

**MINUTES OF SPECIAL MEETING
OF THE BOARD OF PARKS AND RECREATION
HELD AT HASTINGS COMMUNITY CENTRE
ON MONDAY, NOVEMBER 27, 2006
AT 5:00 PM**

PRESENT:	Vice Chair	- Ian Robertson
	Commissioners	- Allan De Genova
		- Spencer Herbert
		- Korina Houghton
		- Loretta Woodcock
		- Martin Zlotnik
	General Manager	- Susan Mundick
	Director of Planning and Operations	- Piet Rutgers
	Director of Stanley District	- Jim Lowden
	Manager of Communications	- Joyce Courtney
	Communications Coordinator	- Terri Clark
	Recorder	- Julie Casanova

The Chair welcomed everyone to the Special Meeting of the Board and reviewed the Board's Procedure By-Law which would guide the process of the meeting.

Board members concurred with a request from a member of the Board to put the report on the Amendment to the Parks Control By-Law Relating to Captive Cetaceans as the first item on the agenda.

Amendment to the Parks Control By-Law Relating to Captive Cetaceans

Board members received copies of a staff report dated November 20, 2006 recommending that the Board approve changes to the Parks Control Bylaw, Section 9-(e) as outlined in this report and request Law Department to prepare a revised By-law for the Board's consideration.

Moved by Commissioner Houghton,

THAT the Board approve changes to the Parks Control Bylaw,
Section 9 – (e) as outlined in this report and request Law Department to
prepare a revised Bylaw for the Board's consideration.

Staff advised the Board that tonight there were two reports, one is regarding the Aquarium Expansion Proposal and one relates to the Parks Control By-law which was included in the Aquarium public consultation. Paul Williams from the Aquarium Board of Directors will present the expansion proposal and Kirk and Co. will present the public consultation results.

Paul Williams, Board member, Vancouver Aquarium, presented the expansion plans to the Board. Mr. Williams advised the Board that the current facility is aging and in need of replacement. The new facility will benefit both the Aquarium and the Park Board.

Judy Kirk, president of Kirk and Co. presented the results of the public consultation process. She reviewed the consultation methodology and stated that the overall result indicated a strong support for the Aquarium's plan to expand.

The following delegations requested to speak to the Board:

1. Denis Howarth, Legal Consultant, No Whales in Captivity
2. Ilse Schnirch
3. Hans Schmid
4. Eleanor Hadley
5. Patrick Tohill, World Society for the Protection of Animals
6. Dave Park, Board of Trade
7. Rick Antonson, Tourism Vancouver
8. Keith Edwards
9. Valeria Vergara
10. Joseph Paine
11. Lisa Watt, Volunteer, Vancouver Aquarium
12. Colin Stark
13. Janos Mate, WhaleFriends
14. Ian Thomas
15. Kelly Bunting, No Whales in Captivity
16. James Ho
17. Jim Storie, Vancouver Trolley
18. Ella Bowles, Volunteer, Vancouver Aquarium
19. Bryan Cousineau
20. Gavin Ross
21. Erika Ceballas, Marine Protection Society
22. Bob Gale
23. Ron Rothwell
24. Lola Campbell
25. Barry Faires
26. Bill Tucker
27. Leslie Fox
28. Brooke Wade
29. Isabel Wade
30. Isabel Minty
31. Ashley Fruno
32. Raymond Greenwood
33. Lynne Decew

34. Perry Poon, Props Coordinator, Vancouver Aquarium
35. Rob Laidlaw, Vancouver Humane Society
36. Cherie Blue
37. Jonathan Dunn
38. Lance Barrett-Lennard
39. Ron Gordon
40. Allan Clapp
41. Omar Kassis
42. Anita Romaniuk
43. Kathy Heise
44. Rebecca Breder
45. David Bogart
46. Michael Wurm
47. Stuart Mckinnon, Green Party of Vancouver
48. Dan Rollins, Vancouver Aquarium
49. Janet Landucci, Vancouver Aquarium
50. John Nightingale, Vancouver Aquarium
51. Mike Satterfield

21 speakers supported the Vancouver Aquarium expansion plan.
15 speakers spoke against the proposal.
15 no shows

Summary of Comments in support of the proposal:

- most popular tourist attraction;
- older part of the Aquarium needs upgrading;
- only modest increase in footprint;
- businesses support the Aquarium as they are an important part of Vancouver;
- research done by the Aquarium provide good value;
- showcase the wonders of nature and engage people to be stewards of the environment;
- Aquarium is about science, education and research on environment and marine life;
- they are a self sustaining non-profit organization, do not ask for money from government;
- expanded facility will allow it to meet new challenges;
- Stanley Park is a major attraction for tourists and so is the Aquarium;
- need more convention and meeting venues;
- mechanical systems need upgrading;
- gives everyone an opportunity to see dolphins and other cetaceans;
- visitors to the Aquarium also visit other areas of the park;
- education outreach program will help the next generation to be responsible citizens;
- the Aquarium encourages green practices among its employees;
- they have a deep caring for marine animals;

- they are not involved in capturing animals for the purpose of display;
- whale watching in the wild is expensive;
- no need for referendum, voted for Commissioners to make decisions;
- increase of free public viewing areas, improvement of salmon hatchery;
- comparing the Aquarium to other cultural institutions such as the Vancouver Maritime Museum, Vancouver Art Gallery, Science World, the Aquarium does not receive any money from the city, they are self supporting and if money is extracted from the Aquarium they will be forced to cut programs;
- large number of dedicated volunteers;
- the City will be better off with a revitalized Aquarium;
- they truly care about the animals, environment protection pioneers in eco-system and conservation research.

Summary of comments against the proposal:

- dolphins are injured deliberately so that they can be brought into the Aquarium;
- the Synovate poll is invalid;
- Aquarium has outgrown Stanley Park, they should purchase land elsewhere and pay market price;
- the poll should not include the GVRD, Vancouver tax payers pay for Stanley Park;
- the public consultation process should have included Vancouver citizens only;
- preserve Stanley Park in its natural state for Vancouver citizens;
- public consultation paid for by the Aquarium is suspicious;
- bigger pools mean more whales;
- question asked was misleading, public support was soft;
- the survey was flawed, compared to 600,000 residents in Vancouver 3300 contacted is not enough;
- Stanley Park has a much more visible interest, therefore do not put too much faith in the survey;
- let Stanley Park go back to its original form;
- this issue should be decided at a referendum;
- it is a conflict of interest for the Aquarium to pay for the public consultation, process was too biased;
- what is the value of the land being given to the Aquarium?
- why the rush to expand, there are no Olympic events at the Aquarium;
- this is a one sided process, should be deferred;
- there has been no master plan for Stanley Park, defer this expansion until a master plan for Stanley Park is done;
- Vancouver is supposed to be a progressive city;
- opposed to development and preserve the park;
- feel bullied by people with money, as a citizen who does not have a lot of money or power, difficult to protect Stanley Park;
- the survey was to manufacture consent;
- giving up dwindling park space is bizarre;
- Stanley Park is valuable, do not bow to their public relations campaign;

- need to hold a referendum , the only democratic way to resolve issue;
- Stanley Park is precious to Vancouverites;
- the Vancouver Aquarium expansion does not benefit wildlife;
- education is not an excuse to take away space from wildlife;
- children know a lot about dinosaurs, yet they have never seen a live one;
- will support a by-law that will restrict the Aquarium from capturing wildlife;
- the process was crafted carefully to get the desired result;
- they would not need more space if they were not bringing in new animals;
- the Aquarium have failed the test of full transparency, not very democratic;
- by-law should not be included in the 20 year agreement;
- this is a dangerous industry of making money through displaying whales in captivity;
- it is an insult to Vancouver residents that Vancouverites are supportive of the expansion;
- the questions asked were not clear;
- keeping captive animals is a cash grab;
- the issue tonight is not about the Aquarium, the issue is Stanley Park;
- Stanley Park is a natural reserve, do not make a decision without a master plan.

The Board took a recess at 9:03 pm and the meeting resumed at 9:18 pm.

Board members thanked the delegations for their input and discussed the staff report regarding the Amendment to the Parks Control By-law Relating to Captive Cetaceans and stated that it was a good idea to review the bylaw to indicate that cetaceans stranded could be captured and released back into the wild or remain at the Aquarium as part of the by-law. A few members of the Board did not agree that a change to the bylaw should be made as the Aquarium has never released a cetacean but, instead will allow them to acquire from the wild.

The motion was put forward as follows:

Moved by Commissioner Houghton,

THAT the Board approve changes to the Parks Control Bylaw, Section 9 – (e) as outlined in this report and request Law Department to prepare a revised Bylaw for the Board’s consideration.

- Carried.

(Commissioners Herbert and Woodcock contrary)

2006 Aquarium Expansion Proposal

Board members received a copy of a staff report dated November 20, 2006 recommending that the Board approve recommendations A and B.

Moved by Commissioner Zlotnik,

- A. THAT the Board approve the attached Vancouver Aquarium expansion plan subject to the mitigation and compensation measures outlined in this report;
- B. THAT the Board amend the term of the current Stanley Park Aquarium Agreement to extend the license to 20 years from the start of construction of this proposed project on the basis that no legal rights are hereby created and non shall arise until an agreement to extend has been executed to the satisfaction of the Director of Legal Services and the General Manager.

A member of the Board stated that there are misconceptions regarding the Aquarium, they are a good tenant and a group who is trying to do something for Vancouver. The Aquarium benefits many researchers and a letter from Malaspina University and College indicating the valuable contribution made by the Aquarium was read to the Board.

Board members indicated that there are amendments they wished to bring forward and the Chair acknowledged their request.

A request to amend the motion to remove the Parks Control Bylaw from the agreement with the Aquarium was suggested to allow discussions on the by-law and the possibility of discontinuing display of cetaceans at any time rather, if the bylaw were to be tied in with the agreement, this discussion cannot take place.

Moved by Commissioner Woodcock,

THAT a recommendation C be added as follows:

- C. That the Parks Control By-law relating to captive cetaceans be taken out of the Vancouver Aquarium agreement.**

- Carried Unanimously.

A member of the Board indicated that the proposed gift shop will be a competition to the present Stanley Park stakeholders.

Moved by Commissioner De Genova,

THAT a recommendation D be added to the motion:

D. THAT the Vancouver Aquarium pull the gift shop back into the building so it does not compete with our existing stakeholders. The area that was shown as the gift shop can be used for changing public outdoor displays under a roof or as a public plaza.

- Carried Unanimously.

Moved by Commissioner De Genova,

THAT a recommendation E be added to the motion:

E. THAT the Vancouver Aquarium reimburse the Park Board jointly agreed to maintenance costs of the new plazas and salmon stream on an annual basis.

- Carried Unanimously.

Moved by Commissioner De Genova,

THAT a recommendation F be added to the motion:

F. THAT the percentage of gross revenue be reviewed every five years, similar to all other Park Board stakeholders.

- Carried Unanimously.

A member of the Board referred to recommendation B and stated that the Board needs to know when the project will start.

Moved by Commissioner Woodcock,

THAT the words “the earlier of” be inserted after ‘20 years from’ and before ‘the start of’;

And,

THAT the words “on or before December 31, 2008’ be inserted after ‘proposed project’ and before ‘on the basis’.

- Carried Unanimously.

A member of the Board stated that he understood that allowing people on leisure access cards to visit the Aquarium would not be a workable solution for the lower income groups to visit the Aquarium, and he would like the Aquarium to provide free passes of all categories of children and adults to be distributed through the community centres.

Moved by Commissioner Herbert,

THAT a recommendation G be added to the motion:

G. THAT the Vancouver Aquarium agree to supply one thousand individual passes at no cost to each Vancouver Park Board community centre on an annual basis, to be administered by Park Board staff to enable low income Vancouverites an opportunity to attend the Aquarium.

- Carried Unanimously.

A member of the Board stated that he would like to see improved pedestrian and bike connections to and from the aquarium plaza area from the park entrance.

Moved by Commissioner Herbert,

THAT recommendation H be added to the motion:

H. THAT item C under Mitigation and Compensation in the staff report dated November 20, 2006 regarding the 2006 Aquarium Expansion Proposal be amended to read as follows:

C. Beyond these new facilities, the Aquarium and the Park Board will jointly pursue enhanced safety features, including pathway lighting to the bus loop and enhanced traffic management features which will improve the bike and pedestrian connections to the Aquarium plaza, parking lot areas and to and from the park entrance.

- Carried Unanimously.

A member of the Board referred to the controversy on the subject of capturing cetaceans from the wild, a future board be urged to review the bylaw in 2012.

Moved by Commissioner Woodcock,

THAT a recommendation I be added to the motion:

I. THAT it is the Board's intention that in 2012 the board review the Parks Control By-law relating to captive cetaceans.

Board members discussed the motion and a member of the Board stated it might be more considerate to review the Parks Control By-law through the midway mark of the agreement in 2015. An amendment to the motion was suggested.

Moved by Commissioner De Genova,

- I. **THAT it is the Board's intention that in 2015 the board review the Parks Control By-law relating to captive cetaceans.**

- Carried.

(Commissioners Herbert and Woodcock contrary)

Board members discussed the main motion and noted the Aquarium's active contribution on research on environmental and conservation issues. A member of the Board stated that although the Aquarium's work is noteworthy, she does not support releasing 1.3 acres of Stanley Park for the expansion. It is her hope that the Aquarium will adopt new technologies for marine education which will not require the display of live animals.

Motion A was put forward as follows:

- A. **THAT the Board approve the attached Vancouver Aquarium expansion plan subject to the mitigation and compensation measures outlined in this report.**

- Carried.

(Commissioner Woodcock contrary)

Motion B amended was put forward as follows:

- B. **THAT the Board amend the term of the current Stanley Park Aquarium Agreement to extend the license to 20 years from the earlier of the start of construction of this proposed project or on or before December 31, 2008 on the basis that no legal rights are hereby created and non shall arise until an agreement to extend has been executed to the satisfaction of the Director of Legal Services and the General Manager.**

- Carried Unanimously.

The final amended motion regarding the 2006 Aquarium Proposal is as follows:

- A. THAT the Board approve the attached Vancouver Aquarium expansion plan subject to the mitigation and compensation measures outlined in this report.**
- B. THAT the Board amend the term of the current Stanley Park Aquarium Agreement to extend the license to 20 years from the earlier of the start of construction of this proposed project or on or before December 31, 2008 on the basis that no legal rights are hereby created and non shall arise until an agreement to extend has been executed to the satisfaction of the Director of Legal Services and the General Manager.**
- C. That the Parks Control By-law relating to captive cetaceans be taken out of the Vancouver Aquarium agreement.**
- D. THAT the Vancouver Aquarium pull the gift shop back into the building so it does not compete with our existing stakeholders. The area that was shown as the gift shop can be used for changing public outdoor displays under a roof or as a public plaza.**
- E. THAT the Vancouver Aquarium reimburse the Park Board jointly agreed to maintenance costs of the new plazas and salmon stream on an annual basis.**
- F. THAT the percentage of gross revenue be reviewed every five years, similar to all other Park Board stakeholders.**
- G. THAT the Vancouver Aquarium agree to supply one thousand individual passes at no cost to each Vancouver Park Board community centre on an annual basis, to be administered by Park Board staff to enable low income Vancouverites an opportunity to attend the Aquarium.**
- H. THAT item C under Mitigation and Compensation in the staff report dated November 20, 2006 regarding the 2006 Aquarium Expansion Proposal be amended to read as follows:**
 - C. Beyond these new facilities, the Aquarium and the Park Board will jointly pursue enhanced safety features, including pathway lighting to the bus loop and enhanced traffic management features which will improve the bike and pedestrian connections to the Aquarium plaza, parking lot areas and to and from the park entrance.**

- I. THAT it is the Board's intention that in 2015 the board review the Parks Control By-law relating to captive cetaceans.**

The meeting adjourned at 10:55 p.m.

Susan Mundick
General Manager

Commissioner Heather Holden
Chair