



REGULAR COUNCIL MEETING MINUTES

DECEMBER 14, 2010

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, December 14, 2010, at 2:07 pm, 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
- Nicole Ludwig, 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 Louie.

"IN CAMERA" MEETING

MOVED by Councillor Reimer
SECONDED by Councillor Woodsworth

- 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;
 - (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.

- B. THAT Council will go into a meeting on Thursday, December 16, 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;
 - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (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

Councillor Cadman rose on a point of order and asked why an appointment to the Metro Vancouver Board of Directors was on the agenda for the In Camera meeting rather than the Regular Council meeting. Council agreed to postpone consideration of the In Camera motion and associated items to later in the meeting, to allow the City Clerk to gather information on this issue.

Following the receipt of this information, the In Camera motion was put and CARRIED UNANIMOUSLY.

ITEMS ARISING FROM THE "IN CAMERA" MEETING OF NOVEMBER 30, 2010

Council made appointments to the following Civic Agencies

- Persons with Disabilities Advisory Committee
 - Vaughan Marshall
 - Tom McGregor
 - Jill Stainsby
- Chinatown Historic Area Planning Committee
 - Shirley Chan
 - Carla Graebner
 - Jun Ing
 - Carla Stewart
 - James Tan
 - Clement Wong

- Development Permit Board Advisory Panel
 - Mahbod Biazi
 - Shahla Bozorgzadeh
 - Jasminka Miletic-Prelovac
 - Maurice Pez
 - Jon Stovell
 - Phil Sanderson

- Family Court/Youth Justice Committee
 - Melanie Ang
 - Angie Chan
 - Claire Heintzman
 - Sunny Huang
 - Clara Rutter
 - Christabel Shaler
 - Colin Siu
 - Ashiyana Somlai-Maharjan
 - Jeremy Shragge
 - Drew Stewart
 - Tracy Young

- Gastown Historic Area Planning Committee
 - Wesley Hosler
 - Tana Kosiyabong
 - Alyssa Schwann

- Public Art Committee
 - Elissa Cristall
 - Alexandra Greenhill
 - Christopher Little
 - Richard Tetrault

- Vancouver Athletic Commission
 - Mike Pattenaude
 - Dave Rudberg
 - Jonathan Tweedale
 - Lawrence Yang
 - Jerome Yang

- Vancouver City Planning Commission
 - Celena Benndorf
 - Elizabeth Bowker
 - Eileen Keenan
 - Karen Krangle
 - Jennifer Natland
 - Jeffrey Rotin

- Vancouver Civic Theatres Board
 - Harbir Batra
 - Karole Sutherland
 - Karen Wilson

- Vancouver Heritage Commission
 - Terence Brunette
 - Marion Brown
 - Shelly Bruce
 - Richard Keate
 - Charlene Krepiakevich
 - Tanya Southcott

- Vancouver Public Library Board
 - Carellin Brooks
 - Angie Chan
 - Kyla Epstein
 - Catherine Evans
 - Alan Twigg
 - Commissioner Loretta Woodcock (Vancouver Park Board)
 - Trustee Michael Lombardi (Vancouver School Board)

- Urban Design Panel
 - Helen Besharat
 - Greg Borowski
 - Jane Durante
 - Alan Endall
 - Geoffrey A. McDonell
 - Norm Shearing

ADOPTION OF MINUTES

1. Regular Council - November 30, 2010

MOVED by Councillor Deal
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

2. Regular Council (City Services and Budgets) - December 2, 2010

MOVED by Councillor Louie
SECONDED by Councillor Jang

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

3. Special Council (2011 Operating Budget) - December 2, 2010

MOVED by Councillor Meggs
SECONDED by Councillor Louie

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

4. Regular Council (Planning and Environment) - December 2, 7 and 9, 2010

MOVED by Councillor Reimer
SECONDED by Councillor Deal

THAT the foregoing Minutes be approved.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Cadman

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 Communication 1, Administrative Reports A1 through A5, A7, A8, A12, A13 and Policy Report P1, on consent.

CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

1. Hastings Park/Pacific National Exhibition Master Plan

At the Standing Committee on Planning and Environment meeting on December 2, 7 and 9, 2010, Vancouver City Council heard from speakers regarding the above matter, and agreed to refer questions to staff, debate and decision to the Regular Council meeting on Tuesday, December 14, 2010, as Unfinished Business.

Community Services staff provided an updated presentation and responded to questions.

MOVED by Councillor Louie

- A. THAT Council adopt the Hastings Park/ PNE Master Plan (Attachment A of the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan") with the following amendments:
 - i. a reduction of two acres from the expanded Playland area;
 - ii. enhance riparian features of the new stream by two acres; and
 - iii. commit, as the business plan is refined, to seek to minimize the impact of business operations to the degree possible without impairing the financial viability and sustainability of the overall master plan.
- B. THAT implementation of the Master Plan be subject to approval of funding in future Capital Plans and other funding sources.
- C. THAT the early implementation priorities described in the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan" be approved subject to approval of funding sources in the 2011 Capital Budget.
- D. THAT Council supports the "Governance Workshop - Refined Themes" identified by the Steering Committee and Key Stakeholder Group (Appendix E of the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan") as the appropriate issues to address in the ongoing governance review.
- E. THAT interim to the governance review being completed, the General Manager of Parks and Recreation be appointed as the Vice Chair of the Pacific National Exhibition Board.
- F. THAT staff report back on the results of:
 - i. a Governance Review of Hastings Park and the Pacific National Exhibition and;
 - ii. a Terms of Reference for a Hastings Park Implementation Advisory Group.
- G. THAT the members of the Key Stakeholder Group be thanked for their participation and commitment in the development of the Master Plan.

carried

AMENDMENT MOVED by Councillor Cadman

THAT the motion be struck and replaced with:

THAT Council proceed with the following early implementation priorities:

- New Brighton Connection and Creekway Park;
- internal trail and park connections;
- Empire Field reinstatement, and
- The Plateau Youth Sports Park.

FURTHER THAT Council defer adoption of the Hastings Park Master plan until it is clear that the second phase of the racecourse is secure, including funding for a structured parking facility with 2000 stalls to allow time for meetings with the adjacent community to secure community buy-in to the master plan and to develop a governance model.

LOST

(Councillors Anton, Chow, Deal, Jang, Louie, Meggs, Reimer and Mayor Robertson opposed)
(Councillor Stevenson absent for the vote)

AMENDMENT MOVED by Councillor Anton

THAT the motion be struck and replaced with:

- A. THAT the City of Vancouver lead a process to determine the mandate of the PNE in the 21st century and report back by 31 May, 2011.
- B. THAT recommendations A and B in the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan" be referred to the Standing Committee on Planning and Environment meeting during June 2011, to be decided at that time, subject to the findings in A above.
- C. THAT the early implementation priorities described in the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan" be approved, subject to approval of funding sources in the 2011 Capital Budget, with the exception of any expansion of Playland pending A above.
- D. THAT feasibility studies relating to the new Hastings Community Centre include the possibility of placing the Centre in Hastings Park.

A and B not put

* * * * *

Councillor Louie rose on a point of order and noted that parts A and B of the amendment were out of order as they are not germane to the original motion. The Mayor ruled those parts of the amendment out of order.

Councillor Anton challenged the ruling of the Chair.

The Chair then put the question

Shall the ruling of the Chair be sustained?

CARRIED

(Councillor Anton opposed)

A two-thirds majority is required to overturn the ruling of the Chair. Therefore, the ruling of the Chair was SUSTAINED.

* * * * *

The ruling of the Chair having being sustained, parts C and D of the amendment were put and LOST with Councillors Cadman, Chow, Deal, Jang, Louie, Meggs, Reimer, Stevenson, Woodsworth and Mayor Robertson opposed.

AMENDMENT MOVED by Councillor Anton

THAT the motion be amended to add the following as H:

THAT feasibility studies relating to the new Hastings Community Centre include the possibility of placing the Centre in Hastings Park.

LOST

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

Council agreed to separate the vote on the components of the motion, including separating C into two parts as noted below.

- A. THAT Council adopt the Hastings Park/ PNE Master Plan (Attachment A of the the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan") with the following amendments:
 - i. a reduction of two acres from the expanded Playland area;
 - ii. enhance riparian features of the new stream by two acres; and
 - iii. commit, as the business plan is refined, to seek to minimize the impact of business operations to the degree possible without impairing the financial viability and sustainability of the overall master plan
- B. THAT implementation of the Master Plan be subject to approval of funding in future Capital Plans and other funding sources.
- C(i). THAT the early implementation priorities "Empire Fields Reinstatement", "The Plateau Youth Sports Park", "New Brighton Connection", "Internal Trail and Park Connections", "Hastings Park Identity and Sign Plan update" and on-going implementation described in the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan" be

- approved subject to approval of funding sources in the 2011 Capital Budget and other sources.
- C(ii). THAT the early implementation priority "Playland Relocation and Expansion master plan" described in the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan" be approved subject to approval of funding sources in the 2011 Capital Budget and other sources.
 - D. THAT Council supports the "Governance Workshop - Refined Themes" identified by the Steering Committee and Key Stakeholder Group (Appendix E of the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan") as the appropriate issues to address in the ongoing governance review.
 - E. THAT interim to the governance review being completed, the General Manager of Parks and Recreation be appointed as the Vice Chair of the PNE Board.
 - F. THAT staff report back on the results of:
 - i. a Governance Review of Hastings Park and the PNE and;
 - ii. a Terms of Reference for a Hastings Park Implementation Advisory Group.
 - G. THAT the members of the Key Stakeholder Group be thanked for their participation and commitment in the development of the Master Plan.

The amendments having lost, the motion was put and CARRIED with Councillors Anton, Cadman and Woodsworth opposed to A and C(ii), Councillors Anton and Woodsworth opposed to B, and Councillors Cadman and Woodsworth opposed to D.

FINAL MOTION AS APPROVED

- A. THAT Council adopt the Hastings Park/ PNE Master Plan (Attachment A of the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan") with the following amendments:
 - i. a reduction of two acres from the expanded Playland area;
 - ii. enhance riparian features of the new stream by two acres; and
 - iii. commit, as the business plan is refined, to seek to minimize the impact of business operations to the degree possible without impairing the financial viability and sustainability of the overall master plan
- B. THAT implementation of the Master Plan be subject to approval of funding in future Capital Plans and other funding sources.
- C. THAT the early implementation priorities described in the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan" be approved subject to approval of funding sources in the 2011 Capital Budget.

- D. THAT council supports the "Governance Workshop - Refined Themes" identified by the Steering Committee and Key Stakeholder Group (Appendix E of the Administrative Report dated November 19, 2010, entitled "Hastings Park/Pacific National Exhibition Master Plan") as the appropriate issues to address in the ongoing governance review.
- E. THAT interim to the governance review being completed, the General Manager of Parks and Recreation be appointed as the Vice Chair of the Pacific National Exhibition Board.
- F. THAT staff report back on the results of:
 - i. a Governance Review of Hastings Park and the Pacific National Exhibition and;
 - ii. a Terms of Reference for a Hastings Park Implementation Advisory Group.
- G. THAT the members of the Key Stakeholder Group be thanked for their participation and commitment in the development of the Master Plan.

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MOVED by Councillor Deal

THAT the order of the agenda be varied to hear report A11 prior to report A10.

*CARRIED UNANIMOUSLY
(Councillors Anton and Chow absent for the vote)*

Note from Meeting Coordinator: For ease of reference, the minutes are recorded in numerical order.

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COMMUNICATIONS

1. **Appointment of Council Representatives to the Metro Vancouver Labour Relations Bureau (Greater Vancouver Regional Labour Relations Bureau)**

THAT Council appoint Councillor Geoff Meggs, with Councillor Tim Stevenson as alternate, to the Metro Vancouver Labour Relations Bureau (Greater Vancouver Regional Labour Relations Bureau) for a term commencing December 6, 2010, and ending December 5, 2011.

ADOPTED ON CONSENT

2. **Metro Vancouver Board of Directors - Appointment Change**

Note from Meeting Coordinator: Following the receipt of information from the City Clerk, Council agreed to deal with this item in Regular Council rather than at the In Camera

meeting. This item was dealt with immediately prior to the vote on the In Camera motion at this meeting.

MOVED by Councillor Deal

THAT Councillor Geoff Meggs replace Councillor George Chow on the Metro Vancouver Board of Directors effective immediately with Councillor Chow being an alternate.

carried

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Councillor Cadman rose on a point of order noting members had received notice of this item very shortly beforehand. The Mayor declared this item urgent business as it must be dealt with prior to the first Metro Vancouver Board meeting in January.

At 4:38 pm, Councillor Meggs declared conflict of interest as he would receive Directors' Fees from this position. He left the room and did not return until the conclusion of the vote on this item.

* * * * *

AMENDMENT MOVED by Councillor Cadman

THAT the words "Councillor Meggs" be struck and replaced with "Councillor Cadman".
LOST
(Councillors Chow, Deal, Jang, Louie, Reimer, Stevenson and Mayor Robertson opposed)
(Councillors Reimer and Woodsworth absent for the vote)

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

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Councillor Meggs returned following the vote on this item at 4:45 pm

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ADMINISTRATIVE REPORTS

1. Business License Hearing Panels - February and March 2011 November 29, 2010

THAT Council delegate the holding of hearings under Section 275 or 278, or appeals under Sections 277 of the Vancouver Charter or under Section 36(7) of the Motor Vehicle Act, for those hearing dates designated by Council to a panel of three Council Members as follows:

February 1, 2011 - 9:30 AM
Councillor Anton - Chair

Councillor Reimer
Councillor Chow
Councillor Woodsworth - Alternate

February 3, 2011 - 7:30 PM
Councillor Deal - Chair
Councillor Meggs
Councillor Stevenson
Councillor Cadman - Alternate

February 23, 2011 - 9:30 AM
Councillor Jang - Chair
Councillor Chow
Councillor Woodsworth
Councillor Louie - Alternate

March 1, 2011 - 9:30 AM
Councillor Reimer - Chair
Councillor Deal
Councillor Stevenson
Councillor Anton - Alternate

March 3, 2011 - 7:30 PM
Councillor Chow- Chair
Councillor Anton
Councillor Woodsworth
Councillor Jang - Alternate

March 9, 2011 - 9:30 AM
Councillor Stevenson - Chair
Councillor Cadman
Councillor Louie
Councillor Deal - Alternate

Should any of the above members of Council be unable to attend the hearings, the hearings and the power to make a Council decision in relation to those hearings will be delegated to the remaining two Councillors and alternate Councillor.

ADOPTED ON CONSENT

Note from Meeting Coordinator: The above motion was subsequently reconsidered under New Business to allow Councillor Meggs to replace Councillor Deal on the March 1, 2011, panel.

2. **East Fraser Lands Area 2 South - Establishment as Road of a Riverfront Lot Between Kerr Street and Kinross Street
November 26, 2010**

THAT Council authorize the Director of Legal Services in consultation with the General Manager of Engineering Services to enter into such agreements as are required to

transfer to the City, at no cost to the City, and establish as road Lot 11 District Lot 330 Group 1 New Westminster District Plan BCP_____, the same as shown hatched on the sketch attached as Appendix A to the Administrative Report dated November 26, 2010, entitled "East Fraser Lands Area 2 South - Establishment as Road of a Riverfront Lot Between Kerr Street and Kinross Street" ("Lot 11").

ADOPTED ON CONSENT

**3. Payment in Lieu of Parking at 1001 Canada Place
November 9, 2010**

- A. THAT Council approve in principle, the offer of payment-in-lieu in the amount of \$1,010,000 for the waiver of fifty parking spaces required by Section 4.1.2 of the Parking By-law.
- B. THAT Council approve deferral of a payment of \$1,010,000 plus accrued interest - calculated from January 21, 2010 - until prior to issuance of an Occupancy Permit for DE 412140 for 1001 Canada Place.
- C. THAT once payment of \$1,010,000 plus accrued interest is received, the funds are to be transferred from the Payment-in-lieu Parking Reserve and assigned to the Parking Site Reserve for allocation to the City parkade #54 at 1095 Waterfront Road.
- D. THAT the Director of Legal Services be requested to bring forward a By-Law to amend Schedule A of the Parking By-Law pursuant to Section 4.12.5 to effect this waiver.

ADOPTED ON CONSENT

**4. 33rd Avenue at Knight Street Left Turn Bays
December 6, 2010**

THAT Council approve the installation of Left Turn Bays on 33rd Avenue at Knight Street.

ADOPTED ON CONSENT

**5. 31 West Pender Street - Façade Grant - DE 413839
October 20, 2010**

- A. THAT Council approve a façade grant of up to \$50,000 for the rehabilitation of the principal façade at 31 West Pender Street as contemplated by Development Application Number DE 413839. The source of funding is the 2009 Capital Budget for the Heritage Façade Rehabilitation Program.

- B. THAT Council authorize the City to enter into an agreement with the owner of 31 West Pender Street to be registered in the Land Title Office as a section 219 covenant, which agreement shall require the rehabilitation to be overseen by a qualified Heritage Consultant and will require the owner to maintain the 31 West Pender Street façade in good appearance and good repair for a minimum of fifteen years.
- C. THAT the agreement described above shall be prepared, registered and given priority to the satisfaction of the Director of Legal Services in consultation with the Director of Planning.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**6. 2011 Advance Cultural Grants Operating Instalments
November 30, 2010**

MOVED by Councillor Woodsworth

- A. THAT Council approve advance Cultural Grants Operating instalments in the amount of \$1,044,480 to 83 cultural organizations, in advance of their 2011 annual operating review, as listed in Appendix A of the Administrative Report dated November 30, 2010, entitled, "2011 Advance Cultural Grants Operating Instalments".
- B. THAT Council approve quarterly grant instalments in the amount of \$983,300 to the five Major Exhibiting Institutions beginning January 2011, in advance of their annual operating review, as listed in Table 1 of the Administrative Report dated November 30, 2010, entitled, "2011 Advance Cultural Grants Operating Instalments".

Source of funds for both A and B is the 2011 Cultural Grants budget.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY
(Councillors Anton, Louie and Reimer absent for the vote)

**7. Greenest City Neighbourhood Grants Funding Allocation: 2009 Carry Forward
November 30, 2010**

THAT Council approve the recommendation described in the Administrative Report dated November 30, 2010, entitled "Greenest City Neighbourhood Grants Funding Allocation: 2009 Carry Forward" to expend 2009 Greenest City Neighbourhood Grant funds in the amount of \$35,000 for a feasibility study and business case to develop a food incubator for small business entrepreneurs in the Downtown Eastside neighbourhood; source of funds to be carried forward from 2009 operating budget.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

**8. 2011 Heather Marina Moorage and Other Fees
December 2, 2010**

- A. THAT moorage fees at Heather Marina be increased by 4.0% as detailed in Appendix B of the Administrative Report dated December 2, 2010, entitled "2011 Heather Marina Moorage and Other Fees", effective April 1, 2011, reflecting anticipated increase in operating costs.
- B. THAT Council approve major maintenance expenditures of \$200,000 at Heather Marina as outlined in the Administrative Report dated December 2, 2010, entitled "2011 Heather Marina Moorage and Other Fees"; source of funding to be the Property Endowment Fund ("PEF").

ADOPTED ON CONSENT

**9. Capital Grant to Museum of Vancouver for Vancouver 2010 Legacy Collection Care
November 29, 2010**

MOVED by Councillor Cadman

THAT Council approve a capital grant of \$585,000 to the Vancouver Museum Society as outlined in the Administrative Report dated November 29, 2010, entitled, "Capital Grant to Museum of Vancouver for Vancouver 2010 Legacy Collection Care" which will enable the Museum of Vancouver to house, preserve and make available the Vancouver 2010 Legacy Collection on the City's behalf. Source of funds is the Olympic Legacy Reserve Fund.

CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY
(Councillors Anton, Louie and Reimer absent for the vote)

**10. 2011 Operating Budget - Final Estimates
December 3, 2010**

MOVED by Councillor Louie

- A. THAT Council approve the budget resolution below, thereby adopting the final 2011 Operating Budget with a property tax increase of 2.2%:

THAT WHEREAS, the Vancouver Charter, Section 219 requires that the Director of Finance submit to Council each year the detailed estimates of revenues and expenditures of the City for the year;

AND WHEREAS the Vancouver Charter, Section 372 requires that Council adopt the estimates of revenues and expenditures for the City as soon thereafter as possible;

AND WHEREAS Council has reviewed the development of the estimates in reports submitted by the Director of Finance on October 19, 2010 and November 30, 2010 and approved measures to bring the estimates into balance, including approval of a general purposes property tax increase;

AND WHEREAS the total estimated expenditures of the City to pay all debts and obligations of the City falling due in the year 2011, exclusive of the amounts required for school, Greater Vancouver Regional District, Greater Vancouver Transportation Authority, British Columbia Assessment Authority and Municipal Finance Authority purposes and not otherwise provide for, as amended by Council, amount to \$1,030,788,000;

AND WHEREAS the total estimated expenditures as aforesaid is the sum of the appropriation requests of all departments and boards properly supported by detailed analysis of those expenditures and listings of the salaried staff;

AND WHEREAS the total estimated revenue of the City for 2011 from sources other than real property taxes, as amended by Council, amounts to \$449,246,000;

AND WHEREAS the amount of the General Purposes Tax Levy so required is \$581,542,000;

THEREFORE be it resolved that the said estimates, both as to totals and individual items pertaining thereto, of the Director of Finance as so amended by Council be and the same are hereby adopted by Council.

- B. THAT Council approve the funding requests and the proposed service adjustments as outlined in the Administrative Report dated November 15, 2010, entitled "2011 Operating Budget: Proposed Budget and Public Consultation Update" with the following adjustments:
- Increase funding to the Vancouver Fire Department by \$190,000 for training programs and to support diversity initiatives for a total increase of \$2.7 million over the 2010 restated budget.
 - Increase funding to the Vancouver Board of Parks and Recreation by \$300,000 and allow amortization flexibility for outstanding loans to the Board of Parks and Recreation from the City at the discretion of the City Manager and the Director of Legal services to assist in funding the cleaning of washrooms, implementation of a shower program in three locations and avoid implementation of youth playing field fees for a total increase of \$2.1 million over the 2010 restated budget.
 - Increase funding to the Vancouver Public Library by \$165,000 to help restore library hours in five branches(Marpole, Firehall, Dunbar, Kerrisdale and West Point Grey) for a total increase of \$0.8 million over the 2010 restated budget.

- Increase funding to the Vancouver Police Department by \$200,000 to support the VPD in funding overtime expenditures related to the Gang and Emergency Response Team, for a total increase of \$5.7 million dollars over the 2010 restated budget.
 - Increase funding to the Community Services Group by \$275,000 to fund strategies to end street homelessness by 2015 through partnerships with faith groups, and non profit organizations for a total increase of \$1.7 million over the 2010 restated budget.
- C. THAT Council approve the Parking Meter program enhancements outlined in the Administrative Report dated November 15, 2010, entitled "2011 Operating Budget: Proposed Budget and Public Consultation Update", reflecting \$1.5 million of net revenues incorporated in the 2011 estimates, and instruct the Director of Legal Services to amend the appropriate By-Laws and be authorized to execute and deliver on behalf of the City all legal documents required to implement this recommendation.
- D. THAT Council approve the Park Board Global Budget of \$55,625,906.
- All positions are subject to classification by the General Manager of Human Resource Services.
- E. THAT Council directs all City Departments and Boards to continue with the implementation of the Vancouver Services Review shared services and process improvement initiatives.

carried

AMENDMENT MOVED by Councillor Anton

THAT A and B be amended as follows:

- In A, strike out "2.2%" and replace it with "2.0%".
- In B:
 - In the first bullet, strike "\$190,000" and replace with "\$1.29 million" and insert the phrase "and to re-staff Firehall 21" following the word "initiatives";
 - In the second bullet, strike out "\$300,000" and replace it with "\$360,000" and insert the phrase "and restore funding to summer programs" following the word "fees";
 - In the third bullet, strike out "\$200,000" and replace it with "\$430,000" and insert the phrase "and to allow for the new Hillcrest Library to open" following the word "Grey"
 - Insert the phrase "All increases to be offset by a decrease in the contingency reserve".

LOST

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

AMENDMENT MOVED by Councillor Cadman

THAT motion be amended to add the following as "F":

THAT Council forego the tax shift this year from business to residents as, according to KPMG, "Vancouver already enjoys the lowest business tax costs among 95 global cities."

not put

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Councillor Louie rose on a point of order, noting the tax shift is not before Council today. Financial Services staff noted the tax shift would come before Council in April 2011. The Mayor ruled the amendment out of order as this issue will come before Council in April 2011.

At this point in the proceedings, it was

MOVED by Councillor Deal

THAT, under Section 2.3 (c) of the Procedure By-law, Council extend the length of the meeting by one hour or less to complete the agenda.

*CARRIED UNANIMOUSLY AND
BY THE REQUIRED MAJORITY*

* * * * *

AMENDMENT MOVED by Councillor Woodsworth

THAT A be amended to strike out 2.2% and replace it with 2.7%.

LOST

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

The amendments having lost, the motion was put and CARRIED with Councillors Anton and Woodsworth opposed.

FINAL MOTION AS ADOPTED

A. THAT Council approve the budget resolution below, thereby adopting the final 2011 Operating Budget with a property tax increase of 2.2%:

THAT WHEREAS, the Vancouver Charter, Section 219 requires that the Director of Finance submit to Council each year the detailed estimates of revenues and expenditures of the City for the year;

AND WHEREAS the Vancouver Charter, Section 372 requires that Council adopt the estimates of revenues and expenditures for the City as soon thereafter as possible;

AND WHEREAS Council has reviewed the development of the estimates in reports submitted by the Director of Finance on October 19, 2010 and November 30, 2010 and approved measures to bring the estimates into balance, including approval of a general purposes property tax increase;

AND WHEREAS the total estimated expenditures of the City to pay all debts and obligations of the City falling due in the year 2011, exclusive of the amounts required for school, Greater Vancouver Regional District, Greater Vancouver Transportation Authority, British Columbia Assessment Authority and Municipal Finance Authority purposes and not otherwise provide for, as amended by Council, amount to \$1,030,788,000;

AND WHEREAS the total estimated expenditures as aforesaid is the sum of the appropriation requests of all departments and boards properly supported by detailed analysis of those expenditures and listings of the salaried staff;

AND WHEREAS the total estimated revenue of the City for 2011 from sources other than real property taxes, as amended by Council, amounts to \$449,246,000;

AND WHEREAS the amount of the General Purposes Tax Levy so required is \$581,542,000;

THEREFORE be it resolved that the said estimates, both as to totals and individual items pertaining thereto, of the Director of Finance as so amended by Council be and the same are hereby adopted by Council.

- B. THAT Council approve the funding requests and the proposed service adjustments as outlined in the Administrative Report dated November 15, 2010, entitled "2011 Operating Budget: Proposed Budget and Public Consultation Update" with the following adjustments:
- Increase funding to the Vancouver Fire Department by \$190,000 for training programs and to support diversity initiatives for a total increase of \$2.7 million over the 2010 restated budget.
 - Increase funding to the Vancouver Board of Parks and Recreation by \$300,000 and allow amortization flexibility for outstanding loans to the Board of Parks and Recreation from the City at the discretion of the City Manager and the Director of Legal services to assist in funding the cleaning of washrooms, implementation of a shower program in three locations and avoid implementation of youth playing field fees for a total increase of \$2.1 million over the 2010 restated budget.
 - Increase funding to the Vancouver Public Library by \$165,000 to help restore library hours in five branches(Marpole, Firehall, Dunbar, Kerrisdale

and West Point Grey) for a total increase of \$0.8 million over the 2010 restated budget.

- Increase funding to the Vancouver Police Department by \$200,000 to support the VPD in funding overtime expenditures related to the Gang and Emergency Response Team, for a total increase of \$5.7 million dollars over the 2010 restated budget.
 - Increase funding to the Community Services Group by \$275,000 to fund strategies to end street homelessness by 2015 through partnerships with faith groups, and non profit organizations for a total increase of \$1.7 million over the 2010 restated budget.
- C. THAT Council approve the Parking Meter program enhancements outlined in the Administrative Report dated November 15, 2010, entitled "2011 Operating Budget: Proposed Budget and Public Consultation Update", reflecting \$1.5 million of net revenues incorporated in the 2011 estimates, and instruct the Director of Legal Services to amend the appropriate By-Laws and be authorized to execute and deliver on behalf of the City all legal documents required to implement this recommendation.
- D. THAT Council approve the Park Board Global Budget of \$55,625,906.

All positions are subject to classification by the General Manager of Human Resource Services.

- E. THAT Council directs all City Departments and Boards to continue with the implementation of the Vancouver Services Review shared services and process improvement initiatives.

**11. East Fraser Lands: Public Amenity Financial Plan and Strategy
December 9, 2010**

MOVED by Councillor Woodsworth

- A. THAT, prior to enactment of the first sub-area (Area 2) rezoning by-law in the East Fraser Lands ("EFL") Official Development Plan ("ODP") area, Council adopt the Financial Strategy as set out in Appendix A of the Administrative Report dated December 9, 2010, entitled "East Fraser Lands: Public Amenity Financial Plan and Strategy" as a framework for delivery of the public amenity package as defined in the EFL ODP.
- B. THAT Council instruct the General Manager of Community Services and the Director of Finance to jointly oversee and update the financial plan for the East Fraser Lands Official Development Plan area based on the Financial Strategy over the development horizon; and report back in 12 months after enactment of Area 2, and yearly thereafter, on the achievement of the public amenity package and funding requirements as part of the capital planning and budgeting processes.

- C. THAT Council accept the offer of a CAC of \$1,438,000 from Parklane Homes ("Parklane") related to the first sub-area (Area 2) rezoning.

CARRIED UNANIMOUSLY

(Councillors Anton, Louie, Meggs, and Reimer absent for the vote)

Note from Meeting Coordinator: Following the vote on this item, Council agreed to deal with the addition of a communication to the agenda and the In Camera motion. For ease of reference, the minutes are recorded in the order of the original agenda.

12. East Fraser Lands - Area 2 Rezoning - Lease of Foreshore Lands and Waterlots
December 6, 2010

- A. THAT Council authorize the Director of Real Estate Services to negotiate and execute a sublease (the "Interim Sublease") from the Vancouver Fraser Port Authority, known as Port Metro Vancouver ("PMV"), for approximately 13,200 square metres of the foreshore land and waterlots between Kerr Street and Boundary Road located between the Fraser River and the area covered by the East Fraser Lands Official Development Plan (the "Leased Premises"), which Interim Sublease will provide as follows:
- i. the Leased Premises will be as legally described in Appendix A of the Administrative Report dated December 6, 2010, entitled, "East Fraser Lands - Area 2 rezoning - Lease of Foreshore Lands and Waterlots" and generally as shown within the bold outline on the plan attached as Appendix B of the aforementioned report;
 - ii. the City will be responsible for an additional area (approximately 16,910 square metres) adjacent to the Leased Premises (the "Licence Area") as described in Appendix A and generally as shown hatched on the plan attached to the aforementioned report;
 - iii. the term will be one year less a day, commencing January 1, 2011 and expiring December 30, 2011, provided that if the head lease (the "Head Lease") between the Province and PMV is extended because a new head lease has not been entered into by December 30, 2011, the term may be extended by the period of the extension of the Head Lease;
 - iv. the prepaid rent for term will be a nominal rent of \$100.00;
 - v. the Leased Premises may be used for recreational purposes, including waterfront pathways and plazas, water play areas and other river-oriented recreational uses, including licenses and concessions incidental to recreational purposes; and
 - vi. it will otherwise be in accordance with the terms and conditions set out in this report and to the satisfaction of the Director of Real Estate Services and the Director of Legal Services.
- B. THAT Council authorize the Director of Real Estate Services to negotiate with Port Metro Vancouver and execute an offer to sublease (the "Offer to Sublease") for the grant of a new sublease (the "Long Term Sublease") for the same Leased Premises as the Interim Sublease and on substantially the same

terms and conditions as the Interim Sublease except that the Long Term Sublease will be for a term commencing on the later of January 1, 2012 and the day following expiry of the Interim Sublease and will expire on December 30, 2050 and except that the City will have no right to renew the Long Term Sublease.

- C. THAT Council approve the source of funding for the Interim Sublease and Long Term Sublease to be the citywide Development Cost Levies (Park Development).

ADOPTED ON CONSENT

**13. Lease of City-owned property at 1015 East Hastings Street, Vancouver to United We Can (dba SOLEFood)
December 8, 2010**

THAT Council authorize the Director of Real Estate Services to enter into a lease to United We Can (the "Tenant") of City-owned property at 1015 East Hastings Street, (the "Property"), legally known as Lot C, District Lot 181, Block 63, Plan 21524, PID: 009-392-815, as shown heavily outlined on Schedule A attached to the Administrative Report dated December 8, 2010, entitled "Lease of City-Owned Property at 1015 East Hastings Street, Vancouver to United We Can (dba SOLEFood)", subject to the following general terms and conditions:

Term: Ten (10) years, effective February 1, 2011, plus one (1) renewal option for an additional ten (10) years.

Rent: Nominal Gross Rent. One (\$1.00) dollar per year, (inclusive of Property Taxes) plus applicable HST.

Land Use: Community Garden.

Early Termination: The City reserves the right of early termination upon providing the Tenant with twelve (12) months prior written notice.

Other Terms and Conditions: The lease is to be provided by the Landlord and drawn to the satisfaction of the Directors of Legal Services and Real Estate Services.

Tenant to be responsible for all site improvements and costs associated with establishment of the intended use.

The Tenant may not do anything on the Property during the term of the lease to disturb the soils thereon.

The lease is not to be finalized or is to contain a provision prohibiting the Tenant from making any use of the Property until the Ministry of the Environment explicitly confirms in writing that the Contaminated Sites Regulations' site profile exemption

contained in section 4(7) thereof applies so as to exempt from the site profile requirement the development permit to be issued in connection with this lease.

The Tenant may not carry out any bio-remediation or other remediation activities on the Property without first obtaining all required governmental and regulatory approvals therefore and without first obtaining from the Ministry of the Environment an explicit written confirmation that such activities will not be considered to involve any disturbance of the soils on the Property so as to invalidate the site profile exemption relied upon in issuing the development permit.

No legal rights or obligation is hereby created and none shall arise until the lease document is fully executed by both parties.

ADOPTED ON CONSENT AND
BY THE REQUIRED MAJORITY

POLICY REPORTS

1. **CD-1 Rezoning at 3522 Porter Street
November 30, 2010**

- A. THAT the application by Rositch Hemphill and Associates Architects on behalf of Cressey Development, to rezone 3522 Porter Street, 1896-1898 Victoria Diversion, and 3615 Victoria Drive (Lots 1, 2, 3 and 4, Block A, DL 195, Plan 10286; PID:009-420-207, 009-420-215, 009-420-223, 009-420-231) from MC-1 (Industrial) District to CD-1 (Comprehensive Development) District, to permit the development of two 5-storey market rental residential buildings, including artist live-work studios at grade with a density of 2.5 FSR and a maximum height of 14.85 m (48.70 ft.), be referred to a Public Hearing, together with:
- (i) plans received May 26, 2010;
 - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Policy Report dated November 30, 2010, entitled, "CD-1 Rezoning at 3522 Porter Street"; and
 - (iii) the recommendation of the Director of Planning to approve the application, subject to conditions contained in Appendix B of the aforementioned 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 aforementioned report for consideration at the Public Hearing.

- B. THAT, if the application is referred to a Public Hearing, the application to amend Schedule E of the Sign By-law to add the CD-1 and to assign regulations in accordance with Schedule "B" (MC-1), also be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally in accordance with Appendix C of the Policy Report dated November 30, 2010, entitled, "CD-1 Rezoning at 3522 Porter Street", for consideration at the Public Hearing.

- C. THAT, subject to enactment of the rezoning By-law, the Noise Control By-law be amended to include this Comprehensive Development District in Schedule A as set out in Appendix C of the Policy Report dated November 30, 2010, entitled "CD-1 Rezoning at 3522 Porter 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.

- D. THAT A, B and C, 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, 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
(Councillor Louie absent for the vote)

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Jang
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

BY-LAWS

MOVED by Councillor Reimer
SECONDED by Councillor Deal

THAT Council enact the by-law listed on the agenda for this meeting as numbers 1 and 4, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

THAT Council, except for those members ineligible to vote as noted below, enact the by-law listed on the agenda for this meeting as numbers 2, 3, 5, 7 and 8, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

MOVED by Councillor Reimer
SECONDED by Councillor Cadman

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

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

1. **A By-law to amend Energy Utility System By-law No. 9552 regarding miscellaneous amendments (By-law No. 10188)**
2. **A By-law to amend Noise Control By-law No. 6555 (2665 Renfrew Street) (By-law No. 10189)**
(Councillors Anton and Stevenson ineligible to vote)

3. **A By-law to amend Sign By-law No. 6510 (2665 Renfrew Street)**
(By-law No. 10190)
(Councillors Anton and Stevenson ineligible to vote)
4. **A By-law to amend Solid Waste By-law No. 8417 regarding 2011 fees and miscellaneous amendments** (By-law No. 10191)
5. **A By-law to amend CD-1 By-law No. 6155 regarding 2908 West 33rd Avenue**
(By-law No. 10192)
(Councillor Meggs ineligible for the vote)
6. **A By-law to amend East Fraser Lands Official Development Plan By-law No. 9393 (Miscellaneous Text Amendments)** (By-law No. 10193)
(Councillors Deal and Stevenson ineligible for the vote)
7. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 (Area 2 North - East Fraser Lands)** (By-law No. 10194)
(Councillors Deal and Stevenson ineligible for the vote)
8. **A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1** (By-law No. 10195)
(Councillors Deal and Stevenson ineligible for the vote)

MOTIONS

A. Administrative Motions

1. **Establishing Road along the Fraser River between Kerr Street and Kinross Street (East Fraser Lands Area 2 South)**

MOVED by Councillor Meggs
SECONDED by Councillor Deal

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 of Lot 11 District Lot 330 Group 1 New Westminster District Plan BCP_____ as shown on Subdivision Plan prepared by Gary Sundvick, B.C.L.S., completed and checked on the 2nd day of December 2010, and marginally noted "Dwg: 3052-AREA2-PH1-REV3".

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 road.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

2. **Establishing Highway on the north side of 37th Avenue, between Chester Street and Prince Albert Street, adjacent to 5333 Prince Albert Street, for Greenways purposes**

MOVED BY Councillor Woodsworth
SECONDED BY Councillor Deal

THAT WHEREAS the registered owner, the City of Vancouver, wishes to establish for highway purposes lands in the City of Vancouver, Province of British Columbia, more particularly known and described as follows:

All that portion of Lot 19, Block 4, District Lots 668 to 670, Plan 1369, Group 1, New Westminster District, as shown heavy outlined on a plan of survey completed March 23, 2010, attested to by Daniel R. Parker, B.C.L.S. and marginally numbered LD4904.

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

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

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

3. **Establishing Road on the west side of Knight Street, between 55th Avenue and 57th Avenue, adjacent to 7159 Knight Street, for a widening strip for the installation of left turn bays on Knight Street at 55th Avenue**

MOVED BY Councillor Woodsworth
SECONDED BY Councillor Deal

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 59, Except that part in Explanatory Plan 3945, Blocks 29 to 31, District Lot 200, Plan 1770 as shown heavy outlined on plan of survey completed December 3, 2010, attested to by James E. Gregson, B.C.L.S. and marginally numbered LD5008.

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
(Councillor Louie absent for the vote)

4. East Fraser Lands Area 2 and Kerr Street Properties Design Guidelines

MOVED BY Councillor Meggs
SECONDED BY Councillor Deal

THAT the document entitled "East Fraser Lands Area 2 and Kerr Street Properties Design Guidelines" be adopted by Council for use by applicants and staff for development applications in the Kerr Street Properties East Fraser Lands CD-1 zone, the Area 2 North East Fraser Lands CD-1 zone, and the Area 2 South East Fraser Lands CD-1 zone.

CARRIED UNANIMOUSLY
(Councillor Louie absent for the vote)

B. Motions on Notice

1. Openness and Transparency in City Operations

MOVED by Councillor Anton
SECONDED by Councillor Woodsworth

WHEREAS

1. Vancouver was the first city in BC to implement a Freedom of Information bylaw.
2. Vancouver's Freedom of Information and Privacy Officer has recently resigned from the City and has not been replaced.
3. Mayor Robertson was elected on a platform that promised openness and transparency.
4. Staff do not have the same freedom to speak to the media as was previously the case.

THEREFORE BE IT RESOLVED

- A. THAT the City Manager ensure that staff are directed that they may speak directly to the media on technical matters relating to their reports.
- B. THAT the City Manager replace the Freedom of Information and Privacy Officer as soon as possible.

referred

MOVED by Councillor Meggs
SECONDED by Councillor Deal

THAT this motion be referred to the City Manager for follow-up.

CARRIED
(Councillor Anton opposed)

2. Ethics, Journalism and Race

MOVED BY Councillor Jang
SECONDED BY Councillor Chow

WHEREAS

1. Inclusiveness, diversity, tolerance and respect for all cultures are core values of the City of Vancouver, which has joined the Canadian Coalition of Municipalities Against Racism and Discrimination;
2. The City of Vancouver recognizes that racial stereotypes of specific groups such as those characterized in recent articles by Maclean's magazine and the Toronto Star are inaccurate, offensive to Vancouver residents of all backgrounds and counterproductive to meaningful dialogue;
3. Our post-secondary educational institutions are places of immense diversity where all ideas are examined through intelligent inquiry and accountable debate in a safe and open environment and where false perceptions perpetuating racism are challenged;
4. The City of Vancouver actively supports intercultural communication and respectful discussion within and amongst the wide spectrum of cultures in our city in order to promote deeper understanding and cultural harmony.

THEREFORE BE IT RESOLVED

- A. THAT Council support productive and respectable dialogue about the role media plays in shaping perceptions of race and ethnicity in Canadian society.
- B. THAT Council encourage ethical journalistic standards from all forms of media in the reporting and publishing of articles, particularly those about race and ethnicity in Canada, and especially through improved communication with community leaders and citizens of diverse backgrounds.
- C. THAT Council support community organizations and campus groups calling for Maclean's magazine to issue an unqualified apology and constructively address the stereotypes and perceptions perpetuating racism in their recent article "Too Asian?"

carried

AMENDMENT MOVED by Councillor Anton

THAT the motion be amended to add the following as "D":

THAT Council request the City Manager to set up an office of journalistic integrity to follow all mainstream media and offer comment when they cause offense or possibility of offense.

LOST

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

The amendment having lost, the motion was put and CARRIED with Councillor Anton opposed to C.

3. Affordable Internet Access in Vancouver - CRTC Usage Based Billing Decision

MOVED BY Councillor Reimer
SECONDED BY Councillor Louie

WHEREAS

1. The Canadian Radio-television Telecommunications Commission (CRTC) has, in Telecom Decision CRTC 2010-255, allowed incumbent Internet Service Providers (ISPs) to charge their customers, including wholesale customers (smaller independent ISPs), based on predetermined thresholds of bandwidth use.
2. This decision has allowed incumbent ISPs to impose unjust financial limitations on how many gigabytes of usage their independent competitors can provide to their customers, thereby severely limiting diversity in Canada's telecommunications sector.
3. This pricing regime will result in impediments to independent ISPs' abilities to financially differentiate the services they provide to consumers from the services of incumbents, which harms competition and market innovation.
4. Usage-based billing, or metering discriminates against certain forms of information, such as audio and video, insofar as it charges consumers more for content that requires the use of a large amount of gigabytes.
5. These high prices will act as a tax on innovation, free expression, and empowerment, as those who produce content become less able to produce and disseminate their work freely.
6. This pricing regime will increase the overall cost of Internet access for end-users, thereby deepening the digital divide, which is antithetical to the CRTC's broadband accessibility mandate.

7. Usage based billing limits Vancouver residents' ability to access online services, to become educated, and to communicate with others, and hampers the free and full exchange of information.
8. The City of Vancouver is increasingly moving towards web-based forms of communication, engagement and information sharing with its citizens.

THEREFORE BE IT RESOLVED THAT Vancouver City Council call on the CRTC to reverse Telecom Decision CRTC 2010-255, and prevent incumbent ISPs from imposing usage-based billing on the independent ISPs that purchase wholesale broadband.

referred

The Mayor noted requests to speak to this motion had been received.

MOVED by Councillor Stevenson
SECONDED by Councillor Cadman

THAT the motion be referred to the Standing Committee on City Services and Budgets meeting on Thursday, December, 16, 2010, at 9:30 am, in order to hear from speakers.

CARRIED UNANIMOUSLY

NEW BUSINESS

1. Varying Planning and Environment Agenda (December 16, 2010)

MOVED by Councillor Reimer
SECONDED by Councillor Woodsworth

WHEREAS the report Implementation of "Vancouver Views" and Opportunities for Higher Buildings in the Downtown was not available to the public or Councillors until late on the afternoon of Friday, December 10, 2010;

WHEREAS the report is unusually long, covers complex policy issues, involves a public debate on view and heights that has ensued for 35+ years, and has significant liveability implications for a significant number of residents;

THEREFORE BE IT RESOLVED THAT Council hear the staff report and be able to ask questions of staff at the December 16, 2010 Planning and Environment Committee meeting and that speakers to the report be heard at the January 20, 2011, Planning and Environment Committee meeting

CARRIED UNANIMOUSLY

**2. Reconsideration of Report A1: Business License Hearing Panels - February and March 2011
November 29, 2010**

MOVED by Councillor Deal
SECONDED by Councillor Meggs

THAT the vote on report A1 be reconsidered.

CARRIED UNANIMOUSLY

MOVED by Councillor Deal
SECONDED by Councillor Meggs

THAT Council delegate the holding of hearings under Section 275 or 278, or appeals under Sections 277 of the Vancouver Charter or under Section 36(7) of the Motor Vehicle Act, for those hearing dates designated by Council to a panel of three Council Members as follows:

February 1, 2011 - 9:30 AM
Councillor Anton - Chair
Councillor Reimer
Councillor Chow
Councillor Woodsworth - Alternate

February 3, 2011 - 7:30 PM
Councillor Deal - Chair
Councillor Meggs
Councillor Stevenson
Councillor Cadman - Alternate

February 23, 2011 - 9:30 AM
Councillor Jang - Chair
Councillor Chow
Councillor Woodsworth
Councillor Louie - Alternate

March 1, 2011 - 9:30 AM
Councillor Reimer - Chair
Councillor Meggs
Councillor Stevenson
Councillor Anton - Alternate

March 3, 2011 - 7:30 PM
Councillor Chow- Chair
Councillor Anton
Councillor Woodsworth
Councillor Jang - Alternate

March 9, 2011 - 9:30 AM
Councillor Stevenson - Chair
Councillor Cadman
Councillor Louie
Councillor Deal - Alternate

Should any of the above members of Council be unable to attend the hearings, the hearings and the power to make a Council decision in relation to those hearings will be delegated to the remaining two Councillors and alternate Councillor.

CARRIED UNANIMOUSLY

The Council adjourned at 7:00 pm

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