lane was dedicated by the deposit of Plan 5655 on August 25, 1926;
4. The said portion of lane to be closed will be conveyed to the owner of Lot 5 and consolidated with Lot 5 to form a single parcel;
5. The owner of [PID: 019-196-407] Lot 6 Block 181 District Lot 540 Group 1 New Westminster District Plan LMP22204 ("Lot 6") at 3721 West 11th Avenue has made application to purchase the abutting 4.6 square metre portion of lane west of Alma Street, north from 11th Avenue;
6. The said 4.6 square metre portion of lane was dedicated by the deposit of Plan LMP22204 on March 15, 1995;
7. The said portion of lane to be closed will be conveyed to the owner of Lot 6 and consolidated with Lot 6 to form a single parcel; and
8. The said portions of lane to be closed are no longer required for municipal purposes.

THEREFORE BE IT RESOLVED THAT all that portion of lane west of Alma Street, north from 11th Avenue, as dedicated by the deposit of Plan 5655, and being adjacent to Lot 5 of Lot E Block 1 of Block 181 District Lot 540 Group 1 New Westminster District Plan 5885, the same as shown within heavy bold outline on the Reference Plan prepared by Mike Bernemann, B.C.L.S., completed and checked on the 23rd day of November, 2009 and marginally numbered "File: MR09-381Road Closing", be closed, stopped-up and conveyed to the owner of abutting Lot 5; and

BE IT FURTHER RESOLVED THAT the said portion of lane to be closed is to be consolidated with said Lot 5 to form a single parcel, as shown within heavy bold outline on the Reference Plan prepared by Mike Bernemann, B.C.L.S., completed and checked on the 25th day of November, 2009 and marginally numbered "File: MR09-381REF-a", to the satisfaction of the Director of Legal Services; and

BE IT FURTHER RESOLVED THAT all that portion of lane west of Alma Street, north from 11th Avenue, as dedicated by the deposit of Plan LMP22204, and being adjacent to Lot 6 Block 181 District Lot 540 Group 1 New Westminster District Plan LMP22204, the same as shown within heavy bold outline on the Reference Plan prepared by Mike Bernemann, B.C.L.S., completed and checked on the 23rd day of November, 2009 and marginally numbered "File: MR09-381Road Closing2", be closed, stopped-up and conveyed to the owner of abutting Lot 6; and

BE IT FURTHER RESOLVED THAT the said portion of lane to be closed, dedicated by the deposit of Plan LMP22204, is to be consolidated with said Lot 6 to form a single parcel, as shown within heavy bold outline on the Reference Plan prepared by Mike Bernemann, B.C.L.S., completed and checked on the 25th day of November, 2009 and marginally numbered "File: MR09-381REF2", to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY
(Councillor Stevenson absent for the vote)

5. Proposed Closure of Portions of Gore Avenue and Lane Adjacent to 663 Gore Avenue

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

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 Lot H Block 17 District Lot 196 Group 1 New Westminster District Plan BCP11929 encroach onto the westerly side of Gore Avenue;
3. Portions of the building constructed on Lot H Block 17 District Lot 196 Group 1 New Westminster District Plan BCP11929 encroach onto the southerly side of the lane north of East Georgia Street, east from Gore Avenue (the "Lane");
4. The portions of Gore Avenue and Lane encroached upon, abutting said Lot H, were dedicated by the deposit of Plan 184;
5. To provide for the registration of an easement to contain the said encroachments onto Gore Avenue and the Lane, as required by Section 244 of the Strata Property Act, it is necessary to raise title to the portions of Gore Avenue and Lane that are encroached upon; and
6. 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 Gore Avenue 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 road and lane dedicated by the deposit of Plan 184 and included within the heavy bold outline on the Reference Plan attested to by B. J. Oke, B.C.L.S., completed and checked on the 9th day of May, 2008, and marginally numbered S-11081; and

BE IT FURTHER RESOLVED THAT all those volumetric portions of Gore Avenue and Lane included within heavy bold outline and illustrated isometrically on an Explanatory Plan attested to by B. J. Oke, B.C.L.S., completed and checked on the 9th day of May, 2008, and marginally numbered S-11082, be closed, stopped-up and that an easement be granted to the owner of abutting Lot H Block 17 District Lot 196 Group 1 New Westminster District Plan BCP11929 to contain the portions of the existing building which encroach onto Gore Avenue and Lane; the said easement to be to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Request for Leave of Absence - Councillor Stevenson

MOVED by Councillor Cadman
SECONDED by Councillor Meggs

THAT Councillor Stevenson be granted Leave of Absence for Civic Business from the Standing Committee on Planning and Environment meetings to be held July 8, October 7, and November 4, 2010, in order to attend Metro Vancouver Inter-Governmental Committee Meetings.

CARRIED UNANIMOUSLY

2. Request for Leave of Absence - Councillor Deal

MOVED by Councillor Jang
SECONDED by Councillor Louie

THAT Councillor Deal be granted Leave of Absence for Civic Business from the Standing Committee on Transportation and Traffic meetings to be held April 6th, May 4th, and June 8th, 2010, in order to attend Metro Vancouver Environment and Energy Committee Meetings; and

FURTHER THAT Councillor Deal be granted Leave of Absence for Civic Business from the Standing Committee on City Services and Budget meetings to be held on March 25th, May 20th, July 22nd and September 23rd, 2010, in order to attend Metro Vancouver Regional Culture Committee Meetings.

CARRIED UNANIMOUSLY

3. Request for Leave of Absence - Councillor Louie

MOVED by Councillor Cadman
SECONDED by Councillor Deal

THAT Councillor Louie be granted a Leave of Absence for civic business from the Standing Committees on City Services and Budgets and Planning and Environment, and the Public Hearing (potential backup) to be held March 25, 2010, in order to attend the Municipal Finance Authority meeting in Victoria).

CARRIED UNANIMOUSLY

4. Homeless Action Plan

MOVED by Mayor Robertson
SECONDED by Councillor Jang

WHEREAS ending street homelessness in Vancouver by 2015 is a key goal of the Mayor and Council;

WHEREAS the City of Vancouver staff have increased capacity and services to house and serve homeless individuals to unprecedented levels in the past year;

WHEREAS the 2008 regional homeless count indicated that 2000 housing units are required to house street homeless in Vancouver;

WHEREAS Vancouver's street homeless population is diverse, and individuals often suffer from concurrent mental health, addictions and other medical issues which require services, in addition to poverty, and abuse;

WHEREAS the mental health plan for Vancouver has led to the adoption of an integrated urban health approach to fostering community capacity to address these interrelated issues;

WHEREAS Vancouver's street homeless require a broad continuum of supportive housing options that include shelters, interim housing, permanent housing, subsidized rental housing, and affordable market rental and strata housing;

WHEREAS some of these options, such as purpose-built supportive housing will take significant resources and time (upwards of 3-5 years) from ground breaking until being ready for occupancy;

WHEREAS the current economic climate has delayed a number of planned initiatives under various agreements negotiated with the Province;

WHEREAS even within the context of those plans, there will remain a significant gap in available housing by 2015; and

AND WHEREAS the City's Homeless Action Plan predates the current economic crisis and the changing demographics of street homeless in the past decade.

THEREFORE BE IT RESOLVED

THAT staff be directed to revisit the Homeless Action Plan and return to Council by the end of April 2010 with a revised action plan, that:

- Presents up-to-date Vancouver specific information on the number of street homeless individuals from a count to be completed in March, 2010;
- Addresses the constraints of the changing economic climate;
- Outlines options for interim solutions for street homelessness;
- Provides realistic options to achieve the goal of ending street homelessness in Vancouver by 2015;
- Provides options for optimizing City real estate and assets that can strategically leverage funding from other orders of government, private donors and investors for solutions for street homelessness;
- Creates a plan for an annual progress report card on the state of street homelessness to the public that includes results of an annual count and relevant metrics;
- Provides options for encouraging citizen engagement in supporting homeless individuals by expanding such initiatives as Homeless Action Week, Homeless Connect events and the Mayor's Multi Faith Advisory Group on Homelessness;
- Ensures that bylaws, regulations and enforcement policies that relate to individuals who are street homeless provide for their maximum safety and are in alignment with current statutes and relevant case law; and
- Provides options for optimizing social development grants to foster and support local community-based solutions tailored to ending street homelessness within individual neighbourhoods.

referred

The Mayor advised that requests to speak had been received on this motion. Council agreed to refer the motion to the Standing Committee on City Services and Budgets meeting on Thursday, February 4, 2010, in order to hear from the speakers.

5. Legal Aid in British Columbia

MOVED by Councillor Woodsworth
SECONDED by Councillor Cadman

WHEREAS:

1. The City of Vancouver is committed to equal access to justice for all of its citizens;
2. The Provincial Government has an obligation to properly fund legal services to ensure equal access to justice for every British Columbian;

3. The Provincial Government has repeatedly cut funding to legal aid over the past year;
4. Demand for legal aid in British Columbia has risen significantly over the past year; and
5. Cuts to legal aid hurt the most vulnerable in our society, predominantly lower-income women and children.

THEREFORE BE IT RESOLVED

THAT the City of Vancouver write a letter to the Provincial Government urging them to restore and increase funding for legal aid in British Columbia; and

BE IT FURTHER RESOLVED

THAT the City of Vancouver write a letter to the Provincial Government urging them to allow the Legal Services Society to re-open the regional centres.

CARRIED
(Councillor Anton opposed)

6. Interim Shelter Policy

This item was withdrawn from the Agenda.

NEW BUSINESS

1. Request for Leave of Absence - Councillor Meggs

MOVED by Councillor Jang
SECONDED by Councillor Cadman

THAT Councillor Meggs be granted Leave of Absence for Civic Business from the Standing Committees on City Services and Budgets, and Planning and Environment, and the Court of Revision to be held February 4, 2010.

CARRIED UNANIMOUSLY

The Council adjourned at 2:51 pm

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