

REGULAR COUNCIL MEETING MINUTES

OCTOBER 19, 2010



A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, October 19, 2010, at 2:00 pm, in the Council Chamber, Third Floor, City Hall.

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

ABSENT: Councillor George Chow (Leave of Absence - Civic Business)

CITY MANAGER'S OFFICE: Penny Ballem, City Manager

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

PRAYER

The proceedings in the Council Chamber were opened with a video clip of a poem from Jonathan Reed entitled "Lost Generation" which was introduced by Councillor Cadman.

PROCLAMATIONS

Canadian Little League Champions

The Mayor proclaimed the week of October 18 to 24, 2010, as "Little Mountain Little League Canadian Champions Week" in the city of Vancouver and invited the Little Mountain Mountaineers to the podium to accept the proclamation. Mr. Pat Chaba, the team's Manager, said a few words.

Downtown Eastside Heart of the City Festival Day

The Mayor proclaimed Wednesday, October 27, 2010, as "Downtown Eastside Heart of the City Festival Day", and invited Terry Hunter, Executive Director of Vancouver Moving Theatre, and Artistic Producer of the Downtown Eastside Heart of the City Festival, to the podium to accept the proclamation and say a few words.

Day Against Hate Crime

The Mayor proclaimed Saturday, October 23, 2010, as "Day Against Hate Crime", and invited Ryan Clayton of the City's LGBTQ Advisory Committee, to the podium to accept the proclamation and say a few words.

"IN CAMERA" MEETING

MOVED by Councillor Deal
SECONDED by Councillor Jang

- A. 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 paragraphs:
- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the city or another position appointed by the city; and
 - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- B. THAT Council will go into a meeting on Thursday, October 21, 2010, which is closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraphs:
- (c) labour relations or other employee relations; 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 OCTOBER 5, 2010

Council made appointments to the Neighbourhood Energy Utility Rate Review Panel; names of those appointed can be obtained from the City Clerk's Office.

ADOPTION OF MINUTES

1. Regular Council (Transportation and Traffic) - October 5, 2010

MOVED by Councillor Louie
SECONDED by Councillor Woodsworth

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Regular Council - October 5, 2010

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Regular Council (City Services and Budgets) - October 7, 2010

MOVED by Councillor Louie
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (Planning and Environment) - October 7, 2010

MOVED by Councillor Reimer
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

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

MATTERS ADOPTED ON CONSENT

MOVED by Councillor Deal

THAT Council adopt Administrative Reports A1 and A2, and Policy Report P1, on consent.

CARRIED UNANIMOUSLY

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VARY AGENDA

Council agreed to vary the Agenda in order to consider Report Reference No. 2 first. For clarity the items are minuted in the order in which they were dealt with.

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REPORT REFERENCE

2. Bid Committee Awards During Summer Recess of Council

Patrice Impey, General Manager - Financial Services Group, introduced Jim Bornholdt, Director, Supply Management, and Chief Procurement Officer, and provided an update on the procurement program for the period April 1 to September 30, 2010.

1. 2011 Operating Budget: Preliminary Estimates

Patrice Impey, General Manager - Financial Services Group, presented the 2011 Operating Budget: Preliminary Estimates and, together with Julia Morrison, Manager of Corporate Operating Budgets, responded to questions.

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During discussion on Report Reference No. 1, Council recessed at 3:40 pm and reconvened at 3:49 pm, with all members present.

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PRESENTATION - 2010 CITY OF VANCOUVER BOOK AWARDS

The Mayor recognized the following 2010 City of Vancouver Book Awards finalists, and announced Bruce Grenville and Scott Steedman for *Visions of British Columbia* as the winners of this year's Book Award:

- George Bowering for *The Box* (Published by New Star Books);
- Matt Hern for *Common Ground in a Liquid City* (Published by AK Press);
- Chris Macdonald for *A Guidebook to Contemporary Architecture in Vancouver*, with contributions by Veronica Gilles, Matthew Soules and Adele Weder (Published by Douglas & McIntyre); and
- Bruce Grenville and Scott Steedman for *Visions of British Columbia* (Published by Douglas & McIntyre).

The presentation was immediately followed by a reception in the foyer in honour of the book award recipients.

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Council recessed at 4:05 pm, and reconvened at 4:37 pm, all members present, to continue discussion on Report Reference No. 1.

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ADMINISTRATIVE REPORTS

1. Establishment as Road of Parcels adjacent to 2-88 West 1st Avenue
August 26, 2010

THAT Council authorize the Director of Legal Services in consultation with the General Manager of Engineering Services to proceed with the necessary arrangements to transfer to the City, at no cost to the City, and establish as road portions of Lots 2-6 listed in Appendix A of the Administrative Report dated August 26, 2010, entitled "Establishment as Road of Parcels adjacent to 2-88 West 1st Avenue", and being the same as shown heavy outlined and hatched on the sketch attached hereto as Appendix B of the same report(the "Road Parcels").

ADOPTED ON CONSENT

2. Closure and Sale of a Portion of Lane Adjacent to 4467 Atlin Street
September 21, 2010

THAT Council close, stop-up and convey to the owners of 4467 Atlin Street (legally described as [PID: 012-979-864] Lot C Block 3 South East ¼ of Section 47 Town of Hastings Suburban Lands Plan 3313 (hereinafter, "Lot C")) that approximately 53.6 square metre portion of abutting lane (hereinafter, the "Lane Portion"), the same as generally shown hatched on the plan in Appendix "A" of the Administrative Report dated September 21, 2010, entitled "Closure and Sale of a Portion of Lane Adjacent to 4467 Atlin Street", subject to the terms and conditions as noted in Appendix "B" of the same report;

FURTHER THAT the sale proceeds of \$48,440 be credited to the Property Endowment Fund.

ADOPTED ON CONSENT

3. Grant to Support the Social Purpose Real Estate Conference
October 5, 2010

MOVED by Councillor Louie

THAT Council approve a grant of \$6,000 to the Vancity Community Foundation, to support the Social Purpose Real Estate Conference. Source of funding is the \$30,000 set aside for capacity building of non-profit organizations in the 2010 Community Services grants program.

CARRIED AND BY THE
REQUIRED MAJORITY
(Councillor Anton opposed)

POLICY REPORTS

1. CD-1 Rezoning: 1553-1577 Main Street October 13, 2010

A. THAT the application by Hotson Bakker Boniface Haden Architects on behalf of Onni Group of Companies to rezone 1553-1577 Main Street (Lots 7 & 8 Plan 17093, Lot A Plan 15792, Lots 38 & 39 Plan 5568, Lots 24, 25 & 26 Plan 197 (PID Nos. 003-047-083, 003-049-884, 007-626-347, 012-711-535, 012-711-543, 012-711-501, 012-711-519 and 012-711-705) and part of 1615 Main Street (Lot F Plan 12966, PID No. 008-758-158) from FC-1 (False Creek) District to CD-1 (Comprehensive Development) District, to increase the maximum residential density from 3.00 FSR to 3.40 FSR and permit the construction of a mixed office, residential and retail development with a maximum density of 4.81 FSR, be referred to a Public Hearing, together with:

- (i) plans prepared by Hotson Bakker Boniface Haden Architects, received September 3, 2009;
- (ii) draft CD-1 By-law provisions, generally in accordance with Appendix A of the Policy Report dated October 13, 2010, entitled "CD-1 Rezoning: 1553-1577 Main Street"; and
- (iii) the recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B of the above-noted Policy Report;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A of the above-noted Policy Report for consideration at Public Hearing.

B. THAT, if the application is referred to a Public Hearing, consequential amendments to the Southeast False Creek Official Development Plan to increase the height limit for 1553-1577 Main Street and part of 1615 Main Street from 50 m to 56 m, as set out in Appendix C of the Policy Report dated October 13, 2010, entitled "CD-1 Rezoning: 1553-1577 Main Street", be referred to the same Public Hearing together with the recommendation of the Director of Planning to approve;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix C of the above-noted Policy Report for consideration at the Public Hearing.

C. THAT, if the application is referred to a Public Hearing, the application to amend the Sign By-law to establish regulations for this CD-1 in accordance with Schedule B (DD) and to include this CD-1 in Schedule E of the Sign By-law, generally as set out in Appendix C of the Policy Report dated October 13, 2010, entitled "CD-1 Rezoning: 1553-1577 Main Street", be referred to the same Public Hearing together with the recommendation of the Director of Planning to approve;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Sign By-law at the time of enactment of the CD-1 By-law generally as set out in Appendix C of the above-noted Policy Report.

- D. THAT, subject to approval of the rezoning at the Public Hearing, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Policy Report dated October 13, 2010, entitled “CD-1 Rezoning: 1553-1577 Main Street”;
- 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.
- E. THAT, if the application is referred to a Public Hearing and approved and if adequate Southeast False Creek Development Cost Levy funding is not available for the required sewer upgrade, the City will prioritize the project for inclusion in the 2011 Capital Budget as an interim funding source until additional Development Cost Levies are collected.
- F. THAT A, B, C, D and E above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property or a by-law amending the Southeast False Creek Official Development Plan, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT

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 Jang

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

CARRIED UNANIMOUSLY

BY-LAWS

The Mayor noted that By-laws 12, 13 and 14 had been withdrawn at the request of staff.

MOVED by Councillor Deal

SECONDED by Councillor Cadman

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 1 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 Mountain View Cemetery By-law No. 8719 (re cemetery committee) (By-law No. 10153)
2. A By-law to amend Animal Control By-law No. 9150 regarding keeping hens (By-law No. 10154)
3. A By-law to amend Building By-law No. 9419 (re fee increases) (By-law No. 10155)
4. A By-law to amend Electrical By-law No. 5563 (re fee increases) (By-law No. 10156)
5. A By-law to amend Gas Fitting By-law No. 3507 (re fee increases) (By-law No. 10157)
6. A By-law to amend Miscellaneous Fees By-law No. 5664 (re fee increases) (By-law No. 10158)
7. A By-law to amend Protection of Trees By-law No. 9958 (re fee increases) (By-law No. 10159)
8. A By-law to amend Secondary Suite Inspection Fee By-law No. 6553 (re fee increases) (By-law No. 10160)
9. A By-law to amend Sign By-law No. 6510 (re fee increases) (By-law No. 10161)
10. A By-law to amend Subdivision By-law No. 5208 (re fee increases) (By-law No. 10162)
11. A By-law to amend Zoning and Development Fee By-law No. 5585 (re fee increases) (By-law No. 10163)
12. A By-law to amend Zoning and Development By-law No. 3575 (re 15 and 97 East 2nd Avenue) - WITHDRAWN
13. A By-law to authorize Council entering into a Heritage Revitalization agreement with the Owner of Heritage Property (re 97 East 2nd Avenue) - WITHDRAWN
14. A By-law to designate certain real property as protected heritage property (re 97 East 2nd Avenue) - WITHDRAWN

MOTIONS

A. Administrative Motions

1. Establishing Road on the east side of Knight Street, between 32nd Avenue and 33rd Avenue, adjacent to 4894 Knight Street, for a widening strip for the installation of left turn bays on Knight Street at 33rd Avenue

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All that portion of Lot 11, Except the South 7 Feet and the West 7 Feet Now Highways, Block 7, District Lot 705, Plan 2571 as shown heavy outlined on plan of survey completed September 15, 2010, attested to by Fred L. Wong, B.C.L.S. and marginally numbered LD5005;

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes;

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of a road.

CARRIED UNANIMOUSLY

2. Closure and Sale of a Portion of Lane Adjacent to 4467 Atlin Street

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 owners of Lot C Block 3 South East $\frac{1}{4}$ of Section 47 Town of Hastings Suburban Lands Plan 3313 ("Lot C") have made application to purchase the abutting 17.5 foot wide portion of lane west of Atlin Street, north from 29th Avenue;
3. The said portion of lane to be closed was dedicated by the deposit of Plan 12233 in 1966;
4. The said portion of lane to be closed is no longer required for municipal purposes;

5. The said portion of lane to be closed will be conveyed to the owners of Lot C and consolidated with Lot C to form a single parcel.

THEREFORE BE IT RESOLVED THAT all that portion of lane west of Atlin Street, north from 29th Avenue, the same as shown in heavy outline on the Reference Plan prepared by David Lyon, B.C.L.S., completed and checked on the 16th day of September, 2010, and marginally noted "File: 10-329.RE1", be closed, stopped-up and conveyed to the owners of abutting Lot C; and

BE IT FURTHER RESOLVED THAT the said portion of lane to be closed is to be consolidated with said Lot C to form a single parcel, to the satisfaction of the Director of Legal Services.

CARRIED UNANIMOUSLY

3. Establishing Road on the south side of West 1st Avenue, between Manitoba Street and Ontario Street, adjacent to 2 - 88 West 1st Avenue, for road

MOVED by Councillor Woodsworth
SECONDED by Councillor Louie

THAT WHEREAS the registered owner will be conveying to the City of Vancouver for road purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All those portions of Lots 2 to 6, Block 9, District Lot 20 0A, Group 1, New Westminster District, Plan 197 as shown heavy outlined on plan of survey completed August 30, 2010 and attested to by J. Neil Bennett, B.C.L.S.;

AND WHEREAS it is deemed expedient and in the public interest to accept and allocate the said lands for road purposes.

BE IT RESOLVED that the above described lands to be conveyed are hereby accepted and allocated for road purposes and declared to form and to constitute a portion of a road.

CARRIED UNANIMOUSLY

B. Motions on Notice

1. Olympic Village - public spaces

MOVED by Councillor Anton
SECONDED by Councillor Woodsworth

WHEREAS:

1. The Olympic Village at Southeast False Creek is Vancouver's newest neighbourhood and Canada's greenest community;

2. New residents find their new community highly desirable;
3. The City of Vancouver is the owner of the public spaces at the Olympic Village;
4. Many people are visiting the site; and
5. Increased animation of the site is desirable.

THEREFORE BE IT RESOLVED THAT

1. The City of Vancouver do what it can through temporary measures to animate the public spaces and create a welcoming environment at the Olympic Village, including:
 - (a) Invite coffee, food and newspaper kiosks to locate in the main square;
 - (b) Invite buskers to perform on weekends or when the area is likely to be busy;
 - (c) Facilitate programming in the square;
 - (d) In particular, plan programming and decorations for the holiday and winter season; and
 - (e) Allow parking in the medians of 1st Avenue.
2. If a budget is required, the City Manager be directed to report back to Council with a recommendation for source of funds.

referred

REFERRAL MOVED by Councillor Meggs

THAT Council refer the Motion *Olympic Village - public spaces* to the City Manager to discuss with Millennium Development and their Marketing Director.

CARRIED
(Councillor Anton opposed)

NOTICE OF MOTION

Councillor Reimer submitted the following Notice of Motion. The Motion will be placed on the Agenda of the Regular Council meeting to be held November 2, 2010, as a Motion on Notice.

1. Neighbourhood Planning Priorities - Options for Increasing Additional Planning Areas

MOVER: Councillor Andrea Reimer

SECONDER: Councillor Raymond Louie

WHEREAS at the Planning and Environment Committee meeting on April 8, 2010 Council provided direction to staff to bring a report in Fall 2010 with recommended timelines for a West End planning process, using a criteria based system to rank the relative need for a West End planning process alongside the other neighbourhoods with plans and/or zoning guidelines that predate the City Plan process;

WHEREAS the preliminary ranking prepared by staff for a community meeting held on October 3, 2010 indicates that the five neighbourhoods studied - Grandview-Woodlands, Marpole, West End, Fairview and Kitsilano - all score very closely using the criteria developed in 2005 for the process that determined Mount Pleasant would be the next planning area at that time;

WHEREAS staff indicated during the April 8, 2010 Planning and Environment Committee debate that, under current budget constraints and using the existing neighbourhood planning process, there are only resources to initiate a new planning process in one additional neighbourhood

THEREFORE BE IT RESOLVED THAT in order to inform the Fall 2010 staff report to Council regarding the timelines for neighbourhood plans to be initiated, Council express an interest in undertaking up to three additional neighbourhood planning processes at one time

FURTHER BE IT RESOLVED THAT as part of the report, staff include information on the implications of undertaking up to three additional neighbourhood planning processes, including potential impacts on finances, staffing, other ongoing planning processes, and/or changes to the process used to develop the additional neighbourhood plans.

Notice

NEW BUSINESS

1. Request for Leave of Absence - Councillor Tim Stevenson

MOVED by Councillor Stevenson

SECONDED by Councillor Deal

THAT Councillor Stevenson be granted Leave of Absence for personal reasons from the Court of Revision meeting to be held October 20, 2010.

CARRIED UNANIMOUSLY

2. Request for Leave of Absence - Councillor David Cadman

MOVED by Councillor Deal
SECONDED by Councillor Louie

THAT Councillor Cadman be granted Leave of Absence for Civic Business from the Court of Revision meeting to be held October 20, 2010, and all meetings to be held October 21, 2010, in order to attend the International Council for Local Environmental Initiatives.

CARRIED UNANIMOUSLY

The Council adjourned at 5:43 pm

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