

CITY OF VANCOUVER

REGULAR COUNCIL MEETING

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, November 30, 1976, in the Council Chamber, Third Floor, City Hall, commencing at 2:00 P.M.

PRESENT: Mayor Phillips
Aldermen Bird, Boyce, Cowie, Harcourt,
Kennedy, Marzari, Rankin,
Sweeney and Volrich

CLERK TO THE COUNCIL: D.H. Little.

PRAYER

The proceedings in the Council Chamber were opened with prayer.

ACKNOWLEDGMENT

The Mayor acknowledged the presence in the Council Chamber of Grade 7 students from the John Henderson School, Vancouver, under the direction of their teacher, Mr. Smith.

'IN CAMERA' MEETING

The Council was advised that there were matters to be considered 'In Camera' later this day.

ADOPTION OF MINUTES

MOVED by Ald. Sweeney
SECONDED by Ald. Bird

THAT the Minutes of the Regular Council Meeting of November 23, 1976, with the exception of the 'In Camera' portion, be adopted.

- CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE

MOVED by Ald. Sweeney
SECONDED by Ald. Bird

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

- CARRIED UNANIMOUSLY

CITY MANAGER'S REPORT & DELEGATIONS

Building and Planning Matters
(November 26, 1976)

Hardship Application -
4782 Manor Street
(Clause 1)

Council received a delegation from Mr. P. Prodanovic, with regard to the use of a dwelling unit in the basement of 4782 Manor Street. The application had been reviewed by the Hardship

CITY MANAGER'S REPORT & DELEGATIONS (Cont'd)

Hardship Application -
4782 Manor Street
(Clause 1) (Cont'd)

Committee, which recommended that Mr. Prodanovic's application be refused for reasons stated in the report.

MOVED by Ald. Volrich

THAT this clause be referred back to the Director of Permits and Licenses for discussion with the applicant, Mr. Prodanovic, and his tenant, on the basis of a new Hardship Application being filed by the tenant.

- CARRIED UNANIMOUSLY

UNFINISHED BUSINESS & DELEGATIONS

- 1. Social Facilities in the Oppenheimer Area and Acquisition of Property at 616 Cordova Street.

Council, on November 23, 1976, deferred consideration of a clause in the report of the Planning and Development Committee dated November 4, 1976, concerning the acquisition of property at 616 Cordova Street, to allow representatives of the Union Gospel Mission and the DERA Daycare Centre an opportunity to appear as delegations.

The Council this day first heard Mr. E.J. Helm, Executive Director of the Neighbourhood Services Association, the owners of the property at 616 East Cordova Street, who advised that the Association, at a meeting on November 29, 1976, decided, at this time, to withhold any sale of the property in question. It was advised that there are a number of new developments and changes in services and programs in the nearby Strathcona area which will affect plans for downtown services. The Neighbourhood Services Association, therefore, requested that Council delay any action on this whole matter until it meets with City officials to consider alternative solutions.

In view of the information provided by Mr. Helm, the Council did not see any purpose in hearing the other delegations and, therefore, no further action was taken on this matter.

The Council agreed to defer the following items of Unfinished Business, pending the hearing of delegations this evening:

- 2. Lane West of Lincoln Street - 43rd to 45th Avenues.
- 3. Extension of Forty-First Avenue Bus Service.

CITY MANAGER'S REPORT & DELEGATIONS (Cont'd)Building & Planning Matters
(November 26, 1976) (Cont'd)Hardship Application -
1415 East 20th Avenue
(Clause 2)

Mr. M. Samin, who had submitted the above Hardship Application, addressed the Council and advised that the circumstances had changed since the application had been submitted and that, as his wife is no longer working, this constituted a hardship.

MOVED by Ald. Rankin

THAT, based on the new information presented to Council this day, the Director of Permits and Licenses discuss with Mr. Samin the matter of a new Hardship Application.

- CARRIED UNANIMOUSLY

Hardship Application -
3885 Laurel Street
(Clause 4)

MOVED by Ald. Volrich

THAT, as Mr. Frastacky, the applicant, was not present in the Council Chamber, arrangements be made through the City Clerk's office, to have him appear as a delegation, if he so wishes, at the next regular meeting of Council.

- CARRIED UNANIMOUSLY

COMMUNICATIONS OR PETITIONSPedestrian Activated Signal -
Crosswalk - 57th Avenue and Cambie Street.

In a letter dated November 19, 1976, Dogwood Lodges submitted a request to appear as a delegation on the difficulty experienced by residents of the Lodge and others in the community in crossing the road at the intersection of 57th Avenue and Cambie Street.

MOVED by Ald. Volrich

THAT the request of Dogwood Lodges to appear as a delegation be granted.

- CARRIED UNANIMOUSLY

City Auto Towing Contract

The Council noted letters from Busters Auto Towing Service Ltd., Autow Services and Mundie's Towing, Storage and Service (1976) Ltd., all requesting that the City consider re-tendering its Auto Towing Contract, the subject of which Council had determined at its last meeting on November 23, 1976. In its letter dated November 25, 1976, Busters Auto Towing Service Ltd., requested clarification of five statements, to which the Director of Legal Services spoke.

Cont'd....

COMMUNICATIONS OR PETITIONS (Cont'd)City Auto Towing Contract (Cont'd)

With the agreement of Council, Mr. Vanderspek, President of Busters Auto Towing Service Ltd., addressed the Council and advised of a number of contentious issues concerning the awarding of the Contract to Unitow, particularly the number of towing trucks that the Company has available.

MOVED by Ald. Volrich

THAT the City Manager and the Director of Legal Services investigate the allegations made this day, and report to Council during this evening's session.

- CARRIED UNANIMOUSLY

CITY MANAGER'S AND OTHER REPORTS

A. MANAGER'S GENERAL REPORT
NOVEMBER 26, 1976

Works & Utility Matters
(November 26, 1976)

The Council considered this report which contains three clauses identified as follows:

- Cl. 1: Closure of Portion of the Lane South of 10th Avenue West of Ash Street
- Cl. 2: Watermain Installations - 1976 Capital Budget
- Cl. 3: Tender - Automobiles for Police and Fire Service

Clauses 1 - 3 inclusive

MOVED by Ald. Bird

THAT the recommendations of the City Manager, as contained in clauses 1, 2 and 3, be approved.

- CARRIED UNANIMOUSLY

Building & Planning Matters
(November 26, 1976)

The Council considered this report which contains seven clauses identified as follows:

- Cl. 1: Hardship Application - 4782 Manor Street
- Cl. 2: Hardship Application - 1415 East 20th Avenue
- Cl. 3: Hardship Application - 4145 & 4196 Balkan Street
- Cl. 4: Hardship Application - 3885 Laurel Street
- Cl. 5: D.P.A. - 6666 Cambie Street
- Cl. 6: Demolition of Buildings on Gastown Piers
- Cl. 7: D.P.A. - 2110 West 43rd Avenue

Clause 1.

For Council action on this Clause see page 2.

Clauses 2 and 4.

For Council action on Clauses 2 and 4 see page 3.

CITY MANAGER'S AND OTHER REPORTS (Cont'd)

Building and Planning Matters
(November 26, 1976) (Cont'd)

Hardship Application - 4145 and
4196 Balkan Street
(Clause 3)

MOVED by Ald. Volrich

THAT the recommendations of the Director of Permits and Licenses, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

Development Permit Application -
6666 Cambie Street
(Clause 5)

MOVED by Ald. Volrich

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

Demolition of Buildings on
Gastown Piers.
(Clause 6)

MOVED by Ald. Sweeney

THAT this clause in the Manager's report be received for information.

- CARRIED UNANIMOUSLY

Development Permit Application -
2110 West 43rd Avenue
(Clause 7)

MOVED by Ald. Bird

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

Licenses and Claims Matters
(November 26, 1976)

Stores Open on Statutory Holidays
(Clause 1)

MOVED by Ald. Volrich

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED

(Ald. Cowie, Kennedy and the Mayor opposed)

CITY MANAGER'S AND OTHER REPORTS (Cont'd)Fire and Traffic Matters
(November 26, 1976)Christmas Shoppers' Bus
(Clause 1)

MOVED by Ald. Bird

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

Finance Matters
(November 26, 1976)

The Council considered this report which contains two clauses identified as follows:

- Cl. 1: Grant Request - Vancouver Chinatown Lions Club
- Cl. 2: Queen Elizabeth Theatre Restaurant - Lease

Grant Request - Vancouver
Chinatown Lions Club
(Clause 1)

MOVED by Ald. Bird

THAT a grant of \$925.00 be approved to the Vancouver Chinatown Lions Club for the purpose detailed in this clause.

- CARRIED UNANIMOUSLY
AND BY THE
REQUIRED MAJORITY

Queen Elizabeth Theatre
Restaurant - Lease
(Clause 2)

MOVED by Ald. Harcourt

THAT Alderman Volrich and the City Manager be appointed a Committee with power to delegate, if necessary, to the Civic Theatres Board, all matters pertaining to the new lease for the Queen Elizabeth Theatre Restaurant.

- CARRIED UNANIMOUSLY

Personnel Matters
(November 26, 1976)Vancouver City Hall Choristers -
Concert Tour.
(Clause 1)

MOVED by Ald. Marzari

THAT the recommendation of the City Manager, as contained in this clause, be approved.

- CARRIED UNANIMOUSLY

CITY MANAGER'S AND OTHER REPORTS (Cont'd)Property Matters
(November 26, 1976)

The Council considered this report which contains three clauses identified as follows:

- Cl. 1: McLaren Electric Building, 2151 Burrard -
Lease of portion on Second Floor
- Cl. 2: Burrard Street Widening - Purchase of portion
of Property - 1898 Burrard Street
- Cl. 3: Sale to Provincial Department of Housing for Lease-
back to Vancouver Chinatown Housing Society - S/S
Union Street between Campbell and Raymur Avenues

Clauses 1 - 3 inclusive)

MOVED by Ald. Volrich

THAT the recommendations of the City Manager, as contained in clauses 1, 2 and 3 of the report, be approved.

- CARRIED UNANIMOUSLY

B. Time Lost on False Creek Project
Through Construction Industry
Strike/Lockout

MOVED by Ald. Marzari

THAT the recommendations of the Development Consultant, as contained in this report, be approved.

- CARRIED UNANIMOUSLY

(The Mayor requested, and received permission, to abstain from voting on this report)

C. Charter Amendments

MOVED by Ald. Rankin

THAT this report be received for information.

-(carried unanimously)

MOVED by Ald. Kennedy (in amendment)

THAT the following words be added to the motion by Alderman Rankin, 'after deleting Section 34 as contained in the final draft of the Bill'.

- LOST

(Ald. Bird, Cowie, Harcourt, Marzari, Rankin,
Sweeney, Volrich and the Mayor opposed)

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

CITY MANAGER'S AND OTHER REPORTS (Cont'd)

D. Occupancy of Controlled Leasehold
Condominium and Market Condominiums,
Phase 1, Area 6, False Creek.

MOVED by Ald. Bird

THAT the recommendation of the City Manager, as contained in this report, be approved.

- CARRIED UNANIMOUSLY

(The Mayor requested, and received permission to abstain from voting on this report)

I. Report of Standing Committee
on Planning and Development,
November 18, 1976

The Council considered this report which contains four clauses identified as follows:

- Cl. 1: Buildings of Heritage Merit in the Kitsilano Apartment Area
- Cl. 2: Heritage Buildings and Non-Conforming Uses
- Cl. 3: Heritage Matters - Transfer of Development Rights and Facade Easements
- Cl. 4: Preservation of View Lines in One-Family Areas

Clauses 1 - 4 inclusive

MOVED by Ald. Kennedy

THAT clauses 1, 2, 3 and 4 of the Committee's report be received for information.

- CARRIED UNANIMOUSLY

At the request of Alderman Kennedy, the Mayor directed that the City Clerk forward a letter of appreciation to the Native Daughters of B.C. with regard to the arrangements made in accommodating the Committee.

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

MOVED by Ald. Rankin

SECONDED by Ald. Harcourt

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

- CARRIED UNANIMOUSLY

BY-LAWS

- 1. BY-LAW TO AMEND BY-LAW NO. 4891,
BEING THE WEST END OFFICIAL
DEVELOPMENT PLAN BY-LAW (Gabriola
Mansion)

MOVED by Ald. Volrich,
 SECONDED by Ald. Marzari,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Volrich,
 SECONDED by Ald. Marzari,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

- 2. BY-LAW TO AMEND BY-LAW NO. 3941,
BEING THE VANCOUVER CIVIC AUDIT-
ORIUM BOARD BY-LAW

MOVED by Ald. Bird,
 SECONDED by Ald. Cowie,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Bird,
 SECONDED by Ald. Cowie,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

- 3. BY-LAW TO AMEND BY-LAW NO. 4299,
BEING THE VEHICLES FOR HIRE BY-LAW
(Driving School Cabs)

MOVED by Ald. Rankin,
 SECONDED by Ald. Marzari,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Rankin,
 SECONDED by Ald. Marzari,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

BY-LAWS (Cont'd)

- 4. BY-LAW TO AMEND BY-LAW NO. 2046,
BEING THE POUND BY-LAW (Leashes)

MOVED by Ald. Harcourt,
 SECONDED by Ald. Boyce,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Harcourt,
 SECONDED by Ald. Boyce,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

- 5. BY-LAW TO AMEND BY-LAW NO. 4450,
BEING THE LICENSE BY-LAW (Keylock
Fuel Station)

MOVED by Ald. Volrich,
 SECONDED by Ald. Marzari,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Volrich,
 SECONDED by Ald. Marzari,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

- 6. BY-LAW TO AMEND BY-LAW NO. 3575,
BEING THE ZONING AND DEVELOPMENT
BY-LAW (Fairview Slopes - Estab-
lishment of new District Schedule)

MOVED by Ald. Rankin,
 SECONDED by Ald. Sweeney,
 THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Rankin,
 SECONDED by Ald. Sweeney,
 THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Ald. Boyce was excused from voting on this By-law)

BY-LAWS (Cont'd)

7. BY-LAW TO AMEND BY-LAW NO. 3575,
BEING THE ZONING AND DEVELOPMENT
BY-LAW (Fairview Slopes)

MOVED by Ald. Rankin,
SECONDED by Ald. Sweeney,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Rankin,
SECONDED by Ald. Sweeney,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Ald. Boyce was excused from voting on this By-law)

8. BY-LAW TO AMEND BY-LAW NO. 4810,
BEING THE SIGN BY-LAW (Fairview
Slopes)

MOVED by Ald. Rankin,
SECONDED by Ald. Sweeney,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendments.

There being no amendments, it was

MOVED by Ald. Rankin,
SECONDED by Ald. Sweeney,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

MOTIONS

- A. Allocation of Land for Lane
Purposes (5812 Dumfries)

MOVED by Ald. Sweeney,
SECONDED by Ald. Rankin,
THAT WHEREAS the registered owner has conveyed to the City of Vancouver, for lane purposes, the following described lands:

East 2.5 feet of Lot 15, Block 1, District Lot 716,
Plan 1615

(5812 Dumfries Street);

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

THEREFORE BE IT RESOLVED THAT the above described lands so conveyed be, and the same are hereby accepted and allocated for lane purposes, and declared to form and constitute portions of lane.

- CARRIED UNANIMOUSLY

MOTIONS (Cont'd)

B. Allocation of Land for Lane Purposes (2080 McNicoll)

MOVED by Ald. Sweeney,
SECONDED by Ald. Rankin,
THAT WHEREAS the registered owner has conveyed to the City of Vancouver, for lane purposes, the following described lands:

South 2 feet of Amended Lot 2, (see 258072-L), Block 155, District Lot 526, Plan 2301, the same as shown outlined red on plan prepared by G. Girardin, B.C.L.S., dated November 12, 1976, and marginally numbered LF 7990, a print of which is hereunto annexed (2080 McNicoll);

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

THEREFORE BE IT RESOLVED THAT the above described lands so conveyed be, and the same are hereby accepted and allocated for lane purposes, and declared to form and constitute portions of lane.

- CARRIED UNANIMOUSLY

1. Prohibitory By-law re Body-Rub Parlours and Hard Core Pornography Shops

MOVED by Ald. Kennedy,
SECONDED by Ald. Sweeney,
THAT WHEREAS public opinion has apparently turned against body-rub parlours and hard core pornography shops;

AND WHEREAS Section 203 of the Vancouver Charter provides that where Council is authorized to regulate, license or tax persons carrying on any business, trade or profession or other occupation, it shall also have the power by law to prohibit, provided such By-law is passed by a unanimous vote of the Council members present;

THEREFORE BE IT RESOLVED THAT the Director of Legal Services prepare a prohibitory By-law with respect to the business of body-rub parlours and hard core pornography shops for submission to Council, together with any necessary amendments that may be required to existing By-laws.

- (referred)

MOVED by Ald. Cowie
SECONDED by Ald. Boyce
THAT the foregoing motion by Alderman Kennedy be referred to the 1977 Council.

- CARRIED UNANIMOUSLY

NOTICE OF MOTION

The following Notices of Motion were submitted by Alderman Kennedy and Alderman Boyce respectively, and recognized by the Chair.

1. Towing-away of Automobiles

MOVED by Ald. Kennedy
SECONDED by Ald. Boyce

THAT WHEREAS public opinion has turned decisively against the towing of automobiles from private pay lots;

AND WHEREAS no effective appeal is made possible before fines are collected;

THEN BE IT RESOLVED THAT alternative methods of tethering vehicles be submitted and that an appeal procedure be instituted.

- (Notice)

2. Proposed Expansion -
Vancouver International Airport

MOVED by Ald. Boyce
SECONDED by Ald. Rankin

THAT WHEREAS further information in regard to the Vancouver International Airport expansion has come into the hands of the mover today, that a committee has been struck to formulate terms of reference and priorities for an on-going consultative process re discussion of noise abatement;

AND WHEREAS said committee is reported to consist of:

Chairman, Mr. Wm. Kerr, Director of Planning for Richmond,
Mr. Wm. Neals, Regional Administrator for the
Federal Ministry of Transport,
Mr. Ken Johnston, Manager of Airports for the Pacific
Region Federal Ministry of Transport,
Mr. Darryl Smith, Manager, Civil Aviation
Federal Ministry of Transport,
Mr. G.A. Melvin, Federal Ministry of Transport,
Mr. Gerard Farry, Greater Vancouver Regional District,
Mr. T. Droettboom, Vancouver City Planning Department;

AND WHEREAS the said terms of reference for the above committee include operating at a managerial level and dealing with "community" Airport relations;

AND WHEREAS the above committee follows the recurrent pattern in the airport planning process of being heavily weighted with representation from the Federal Ministry of Transport as against little or no representation from the Federal Department of the Environment, and, once again is totally staff constituted;

THEREFORE BE IT RESOLVED THAT if the information submitted above is indeed true, the Vancouver City Council go on record as opposing any further planning processes in regard to the proposed expansion of the Vancouver International Airport unless such relevant committees include equal representation of all relevant governmental agencies including Federal, Provincial, GVRD, and Municipal, and most important of all, members of the public, through inclusion of their duly elected politicians and any recognized citizens' advisory groups on the matter.

- (Notice)

ENQUIRIES AND OTHER MATTERS

U.B.C.M. Seminar for Newly-Elected Officials

Alderman Volrich

referred to a recent letter from the Union of British Columbia Municipalities advising of the Third Annual Seminar for newly elected Officials, which will be held December 2 - 4, 1976, at the Vancouver Airport Hyatt House. The registration fee is \$40.00 and a number of the Aldermen-Elect have expressed a wish to attend.

MOVED by Ald. Volrich
 SECONDED by Ald. Boyce

THAT Council approve payment of registration fees and related expenses for any of the newly-elected Council representatives who may wish to attend the U.B.C.M. Seminar - December 2 - 4, 1976.

- CARRIED UNANIMOUSLY

Liquor License - Circle Craft Co-op.

Alderman Volrich

advised that the Circle Craft Co-op. are having difficulty in obtaining a liquor license for a special event at the East Cultural Centre.

MOVED by Ald. Volrich
 SECONDED by Ald. Marzari

THAT Council advise the Liquor Administration Branch of the Provincial Government that it has no objection to, and recommends the issuance of a liquor license to the organization covering the hours 5.00 p.m. to 10.00 p.m. on 3rd, 4th, 10th, 11th, 17th and 18th December, 1976.

- CARRIED UNANIMOUSLY

Cost of Reserving Books

Alderman Rankin

referred to the increase in price of reserving books at the public libraries and requested an explanation. Mrs. M. Ford, a member of the Library Board, addressed the Council and advised that the increased charge still did not cover costs. Alderman Rankin reiterated his request for a written report and the Mayor directed that Mrs. Ford convey this to the Board.

The Council recessed at 3.20 p.m. for an 'In Camera' session, and reconvened in the Council Chamber at 7.30 p.m. to continue with Regular Council business.

The Council reconvened at 7:30 p.m. in the Council Chamber with Mayor Phillips in the Chair and the following members present:

- PRESENT: Mayor Phillips
 Aldermen Bird, Boyce, Cowie, Harcourt,
 Kennedy, Marzari, Rankin, Sweeney
 and Volrich

UNFINISHED BUSINESS & DELEGATIONS (cont'd)

Extension of Forty-First Avenue Bus Service

Council on October 26, 1976, approved the following recommendations of the City Engineer contained in the Manager's report dated October 14, 1976, subject to bus shelters being installed at the two bus stops in the vicinity of the bus loop on Joyce Road:

- "A. The proposed 41 Forty-first transit route extension from Joyce Loop to Burnaby via Kingsway be approved;
- B. Bus stops be approved for the following locations:
 - (i) North side Kingsway at Lincoln
 - (ii) North side Kingsway at Stamford
 - (iii) North side Kingsway at Melbourne
 - (iv) South side Kingsway at Lincoln
 - (v) South side 41st at Joyce
 - (vi) West side Joyce at Kingsway."

At the same meeting, Council resolved that a meeting be held to discuss with B.C. Hydro, the City Engineer and concerned citizens, all aspects of the proposed extension of the 41st Avenue bus service.

Mr. V. Sharman, Manager of the Operations Planning Department of B.C. Hydro, addressed Council and filed a brief which explained the reasons for the extension of the 41st Avenue bus service and the revisions to the 49th Avenue service. The 41st Avenue service has been extended to meet the demand for direct transit service between U.B.C., the southerly portions of Vancouver and the growing Burnaby regional town centre. The frequency of the service to U.B.C. has been doubled to help eliminate the uncertainty for passengers transferring from the many north/south routes in Vancouver to U.B.C. in choosing between 41st and 49th Avenue corridors.

Mr. Sharman advised that space limitations in Joyce Loop did not allow for all buses, including the added 41st diesel bus service to U.B.C. to be accommodated in the Loop. As the Rupert service does not require the Loop as a terminating point because of its through routed nature, it appeared to be the logical route to remain on-street. Mr. Sharman also submitted supporting statistics on this matter.

Mr. Nathan Davidowicz, Killarney Champlain Citizens for Action, addressed Council and submitted a brief containing a number of recommendations for improving the service out of Joyce Loop. The recommendations also related to the 41st and 49th Avenue bus services. (A copy of Mr. Davidowicz's brief is on file in the City Clerk's Office.)

Mr. Frank Rich representing Killarney Community Centre and senior citizens in the area, stated that moving the Rupert bus out of the Joyce Loop has caused a lot of inconvenience to senior citizens in the area and has also created a traffic hazard because of the heavy traffic along Joyce Road. He requested that the stops for the Rupert bus be relocated in the Joyce Loop.

UNFINISHED BUSINESS & DELEGATIONS (cont'd)

Extension of Forty-First Avenue
Bus Service (cont'd)

Mr. Elgin Ruddell, Chairman, Conference of Local Area Councils Traffic and Transit Committee, filed a brief in which it was suggested that B.C. Hydro enlarge the Joyce Loop and restore the 49th Avenue bus service to the level it was at prior to the extension of the 41st Avenue bus service. The brief supported the announced intention of the Mayor-Elect to establish a committee on transportation.

Ms. Alice James, Marpole-Oakridge Area Council, protested to Council the cutback of service on the 49th Avenue bus route since the implementation of the extension of the 41st Avenue bus service.

Mr. Egil Lyngen, Champlain Heights Advisory Committee, read his brief which proposed in summary that:

"Council should form a committee of Council, and the Planning Department should study transit, in order to take a forward, positive role in transit planning, to move B.C. Hydro to better transit for Vancouver residents; and

Transit planning for Champlain Heights Areas E and F should become detailed now, and that the Champlain Heights Advisory Committee be involved."

Mr. VanBlarcken, representing the U.B.C. Alma Mater Society, protested the cut in service to U.B.C. on the 49th Avenue bus route and requested Council restore the late night crosstown bus service to U.B.C. especially on Sundays.

Mr. Randy Graham, Citizens Coalition on Transportation, submitted a brief and addressed Council strongly recommending that Council and the proposed new committee on transportation press for establishment of a multi-level government transportation planning commission, with citizen participation, to develop a long range comprehensive transportation plan for the Lower Mainland.

A representative of the Collingwood Centre for Senior Citizens advised that members of the Centre are quite pleased with the recent changes in transit service in their area.

Mrs. Robinson, Vancouver Parent-Teacher Council, expressed concern about school children at Carleton School being influenced by the number of people who jaywalk across Joyce Road from Joyce Loop to the new bus stops.

MOVED by Ald. Rankin,
SECONDED by Ald. Kennedy,

THAT Council request B.C. Hydro to investigate the feasibility of enlarging the Joyce Loop with a view to keeping all bus service in the area within the Loop.

- CARRIED UNANIMOUSLY

MOVED by Ald. Rankin,
SECONDED by Ald. Boyce,

THAT Council request B.C. Hydro to give strong consideration to restoring the service on the 49th Avenue bus route to the level it was prior to implementation of the extension of the 41st Avenue bus service.

- CARRIED UNANIMOUSLY

UNFINISHED BUSINESS & DELEGATIONS (cont'd)

Lane West of Lincoln Street
43rd to 45th Avenues

Council on November 9, 1976, deferred consideration of a Manager's report dated November 5, 1976, to permit representation from Mr. T.F. Scott on this matter. In the Manager's report of November 5th, the City Engineer recommended:

- (i) the lane modification work, as prepared by the Engineering Department, be carried out as expeditiously as possible at a cost of about \$800.
- (ii) available funds in the Streets Maintenance Accounts be used to cover this work."

Mr. Scott addressed Council and filed a brief in which he stated that a number of other property owners were also dissatisfied with the condition of the lane and the recommendations of the City Engineer to remedy the situation. The residents are requesting that the City repave the lane as they consider the problems they are confronting with the present blacktopping are serious enough to warrant this action. A number of residents are encountering serious drainage problems as water is draining into their garages and they are also encountering difficulties with vehicular access to their properties. In addition, dandelions have begun to grow up through the asphalt and this is posing a problem.

MOVED by Ald. Volrich,
SECONDED by Ald. Boyce,

THAT the recommendations of the City Engineer contained in the Manager's report dated November 5, 1976, be approved.

- CARRIED UNANIMOUSLY

COMMUNICATIONS OR PETITIONS (cont'd)

City Auto Towing Contract
(cont'd)

Earlier this day, Mr. Vanderspek, President of Busters Auto Towing Services Ltd., addressed Council on a number of contentious issues concerning the awarding of the contract to Unitow, particularly the number of towing trucks that Unitow has available. At that time, Council resolved that the City Manager and the Director of Legal Services investigate the allegations made this day, and report to Council during this evening's session.

The City Manager advised Council of the results of his investigations of the allegations made by Busters this afternoon. The City Manager and the Director of Legal Services had met with Unitow representatives and their lawyer this afternoon to clarify their position.

Unitow had stated they have contracts for 31 vehicles, however these vehicles are not the ones which were listed in their tender submission. Mr. McLellan, lawyer for Unitow, and Mr. Biddle, representing Unitow, answered questions from Council on the various points raised by Busters. Mr. Biddle confirmed that the contracts they presently hold for 31 trucks are not for the same trucks listed in their tender proposal. The Director of Legal Services confirmed that one of the requirements of the tender call is that the tenderer list the license number, type of truck and driver on his tender submission so that these may be checked out by the Police Department.

cont'd....

COMMUNICATIONS OR PETITIONS (cont'd)

City Auto Towing Contract (cont'd)

MOVED by Ald. Harcourt,
SECONDED by Ald. Boyce,
THAT Council's motion of November 23, 1976, relating to
awarding the City's Auto Towing Contract to Unitow Services
Ltd., be rescinded.

- CARRIED BY THE
REQUIRED MAJORITY

(Aldermen Bird, Marzari and Volrich opposed)

MOVED by Ald. Kennedy,
SECONDED by Ald. Cowie,
THAT the City's Auto Towing Contract for the period
December 3, 1976, to December 2, 1979, be re-tendered.

- CARRIED

(Alderman Boyce opposed)

MOVED by Ald. Cowie,
SECONDED by Ald. Kennedy,
THAT the Vehicles for Hire Board review the terms and
form of the tender call for the City's Auto Towing Contract
in consultation with towing companies;

FURTHER THAT Council members be notified of the date
of this meeting.

- CARRIED

(Alderman Harcourt and the Mayor opposed)

MOVED by Ald. Harcourt,
SECONDED by Ald. Kennedy,
THAT the City Manager be authorized to negotiate an
interim towing arrangement pending awarding of the new Auto
Towing Contract for the City.

- CARRIED UNANIMOUSLY

- - - - -

The Council adjourned at approximately 9:50 p.m.

* * * * *

The foregoing are Minutes of the Regular Council Meeting
of November 30, 1976, adopted on December 7, 1976.

L. Phillips
MAYOR

[Signature]
CITY CLERK

WORKS & UTILITY MATTERS
CITY ENGINEER'S REPORT

RECOMMENDATIONS:

1. Closure of Portion of the Lane South of 10th Avenue West of Ash Street, Block 379, D.L. 526, Plan 991

The City Engineer reports as follows:

"The Cancer Control Agency of British Columbia has requested the closure of portion of the lane south of 10th Avenue west of Ash Street for expansion of their facilities.

The lane presently dead ends approximately 250 feet west of Ash Street. It is proposed to close the westerly 150 feet of this lane for consolidation with the Cancer Control Agency's property. The remaining 100 feet of lane is being left open to serve the privately owned Lot B.

The Cancer Control Agency has stated that the owner of Lot B has no objection to the lane closure.

In the past the City has conveyed closed highway to hospitals for the nominal sum of one dollar (\$1) with the restriction that the highway be used for hospital purposes only. In the event that the lane is no longer used for hospital purposes, it shall again be dedicated for lane at no cost to the City.

I RECOMMEND that all that portion of the lane south of 10th Avenue west of Ash Street and all the lane dedicated by Plan 13994 shown on the attached plan marginally numbered LE4454, be closed, stopped up, conveyed to the abutting owner and subdivided with the abutting lands subject to the following conditions:

- (a) The closed lane be conveyed for the nominal sum of one dollar (\$1).
- (b) Satisfactory arrangements to be made for the relocation of utilities at no cost to the City or an easement provided to contain them.
- (c) The Cancer Agency to provide a new turn-around satisfactory to the City Engineer and at no cost to the City.
- (d) The Cancer Agency to provide and register a subdivision plan consolidating the closed lanes with the abutting lands in a manner satisfactory to the Approving Officer."

The City Manager RECOMMENDS that the foregoing be approved.

2. Watermain Installations - 1976 Capital Budget

The City Engineer reports as follows:

"Watermain installations or replacements are required as follows:

WATERWORKS PROJECT 616

<u>Street</u>	<u>From</u>	<u>To</u>
Windermere Street	18th Avenue	19th Avenue
Nootka Street	19th Avenue	20th Avenue
Rupert Street	18th Avenue	22nd Avenue
<u>Estimated Cost \$63,000</u>		

WATERWORKS PROJECT 617

<u>Street</u>	<u>From</u>	<u>To</u>
13th Avenue	Tolmie Street	Trimble Street
Tolmie Street	13th Avenue	14th Avenue
7th Avenue	Blanca Street	Tolmie Street
<u>Estimated Cost \$40,000</u>		

The Windermere and Nootka Street installations are required to maintain adequate fire protection along the upper boundary of pressure zone 442 and for the Nootka School.

The Rupert Street installation and all installations under Project 617 are to replace old leaking steel mains. In addition, Rupert Street is scheduled for paving in 1977.

Manager's Report, November 26, 1976 (WORKS - 2)

Clause 2 Cont'd

Funds for the two projects totalling \$103,000 are available from the following Water Works Capital Accounts:

#128/7903 Prior to Paving - 1975 Unappropriated	\$ 51,000
#128/7906 Short Notice Projects - 1976 Unappropriated	\$ <u>52,000</u>
Total	<u>\$103,000</u>

I RECOMMEND that Projects 616 and 617 be approved for construction and that the required \$103,000 be appropriated for this work as stipulated above."

The City Manager RECOMMENDS that the foregoing be approved.

3. Tender No. 39-76-10 Automobiles for Police and Fire Service

The Chief Constable, Fire Chief, City Engineer and Purchasing Agent report as follows:

"Tender No. 39-76-10 for automobiles was opened on October 12, 1976 and referred to the officials concerned for report.

Funds for the purchase of these automobiles are provided in the 1976 General Revenue Budget. Two of these automobiles are for Fire Department use and 53 are for Police Department use.

This Tender called for prices on four different size automobiles. This report deals with items 2, 3, and 4 only, automobiles for Police and Fire Departments. Because of rising operating costs, demands have been put on the automobile manufacturers by various North American police departments to provide an automobile with lower operating costs and reduced down-times. This has not resulted in a unique automobile for police service but has resulted in a selection of three sizes of automobiles for police work.

The City of Vancouver has been operating both intermediate and full-size automobiles. Our maintenance cost records for patrol vehicles do show a reduction in operating costs of the intermediate size automobile over the full-size automobile. We would expect a further savings to occur between the compact automobile versus the intermediate.

The intermediate size patrol cars are producing operating cost savings of one cent per mile or approximately \$600 over their estimated two year life. Therefore this report is recommending the purchase of intermediate size automobiles (Item 3) over full-size automobiles (Item 4). In addition, we are recommending the purchase of two types of compact automobiles for police work to confirm the expected operating cost savings and to determine if this size automobile will be suitable for police work.

This Tender also asked for the extra cost of individual front seats in lieu of the full width bench seat. The individual front seats provide the following advantages:

- 1) The space between the seats provides for easy installation of the radio equipment, siren controls and special switching controls. The mounting of these control boxes into the modern automobile's dashboard is impossible. These dashboards have been designed to reduce personal injuries in the event of an accident and any externally mounted control boxes will create a personal injury hazard.
- 2) Individual adjustment of the driver and passenger seats allow for each officer to select a seat position to suit his or her physical size without interfering with the other.
- 3) A possible increase in resale value by eliminating damage to dashboard during installation of controls.

The extra cost of this option, \$87.00 on the compact to \$106.00 on the intermediate, is offset by reduced outfitting costs, improved front seat safety, operator comfort, and increased resale value.

Clause 3 Cont'd

1) Item 2 - Compact Size Automobiles:

Eight bids were received for this item. However only the bids offering a Chrysler or General Motors product provide a car with a complete Police Package. Bids 1 and 2 offered Ford Mavericks, however, Ford Motor Company does not equip these automobiles with Police Pursuit options.

Bids 3 and 4 offered Chrysler products. Bid 3 is the low bid to offer a Chrysler product and Bid 5 is the low bid to offer a General Motors product; both are police equipped automobiles as specified.

These compact automobiles are expected to reduce maintenance costs because of the reduced size and weight. We are recommending that automobiles of this type be purchased to evaluate the suitability of the compact automobile for police work and to confirm estimated maintenance costs savings. The award is being split to compare the two makes of automobiles.

The Chief Constable, City Engineer and Purchasing Agent RECOMMEND the purchase of:

- 1) Six Plymouth Volare automobiles from Northridge Chrysler Ltd. (Bid No. 3) at a total cost of \$28,584.00 (\$4,660.75 each plus \$32.50 each for three automobiles with two-tone paint plus \$87.00 each for bucket seats) plus 7% Provincial Sales Tax.
- 2) Six Chevy Nova automobiles from Dennison Chevrolet Oldsmobile Ltd. (Bid No.5) at a total cost of \$29,061.00 (\$4,676.00 each plus \$135.00 each for bucket seats plus \$65.00 each for black and white paint on three automobiles) plus 7% Provincial Sales Tax.

Item 3 - Large Compact Automobiles

Eight bids were received for these intermediate size automobiles. Bid No. 1 from Delta Chrysler Ltd. was withdrawn. Bid No. 2 from Pacific Dodge Ltd. does not offer a bucket seat option.

The Fire Chief, Chief Constable, City Engineer and Purchasing Agent RECOMMEND acceptance of Bid No. 3 from Northridge Chrysler Ltd. for the supply of 43 Plymouth Fury automobiles at a total cost of \$203,531.25 (\$4,604.25 each plus \$106.00 each for bucket seats on 41 automobiles plus \$32.50 each for two-tone paint on 37 automobiles) plus 7% Provincial Sales Tax."

The City Manager RECOMMENDS that the report of the Chief Constable, Fire Chief, City Engineer and Purchasing Agent be approved, subject to contracts satisfactory to the Director of Legal Services.

NOTE:

(An analysis of the bids is on file in the City Clerk's Office.)

FOR COUNCIL ACTION SEE PAGE(S) 489

BUILDING & PLANNING MATTERS

RECOMMENDATION

1. Hardship Application - 4782 Manor Street

Mr. P. Prodanovic has asked to appear before Council regarding the use of a dwelling unit in the basement of the above building, which he owns.

The Director of Permits and Licenses reports as follows:

"On March 20, 1975, our Inspection Services reported that the basement of the above building contained a dwelling unit. After notification, in April of 1975, Mr. Prodanovic made an application to City Council under the Hardship Policy. This application was considered by the Hardship Committee who recommended refusal but Council on July 8, 1975, reversed this decision and instructed the Director of Permits and Licenses to temporarily withhold enforcement action for a limited period of time of one year.

Reinspection of the building found that the dwelling unit in the basement was still existing and occupied, and on July 20, 1976, Mr. Prodanovic made a second application for consideration under the Hardship Policy.

This application has been reviewed by the Hardship Committee who recommend, on the basis of the contents of the affidavit submitted, the request be REFUSED.

The Committee noted that the applicant is married with two dependents, fully employed and even after the discontinuance of the illegal accommodation, would still receive an income of \$1,622 per month.

The Committee further noted that neither age nor health are factors. It is therefore RECOMMENDED that the decision of the Hardship Committee be endorsed and the application be REFUSED."

The City Manager RECOMMENDS that the recommendation of the Director of Permits and Licenses be approved.

DELEGATION REQUEST THIS DAY: Mr. P. Prodanovic.

2. Hardship Application - 1415 East 20th Avenue

Mr. M. Samin has requested that reconsideration be given to a refused Hardship Application for the retention of a dwelling unit in the basement of the above building.

The Director of Permits and Licenses reports as follows:

"The records show that Permits were obtained for the erection of a one family dwelling in 1971, and a second Building Permit was issued in 1974 to alter the basement to provide a recreation room and a three-piece bathroom.

Reinspection of the building in May of 1976, found, however, that the basement now contained a separate housekeeping unit. After notification to restore the use of this building back to a one family dwelling, the owner

Manager's Report, November 26, 1976 (BUILDING - 2)

Clause #2 continued:

made an application for consideration under the Hardship Policy. The Hardship Committee, after reviewing the application, found that the applicant was married with no dependents, both the husband and wife are fully employed and even after the discontinuance of the illegal accommodation, would still receive a combined income of \$1,500 per month. The Committee further noted that neither age nor health were factors.

It is, therefore, recommended that the decision of the Hardship Committee be endorsed and the application be refused."

The City Manager RECOMMENDS that the recommendation of the Director of Permits and Licenses be approved.

DELEGATION REQUEST THIS DAY: Mr. M. Samin.

CONSIDERATION

3. Hardship Application - 4145 and 4196 Balkan Street

A petition has been received by the Department of Permits and Licenses with eleven signatures of owners of properties surrounding the above addresses, objecting to the retention of dwelling units in any building in the 4100 Block Balkan Street.

The Director of Permits and Licenses reports as follows:

"As a result of a complaint, the above buildings were inspected where it was found that in each case the basement contained a separate dwelling unit.

The tenants of these units have submitted an application for consideration under the Hardship Policy. These applications have been reviewed by the Hardship Committee who recommend that the applicant of 4145 Balkan Street be APPROVED for a limited period of time of six months, and that the applicant with respect to 4196 Balkan Street be APPROVED for a limited period of time of one year."

In view of the petition the foregoing report of the Director of Permits and Licenses is submitted for the CONSIDERATION of Council.

RECOMMENDATION

4. Hardship Application - 3885 Laurel Street - Mr. M. Frastacky

Mr. Mike Frastacky has made an application to appear before Council as a delegation with respect to a refused Hardship Application.

The Director of Permits and Licenses reports as follows:

"On December 17, 1976, City Council as a result of a Hardship Application by a tenant, instructed the Director of Permits and Licenses to temporarily withhold enforcement action on the discontinuance of the use of the dwelling unit on the second floor of the above building for a limited period of time, expiring June 17, 1975.

Clause #4 continued:

Several calls were made to the subject property and finally on May 31, 1976, it was found that there was a new owner and a new tenant occupying the dwelling unit on the second floor. The new tenant made an application for consideration under the Hardship Policy.

The Hardship Committee has reviewed the application of the tenant who occupies the second floor dwelling unit and recommend on the basis of the contents of the affidavit submitted, that the request be REFUSED.

The Committee noted that the applicant is single with no dependents, fully employed with an income of \$902.00 per month and that neither age nor health are factors.

As a result of a complaint, reinspection was also made on September 16, 1976, where it was found that the basement now contained one dwelling unit, the main floor contained one dwelling unit, and the second floor contained one dwelling unit. Normal enforcement action will be taken with respect to the basement dwelling unit.

It is therefore RECOMMENDED that the decision of the Hardship Committee be endorsed and the application be REFUSED."

The City Manager RECOMMENDS that the recommendation of the Director of Permits and Licenses be approved.

DELEGATION REQUEST THIS DAY: Mr. M. Frastacky.

5. Development Permit Application #74462 -
6666 Cambie Street

"A Development Permit Application has been received from Cooper Tanner and Associates, Architects, for Daon Corporation to construct a town-house and apartment complex containing 99 dwelling units and a clubhouse on this site formerly used as part of the Langara Golf Course.

Site Description

The site of the proposed development is located on Lot 3 at the west side of the CD-1 area which is on the south side of West 49th Avenue between Cambie and Ontario Streets.

History

Following a Public Hearing on February 20, 1975, City Council on April 15, 1975 approved the application of the Director of Planning to rezone a portion of the Langara Golf Course (including this site) from (RS-1) One Family Dwelling District to (CD-1) Comprehensive Development District. The resulting CD-1 By-law restricted the approval of uses to include 'Apartment buildings, Townhouses and buildings or uses customarily accessory to the above uses' and also subject to 'the detailed scheme of development to be first approved by the Director of Planning..... and such other conditions as determined by Council'.

On May 27, 1976 City Council by resolution attached conditions to the above CD-1 By-law that:

- '(a) Coverage of the site by surface parking, accessory buildings, manoeuvring aisles, driveways, loading areas, carports, other vehicular facilities and the principal buildings shall not exceed 45%.
- (b) Not more than 20% of the total number of dwelling units shall contain 2 bedrooms and the remaining units shall contain 3 or more bedrooms.'

Manager's Report, November 26, 1976 (BUILDING - 4)

Clause #5 continued:

On the basis of these conditions, the site was advertised for sale and development and proposal calls invited.

The processing of the development permit application was nearly completed, however, the applicant submitted revised drawings of the proposed development and a letter requesting a change in the unit mix of 2 and 3 bedroom units. The letter explains:

'We would like to alter the suite mix for two reasons. First, we feel that there is a considerable demand for 2 bedroom homes in the 3 storey apartment building. This is based on many phone calls and meetings we have had with potential purchasers. Secondly, we have also received requests from very strong potential purchasers of A type units (3 bedroom townhouses) to open up the third bedroom to become part of the living area.'

Proposed Development

The revised drawings submitted for this application now indicate the construction of a townhouse/apartment complex containing 98 dwelling units (42 one and two storey townhouse units and an apartment building containing 56 dwelling units, including 1 caretaker's suite). The development also proposes to provide 169 off-street parking spaces (2 'carport' parking spaces per townhouse unit and 85 underground parking spaces in the apartment building) and a separate Clubhouse building.

The width of the roadway has been increased from the originally proposed 20 feet to 24 feet at the request of the Engineering Department. Because of the widened roadway and improved vehicular access, site coverage is now 48.1%, exceeding that permitted by resolution of Council by 3.1% or 10,125 square feet.

The number of 2 bedroom type dwelling units as indicated by the revised drawings is 27 or 27.8% which exceeds that permitted by resolution of Council by 7.8% or 7 dwelling units.

As a result of a meeting with the applicants on November 25, 1976 when the Director of Planning expressed concern at the proposed reduction of 3 - bedroom units they agreed to revise their scheme by reducing the number of 2 - bedroom units to 24 (24.7% of the total).

Design

The Urban Design Panel considered the revised drawings of this development at its meeting held on October 28, 1976 and recommended 'that the design be approved' noting that 'the Panel is quite satisfied with the present submission.'

Engineering Department

The Engineering Department recommends a relaxation of the site coverage as an allowance for the wider road widths being provided.

Recommendation

The Director of Planning has reviewed the revised drawings for this development permit application and the undertaking by the applicants to reduce the number of 2 - bedroom dwelling units to 24 and recommends that Council's resolution of May 27, 1975 be varied as follows:

- (a) Coverage of the site by surface parking, accessory buildings, manoeuvring aisles, driveways, loading areas, carports, other vehicular facilities and the principal buildings shall not exceed 49%.
- (b) Not more than 25% of the total number of dwelling units shall contain 2 - bedrooms and the remaining units shall contain 3 or more bedrooms."

The City Manager RECOMMENDS that the recommendation of the Director of Planning be approved.

Cont'd . . .

INFORMATION

6. Demolition of Buildings on Gastown Piers

The Director of Planning reports as follows:

"BACKGROUND

City Council on November 9, 1976, adopted the following motion of the Vancouver City Planning Commission:

"That as the Commission understands that demolition of some of the structures on the Gastown piers is imminent, the Commission respectfully requests that Council recommend that the Director of Planning be asked to report as soon as possible on what current and future plans exist for the waterfront area of Water and Alexander Streets, including the piers".

ANALYSIS

Current Rezoning Proposals. Planning staff have prepared a draft policy plan and official development plan for the central waterfront area between Cardero Street and Gore Avenue. In accordance with Council instructions, September 21, 1976, these documents are being discussed with those directly affected and are being made available to the interested public.

The Area in question is described in the draft, Central Waterfront Policy Plan, as Character Area No. 4. (See attached map). The proposed future use of these areas is therein described as follows:

"Area 4

Area 4 is adjacent to Vancouver's historic Gastown from which it derives a special importance. This Area is intended to become a mixed residential/commercial area with compatible marine uses. Some marine, light industrial uses would be appropriate in the eastern end of Area 4 to form the transition from the residential/commercial Central Waterfront to the industrial waterfront to the east. Specific scheduling and uses are uncertain and remain at the initiative of the Port of Vancouver and the Canadian Pacific Railroad."

Current Port of Vancouver Proposals. The general intent of the Port of Vancouver for this area was the subject of discussions between the Port Manager, the Mayor and the Director of Planning, July 26, 1976; and subsequently between staff of the Port of Vancouver and the Gastown Historic Area Planning Committee.

Port Officials are currently selecting a consultant to prepare specific proposals relating to character areas 3 and 4.

Recent discussions with Port of Vancouver staff indicate the following are being considered:

1. Berths for visiting warships between Pier BC and the new commuter ferry terminal.
2. Marine complex generally between the foot of Abbott and Cambie Streets including boatel, boat charters, marina, restaurant, retail and office uses.

Manager's Report, November 26, 1976 (BUILDING - 6)

Clause #6 continued:

3. Fish market and fish processing operation in the vicinity of the existing western water terminals near the foot of Cambie Street. Port officials have been in discussion with retail fish merchants being displaced from the Campbell Avenue docks by the Vancouver Wholesale Fish Dealers Association and are hoping to accomodate them in the new development.
4. Tugboat alley for the moorage of tugboats in the vicinity of the existing ocean wharves near the foot of Columbia Street.
5. Public parking to serve the above uses is being considered but locations are not yet determined.

Demolition of the cargo sheds on the Western Water Terminals Pier and on the Ocean Wharves piers is scheduled to begin by the end of this month. Demolition contracts for the cargo sheds are presently awaiting final approval by Federal authorities. Certain factors are indicated to contribute to the need for this demolition:

1. Dominion fire regulations require new sprinkling systems.
2. Civic water sanitation requirements for "backflow preventers" in the water supply system.
3. A survey of the decks indicate sections of the aprons, between the sheds and the outside edge of the piers, are unsafe. In two cases people have apparently fallen through these aprons.

Renovation of major portions of the existing piers will however be investigated by Port officials as a part of their proposed plan for the area. The possibility of certain land filling is also being considered in this regard.

SUMMARY

Port of Vancouver officials have been continuously involved with City staff in the preparation of the draft Policy Plan and draft Official Development Plan for the central waterfront. They have similarly communicated the general intent of their planning for the area between Pier BC and the Canadian National Railway Pier.

The stated necessity to demolish the cargo sheds and portions of the aprons upon the Western Waterfront Terminals and Ocean Wharves piers has been accepted at face value by City staff. It is understood that the possibility of "recycling" the cargo sheds has not been fully investigated.

Future uses being considered by Port officials are generally compatible with draft civic plans and Port officials have shown some willingness to cooperate in the further joint planning of this area. The Port of Vancouver is intending to engage consultants to assist them in this matter and specific proposals from Port officials for the area of the Gastown piers should be expected in the new year.

It would be desirable for the Port of Vancouver and City Council to ensure continuous cooperation in these planning ventures.

The foregoing is submitted for the INFORMATION of Council.

Cont'd . . .

RECOMMENDATION7. Development Permit Application #75916 -
2110 West 43rd Avenue

The Director of Planning reports as follows:

"On November 10th, 1976, Development Permit Application #75916 was filed by J. D. Projects Ltd. to construct a 3 storey building with main floor retail and 2nd and 3rd floors for office. The proposed development is located S.E. corner of 43rd Avenue and West Boulevard.

The site is located in a C-2 District.

On March 24, 1976, the Director of Planning made an application to amend the (C-2) Commercial District Schedule to restrict Office uses to a maximum floor space ratio of 1.2 and 5000 square feet as an outright use. Offices in excess of this would be a conditional use.

The development as proposed by Development Permit Application #75916 would not be an outright use according to the amendment, in that it would have a floor space ratio of 1.9 and 23,853 square feet of offices in lieu of the proposed 1.2 and 5000.

Because the changes to the By-law have not been enacted, and as this Development Permit Application was filed after the date of the proposed amendment, Council may withhold the issuance of the Development Permit pending the adoption of the amending By-law, in accordance with Section 570 of the Vancouver Charter.

The Director of Planning recommends that in accordance with Section 570 (1) & (2) of the Vancouver Charter, that Development Permit Application #75916 filed on November 10th, 1976, be withheld for a total period of 90 days from November 10, 1976 pending the adoption of the amendment to the (C-2) Commercial District Schedule of the Zoning and Development By-law."

The City Manager **RECOMMENDS** that the **foregoing recommendation** of the Director of Planning be approved.

FOR COUNCIL ACTION SEE PAGE(S) 489-490

LICENSES AND CLAIMS MATTERS

RECOMMENDATION

1. Stores Open on Statutory Holidays

The Director of Permits and Licenses reports as follows:

"On Remembrance Day, November 11, 1976, inspections were made to determine if any stores were open for business in contravention of Section 279A(7) of the Vancouver City Charter. It was found that Better Value Furniture, 6464 Fraser Street, and Lions Furniture Mart, 210 S. W. Marine Drive, were open for business. It is our understanding that these two stores are operated by Value Industries Ltd. and one of the directors is Mr. Arnold Silber.

Several charges have been laid this year against the operators of stores, including Value Industries Ltd., which have remained open on Statutory Holidays. As a result, these stores remained closed on November 11th with the exception of the two named above. Further, when it was noticed in the newspaper on November 10th that these two stores were advertising they would be open on Remembrance Day, Mr. Silber was notified by telephone that this would be in contravention of the Vancouver Charter.

The fines imposed by the Court against stores which were found guilty of remaining open on a Statutory Holiday in the past ranged from suspended sentences to \$35.00. This does not constitute sufficient deterrent to induce stores to remain closed on Statutory Holidays as they make far more profit by remaining open. In fact one establishment suggested that a \$500.00 per day license fee would be satisfactory to them.

Recommended that the owner/operator of Better Value Furniture and Lions Furniture Mart be requested to appear before Council to show cause why their business licenses should not be suspended in view of continued violations of Section 279A(7) of the Vancouver Charter.

The City Manager RECOMMENDS that the recommendation of the Director of Permits and Licenses be approved.

FOR COUNCIL ACTION SEE PAGE(S) 490

A-6

MANAGER'S REPORT, November 26, 1976 (FIRE - 1)

FIRE AND TRAFFIC MATTERS

RECOMMENDATION

1. Christmas Shoppers Bus

The City Engineer reports as follows:

"Sears, Woodward's and the Gastown Merchants have requested permission to operate a free Christmas shoppers' bus service between Robson, Granville and Cordova Streets at Columbia Street using the Granville Mall and three existing transit bus stops as indicated on the attached map.

The proposed 10-minute service will be provided by two diesel double-decker buses on a trial basis from December 1, 1976 to January 15, 1977. Should this service prove to be a success, the applicants would then apply to Council for an extension of the period of operation.

B. C. Hydro is not in favour of the proposed service on the Mall nor its use of the regular bus stops as it considers that delays caused by the double-deckers would be to the detriment of regular transit passengers. The Engineering Department shares B.C. Hydro's concerns as far as use of regular bus stops is concerned and, if application of this service is approved, would recommend establishment of temporary loading zones.

According to the Granville Mall By-law, only buses operated by B.C. Hydro are permitted on the Mall. Thus, for the operation of these or any other type of bus, it would be necessary to amend the existing By-law. However, in view of the temporary nature of this application, the double-decker buses could be permitted to operate on the Mall by special Council permission for the trial period.

Accordingly, it is RECOMMENDED:

- A. That this temporary bus service be permitted using the routing shown on the attached map;
- B. That special permission be given for the use of the Granville Mall for the period December 1, 1976 to January 15, 1977."

The City Manager RECOMMENDS that the foregoing report of the City Engineer be approved.

FOR COUNCIL ACTION SEE PAGE(S) 491

FINANCE MATTERS

CONSIDERATION

1. Grant Request - Vancouver Chinatown Lions Club

The Manager of The Queen Elizabeth Theatre reports as follows:

"On August 25, 26, 27 and 29, 1976, the Vancouver Chinatown Lions Club sponsored the appearances of the Hong Kong Chinese Opera Company.

During a power switch-over by British Columbia Hydro one of the main transformers in The Queen Elizabeth Theatre shorted out causing a complete power failure in the Theatre. This made it impossible for the performance to be held in the Theatre on the night of August 25, 1976, their opening night. Over 1,100 tickets had been sold so the performance was moved to the John Oliver Auditorium. This was very costly to the Lions Club both in wages, trucking, set-up and refund of tickets as there were not enough seats in the John Oliver Auditorium to accommodate the ticket-holders. Buses were rented from Pacific Stage Lines to transport the patrons to and from The Queen Elizabeth Theatre and the new location at a cost of \$925.00.

Emergent action restored the power supply and the performances on August 26, 27 and 29 were held at the Theatre but again the transportation of the props and the re-setting of the Chinese Opera in The Queen Elizabeth Theatre was an added expense to the Lions Club.

Clause 5 of the License Agreement reads in part as follows:
"In the event that the Theatre or any part of it shall be destroyed by fire or any other cause - - - the Licensee hereby waives any claim for damage or compensation"

The Lions Club are asking, however, that the City reimburse them for the \$925.00 paid for the transportation of their audience occasioned by the power failure. The request by the Lions Club is a reasonable one."

The Comptroller of Budgets advises that this is, in effect, a request for a grant in the amount of \$925.00. If the request is approved the source of funding will be Contingency Reserve."

The City Manager submits this matter for Council consideration.

RECOMMENDATION

2. Queen Elizabeth Theatre Restaurant - Lease

On December 10, 1974, Council appointed a special committee comprised of Aldermen Volrich and Bowers and the City Manager to renegotiate a new lease with Adrina Holdings Limited with respect to the Queen Elizabeth Theatre Restaurant and Liquor Lease. The present lease expires on April 30, 1977, and it is proposed that a new committee comprised of Alderman Volrich, the City Manager and a representative of the Auditorium Board be appointed for purpose of negotiating with Adrina Holdings Limited.

The City Manager RECOMMENDS that the foregoing special committee be appointed.

A-8

Manager's Report, November 26, 1976 (PERSONNEL - 1)

PERSONNEL MATTERS

RECOMMENDATION

1. Vancouver City Hall Choristers - Concert Tour

The Director of Personnel Services reports as follows:

"The Vancouver City Hall Choristers, in a letter to the Mayor and Members of Council, dated November 22nd, 1976, have requested a portion of two working days, on Wednesday, December 22nd and Thursday, December 23rd, 1976, to tour and perform in local hospitals. In addition they have asked permission to present three concerts in the City Hall Rotunda on those days - two on the Wednesday and one on the Thursday. The Choir members will also be performing in the evening at various hospitals and rest homes. Some fifteen members of the Civic staff are involved.

As City Council has approved similar requests from the Vancouver City Hall Choristers for the past ten years, I recommend that the members of the Choir be granted leave of absence with pay for the necessary portions of Wednesday, December 22nd and Thursday, December 23rd, 1976 in order that they may present concerts in local hospitals and in the City Hall Rotunda."

The City Manager RECOMMENDS that the foregoing recommendation of the Director of Personnel Services be approved.

FOR COUNCIL ACTION SEE PAGE(S) 491

A-9

Manager's Report, November 26, 1976 (PROPERTIES - 1)

PROPERTY MATTERS

RECOMMENDATION

1. McLaren Electric Building, 2151 Burrard Street
Lease of portion on the second floor

The Supervisor of Property & Insurance reports as follows:

"McKay Systems Corporation Ltd. currently lease 7,200 square feet more or less on the second floor of the McLaren Electric Building, 2151 Burrard Street under the terms of a lease dated November 30, 1971, and expiring December 14, 1976. This lease contains an option to renew for a further five years.

Because their improvements will not be amortized for another year and because the company is undecided about remaining at this location, McKay Systems Corporation Ltd. has requested a new lease containing the following terms and conditions:

- (1) Lease term, one year from December 15, 1976.
- (2) Monthly rental to be increased from \$2,169.50 per month to \$2,640.00 per month.
- (3) Tax escalation clause in current lease to be eliminated as of January 1, 1977.
- (4) City to be responsible for payment of heat, light and taxes.
- (5) Air conditioning system except for 2 special window units in the computer room to become the property of the City. Lessee to be responsible for maintenance costs.
- (7) Lessee to be responsible for internal janitorial service.
- (8) Lease to contain right to renew for further 2½ years. Lease terms for this renewal to be negotiated.

It is recommended that the above space be leased to McKay Systems Corporation Ltd. under the above terms and conditions with a lease drawn to the satisfaction of the Director of Legal Services and the Supervisor of Property & Insurance."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Property & Insurance be approved.

2. Burrard Street Widening - Purchase of portion of
property - 1898 Burrard Street

The Supervisor of Property & Insurance reports as follows:

"Reference is made to the Manager's Report (Fire and Traffic) dated June 11, 1976 wherein one of the recommendations approved by City Council on June 15, 1976 was that the Supervisor of Property & Insurance be instructed to negotiate for property needed for Burrard Street Widening. The owner of Lot 40, Block 228, D.L. 526, Plan 590, zoned M-1 and being 1898 Burrard Street has agreed to convey the west 7 feet thereof as shown on plan marginally numbered LF7991 on the following terms:

Cont'd.....

Manager's Report, November 26, 1976 (PROPERTIES - 2)

Clause #2 Continued:

- (a) Loss of land (840 square feet) \$18,480.00
- (b) City Engineer to construct 2 concrete sidewalk crossings off Burrard Street at no cost to the owner.

It is recommended that the Supervisor of Property and Insurance be authorized to acquire that portion of the above property required for road purposes as shown on plan marginally numbered LF7991 on the foregoing basis chargeable to Code # 146/5921."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Property & Insurance be approved.

- 3. Sale to the Provincial Department of Housing for lease-back to the Vancouver Chinatown Housing Society.
Situating: South side of Union Street between Campbell and Raymur Avenues

The Supervisor of Property and Insurance reports as follows:

"On July 29, 1975, City Council approved the sale of Block 124, D.L. 181 and 2037, Plan 16060 to the Vancouver Chinatown Housing Society for development of Senior Citizen's Housing at a price of \$225,000.00. The date of sale was to be the date of issuance of the development permit or 120 days from Council approval, being November 26, 1975. Sale to be on terms of 10% down, which has been made and the balance in three equal installments of 6, 12, and 18 months after date of sale. Interest to be at the rate of 10%.

The Society have had considerable difficulty in resolving their financing arrangements with the senior levels of Government and consequently City Council extended the sale date three times as follows:

- 1. from Nov. 26, 1975 to March 31, 1976 at Council of Dec. 16, 1975.
- 2. from March 31, 1976 to June 30, 1976 at Council of March 23, 1976.
- 3. from June 30, 1976 to September 30, 1976 at Council of June 29, 1976.

The Provincial Department of Housing, through Dunhill Development Corporation, applied to purchase this site for lease-back to the Society for use as a Senior Citizen's project. This arrangement was most acceptable to both the Provincial Department of Housing and the Society as it was to assist the Society in obtaining their financing.

Dunhill Development indicated they accepted the same terms of sale as approved to the Society, however, they preferred to pay cash and expected their Treasury Board approval and approval of final plans from C.M.H.C. by October 29, 1976. Subsequently, on October 19, 1976, City Council rescinded the sale to the Vancouver Chinatown Housing Society and approved the sale to the Provincial Department of Housing for lease-back to the Society for a Senior Citizen's project. The date of sale was also extended for the fourth time, from September 30 to November 1, 1976 with the account to be paid in cash within 14 days. Any principal amount outstanding after that date was subject to interest at 11%.

Dunhill Development Corporation have advised verbally that the purchase funds are now available and will be turned over to the City once they have received notification from the Society that it agrees with the terms of the sale to the Government.

Cont'd.....

Manager's Report, November 26, 1976 (PROPERTIES - 3)

Clause #3 Continued:

By simultaneous letters dated November 15, 1976, to the Property & Insurance Office and Alderman Harcourt and Alderman Volrich, the Chairman of the Vancouver Housing Society has requested that the date of the sale of this property to the Provincial Government be extended to December 15, 1976. This would enable the Society and the Provincial Government to come to terms on the form of lease as required for this project. A confirming letter of request for this extension has not been received from the Provincial Department of Housing, however, Dunhill Corporation have given a verbal confirmation.

It is recommended that the date of the sale of Block 124, D.L. 181 and 2037 to the Provincial Government for lease to the Vancouver Chinatown Housing Society be extended from November 1, 1976 to December 15, 1976, subject to the same terms and conditions as set out in the approval of October 19, 1976, and subject to receipt from the Provincial Government's representative of concurrence with the request."

The City Manager RECOMMENDS that the foregoing recommendation of the Supervisor of Property and Insurance be approved.

FOR COUNCIL ACTION SEE PAGE(S) 492

B 0021

MANAGER'S REPORT

November 16, 1976

TO: Vancouver City Council

SUBJECT: Time Lost on False Creek Project Through
Construction Industry Strike/Lockout

CLASSIFICATION: CONSIDERATION

The Development Consultant reports as follows:

Purpose

The purpose of this report is to recommend an extension of the date of commencement of rent on the residential ground leases in Phase 1, Area 6, False Creek because of the time lost through the construction industry strike/lockout this summer.

Construction Industry Strike/Lockout

The building components in Phase 1, Area 6, False Creek have been delayed three months this summer because of the two work stoppages.

On June 22, 1976, the cement masons went on strike and put up picket lines which were joined by the carpenters' union on June 29, 1976. On June 30, 1976, the construction industry locked out all construction workmen across the province. The lockout was lifted on August 4, 1976, but the cement masons put up a picket line at False Creek on August 5, 1976 and work was not able to resume until August 9, 1976. On August 19, 1976, the plumbers' union pulled off workmen from selected mechanical contractors including some at False Creek. The situation got worse and finally the construction industry locked out the whole construction work force a second time on September 3, 1976. This lockout was lifted on September 27, 1976 when work was able to be resumed.

In addition, a few days production time was lost prior to each of the work stoppages and after each one, it took about a week to assemble the labour force to collect and hire tools and equipment and to get back into normal production.

The result was approximately three months delay in the building components in Phase 1.

Residential Components

The residential projects herein referred to are all the residential lots in both the eastern and western neighbourhoods, and are known as Lots 1, 2, 3, 4, 5, 7, 8, 9, 10, 24, 25, 26, 27 and 29, False Creek Plan 16003.

The date of commencement of ground rent for residential components was set at July 1, 1976. Although this date was considered by many to be optimistic, it was set to provide an incentive for early completion. The date did not provide for a work stoppage.

Even without a work stoppage, none of the sponsors could have made this date. Had the duration of work stoppage been forecast, the dates for all leases would have been three months later.

Because of the work stoppage, all projects, with the possible exception of Lot 7 (market residential project facing Leg-in-Boot Square in the eastern neighbourhood) are going to be at least three months later than expected.

With respect to Lot 7, the Development Permit has not yet been issued, but was applied for first on 2 September, 1975, and then because of difficulties was re-applied for on 17 May, 1976 and again on 8 July, 1976. If the work stoppage had not occurred, the pressure would have been stronger for early approval of the Development Permit. In any event, the original intention was that ground rents would not start until occupancy.

The start of construction on Lot 5 (market project in the eastern neighbourhood) and Lot 25 (market project in the western neighbourhood) was delayed because of the ground lease and other matters, but the Development Permits were issued on 16 December, 1975 and 25 May, 1976 respectively, and construction could have started earlier had it not been for the work-stoppage.

It is proposed that the date of commencement of ground rent, and of property taxes, be delayed three months on all the residential projects, and the terms of the leases be adjusted to run for sixty years from the new commencement date.

Controlled Leasehold Condominiums

The two Controlled Leasehold Condominiums, University Non-Profit Building Society and Creek Village Building Co-operative Association, have in their ground leases, a clause restricting their right of assignment and sub-lease (i.e. sale of improvements) until March 31, 1977.

It is proposed that this restriction be extended for six months to Sept. 30, 1977.

Commercial Components

The dates of commencement of ground rent for the commercial components are with one exception different from the residential components, because of a later start of construction, and market considerations.

There are only two commercial components whose dates of commencement of ground rent and taxes justify adjustment, these being in the eastern neighbourhood, on the ground level of the predominantly residential developments on Lots 1 and 2. The first commences 1st July, 1976 and the second, 1st September, 1976. Both have been delayed by the shut-down.

It is proposed that the date of commencement of ground rent and taxes for Lots 1 and 2 be changed for their commercial components from 1st July, 1976 and 1st September, 1976 respectively to 1st October, 1976.

Previous Resolutions

Council did agree in June and in August, 1976 to certain deferrals of both rental payments and amounts in lieu of taxes, and to a waiver of payment of rent and taxes for three of the market residential properties, but not a change in the expiry date of the leases.

If Council approves the recommendations of this report, it is recommended that these deferrals and waivers remain, except that the dates would be delayed a further three months, and the expiry date extended three months.

The actions taken previously by Council relative to the subject properties are listed for the information of Council, as follows:

A. Deferrals

- (1) On June 15, 1976 Council deferred the rental payments for up to six months commencing July 1, 1976 relative to Lot 8 and 27 on the understanding that the deferred monies will be recovered over the term of the lease.
- (2) On August 10, 1976 Council deferred the amount in lieu of taxes on Lots 1, 2, 3, 4, 10, 24, 26 and 29 until substantial occupancy of the properties with payment of the accumulated deferred taxes to be made on that date and that the interest charges on the deferred taxes be waived.

B. Waivers

- (1) On August 31, 1976 Council waived the payment of rent and taxes on Lot 5 until the earlier of the date of execution of the lease or September 15, 1976 and waived the payment of rent and taxes on Lots 7 and 25 until the earlier of the execution of the leases or October 15, 1976.

Ground Leases - Summary

When we first discussed the proposals for the Phase 1 development, we encountered resistance from sponsors, architects, developers and investors because of the unusual risks and uncertainties they believed they would face arising out of the innovative design, income mix, and land-lease policy.

This was overcome in part by our statements that sponsors would not have to put money 'up-front' for land, and that ground rents would not commence until substantial completion or occupancy.

The following recommendations go part way toward meeting this original objective.

Recommendations

It is RECOMMENDED that:

- A. The date for the commencement of rent and amounts in lieu of property taxes for all residential components in Phase 1, Area 6, False Creek (Lots 1-5, 7-10, 24-27 and 29, False Creek Plan 16003) be delayed three months and the term of the lease be adjusted to run for sixty years from October 1, 1976.
- B. The date for the commencement of rent for Lots 1 and 2 (in the first enclave next to the Heather Civic Marina) be changed for the commercial components of the two developments from July 1 and September 1 respectively to October 1, 1976.
- C. The previous waiver of rent for the residential components and taxes of Lot 5 (two and one-half months from July 1, 1976) and Lots 7 and 25 (three and one-half months from July 1, 1976) be amended to run from October 1, 1976.

Cont'd . . .

- D. The previous deferral of rental payments for Lots 8 and 27 (the two Controlled Leasehold Condominium projects) for the period of up to six months from July 1, 1976 be changed to a period of up to six months from October 1, 1976.
- E. The period during which the assignments and subleases are restricted under the terms of the leases for Lots 27 and 8 False Creek Plan 16003 (the two Controlled Leasehold Condominium projects) be extended from March 31 to Sept. 30, 1977.
- F. Payments already received for rental interest and taxes (excluding the initial \$1 payments) be applied against the October to December rentals and taxes with any balance being credited against subsequent rental charges, it being understood that no interest will be paid by the City on amounts to the credit of the lessees.
- G. The Director of Legal Services be instructed to amend the ground leases covering Lots 1-5, 7-10, 24-27 and 29 to reflect the changes contained in recommendations 1 to 5 inclusive.

The City Manager submits the foregoing report of the Development Consultant for CONSIDERATION.

FOR COUNCIL ACTION SEE PAGE(S) 492

C

MANAGER'S REPORT

November 24, 1976

TO: The Vancouver City Council
SUBJECT: Charter Amendments
CLASSIFICATION: Information

The Director of Legal Services reports as follows:

"For Council's information, I am submitting the final draft of the Bill to Amend the Vancouver Charter, which embodies earlier instructions of Council."

The City Manager submits the foregoing report of the Director of Legal Services for the INFORMATION of Council.

FOR COUNCIL ACTION SEE PAGE(S) 492

MANAGER'S REPORT

November 25, 1976

TO: Vancouver City Council

SUBJECT: Occupancy of Controlled Leasehold Condominium and Market Condominiums, Phase 1, Area 6, False Creek

CLASSIFICATION: RECOMMENDATION

The Development Consultant, Director of Finance and Director of Legal Services report as follows:

"The ground leases between the City and University Non-Profit Building Society covering Lot 27, False Creek, and between the City and Frank Stanzl Construction Ltd. covering Lot 9, False Creek, provide for the subdivision of the lands into strata lots by the deposit of a leasehold strata plan in the Vancouver Land Registry Office. The deposit in the Vancouver Land Registry Office serves to convert the ground leases into individual leases.

These ground leases provide that prior to the deposit of the leasehold strata plans the lessees cannot sublet the premises without first receiving the consent in writing of the City. With respect to the University Non-Profit Building Society, the ground lease describes income and family qualifications which must be met by prospective sub-lessees and purchasers.

The University Non-Profit Building Society and Frank Stanzl Construction Ltd. are now in the final stages of preparation of their leasehold strata plans but deposit of such plans will not take place for some time yet.

Certain individuals who are purchasing strata lots in the University Non-Profit Building Society's project were led to believe that they could have occupancy by the end of November and have made arrangements to move. Seaton, Promislow and Co., solicitors for the University Non-Profit Building Society, have written to the City requesting authority from Council authorizing the Society to sublet the dwelling units to the proposed purchasers immediately. In the circumstances it has been necessary to permit occupation of the premises by such individuals.

Russell and DuMoulin, solicitors for Frank Stanzl Construction Ltd., advise that the Company wishes to permit some of the purchasers of its strata lots to take possession now that its buildings are substantially completed. Such possession is requested at an early date.

Recommendations

It is recommended that:

- (1) Consent be given to University Non-Profit Building Society to sublet the dwelling units in its buildings to those persons proposing to purchase the same prior to the deposit of its leasehold strata plan provided that such persons have the income and family qualifications required by the ground lease between the City and the Society covering Lot 27, False Creek.
- (2) Consent be given to Frank Stanzl Construction Ltd. to sublet the dwelling units in its buildings to those persons proposing to purchase the same prior to the deposit of the leasehold strata plan required by the ground lease between the City and the Company covering Lot 9, False Creek."

The City Manager RECOMMENDS that the foregoing recommendations of the Development Consultant, Director of Finance and Director of Legal Services be approved.

I

REPORT TO COUNCIL

STANDING COMMITTEE OF COUNCIL
ON PLANNING AND DEVELOPMENT

NOVEMBER 18, 1976

A meeting of the Standing Committee of Council on Planning and Development was held in the Hastings Mill Museum, 1575 Alma St., on Thursday, November 18, 1976 at approximately 3.30 p.m.

PRESENT : Alderman Kennedy, Chairman
Alderman Bird
Alderman Harcourt

ALSO PRESENT: Alderman Boyce
Alderman Marzari
Alderman-Elect Ford

CLERK TO THE COMMITTEE : M.L. Cross

The following persons were present for the first three items relating to Heritage matters:

- Mrs. J. Fleming, Chairman, Vancouver Heritage Advisory Committee
- Mr. R.J. Spaxman, Director of Planning
- Mr. C. Fleming, Director of Legal Services
- Mr. A.D. Geach, Assistant Director, Special Services, Planning Department
- Mrs. N. Oliver, Heritage Planner
- Mr. P. Leckie, Director of Finance
- Mrs. P. Wolfe, Finance Department

Alderman Harcourt, Council's appointee to the Vancouver Heritage Advisory Committee, in reply to a statement that heritage matters seem to be unduly prolonged, noted that the Heritage Committee should tighten up its schedule and present a 1977 work programme before the end of the year. As Council feels they are being asked to look at buildings that they don't feel should be considered, perhaps the criteria that the Heritage Committee is using should be re-examined.

A discussion on compensation followed. Mr. Fleming advised that the Vancouver Charter states that there is no provision for compensation to owners of designated heritage structures. Mrs. Fleming advised that the Heritage Committee has formed a sub-committee to look at alternative means of compensation and will be requesting the incoming Council to allow them to present their findings.

Mr. Leckie noted that staff are also working on this and the Heritage Committee will want to comment on the staff report.

Cont'd.....

Report to Council
Standing Committee of Council
on Planning and Development
November 18, 1976

INFORMATION

1. Buildings of Heritage Merit in the Kitsilano Apartment Area

The Committee considered a report dated October 21, 1976 (on file in the City Clerk's office) which the City Manager submitted for Information.

In the report the Director of Planning noted that on May 6, 1975 when considering the Kitsilano Apartment Area Plan, City Council endorsed certain policies in principle to enable staff to hold discussions with other organizations. One of the policies, Policy #4, reads as follows:

"The City Planning Department's Heritage Group and Heritage Advisory Committee be requested to examine buildings or groups of buildings to determine if any merit designation for heritage reasons."

Planning Department staff and a Sub-Committee of the Vancouver Heritage Advisory Committee have studied the history and architectural background of buildings in the Kitsilano Apartment Area and have listed buildings in the "A", "B" and "C" designation categories for the consideration of the Heritage Committee. Rather than look at possible designations in the Apartment Area in isolation, the Heritage Committee will consider these designations in early 1978 when they will be considering possible designations of various buildings in the entire Kitsilano area. Ms. Oliver stated that the Committee may look at the "A" buildings in 1977.

The Committee

RESOLVED:

THAT the report of the City Manager dated October 21, 1976 be received.

2. Heritage Buildings and Non-Conforming Uses

The Committee considered a report dated September 28, 1976 (on file in the City Clerk's office) which the City Manager submitted for Information.

In the report the Director of Planning and Director of Legal Services note that on November 18, 1975 Council approved the following recommendation:

"THAT the Director of Planning and the Director of Legal Services report on the possibility of relaxing the regulations concerning non-conforming uses in buildings designated as Heritage Structures."

The report points out that of the 34 designated heritage buildings only four are non-conforming as to use but several are non-conforming in terms of regulations.

Clause #2 continued:

The Board of Variance has the authority to relax provisions relating to non-conformity of use and the Director of Planning may relax provisions of the regulations. It appears that the relaxation provisions are adequate and that no changes are necessary at this time.

RESOLVED:

THAT the report of the City Manager dated September 28, 1976 be received.

3. Heritage Matters: Transfer of Development Rights & Facade Easements

The Committee considered a report dated October 7, 1976 which the City Manager submitted for Information.

In the report the Director of Planning noted that on November 18, 1975 Council approved the following:

- "C. THAT the Director of Planning, with the advice of the Director of Finance, explore the acquisition and maintenance costs which the City would incur if the power to secure easements or other legal rights to facades of designated heritage buildings was obtained.
- D. THAT the Director of Planning and Director of Legal Services, in consultation with other civic officials, explore the means to assist property owners wishing to preserve a historic building whereby zones for the transfer of development rights to a specific property could be established and to obtain the necessary Charter amendment to enable the City to transfer development rights in areas."

Staff in the various Departments concerned are preparing a report on the above.

RESOLVED:

THAT the report of the City Manager dated October 7, 1976 be received.

4. Preservation of View Lines in One-Family Areas

The Committee considered a memorandum dated September 22, 1976 (copy circulated) from the Director of Planning to Alderman Harcourt.

Alderman Harcourt advised that he had requested the Director of Planning's comments as he felt the question of preserving view lines should be considered in conjunction with the study of the form of single-family dwellings.

Report to Council
Standing Committee of Council
on Planning and Development
November 18, 1976

Clause #4 continued:

Mr. Spaxman suggested two methods:

- through the local area planning programmes, people in the neighbourhood involved could determine which views were important and attempt to protect them.
- through the permit process by zoning controls containing urban design guidelines.

The Committee

RESOLVED:

THAT the Director of Planning, at the time the 1977 Departmental Work Programme is presented, report on a study to be undertaken to preserve view lines in single family areas.

The meeting adjourned at 4.20 p.m.

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FOR COUNCIL ACTION SEE PAGE(S) 493