

CITY OF VANCOUVERREGULAR COUNCIL MEETING

A Regular meeting of the Council of the City of Vancouver was held on Tuesday, June 13, 1972, in the Council Chamber, at approximately 9:30 a.m.

PRESENT

His Worship the Mayor
Aldermen Adams, Bird, Broome, Calder, Hardwick,
Linnell, Phillips, Rankin, Sweeney and
Wilson

CLERK TO THE COUNCIL

R. Thompson

PRAYER

The proceedings in the Council Chamber were opened with prayer.

'IN CAMERA' MEETING

The Council agreed to an 'In Camera' meeting later this day.

ADOPTION OF MINUTES

MOVED by Alderman Bird,

SECONDED by Alderman Adams,

THAT the Minutes of the Regular Council meeting (including 'In Camera'), dated June 6, 1972, and the Minutes of the Special Council Meeting ('In Camera'), dated June 8, 1972, be adopted.

- CARRIED

COMMITTEE OF THE WHOLE

MOVED by Alderman Adams,

SECONDED by Alderman Bird,

THAT the Council resolve itself into Committee of the Whole, His Worship the Mayor in the Chair.

- CARRIED

BOARD OF ADMINISTRATION REPORT AND DELEGATION

Oppenheimer Lodge:

Tenant Participation in Management

The Board of Administration under date of June 9, 1972, reported as follows:

BOARD OF ADMINISTRATION REPORT AND DELEGATION (continued)

Oppenheimer Lodge:
Tenant Participation in Management (cont'd)

'As requested by Council on May 30, 1972, First United Church have submitted their proposal for tenant participation in the management of Oppenheimer Lodge. Their proposal is circulated.

The Regional District Housing Committee are recommending to the Regional District Board that they accept responsibility for payment of the Municipal share of operating losses of Oppenheimer Lodge. Their recommendation is expected to be considered by the Board on June 28, 1972.

By Council resolution, approval by the Regional District will enable the agreement to be signed between the City and the senior levels of Government for the operation of Oppenheimer Lodge and the invitation of bids for its construction.

The agreement between the City and the senior levels of Government requires, among other things, the following:

- (a) the establishment of a rental system;
- (b) the establishment of a budget on the following basis:
 - administration expenses
 - maintenance expenses
 - operating expenses,
i.e. heat, electricity, water, janitor
and other
 - exterior painting
 - modernization and improvements
 - taxes.
- (c) the establishment of the method of selecting tenants on a basis of priority.

The method by which management is secured would be entirely a matter for Council to determine so long as the above-noted aspects are adhered to. The proposals by First United Church impinge to some degree on (b) and (c) above. They also are affected by Union agreements as to the appointment of staff.

In the circumstances, your Board suggests that the proposals of First United Church are a good starting point for dealing with the question of management by the tenants but need to be worked out in more detail.

Council may consider that the Chairman of the Standing Committee on Planning and Development might have a working group of City staff from the Planning & Civic Development Department, the Social Planning & Community Development Department and the Property and Insurance Office to work with First United Church on their proposals, with authority to co-opt Mr. C. G. Sutherland, Manager, B.C. Housing Management Commission, who has significant experience in tenant involvement in management at Little Mountain.'

In connection with the proposal by Reverend R.A. Burrows for the First United Church Staff Team, Mr. Burrows appeared and expressed agreement with the Board of Administration proposal in regard to a Working Committee.

MOVED by Alderman Hardwick,
THAT the foregoing proposal in the Board of Administration report, in respect of a working group, be approved, on the understanding the group will report back to Council.

UNFINISHED BUSINESS1. Union of B.C. Municipalities:
Resolutions

The City Clerk brought to the Council's attention that the deadline for submission of resolutions for consideration at the forthcoming U.B.C.M. conference, is June 30th.

MOVED by Alderman Bird,

THAT this information be received, and members of Council be requested to take note.

- CARRIED

2. Deputy Mayor:
Ex-Officio Member of Board of Administration

The Board of Administration reported under date of April 18, 1972, reported as follows:

'Alderman Broome, Deputy Mayor from January 1, 1972 to March 31, 1972, reports as follows on his term as Ex-officio Member of the Board of Administration during the above period:

"In late 1971, the Standing Committee on General Purposes recommended that the Deputy Mayor serve as ex-officio Member of the Board of Administration. This report was adopted by Council and consequently, as Deputy Mayor from January 1, 1972 to March 31, 1972 it was my duty to serve as the first elected official appointed to the Board of Administration resulting from the above action of Council.

It was necessary to work on a trial and error basis over the past three months in order to evolve a reasonable and practical working arrangement. I feel that I should set out for the benefit of Council, and perhaps as a guide to succeeding Deputy Mayors, the procedure evolved to date.

It quickly became obvious that the routine reports of Chief Officials did not warrant the Deputy Mayor taking part in those considerations. It soon became apparent that the elected official could make a worthwhile contribution in considering in depth those reports which would affect citizens either generally, or in specific areas, or were of the nature of policy statements to be put forward for Council consideration.

In regard to one report, I felt it necessary to put in an additional report to the recommendations of the Board of Administration, and the procedure evolved was for the elected official to report to the Board of Administration in the same way as all other departments of the City submitted reports. The report would then be forwarded to City Council and the Board of Administration would be able to add their comments to the report. This procedure maintains the right of the permanent Board of Administration to either endorse, amend or oppose any report going to Council, as they are charged to do under the By-law which set up the Board.

Because the elected official would have prior knowledge of reports going to Council, I felt it necessary that no statements be made to the Press or to in any way "up-stage" Council and I think that this should be a mandatory requirement on all ex-officio elected officials who from time to time are appointed to the Board of Administration.

I believe that the change made to include an elected official on the Board has been of benefit, but has put an additional strain on the resources of the Board.

UNFINISHED BUSINESS (continued)2. Deputy Mayor:
Ex-Officio Member of Board of Administration (cont'd)

I have the following specific recommendations to put forward for consideration by Council:

1. Each newly appointed Member of the Board should receive a copy of the By-law which established the Board of Administration. In regard to this By-law, I suggest that it should be amended as follows:

Delete the following Section 5 -

'The Board shall be responsible for:

- (a) The effective execution of Council policies and legislative enactments.
- (b) Effecting proper co-ordination of the various departments of the City, and of the services rendered by them and directing the business affairs of the City.
- (c) Advising and assisting the City Council.'

Insert the following Section in place thereof:

- '5. The Board shall be responsible for:
 - (a) Supervising and directing the affairs of the Municipality and the employees thereof, in accordance with the policies of Council established from time to time.
 - (b) Advising and assisting the City Council.'

Section 5(a) is taken directly from the Municipal Act with the exception of those words which have been underlined.

As you read the By-law, the suggested amendment is clearly the intent of the By-law, but it is not stated in a direct and unambiguous way.

2. The elected official shall consider all meetings of the Board to be 'in camera' and shall not make any Press releases or statements in regard to these matters before they come to Council.
3. In making a separate submission to Council, the elected official shall make this report to Council through the Board of Administration.
4. Council should consider authorizing an Administrative Assistant for each Commissioner and instruct the Personnel Services Department to prepare job classifications after consultation with the Commissioners.
5. Council from time to time has authorized the Board of Administration to handle administratively, routine matters previously handled by Council. I recommend that the Board of Administration be asked to review present routine matters now being referred to Council and which could be handled administratively, such as the carry-over of holidays at the request of a Department Head, routine reclassifications and such other matters as the Board would consider should be handled as part of the administration, with perhaps reporting periodically to Council of action taken.

UNFINISHED BUSINESS (continued)

2. Deputy Mayor:
Ex-Officio Member of Board of Administration (cont'd)

- 6. I recommend that when the term of Deputy Mayor expires, that person may sit in with the new Deputy Mayor at the first meeting if felt necessary to provide continuity on certain matters.

I have found that the Board of Administration is under an immense handicap through the fact that they have no staff to whom they can delegate follow-up responsibility in regard to reports and enquiries requested by Council, or initiated by the Board for presentation to Council. It also seems to me that departments take an incredible length of time to provide answers to even the simplest requests of Council. This is primarily because the Board funnels such requests to the appropriate senior official who in turn passes them on down the line where they seem to disappear into some far off misty land. The gestation period is always that of an elephant and never that of a rabbit. Even the simplest problem is made into something very complex and an inordinate number of hours are spent in useless and unnecessary work. These Administrative Assistants would act as extensions of the Board and would serve to put a bit of "ginger" into the whole City Hall bureaucratic set up. If this suggestion is implemented, I consider the Commissioners will be able to become more demanding in their requirements of senior officials than they have been in the past, recognizing the authority now proposed by Section 5(a).

I believe we have extremely able and competent men at the top level of our administration, but that their effectiveness has been throttled by the time they are forced to devote to relatively minor details which could be handled by such Administrative Assistants. Another result could be that the Board would engender more reports for consideration of Council dealing with fundamental matters and where Council cannot proceed without such technical help. An example of this will be the forthcoming report giving an "overview" of the state of the City's finances and projecting into the future the financial results of City, Provincial and Federal policies as they are today."

Your Board endorse the foregoing report and submit it for Council CONSIDERATION. '

The recommendations contained in the foregoing report were dealt with as follows:

MOVED by Alderman Broome,
THAT recommendation (1) be approved.

- CARRIED

MOVED by Alderman Broome,
THAT recommendation (2) be approved.

- CARRIED

MOVED by Alderman Broome,
THAT recommendation (3) be approved.

- CARRIED

UNFINISHED BUSINESS (continued)

2. Deputy Mayor:
Ex-Officio Member of Board of Administration (cont'd)

MOVED by Alderman Rankin,
THAT recommendation (4) be referred to the General Purposes Standing Committee for discussion with the Commissioners of the Board of Administration and Department Heads.

- CARRIED

MOVED by Alderman Broome,
THAT recommendation (5) be approved.

- CARRIED

MOVED by Alderman Broome,
THAT recommendation (6) be approved.

- CARRIED

COMMUNICATIONS

1. Federal-Provincial Employment Loans Program, 1971

Alderman Broome submitted the following communication from the Minister of Finance, addressed to the President of the Union of B.C. Municipalities:

'In reply to your letter of May 18, you are no doubt now aware of the federal government's decision to extend to June 30, 1972 the forgiveness deadline of 75 per cent of on-site labour costs under the Federal-Provincial Employment Loans Program, 1971. The government has taken this decision in order to assist the municipalities concerned, notwithstanding the fact that the basic purpose of the loans program, as you know, was to stimulate employment during the winter months. Because of that, we are asking that all municipalities which apply for an extension of the forgiveness period should provide to their provincial government a statement of the reasons for the delay in carrying out their projects.

I trust that this extension will help bring about the completion of those municipal projects which in your province were delayed because of weather and labour problems.'

MOVED by Alderman Broome,
THAT the letter be received and copy directed to the Board of Administration for information, and then sent on to the Union of B.C. Municipalities' office.

- CARRIED

2. Shannon Estate as Fine Arts Centre

MOVED by Alderman Bird,
THAT the communication from the Vancouver Society for Asian Art with respect to turning the former Shannon Estate into a public 'Fine Arts Centre', together with the communication from the Community Arts Council in support, be received for information.

- CARRIED

COMMUNICATIONS (continued)3. Refund of Deposit
(Queen Elizabeth Playhouse)

MOVED by Alderman Rankin,

THAT, pursuant to request from Miss Bonnie L. Cattell, a \$100.00 deposit in respect of booking of the Queen Elizabeth Playhouse for a dance recital, but which was cancelled due to the strike situation, be returned.

- CARRIED

4. Day Care Centres

MOVED by Alderman Bird,

THAT, pursuant to request received, the Ad Hoc Committee on Day Care be granted permission to appear before Council in respect of license and supervision of day care centres.

- CARRIED

5. Park Board:
Vanier Park Launching Ramp

At a previous meeting Council requested the Deputy Mayor to write to the Park Board and ask representatives appear before Council to explain the launching fee for use of Vanier Park launching ramp in False Creek.

In acknowledgement, the Chairman of the Park Board submitted a communication dated June 8, 1972, setting out the Park Board's position and rates charged, and suggesting that the letter might take the place of a delegation.

MOVED by Alderman Rankin,

THAT the Park Board be thanked for the communication, but asked to assist the Council further and arrange to have a Park Board representative appear before Council to further discuss the matter.

- CARRIED

6. Purchase of Crowd Control Equipment:
Police

The Council noted the following resolution contained in letter dated June 9, 1972, from the Secretary of the Board of Police Commissioners in respect of crowd control equipment:

'THAT in view of the obvious need for adequate protective equipment for members of the Police Force required to deal with hostile crowds, City Council be requested to provide the sum of \$25,000.00 to enable the purchase of sufficient helmets, groin protectors, shields, safety boots, fireproof clothing and such other items as may be required to minimize the possibility of serious injuries to members of the Force in situations such as the one experienced on June 3rd.'

The Council noted a communication from the B.C. Civil Liberties Association under date of June 12th, requesting delay on granting of the Chief Constable's request until June 20th, to permit a delegation before Council from this Association.

MOVED by Alderman Rankin,

THAT the Chief Constable be requested to appear before Council at its next meeting, June 20th, to assist Council in consideration of this matter by giving specific information regarding description of the equipment involved in the request, and details of costs re each item.

- CARRIED

MOVED by Alderman Rankin,

THAT the B.C. Civil Liberties Association be heard when next the matter is before Council.

- CARRIED

COMMUNICATIONS (continued)

7. Shawnigan Lake Summer School of the Arts:
Grant Request

The Council considered the request of the Shawnigan Lake Summer School of the Arts that a delegation be heard in respect of its request for a grant in connection with the planned B.C. International Festival scheduled for July and August of this year.

MOVED by Alderman Adams,
THAT the organization be advised the Council is unable to consider this request for a grant.

- CARRIED

8. Kerrisdale Beautification Plan

MOVED by Alderman Bird,
THAT, pursuant to request received, the Kerrisdale and District Commercial Association representatives be heard by Council when the Kerrisdale Beautification Plan report is under consideration, which is expected to be on Tuesday, June 20th, 1972.

- CARRIED

9. Jericho Park Committee:
Jericho (38 Acres)

The Council noted a communication dated June 11, 1972, from the Jericho Park Committee advising of discussions of a Vancouver delegation with the Minister of National Defence, in which it is pointed out, the Minister wishes to renegotiate an outright sale of all the land north of 4th Avenue, and does not wish to consider a long term lease or rental arrangement. A request was made that Vancouver open renegotiations and undertake responsibility for public liability as soon as possible, in order that the public may have access to the land this summer.

Alderman Phillips spoke to the matter and stated the Committee's latest position is that further discussions should be continued with the Minister of National Defence through the Park Board.

MOVED by Alderman Adams,
THAT the foregoing information be received.

- CARRIED

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The Council recessed at approximately 10:45 a.m., following which an 'In Camera' meeting was held, and the Council then recessed at 12:00 noon to reconvene in open Council at 2:00 p.m. with the same personnel present.

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The Council reconvened at approximately 2:00 p.m. with the same persons present, His Worship the Mayor in the Chair.

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COMMUNICATIONS (continued)

10. Improvement Downtown East Area Society:
Beautification - Pioneer Place

Council received a communication from the Improvement Downtown East Area Society under date of June 7, 1972, expressing disappointment of Council's action with regard to Pioneer Place, and concluding that its members will not proceed with the Hastings Street Beautification Program unless Pioneer Place is included.

COMMUNICATIONS (continued)

10. Improvement Downtown East Area Society:
Beautification - Pioneer Place (cont'd)

The Council considered the Board of Administration report of May 24th, on this matter and before the Council meeting of May 30th, at which time motions to approve the following were lost:

- '(a) That the lowering of trees, removal of walls and seats and other landscaping work be carried out by Jeckway Landscaping Ltd.
- (b) That Council decide whether to proceed with the landscaping work immediately or in the fall.
- (c) That \$14,000 be appropriated from beautification funds for renovation of Pioneer Place (formerly \$54,700).'

After further consideration of the foregoing, it was

MOVED by Alderman Wilson,
THAT Items (a), (b) and (c) above, with (b) being carried out at the discretion of the City Engineer, be approved.

- CARRIED

A recorded vote was requested, and the record therefore is as follows:

<u>FOR THE MOTION</u>	<u>AGAINST THE MOTION</u>
Alderman Broome	Alderman Linnell
Alderman Adams	Alderman Rankin
Alderman Sweeney	Alderman Hardwick
Alderman Wilson	Alderman Phillips
Alderman Bird	Alderman Calder
Mayor	

The motion was declared carried.

BOARD OF ADMINISTRATION AND OTHER REPORTS

A. Boulevard Riding Trails

MOVED by Alderman Linnell,
THAT the following report of the Board of Administration submitted under date of May 31, 1972, be approved:

- CARRIED

"The City Engineer reports as follows:

'Southlands Riding and Polo Club Limited have had agreements with the City over the past 10 years which provided certain boulevards south of 49th Avenue and west of Macdonald Street to be used as 'horse trails'. The Club has asked the agreements to be renewed.

I RECOMMEND the agreements for the 'horse trails' be renewed for a further 10-year period subject to the existing conditions.'

Your Board RECOMMENDS the foregoing report of the City Engineer be adopted."

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)

B. Closure of Doman Street South of 54th Avenue
Hudson's Bay Shopping Centre (Champlain Heights)

MOVED by Alderman Hardwick,

THAT the following report of the Board of Administration submitted under date of May 30, 1972, be approved:

- CARRIED

'The City Engineer reports as follows:

"City Council has approved the amendment of Area 'A' in Champlain Heights to permit Dawson Developments Limited to sell their property known as Lots 9 and 10 to Hudson's Bay Company for the enlargement of the shopping centre site. This makes Doman Street south of 54th Avenue surplus to the City's highway requirements. The easterly portion of the street is used as both vehicular and pedestrian access to Captain Cook School site. This access would become a private matter if the easterly 30 feet of Doman Street were to be added to the school site.

I RECOMMEND that Doman Street south of the south side of 54th Avenue dedicated by the deposit of Plan 13993 be closed, stopped up and title taken thereto subject to the following conditions:

1. The easterly 30 feet to be added to Captain Cook School site.
2. The remainder to be consolidated with the Hudson's Bay Company site and Lots 9 and 10, D.L. 334 (Dawson Developments Limited site).
3. The value of the closed road to be determined by the Supervisor of Property and Insurance and approved by Council.
4. All costs to effect the street closure and survey to be borne by Hudson's Bay Company.
5. The relocation, removal or installation of all utilities to be to the Hudson's Bay Company account.
6. A right-of-way for all required utilities be granted to the City.
7. Any agreement to be to the satisfaction of the Corporation Counsel and City Engineer."

Your Board RECOMMENDS the foregoing report of the City Engineer be adopted.'

C. Greater Vancouver Regional District's
Review of Floodplain Development Policy

MOVED by Alderman Linnell,

THAT the following report of the Board of Administration submitted under date of June 8th, 1972, be received for information and copy furnished to Greater Vancouver Regional District:

- CARRIED

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)

C. Greater Vancouver Regional District's Review of Floodplain Development Policy (cont'd)

'On 17 May, 1972, Mr. G.W. Carlisle, Director of Finance & Administration of the Greater Vancouver Regional District forwarded the attached copies of items from the Lower Mainland Review Panel dealing with its review of floodplain development policy contained in the Official Regional Plan, and requested comments from the member municipalities.

The City Engineer and Director of Planning and Civic Development report as follows:

"The Engineering Department and the Department of Planning and Civic Development agree that Schedule AA (floodplain map) should be updated to show areas where coastal flooding is dominant over river flooding.

The Engineering Department and the Department of Planning and Civic Development agree that dyking alone is not 'floodproofing'. This can be achieved only by such measures as raising the elevation of the land. Development of new areas in the floodplain should be dependent on raising the land elevation. It should be noted that the Horner Developments proposal for low density multiple housing at the foot of Angus Drive (now in abeyance) would have required raising the elevation of the site above flood levels and pumping sewage.

The Engineering Department and the Department of Planning and Civic Development agree with the categories of land uses to be permitted outside the dykes. Industrial or commercial land uses, outside the dykes, should be expected to bear the cost of special flood protection, as moving a dyke to convenience an industry may cost a much greater amount than any benefits that may accrue.

As stated in the City Engineer's report on Waterfront Walkway and Dykes - North Arm Fraser River dated 11 May, 1972, existing development in the floodplain in the City of Vancouver is not a cause for concern. Vital parts of industrial operations are generally located above the highest recorded flood level. Dyke maintenance has so far been adequate to protect existing low density residential uses below the highest flood level."

Your Board submits the matter to Council for INFORMATION.'

D. Request for City Owned Land for 'Little People's Parks'

The Board of Administration submitted the following report under date of June 9, 1972:

'The following report has been received from the Supervisor of Property and Insurance:

"The City Clerk has forwarded to me for report a request of May 18, 1972, from Dyan Duns Moor, Project Co-ordinator, to use certain City-owned lands in the Kitsilano and Fairview areas for development into Little People's Parks. Copy of this request is circulated.

The statement attributed to me that, 'City Council, to that date, had no policy on City property', is certainly an incorrect reporting of my discussion with Mr. Egan. I informed the Director of Social Planning/Community Development that it was the responsibility of the Property and Insurance Office, under Council instruction, to maintain City lands in a reasonable and safe condition; to prevent illegal trespass and unauthorized use, and to make sure that upon the expiration of a rental or lease the property was left in a neat and tidy condition. I then mentioned that any application to utilize City lands, without rental, for the establishment of such things as mini-parks, would have to be made to City Council.

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)D. Request for City Owned Land for
'Little People's Parks' (cont'd)

I further suggested that it would seem realistic for applicants to first approach the Board of Parks & Public Recreation, since the provision of such facilities is within their jurisdiction.

The City-owned tax sale lands referred to in the brief are at present reserved from sale, and are located within the boundaries of two different projects, as follows:

1. Lot 7, Blk. 292, DL 526, S/S Sixth Avenue, between Hemlock & Birch Streets (size 50'x110')
Lot A (Ex.Plan 9418), Blk. 313, DL 526, S/S Seventh Avenue, between Birch and Alder Streets (size 67' x 110') are within the boundaries of Fairview Slopes, which has been the subject of several Planning reports to Council, with the view of the redevelopment of the lands from the existing Industrial to mixed Residential uses.
2. Lots 1, 3 exc. right-of-way, and 4, Blk. 305, DL 526, are located on the S/S Seventh Avenue, east of Arbutus Street, adjoining the C.P.R. right-of-way.
Lots 17 exc. right-of-way, 18 exc. right-of-way, Lots 19 & 20, Blk. 285, DL 526, situated N/S Seventh Avenue, between Arbutus Street and C.P.R. right-of-way.
These lands will form part of the alignment of the Arbutus-Burrard Connector, for which private properties are being acquired during the current Five-Year Plan.

In addition to such current problems as effect on adjoining owners, supervision and safety of the activity, etc., it is evident that monies expended by the applicants on the City lands would be subsequently lost in the redevelopment of the sites."

Your Board submits the report of the Supervisor of Property and Insurance for the consideration of Members of Council.'

MOVED by Alderman Linnell,

THAT this particular group be requested to assist senior citizens by the placement of benches, subject to the approval of the City Engineer, in appropriate locations in the Kitsilano area, rather than proceeding with the 'Little People's Parks' project now proposed by the organization.

- CARRIED

E. Waterfront Walkway and Dykes -
North Arm of Fraser River

MOVED by Alderman Rankin,

THAT the following Board of Administration report submitted under date of May 11, 1972, be approved:

- CARRIED

'The City Engineer reports as follows:

"A dyking study was initiated for two reasons:

- 1) To review means of providing land for a waterfront walkway west of Angus Drive
- 2) To review the history of flood protection provided by our present policy on dyking, and to examine the implications of that policy for senior government cost-sharing schemes.

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)

E. Waterfront Walkway and Dykes -
North Arm of Fraser River (cont'd)

The initial study has now been completed, and we are able to make recommendations on policy issues. A copy of the technical report describing this study is on file in the offices of the Board of Administration. Arranging for any necessary repairs in advance of possible flooding conditions is well underway.

BACKGROUND INFORMATION

Waterfront Walkway

In 1969 a report by the Planning Department and Park Board recommended that a twenty-foot walkway be located along the Fraser River west of August Drive. The proposal envisages a combined pedestrian and bridle path without substantial installations of park equipment.

The land required for the waterfront walkway can be provided by easements from the property owners without changing our present dyking policy. The property owners' right of access to the dyke would not be affected and the changes made to the dyke to create the walkway will be minimal. Costs for acquiring these easements would, therefore, be expected to be relatively low compared to the costs which would be incurred if a change in dyking policy requiring civic control of dykes were adopted.

Area Subject to Flooding

Within the City of Vancouver boundary along the North Arm of the Fraser River, there is a strip of flood plain of varying width. The elevation of this low land is about four feet below maximum high water, necessitating dyking and special provisions for surface drainage.

The flood plain on the easterly side of the city is largely developed for heavy industrial use. In the westerly section of the city, development has been residential and recreational. The 1966 census shows about 3,000 people resident in the general area subject to flooding. Civic records show that about 7,000 jobs are provided by firms located in the flood plain, and that land, buildings, and machinery in the area are assessed at about \$120,000,000 (2% of the total City assessment).

Causes and History of Flooding

Flooding in the area in question can result from a combination of three factors:

- a) High tide levels in Georgia Strait
- b) Spring runoff from the Fraser River Basin
- c) High winds

Recent minor flooding occurred in the winters of 1967 and 1968 due to a combination of high winds and tides. The last flooding due to spring runoff occurred in 1948.

Our analysis of water level history over a lengthy period shows that the peak water levels in the river at the Fraser Street bridge are consistently higher in December-January than in May-June, when the runoff is greatest. Flooding is more likely to occur as a result of a combination of winter tides and winds than as a result of spring runoff. Over the last 30-40 years flood damage in the city along the Fraser River has been nominal; no detailed records exist. In view of this experience in the face of recurring high winter water levels, the flood protection provided by Vancouver dykes may be considered acceptable.

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)E. Waterfront Walkway and Dykes -
North Arm of Fraser River (cont'd)PRESENT CITY DYKING POLICY

The City's policy is simply that property owners are responsible for the construction and maintenance of dykes to protect themselves against flooding. The City maintains only those dykes on City property. Dyke heights have been checked in the past by City forces, and private property owners advised if, in our opinion, their dykes should be raised or require maintenance.

Under this policy, the City does not assume liability for flooding of private property. Construction and maintenance costs for City-owned dykes have been only \$2,000 to \$3,000 per year. Industrial owners of dykes have been able to utilize the dyke area in their normal operation and in many cases, industrial firms have placed buildings and machinery on the dyke itself.

Increasing development along the dykes has complicated our checking of dyke heights. It is now possible to obtain plans showing dyke heights along the river by aerial photography methods at an estimated cost of about \$7,500. This information, updated on a five-year basis, could improve the operation of our present policy.

FEDERAL-PROVINCIAL COST-SHARING FOR DYKES

In 1968 the Federal and Provincial governments created a ten-year cost-sharing program for construction and improvement of surface drainage works and dykes. The precise cost sharing depends upon the type of work being done, but the municipal share of costs would probably be about 10%. However, a condition of the cost sharing is that the municipality must obtain access to dykes and carry out all dyke maintenance after construction. The City would, therefore, have to change its present dyking policy to participate in the cost-sharing scheme. If floods occurred on private property as a result of improper dyke maintenance, the City could be held liable. Costs to the City for dyke maintenance would probably increase by \$20,000-\$30,000/year, and the City share of construction costs could be substantial (perhaps as much as \$100,000) if a substantial program of dyke reconstruction were approved. The required access to the dykes could possibly be provided by one of the three following methods: easements; creation of a Dyking and Drainage District; or passing of a Provincial Act for the purpose. These three methods cannot be fully compared without further study, but the cost of obtaining access to dykes in the industrial areas would probably be substantial by any method.

Richmond has received substantial aid from the senior governments in its dyking and drainage works. Its requirement for work of this type is, however, much greater than Vancouver's. Burnaby and New Westminster have applied for senior government participation in reconstruction of dyke and surface drainage facilities but to this date, their proposals are still under study.

SUMMARY

The City's present dyking policy has provided adequate protection against spring and winter flooding; maintenance costs have been nominal. A change in dyking policy to take advantage of senior government cost-sharing would increase maintenance costs and could place the City in a position of being liable for flood damage. Acquisition of the required access for participation in the cost-sharing scheme could be quite costly. Easements for a waterfront walkway from Angus Drive west would be comparatively inexpensive.

This report has been discussed with Corporation Counsel and he concurs with it.

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)E. Waterfront Walkway and Dykes -
North Arm of Fraser River (cont'd)

I RECOMMEND that

- a) the City's present dyking policy be continued;
- b) the acquisition of easements for a waterfront walkway be considered independent of the City's dyking policy;
- c) plans of dyke elevations be updated periodically by aerial survey methods when future conditions require, with funds to be provided by the normal budget process."

Your Board RECOMMENDS the foregoing recommendations of the City Engineer be adopted. '

F. Licensing Regulations -
Door to Door Salesmen

The Board of Administration under date of April 19, 1972, submitted the following report:

'On February 22, 1972 City Council adopted the recommendation of the Standing Committee on General Purposes that the various matters discussed and the recommendations submitted by the delegations regarding Door to Door Salesmen be referred to the Board of Administration for investigation and report.

The Director of Permits & Licenses reports as follows:-

"In dealing with this matter, your Officials believe that Council is primarily concerned with the home repair type contractor who solicit business from door to door rather than the type of door to door salesmen who sell a product and are classified as peddlers under the License Bylaw. Listed below are the recommendations which were submitted, together with your officials' comments:-

- A. For the type of businesses mentioned, a surety bond in the amount of \$10,000.

Comment

The Law Department advises that this suggestion has been discussed at some length with a representative of the bonding industry. He indicated that while the industry in general does not like to write this kind of bond, the likelihood is that if all businesses were obliged to obtain such a bond as a condition of staying in business, the bonding companies would probably write such a bond for their good customers. It was made clear that it is unlikely that any company would write a bond in excess of \$5,000. It is also clear that the bond would have to guarantee a commitment or a series of commitments that were set out in the License Bylaw. It should be noted that if the commitments were restrictive enough to be effective it would perhaps preclude anyone from obtaining a bond.

It should be noted that a bond of this type would not protect people who were, or thought they were, overcharged for work that they have had done. Moreover, any person wishing to recover any monies from the bonding company would in all likelihood be required to obtain a judgment from the Courts based on fraud or misrepresentation. In other words, this type of bond would not afford any protection to a citizen, but would merely ensure that persons who obtain judgments against fraudulent home

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)

F. Licensing Regulations -
Door to Door Salesmen (cont'd)

contractors would be in a position to share in the proceeds of the bond. Requiring a bond may put some of the fraudulent home repair contractors out of business, but may also put some of the small legitimate contractors out of business too if they could not obtain a bond. In view of the recommendations contained in this report, it is not considered necessary to require a surety bond.

- B. A minimum fine of \$1,000 for operating without a license plus \$2,000 for the second offence and/or imprisonment. Where there is evidence that the public has lost money or has been cheated, consideration should be given to the restitution of such losses.

Comment

The maximum fine the City has been able to impose under the License Bylaw is \$100 and costs, as provided under Section 333 of the City Charter. Two previous requests for a Charter amendment to increase the maximum fine were refused by the Legislature. However, this year's request has been approved and Council may now consider a bylaw to increase the maximum fine to \$500. If Council wish to increase the maximum fine, the Corporation Counsel should be instructed to prepare the necessary amendment to the License Bylaw.

If evidence can be obtained to the effect that a member of the public has been defrauded, the matter is referred to the City Prosecutor by the Fraud Detail for appropriate action.

- C. The appointment of additional staff to strengthen the investigative arm of the office of the Chief License Inspector.

Comment

At the present time, one License Inspector spends approximately 90% of his time checking for unlicensed contractors and sub-contractors on projects where a Building Permit has been issued. The balance of his time is spent following up complaints received from the public, the Better Business Bureau and, occasionally, from the Fraud Detail. These complaints generally concern work which has been carried out by a contractor either at an exorbitant price, in an unworkmanlike manner, or the work has not commenced or been completed by the contractor. Some assistance is also provided by one of the other license inspectors in checking for unlicensed contractors at building sites.

The foregoing allocation of inspection time results in locating the majority of unlicensed contractors and accounts for a considerable amount of license revenue. Additional staff would be required to patrol the City checking for unlicensed contractors doing home repair work which does not normally require a Building Permit. This is the type of work being carried out by the home repair contractors which results in many complaints.

It is expected that more attention can be given to this work through adjustment of workloads within the present License Branch staff. A survey presently being carried out in the branch will determine this in the near future.

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)F. Licensing Regulations -
Door to Door Salesmen (cont'd)

- D. Permits for home repairs or improvements to be obtained by the contractor and a more careful check made on the identity of the applicant.

Comment

The Building Bylaw does not require that the Building Permit be obtained by the contractor for it may be obtained by the owner or his agent. It is not considered practical to require building permits for minor repair work, e.g. painting, roofing, replacing eavestroughs, steps, etc. Many home owners wish to do such work themselves and requiring a permit would constitute a real irritant to the public. However, the 1970 National Building Code requires the installation of drain tile which must be covered by a Building Permit and inspection. This will be part of the report to Council when they consider the adoption of the new Code.

- E. Fingerprint every licensee in the home-repair business.

Comment

Each new application for this type of business license is presently referred to the Police Department for an interview with the Fraud Detail to determine if the applicant has a criminal record. The Police Department advise that in addition to their present investigations, a fingerprint check could prove to be of some value. It would require the Vancouver Police Department to check their fingerprint files for any criminal record against the applicant. We are informed that the fingerprint file is a record of criminal offenders only and that no other fingerprints are kept on file. Council could issue instructions that a license is not to be issued to a home repair contractor until the applicant has been fingerprinted and checked through the fingerprint file. This would not identify persons using an alias unless the person has a criminal record.

- F. The publication of license applicants.

Comment

This could be carried out but would delay the issuing of licenses and there would be additional staff time and expense involved. There would also be the matter of determining which applicants' names to publish as all contractors, sub-contractors and home repair type are licensed under the same category - Contractor.

Publishing the names of license applicants may result in some information being brought forward by the public concerning the character of certain applicants but unless the information can be substantiated to the effect that the applicant is not a fit and proper person to receive a business license, then it would be of little value.

- G. Bankruptcy and Fraud checks be made on the applicant.

Comment

The City has a list of all firms which have declared bankruptcy over the years and when considered necessary, the records are checked. Applicants for home repair contractor licenses are systematically checked through the Fraud Detail.

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)F. Licensing Regulations -
Door to Door Salesmen (cont'd)

- H. That a three man Appeal Board be appointed to review license suspensions.

Comment

Under the provisions of Section 277 of the City Charter, any person whose license has been suspended may appeal to City Council. Your officials do not recommend any change in this procedure.

- I. Show company addresses in telephone directory.

Comment

The Telephone Company have been made aware of the suggestion that all advertisements in the Yellow Pages should state the address of the company involved. They have agreed to give this matter consideration, but it should be pointed out that even if they decide to implement this as a policy, it is unlikely that it would be of much assistance in eliminating the problem for there are many different areas in the Yellow Pages where the same Company could place advertisements, e.g. Home Repair and Maintenance, Roofers, Contractors, Drainage Contractors.

- J. Licensee to carry identification cards showing proof of license and photograph of the applicant.

Comment

This could be carried out but equipment would have to be purchased and additional staff time would be involved. Such identification cards could be misleading to the public and may cause the contractor to be mistaken for an accredited contractor for the City of Vancouver.

The implementing of all or part of the foregoing suggested regulations would not solve the problem which appears to be:-

'Home repair type contractors going from door to door and by using various tactics and persuasive methods, getting home owners, particularly the elderly, to enter into a contract to have certain repairs carried out, at an excessive cost, in an unworkmanlike manner, or not completing the work which has been paid for.'

Your officials are not aware of any method that would fully protect the home owner from being 'taken in' by this type of contractor. However, Council may wish to prohibit home repair contractors from going from door to door soliciting business. This would not prevent contractors from advertising in the paper, telephone directory, by mail or soliciting by telephone, but it would prohibit the 'high pressure' home repair sales now being carried out on an unsolicited basis. The home owner would then have to contact a contractor and request him to call at the house. The home owner would not likely call a contractor unless some repairs were necessary."

The Director of Permits & Licenses RECOMMENDS that:-

1. The License Bylaw be amended to prohibit home repair type contractors from soliciting business from door to door.

BOARD OF ADMINISTRATION AND OTHER MATTERS (continued)

F. Licensing Regulations -
Door to Door Salesmen (cont'd)

- 2. The maximum fine for committing an offence against the License Bylaw be increased to \$500.00 and a minimum fine be set at \$50.00.
- 3. The Police Department be requested to fingerprint applicants for home repair type contractors' licenses to determine if the applicant has a criminal record.
- 4. The Corporation Counsel be instructed to prepare the necessary amendments to the License Bylaw for submission to Council.

Your Board RECOMMENDS that the foregoing recommendations of the Director of Permits & Licenses be adopted. '

MOVED by Alderman Phillips,
THAT the following be approved:

- 1. The License By-law be amended to prohibit home repair type contractors from soliciting business from door to door.
- 2. The maximum fine for committing an offence against the License By-law be increased to \$500.00 and a minimum fine be set at \$100.00.
- 3. The Corporation Counsel be instructed to prepare the necessary amendments to the License By-law for submission to Council.

- CARRIED

MOVED by Alderman Rankin,
THAT the fingerprinting proposal be not adopted.

- CARRIED

MOVED by Alderman Broome,
THAT the B.C. Telephone Company be requested to require all advertisers in the 'Yellow Pages' of the telephone directory to include in their advertisements, the address of the parties advertising.

- CARRIED

COMMITTEE OF THE WHOLE

MOVED by Alderman Calder,
THAT the Committee of the Whole rise and report.

- CARRIED

MOVED by Alderman Calder,
SECONDED by Alderman Bird,
THAT the report of the Committee of the Whole be adopted.

- CARRIED

BY-LAWS

ZONING BY-LAW
(WEST END COMMUNITY CENTRE
AND SENIOR CITIZENS' DEVELOPMENT)

MOVED by Alderman Wilson,
SECONDED by Alderman Sweeney,
THAT leave be given to introduce a By-law to amend By-law No. 3575 being the Zoning and Development By-law.

BOARD OF ADMINISTRATION AND OTHER REPORTS (continued)

BY-LAWS (continued)

ZONING BY-LAW
(WEST END COMMUNITY CENTRE
AND SENIOR CITIZENS' DEVELOPMENT) (cont'd)

MOVED by Alderman Wilson,
SECONDED by Alderman Sweeney,
THAT the By-law be read a second time.

- CARRIED

MOVED by Alderman Wilson,
SECONDED by Alderman Sweeney,
THAT Council do resolve itself into Committee of the Whole to
consider and report on the By-law, His Worship the Mayor in the Chair.

- CARRIED

MOVED by Alderman Wilson,
THAT the Committee of the Whole rise and report.

- CARRIED

The Committee then rose and reported the By-law complete.

MOVED by Alderman Wilson,
SECONDED by Alderman Sweeney,
THAT the report of the Committee of the Whole be adopted.

- CARRIED

MOVED by Alderman Wilson,
SECONDED by Alderman Sweeney,
THAT the By-law be read a third time and the Mayor and City Clerk
be authorized to sign same and affix thereto the Corporate Seal.

- CARRIED

(The By-law received three readings.)

MOTIONS

1. Hastings Street Beautification:
Pioneer Place

At the May 30th meeting of Council, Alderman Sweeney submitted a
motion on which notice was called. However, the Alderman requested today.
permission be granted to withdraw, and permission was granted accordingly.

2. Housing for Handicapped

MOVED by Alderman Phillips,
SECONDED by Alderman Calder,
THAT the Board of Administration report on possible locations and
financing for housing for handicapped, based on the research report done
by Mr. Alex Clark for Central Mortgage and Housing Corporation.

- CARRIED

(It was agreed that the Board of Administration would also consider the
matter of modifications in suites to accommodate handicapped persons.)

MOTIONS (continued)3. Strike Situation
(Appointment of Committee)

MOVED by Alderman Rankin,

THAT WHEREAS no negotiations are currently underway aimed at ending the strike of inside and outside workers, with the resultant prospect that the strike could go on indefinitely, and

WHEREAS a serious point has now been reached where the danger of fires set in piles of refuse has become a real danger, where rotting garbage has become a menace to public health, where the functioning of the Court, welfare and many other services continues to be disrupted causing hardship to many, and where facilities and services are rapidly deteriorating due to the lack of repairs, and

WHEREAS the loss of income to civic workers is hurting the whole economy of the City as is the loss of tourism, and

WHEREAS Council has a responsibility to take some new initiatives to break the deadlock and bring about a resumption of negotiations,

THEREFORE BE IT RESOLVED THAT Council immediately establish a committee representative of all civic political groups on Council to begin negotiations at once with both inside and outside civic workers with a view to ending the strike through a compromise settlement as quickly as possible.

Notice was Called and Recognized by the Chair.

4. Strike Situation
(Mediator)

MOVED by Alderman Calder,

SECONDED by Alderman Phillips,

THAT Vancouver City Council request the Municipal Labour Relations Bureau to renew negotiations with the Canadian Union of Public Employees. and the Municipal and Regional Employees' Union immediately, or, endeavour to select a mutually acceptable mediator as soon as possible.

Notice was Called and Recognized by the Chair.

ENQUIRIES AND OTHER MATTERS

Alderman Rankin:
Strike Situation

endeavoured to speak to the strike situation under Other Matters, but was ruled out of order by the Mayor in view of the notice called earlier on motions regarding the strike situation.

His Worship advised, however, the question would be discussed 'In Camera' later this day.

The Council recessed to reconvene 'In Camera' at approximately 4:00 p.m.

* * * * *

The foregoing are Minutes of the Regular Council meeting dated June 13, 1972, adopted on June 20, 1972.


MAYOR


CITY CLERK