



## **COUNCIL MEETING MINUTES**

**MAY 26, 2020**

A Meeting of the Council of the City of Vancouver was held on Tuesday, May 26, 2020, at 9:30 am, in the Council Chamber, Third Floor, City Hall. This Council meeting was convened by electronic means as authorized under the Order of the Minister of Public Safety and Solicitor General of the Province of British Columbia – Emergency Program Act, Ministerial Order No. M139.

**PRESENT:**

- Mayor Kennedy Stewart
- Councillor Rebecca Bligh
- Councillor Christine Boyle
- Councillor Adriane Carr
- Councillor Melissa De Genova\*
- Councillor Lisa Dominato\*
- Councillor Pete Fry
- Councillor Colleen Hardwick
- Councillor Sarah Kirby-Yung
- Councillor Jean Swanson
- Councillor Michael Wiebe

**CITY MANAGER'S OFFICE:** Sadhu Johnston, City Manager  
Paul Mochrie, Deputy City Manager

**CITY CLERK'S OFFICE:** Rosemary Hagiwara, Deputy City Clerk  
Irina Dragnea, Meeting Coordinator

\* Denotes absence for a portion of the meeting.

### **WELCOME**

The Mayor acknowledged we are on the unceded territories of the Musqueam, Squamish, and Tsleil-Waututh Nations and we thank them for having cared for this land and look forward to working with them in partnership as we continue to build this great city together.

The Mayor also recognized the immense contributions of the City of Vancouver's staff who work hard every day to help make our city an incredible place to live, work, and play.

### **ACKNOWLEDGEMENT – World Multiple Sclerosis (MS) Day on May 30, 2020**

The Mayor acknowledged that on May 30, 2020, Vancouver City Hall will light up to recognize World MS Day. The Mayor noted that this year's theme is 'Connection', a particularly important idea as we are challenged by social and physical isolation during the COVID-19 pandemic and that we must continue to advocate for life-long care and support for the 100,000 Canadians living with MS.

The Mayor recognized the caregivers who help their loved ones get through the daily challenges of life with MS and thanked the researchers who give hope to Canadians living with severe forms of this disease, for which there is no treatment or cure.

The Mayor encouraged people in Vancouver to join in on learning more about MS or getting involved in a local MS walk or bike tour, once these events resume.

## **IN CAMERA MEETING**

MOVED by Councillor Hardwick  
SECONDED by Councillor Carr

THAT Council will go into meetings later this week which are closed to the public, pursuant to Section 165.2(1) of the *Vancouver Charter*, to discuss matters related to paragraphs:

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 [disclosure harmful to business interests of a third party] of the Freedom of Information and Protection of Privacy Act;

(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public.

CARRIED UNANIMOUSLY

## **ADOPTION OF MINUTES**

1. Council – May 12, 2020

MOVED by Councillor Boyle  
SECONDED by Councillor Hardwick

THAT the Minutes of the Council meeting of May 12, 2020, be approved.

CARRIED UNANIMOUSLY

2. Public Hearing – May 12, 2020

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Swanson

THAT the Minutes of the Public Hearing of May 12, 2020, be approved.

CARRIED UNANIMOUSLY

3. Council (City Finance and Services) – May 13, 2020

MOVED by Councillor Carr  
SECONDED by Councillor Hardwick

THAT the Minutes of the Council meeting following the Standing Committee on City Finance and Services meeting of May 13, 2020, be approved.

CARRIED UNANIMOUSLY

4. Special Council (Terms of Reference of Council COVID-19 Recovery Committee) – May 14, 2020

MOVED by Councillor Carr  
SECONDED by Councillor Fry

THAT the Minutes of the Special Council (Terms of Reference of Council COVID-19 Recovery Committee) meeting of May 14, 2020, be approved.

CARRIED UNANIMOUSLY

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

THAT Council adopt Report 2 and Referral Reports 1 to 3, on consent.

CARRIED UNANIMOUSLY

**PRESENTATIONS**

**1. COVID-19 Pandemic Impacts: Financial Mitigation and Restoration of City Service Plan  
May 19, 2020**

Patrice Impey, General Manager, Finance, Risk and Supply Chain Management, along with staff from Financial Planning and Analysis, and staff from Business Planning and Project Support,

provided a presentation on the Report dated May 19, 2020, entitled "COVID-19 Pandemic Impacts: Financial Mitigation and Restoration of City Service Plan".

\* \* \* \* \*

At 10:37 am, during the staff presentation, it was

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Carr

THAT Council recess the meeting until 1 pm in order to go In Camera.

CARRIED UNANIMOUSLY

\* \* \* \* \*

Council recessed at 10:38 am and reconvened at 1 pm, continuing with the presentation on agenda item 1 - COVID-19 Pandemic Impacts: Financial Mitigation and Restoration of City Service Plan.

\* \* \* \* \*

Following the presentation, the City Manager, together with staff from Financial Planning and Analysis, and staff from Arts, Culture and Community Services, responded to questions.

MOVED by Councillor Carr  
SECONDED by Councillor Boyle

THAT Council receive the Report dated May 19, 2020, entitled "COVID-19 Pandemic Impacts: Financial Mitigation and Restoration of City Service Plan", for information, and request that the Director of Finance share this information with the Park Board, Library Board and Police Board.

amended

CALLING THE VOTE MOVED by Councillor Carr  
SECONDED by Councillor Fry

THAT Council take the vote on the motion on the floor, without any further debate.

LOST (Vote No. 05899)  
(Councillors Bligh, De Genova, Dominato, Hardwick, Kirby-Yung and Swanson opposed)  
(Councillor Wiebe abstained from the vote)

AMENDMENT MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Dominato

THAT the following be added as B:

THAT Council direct staff to retain the planned incremental funding of \$300,000 for quality core services to support improved street cleaning services which includes litter pickup and street sweeping.

LOST (Vote No. 05900)  
(Councillors Boyle, Carr, Fry, Swanson, Wiebe and Mayor Stewart opposed)  
(Councillor De Genova abstained from the vote)

AMENDMENT MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Dominato

THAT the following be added as B:

THAT Council direct staff to reduce the planned incremental funding of \$329,000 to support new hires for the City Manager's Office by \$95,000.

LOST (Vote No. 05901)  
(Councillors Boyle, Carr, Fry, Swanson, Wiebe and Mayor Stewart opposed)  
(Councillor De Genova abstained from the vote)

AMENDMENT MOVED by Councillor Swanson  
SECONDED by Councillor Boyle

THAT the following be added as B:

THAT Council ask staff to find ways to preserve work and funding for equity and diversity issues, including the women's equity framework, racial equity and redress projects, reconciliation and urban Indigenous engagement, low barrier employment, computer access in low income neighbourhoods, the Mayor's Overdose Task Force, sexual harassment and violence prevention, and access without fear implementation.

CARRIED UNANIMOUSLY (Vote No. 05902)  
(Councillors De Genova, Dominato and Hardwick abstained from the vote)

*During debate on the above-noted amendment, Mayor Stewart relinquished the Chair to Councillor Wiebe, in order to participate in debate and resumed as Chair when completed.*

At 3:03 pm, during debate on the above-noted amendment, Councillor De Genova rose on point of order under Section 8.7(f) of the *Procedure By-law*, noting the amendment seemed frivolous as this work is already being done by staff. Chair Wiebe consulted with staff and ruled the amendment in order.

AMENDMENT MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

THAT the following be added as C:

THAT the proposed report back on "recalibration" of the Capital Budget, as set out in the Memorandum from the General Manager of Finance, Risk and Supply Chain Management, dated May 25, 2020, entitled "COVID-19 Pandemic Response & Recovery: 2019-2022 Capital Plan Recalibration", include priority ranking of projects from the Capital Plan and Budget that Council can consider to achieve savings of the "pay as you go" funding from the 2020 Operating Budget.

CARRIED (Vote No. 05903)  
(Councillors Swanson and Wiebe opposed)  
(Councillors Boyle and De Genova abstained from the vote)

AMENDMENT MOVED by Councillor Dominato  
SECONDED by Councillor Kirby-Yung

THAT the following be added as D:

THAT Council direct staff to develop a decision making framework for prioritizing operating budget reductions which is guided by the priorities endorsed by Council (Budget 2020, page 24) and includes rationales for the reductions;

FURTHER THAT this framework and accompanying rationales for recommended operating budget reductions is included in all future COVID-19 pandemic impact and budget mitigation updates.

CARRIED (Vote No. 05904)  
(Councillors Boyle, Carr, Swanson, Wiebe and Mayor Stewart opposed)  
(Councillor De Genova abstained from the vote)

Prior to the vote, Council agreed to separate the components of the motion and with the amendments having either lost or carried, the motion as amended was put with A having CARRIED (Vote No. 05905) (*reconsidered*) with Councillors Dominato and Kirby-Yung opposed and Councillor Boyle abstaining from the vote, B having CARRIED UNANIMOUSLY (Vote No. 05906), C having CARRIED (Vote No. 05907) with Councillors Swanson and Wiebe opposed and Councillor Boyle abstaining from the vote, and D having CARRIED (Vote No. 05908) with Councillors Boyle, Carr, Swanson, Wiebe and Mayor Stewart opposed.

\* \* \* \* \*

Subsequently,

RECONSIDERATION MOVED by Councillor De Genova  
SECONDED by Councillor Kirby-Yung

THAT Council reconsider the vote on A.

CARRIED (Vote No. 05909)  
(Mayor Stewart opposed)  
(Councillor Boyle abstained from the vote)

MOVED by Councillor Carr  
SECONDED by Councillor Boyle

- A. THAT Council receive the Report dated May 19, 2020, entitled "COVID-19 Pandemic Impacts: Financial Mitigation and Restoration of City Service Plan", for information, and request that the Director of Finance share this information with the Park Board, Library Board and Police Board.

CARRIED (Vote No. 05910)  
(Councillors De Genova, Dominato and Kirby-Yung opposed)  
(Councillor Boyle abstained from the vote)

\* \* \* \* \*

#### **FINAL MOTION AS APPROVED**

- A. THAT Council receive the Report dated May 19, 2020, entitled "COVID-19 Pandemic Impacts: Financial Mitigation and Restoration of City Service Plan", for information, and request that the Director of Finance share this information with the Park Board, Library Board and Police Board.
- B. THAT Council ask staff to find ways to preserve work and funding for equity and diversity issues including the women's equity framework, racial equity and redress projects, reconciliation and urban Indigenous engagement, low barrier employment, computer access in low income neighbourhoods, the Mayor's Overdose Task Force, sexual harassment and violence prevention, and access without fear implementation.
- C. THAT the proposed report back on "recalibration" of the Capital Budget, as set out in the Memorandum from the General Manager of Finance, Risk and Supply Chain Management, dated May 25, 2020, entitled "COVID-19 Pandemic Response & Recovery: 2019-2022 Capital Plan Recalibration", include priority ranking of projects from the Capital Plan and Budget that Council can consider to achieve savings of the "pay as you go" funding from the 2020 Operating Budget.

- D. THAT Council direct staff to develop a decision making framework for prioritizing operating budget reductions which is guided by the priorities endorsed by Council (Budget 2020, page 24) and includes rationales for the reductions;

FURTHER THAT this framework and accompanying rationales for recommended operating budget reductions is included in all future COVID-19 pandemic impact and budget mitigation updates.

### **UNFINISHED BUSINESS**

- 1. Adopt Report of the Standing Committee on City Finance and Services Meeting on May 13, 2020**

#### **COMMITTEE REPORTS**

Report of Standing Committee on City Finance and Services  
Wednesday, May 13, 2020,

Council considered the report containing the recommendations and actions taken by the Standing Committee on City Finance and Services. Its item of business included:

1. Presentation: COVID 19 - Mobility and Public Space Responses
2. Flexible, Innovative and Expedited Patio Permitting
3. Working for More Housing Affordability in the Cambie Corridor

Items 1 to 3

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT the recommendations and actions taken by the Standing Committee on City Finance and Services meeting of May 13, 2020, as contained in items 1 to 3, be approved.

CARRIED UNANIMOUSLY (Vote No. 05920)

### **REPORTS**

- 1. Sewage and Rainwater Management Plan for Vancouver  
May 13, 2020**

MOVED by Councillor Bligh  
SECONDED by Councillor Fry

- A. THAT Council approve the approach outlined in the Report dated May 13, 2020, entitled "Sewage and Rainwater Management Plan for Vancouver", to develop a comprehensive sewage and rainwater management plan for Vancouver, to address pollution from sewage and urban run-off along with risks presented by



climate change, aging infrastructure and urban growth; working in collaboration with Metro Vancouver, Park Board, First Nations, and other partners, and in close coordination with the Vancouver Plan and key environmental policy areas.

- B. THAT Council direct staff to report back in 2021, with a progress update on the development of the sewage and rainwater management plan for Vancouver, including recommended short-term accelerated actions to reduce pollution from sewage and polluted urban runoff.
- C. THAT the Report dated May 13, 2020, entitled "Sewage and Rainwater Management Plan for Vancouver", be provided to the Vancouver Board of Parks and Recreation for information.

CARRIED UNANIMOUSLY (Vote No. 05923) (*reconsidered*)  
(Councillor Dominato absent for the vote)

\* \* \* \* \*

RECONSIDERATION MOVED by Councillor Dominato  
SECONDED by Councillor De Genova

THAT Council reconsider the vote on Report 1 - Sewage and Rainwater Management Plan for Vancouver.

CARRIED UNANIMOUSLY (Vote No. 05912)  
(Councillor Boyle abstained from the vote)

MOVED by Councillor Bligh  
SECONDED by Councillor Fry

- A. THAT Council approve the approach outlined in the Report dated May 13, 2020, entitled "Sewage and Rainwater Management Plan for Vancouver", to develop a comprehensive sewage and rainwater management plan for Vancouver, to address pollution from sewage and urban run-off along with risks presented by climate change, aging infrastructure and urban growth; working in collaboration with Metro Vancouver, Park Board, First Nations, and other partners, and in close coordination with the Vancouver Plan and key environmental policy areas.
- B. THAT Council direct staff to report back in 2021, with a progress update on the development of the sewage and rainwater management plan for Vancouver, including recommended short-term accelerated actions to reduce pollution from sewage and polluted urban runoff.
- C. THAT the Report dated May 13, 2020, entitled "Sewage and Rainwater Management Plan for Vancouver", be provided to the Vancouver Board of Parks and Recreation for information.

CARRIED UNANIMOUSLY (Vote No. 05928)  
(Councillor Boyle abstained from the vote)

\* \* \* \* \*

**2. Public Art and Chinese Canadian Museum Grant 2020, Recommended Allocations  
May 19, 2020**

MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

- A. THAT Council approve grant allocations totalling \$345,200 to support five projects, as listed in Table 1 of the Report dated May 19, 2020, entitled “Public Art and Chinese Canadian Museum Grant 2020, Recommended Allocations”, source of funding is the 2020 Public Art Capital Budget.
- B. THAT Council approve \$173,511 be transferred to the Chinese Canadian Museum Society of British Columbia. Source of funds is a grant from the Province of BC’s Ministry of Tourism, Arts and Culture, to the City of Vancouver to support early implementation work for the Chinese Canadian Museum.
- C. THAT Council approve the repurposing of a grant to Vancity Community Foundation (grant balance is \$57,000) to allow for additional support for Vancouver artists to respond to loss of income due to COVID-19.
- D. THAT, pursuant to Section 206 (1) (j) of the *Vancouver Charter*, Council deems the Chinese Canadian Museum and any organization listed in Appendix A of the Report dated May 19, 2020, entitled “Public Art and Chinese Canadian Museum Grant 2020, Recommended Allocations”, that is not otherwise a charity registered with the Canada Revenue Agency to be contributing to the culture of Vancouver.
- E. THAT the General Manager of Arts, Culture and Community Services (GM of ACCS) (or their designate) be authorized to negotiate and execute agreements to disburse the grants described in the Report dated May 19, 2020, entitled “Public Art and Chinese Canadian Museum Grant 2020, Recommended Allocations”, on the terms and conditions generally set out below, and on such other terms and conditions as are satisfactory to the GM of ACCS and the Director of Legal Services.
- F. THAT no legal rights or obligations are created by the approval of A and B above unless and until the applicable grant agreement or letter agreement is approved by the City in accordance with D above and executed and delivered by both the grant recipient and the General Manager of Arts, Culture and Community Services (or their designate).
- G. THAT Council thank the seven community members who served on the assessment committee of the public art grant for their generous commitment of time, as well as personal lived experience and professional expertise that they contributed to the adjudication process.

ADOPTED ON CONSENT AND A to C  
BY THE REQUIRED MAJORITY (Vote No. 05924)

## REFERRAL REPORTS

### 1. CD-1 Rezoning: 486 West 26th Avenue April 21, 2020

MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Billard Architecture Inc., on behalf of 1162930 B.C. Ltd., the registered owner, to rezone 486 West 26th Avenue [*Lot 1, Block 701, District Lot 526, Plan 6539; PID: 010-872-698*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the permitted floor space ratio (FSR) from 0.70 to 2.51 and the building height from 10.7 m (35 ft.) to 19.9 m (65 ft.) to permit the development of a six-storey residential building with 29 strata residential units, be referred to a Public Hearing together with:
- (i) plans prepared by Billard Architecture Inc., received June 13, 2019;
  - (ii) draft *CD-1 By-law* provisions, generally as presented in Appendix A of the Referral Report dated April 21, 2020, entitled "CD-1 Rezoning: 486 West 26th Avenue"; and
  - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B of the above-noted report.

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

- B. THAT, subject to enactment of the *CD-1 By-law*, the *Subdivision By-law* be amended generally as set out in Appendix C of the Referral Report dated April 21, 2020, entitled "CD-1 Rezoning: 486 West 26th Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the *Subdivision By-law* at the time of enactment of the *CD-1 By-law*.

- C. THAT A and B above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions create no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
  - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner;

- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT (Vote No. 05925)

**2. CD-1 Rezoning: 6825 West Boulevard  
May 12, 2020**

MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Formwerks Architectural Inc., on behalf of FB West Boulevard Development Ltd., to rezone 6825 West Boulevard [*Lot 7, Except Parcel A (See B47424L) Block 2 South District Lot 526 Plan 3271, PID: 013-006-096*] from RS-5 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to maintain an overall density of 0.60 FSR and permit the protection, rehabilitation and conversion of the existing building and the development of infill residential buildings containing a total of nine dwelling units, be referred to a Public Hearing, together with:
    - (i) plans prepared by Formwerks Architectural Inc., received on March 31, 2017;
    - (ii) draft *CD-1 By-law* provisions, generally as presented in Appendix A of the Referral Report dated May 12, 2020, entitled "CD-1 Rezoning: 6825 West Boulevard"; and
    - (iii) the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, including approval in principle of the form of development, subject to the Conditions of Approval contained in Appendix B of the above-noted report;
- FURTHER THAT the Director of Legal Services be instructed to prepare the necessary *CD-1 By-law* generally in accordance with Appendix A of the above-noted report for consideration at Public Hearing.
- B. THAT subject to the approval in principle of the rezoning, Council re-affirm the existing building (the "Heritage Building") at 6825 West Boulevard [*PID: 013-006-096; Lot 7, Except Parcel A (See B47424L) Block 2 South District Lot 526 Plan 3271*], known as the "Twiss Residence" and formerly on the Vancouver Heritage Register in the 'C' evaluation category, as reclassified on the Vancouver Heritage Register in the 'A' evaluation category.
  - C. THAT the heritage designation of the Heritage Building's exterior at 6825 West Boulevard [*PID: 013-006-096; Lot 7, Except Parcel A (See B47424L) Block 2 South District Lot 526 Plan 3271*] as protected heritage property be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the *Heritage Designation By-law*, generally as set out in Appendix C of the Referral Report dated May 12, 2020, entitled “CD-1 Rezoning: 6825 West Boulevard”, for consideration at the Public Hearing.

- D. THAT, subject to enactment of the *CD-1 By-law*, the *Subdivision By-law* be amended generally as set out in Appendix C of the Referral Report dated May 12, 2020, entitled “CD-1 Rezoning: 6825 West Boulevard”;

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the *Subdivision By-law* at the time of enactment of the *CD-1 By-law*.

- E. THAT A to D above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and the expenditures of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the costs;
  - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling the requirements imposed as a condition of rezoning are at the risk of the property owner;
  - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT (Vote No. 05926)

**3. 3350 Marine Way and 3565 Sawmill Crescent – Amendments to CD-1 (566) and East Fraser Lands Official Development Plan  
May 5, 2020**

MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

- A. THAT the application by Park Lane River District Developments Ltd. (Wesgroup Properties) to amend CD-1 (566) By-law No. 10941 to achieve the following changes in Area 1, be approved, in principle:
- i. Amendments to allow secured market rental housing use and retail uses on Parcels 14 and 19 (sub-area 2);
  - ii. Increase floor area by 1 858 sq. m. (20,000 sq. ft.) to permit a community energy centre on Parcel 19; and

- iii. Move the 49-space childcare centre from Parcel 19 to an alternative location in East Fraser Lands;

FURTHER THAT the application be referred to a Public Hearing;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix A of the Referral Report dated May 5, 2020, entitled "3350 Marine Way and 3565 Sawmill Crescent – Amendments to CD-1 (566) and East Fraser Lands Official Development Plan", for consideration at the Public Hearing.

- B. THAT, and subject to approval of A above, and consequential to the application to amend CD-1 (566) By-law No. 10941, amendments to the East Fraser Lands Official Development Plan By-law No. 9393, generally in accordance with Appendix B of the Referral Report dated May 5, 2020, entitled "3350 Marine Way and 3565 Sawmill Crescent – Amendments to CD-1 (566) and East Fraser Lands Official Development Plan", be referred to the same Public Hearing as the application set out in A above;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law, generally in accordance with Appendix B of the Referral Report dated May 5, 2020, entitled "3350 Marine Way and 3565 Sawmill Crescent – Amendments to CD-1 (566) and East Fraser Lands Official Development Plan", for consideration at the Public Hearing.

- C. THAT, subject to approval of A and B above, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward the following for Council adoption at the time of enactment of the amending by-law:
  - i. Updates to the Phase 1 Design Guidelines, generally as presented in Appendix D of the Referral Report dated May 5, 2020, entitled "3350 Marine Way and 3565 Sawmill Crescent – Amendments to CD-1 (566) and East Fraser Lands Official Development Plan";

FURTHER THAT the above-noted report be referred to the same Public Hearing.

- D. THAT A and B above be adopted on the following conditions:
  - i. THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditures or incurring the cost;
  - ii. THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the sole risk of the property owner; and

- iii. THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT (Vote No. 05927)

### **BY-LAWS**

MOVED by Councillor Carr  
SECONDED by Councillor Kirby-Yung

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 1 to 2 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Dominato

THAT Council enact the by-law listed on the agenda for this meeting as number 3, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

amended

AMENDMENT MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Dominato

THAT Council amend the by-law listed on the agenda for this meetings as number 3 by adding the following as section 7.11:

“Speaking to Council

7.11 All persons speaking on any matter involving a Council meeting, a Standing Committee meeting or a Public Hearing are requested to state their full name and whether they are a resident or non-resident of the City of Vancouver.”

CARRIED UNANIMOUSLY (Vote No. 05913)  
(Councillor Boyle abstained from the vote)

The amendment having carried, the motion as amended was put and CARRIED  
(Vote No. 05914) with Councillor Boyle opposed.

1. A By-law to amend the Vacancy Tax By-law No. 11674 regarding Late Declarations (By-law No. 12701)
2. A By-law to amend Water Works By-law No. 4848 regarding required meter service (By-law No. 12702)

3. A By-law to amend the Procedure By-law No. 12577 regarding requests for the name and residence of persons providing public comments (By-law No. 12703)

## **MOTIONS**

### **A. Administrative Motions**

#### **1. Approval of Form of Development - 5130 - 5170 Cambie Street**

MOVED by Councillor Carr  
SECONDED by Councillor Bligh

THAT the form of development for this portion of the site known as 5130-5170 Cambie Street be approved generally as illustrated in the Development Application Number DP-2018-00865, prepared by GBL Architects Inc., received by Community Services Group, Development Services, on March 27, 2020, provided that the Director of Planning may impose conditions and approve design changes which would not adversely affect either the development character of the site or adjacent properties.

CARRIED UNANIMOUSLY (Vote No. 05929)

### **B. Council Members' Motions**

#### **1. Enhancing COVID-19 Revenue Streams for Smaller Unlicensed Restaurants and Cafes via Temporary Liquor Licensing**

MOVED by Councillor Bligh  
SECONDED by Councillor Kirby-Yung

#### **WHEREAS**

1. COVID-19 has placed an unprecedented strain on the finances of Vancouver residents and business owners alike, and also on the City's finances;
2. To help reduce financial stress for residents and business, while also helping the City to maintain essential public services, Council recently approved a variety of measures to protect the public and position Vancouver for an eventual recovery. For example, on April 28, 2020, Council approved a delay in the 2020 payment deadline for both residential and commercial property taxes which will now be [on September 30, 2020](#);
3. Prior to the Council meeting on April 28, 2020, Council met to declare a State of Emergency in Vancouver in response to COVID-19 (on March 19, 2020). And on March 23, 2020, Council voted to give City of Vancouver staff the power to enforce orders under the City's State of Emergency bylaw, including the ability to prosecute breaches of emergency orders, and the ability to issue tickets, underscoring the serious impact of this disease on the people and economy of



the city and its businesses;

<https://council.vancouver.ca/20200319/documents/spec20200319min.pdf>

4. It has been widely reported that Vancouver's vibrant and diverse restaurant sector has been particularly hard hit by COVID-19 due to closures ordered by the province. Many are fighting for their survival and have implemented various emergency strategies to sustain their hard hit businesses through this difficult time;
5. Recent feedback received by Council from Vancouver's BIAs relating to COVID-19 and the city's restaurant sector has included recommendations to expedite and otherwise reduce costs and barriers for permits and licensing of patios and takeaway food and a recommendation to allow smaller, unlicensed restaurants and cafes – which currently fall under the City's Limited Food Service designation – the ability to offer liquor sales to help them survive by means of an additional revenue stream;
6. Council will consider a motion recently brought forward by Councillor Kirby-Yung which seeks greater flexibility on the part of the City to make it easier for restaurants to open patios and offer open-air dining during the COVID-19 crisis, signaling Council's collective keen interest in securing the survival of the city's restaurant sector;
7. In 2013, the Province undertook the Liquor Policy Review, one of the largest public engagements in B.C.'s history focused on bringing liquor laws into the 21st century. The Province's efforts to modernize liquor laws were focused on increasing consumer choice, creating new opportunities for businesses, and enhancing public health and safety; <https://news.gov.bc.ca/factsheets/factsheet-modernized-liquor-laws-benefit-bc-consumers-and-businesses> [[news.gov.bc.ca](https://news.gov.bc.ca)]
8. On June 14, 2017, Council adopted policy changes affecting businesses that serve and retail liquor in response to the Province's modernization of B.C.'s liquor laws. Three goals were set for the City liquor policy:
  - Protect health, safety, and community livability;
  - Foster creativity, community connection, and local economy; and
  - Ensure regulatory framework is effective and efficient;
9. In accordance with recent feedback received by Council from Vancouver's BIAs relating to COVID-19 and the city's restaurant sector, there is a large group of Vancouver businesses that serve food (under the Limited Food Service designation) that cannot currently sell liquor. By making appropriate and well-considered adjustments to the City's relevant liquor-related by-law(s), and associated regulations, in this time of COVID-19 it would provide smaller restaurants and cafes with the ability to offer liquor sales in addition to food and would invariably have an immediate positive effect on their small business revenue stream and support their survival during this time of COVID-19.

THEREFORE BE IT RESOLVED THAT Council direct staff to explore by-law and licensing options on an urgent basis, including consultation with relevant stakeholders such as local BIAs, that would allow smaller unlicensed restaurants and cafes which serve food, and which currently fall under the City's Limited Food Service designation, to sell liquor (consistent with all related provincial legislation and regulations) in order to provide these small businesses with an additional source of revenue during this time of COVID-19;

FURTHER THAT staff report back on an urgent basis with recommendations accordingly to support the economic survival of this significant segment of Vancouver's wider restaurant and entertainment sector currently impacted by COVID-19.

referred

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe

THAT the motion entitled "Enhancing COVID-19 Revenue Streams for Smaller Unlicensed Restaurants and Cafes via Temporary Liquor Licensing" be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, May 27, 2020, in order to hear from speakers.

CARRIED UNANIMOUSLY

## **2. Allowing Responsible Alcohol Consumption in Vancouver Parks and Beaches**

MOVED by Councillor Boyle  
SECONDED by Councillor Fry

WHEREAS

1. Increasing numbers of Vancouver residents, particularly renters and low or middle income residents, are living in multi-family housing with limited access to private outdoor space (e.g. backyards, etc.) that only a minority of more affluent residents have the luxury to enjoy. This increased density provides more affordability and a lower ecological footprint, and it results in more Vancouver residents relying on public outdoor space such as parks and beaches as an extension of their living space;
2. While we don't have race or class-disaggregated data on local enforcement of existing bylaws, unconscious class and race biases are commonly acknowledged to exist, and may play a role both in what incidents enforcement officers are called to respond to, and how they respond to those incidents. Where bylaws such as existing restrictions on the responsible consumption of alcohol in public parks and beaches are regularly not adhered to by a wide swath of people, enforcement of the bylaw is at the discretion of individual police or bylaw officers, which may result in a real or perceived inequality in the application of the rules;

3. The COVID-19 Public Health Emergency has resulted in changes in nearly every aspect of civic life, including restrictions on in-house dining in local restaurants, pubs and breweries, restrictions on travel, and the cancellation of large public events and festivals. These restrictions, though necessary and appropriate, have had significant financial impacts on local businesses;
4. In response to the COVID-19 pandemic, the Province has allowed restaurants to sell packaged liquor products accompanying a meal purchase, for pick-up or delivery, as a way to support local businesses and allow those businesses to keep as many staff working as possible;
5. BC's Provincial Health Officer, Dr. Bonnie Henry, has said that the coronavirus is less likely to be transmitted outdoors than indoors, and has encouraged people to go outside while keeping a safe physical distance from those outside their immediate circle. Dr Henry has also advised British Columbians that going for walks and spending time in parks is important for mental health;
6. As spring weather has arrived, an increasing number of Vancouver residents can be seen socializing and eating meals outdoors, frequently while responsibly consuming local beer or wine. While not everyone is respecting public health directions to maintain a 2m distance from those not in your immediate circle, the vast majority of Vancouver residents have been acting safely and responsibly;
7. Many countries and cities around the world have adopted more lenient policies, bylaws and legislations, permitting the responsible consumption of alcohol in public spaces. Countries such as the UK, Germany and Japan permit drinking in public places. Some places, including Montreal, permit the drinking of alcoholic beverages within parks but only when accompanied by a meal or a picnic. While other places, including New South Wales, permit the public consumption of alcohol outside of specifically designated no-drinking areas, which must be publicly marked;
8. In September 2018, the Vancouver Park Board approved an updated Park Board Concession Strategy which included a recommendation to "Assess the feasibility of offering alcohol sales at select Park Board run concessions though an alcohol sales pilot at the English Bay and Kitsilano Beach concessions, in collaboration with the current restaurant operators";
9. In developing this updated strategy, the Park Board completed a comprehensive stakeholder and public engagement program, including research which showed that "79% of survey respondents agree or strongly agree with the sale of alcoholic beverages at concessions";
10. In December 2018, the Vancouver Park Board unanimously approved a motion from Commissioner Dave Demers to "conduct a feasibility study for a pilot project that would allow the public to consume their own alcoholic beverages on select parks and beaches." This feasibility study was to be completed at the end of 2019, but has been slightly delayed;

11. Due to COVID related travel restriction, the summer of 2020 will see fewer visitors and festivals in Vancouver;
12. Laws at the provincial and federal levels prohibiting public intoxication, causing a public disturbance, or consuming alcohol under-age, apply across Vancouver. Vancouver also has local noise by-laws to limit public disturbance, and Vancouver Parks and Beaches close to the public at 10 pm unless otherwise posted on site; and
13. It is the Park Board's understanding that consumption of alcoholic beverages at parks and beaches is within the Park Board's jurisdiction, and is currently prohibited through the Parks Control By-laws.

THEREFORE BE IT RESOLVED

- A. THAT in light of equity considerations and changes related to COVID-19, Council encourages the Vancouver Park Board to urgently amend the Parks Control By-laws to allow responsible alcohol consumption in parks and beaches within Park Board jurisdiction, as quickly as possible.
- B. THAT, if required, Council directs city staff to collaborate with provincial partners to clarify appropriate processes and jurisdictional concerns and report back to Council with a recommended process for legalizing the responsible alcohol consumption in parks and beaches as quickly as possible;

FURTHER THAT, if a report back is necessary, a copy of it be shared with the Park Board.

referred

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Boyle

THAT the motion entitled "Allowing Responsible Alcohol Consumption in Vancouver Parks and Beaches" be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, May 27, 2020, in order to hear from speakers.

CARRIED UNANIMOUSLY  
(Councillor Dominato absent for the vote)

### **3. Designating Public Space for Responsible Consumption of Alcohol**

At 4:15 pm, during questions to Council Member on the above-noted motion, Councillor De Genova rose on point a of order under Section 8.7(f) of the *Procedure By-law*, noting the motion seemed frivolous as this work is already being done by staff as part of a different motion approved by Council for pilot piazzas. The Mayor consulted with staff and ruled the motion in order as the scope of the above-noted motion is more expansive than the previous motion approved by Council.

MOVED by Councillor Fry  
SECONDED by Councillor Dominato

WHEREAS

1. COVID-19 public health response and mandated physical distancing has limited the ability for Vancouverites to socialize with friends and family in their homes or licensed public establishments;
2. In 2019, Vancouver's elected Park Board unanimously approved "Alcohol Consumption at Vancouver Parks and Beaches" a pilot to look at responsible enjoyment of alcoholic beverages in designated areas of select parks/beaches;
3. On March 21, 2020, the Attorney General of British Columbia announced Liquor and Cannabis Regulation Branch Policy Directive No: 20-05, permitting sale and delivery of packaged liquor for off-site consumption with the purchase of a meal;<sup>1</sup>
4. On May 13, 2020, Council-approved motion "Flexible, Innovative and Expedited Patio Permitting", which supports the rapid deployment of patio spaces for the use by business patrons; but patios legally and practically cannot be available or accessible to non-patrons, equitably distributed throughout the city, or available to all food and drink serving businesses;
5. On May 13, 2020, City of Vancouver's Engineering Services and Finance staff presented "Mobility + Public Life Response", which offered recommendations to reanimate and rebuild public life, considering public spaces for flexible uses like eating and gathering as well as temporary closures of side streets to create plazas;
6. Section 73 subsections (2) and (3) of the *Liquor Control and Licensing Act* permit Council to pass a by-law that allows liquor consumption during specific hours and in specific public places, or parts of them, that are under the jurisdiction of the City;<sup>2</sup> and
7. Section 73 subsection (4) of the *Liquor Control and Licensing Act* states that without limiting subsection (2), regulations under that subsection may provide that a by-law referred to in that subsection may not designate a specified public place, or a specified public place for a specified period of time.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to prepare a by-law pursuant to Section 73 subsections (2), (3) and (4) of the *Liquor Control and Licensing Act*, to allow for liquor consumption in select public places that are under jurisdiction of the City, and enables the creation of temporary and time limited spaces for responsible

---

<sup>1</sup> [https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/policy-directives/20-05\\_sale\\_and\\_delivery\\_of\\_packaged\\_liquor\\_from\\_service\\_area\\_for\\_off-site\\_consumption.pdf](https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/policy-directives/20-05_sale_and_delivery_of_packaged_liquor_from_service_area_for_off-site_consumption.pdf)

<sup>2</sup> <http://www.bclaws.ca/civix/document/id/complete/statreg/15019#section73>

consumption of alcohol in public.

- B. THAT Council direct staff to consult with the Vancouver Police Department, Engineering Services and Planning, Urban Design and Sustainability, staff as well as local Business Improvement Associations and businesses (as applicable), to recommend appropriate locations and hours for consumption of alcohol in specified public places. Recommendations should consider, but not be limited to:
- a. Public safety;
  - b. Crime prevention through environmental design;
  - c. Access to restroom facilities;
  - d. Proximity to neighbours; and
  - e. Litter receptacles.
- C. THAT Council direct staff to prepare appropriate process, signage and messaging that conveys:
- a. Hours of use;
  - b. Conditions of use;
  - c. Location boundaries;
  - d. Rules and recommendations for the responsible consumption of alcohol;
  - e. Respect for neighbours and area;
  - f. Location of nearest restroom facilities; and
  - g. Complaint mechanism.
- D. THAT Council direct staff to report back as soon as possible with fast-tracked priority actions and locations as pilot projects;

FURTHER THAT in the context of improving summer weather and relaxing provincial health orders, these pilots inform a larger report back and future considerations for this program during and after the COVID-19 pandemic.

referred

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe

THAT the motion entitled “Designating Public Space for Responsible Consumption of Alcohol” be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, May 27, 2020, in order to hear from speakers.

CARRIED UNANIMOUSLY

#### 4. Defining Social Housing Consistently and Transparently in the City of Vancouver

MOVED by Councillor Fry  
SECONDED by Councillor Wiebe

##### WHEREAS

1. *Social Housing* is defined by the City of Vancouver *Zoning and Development By-Law* as rental housing in which at least 30 percent of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current Housing Income Limits (HILs) table published by BC Housing; which is owned by a non-profit corporation, non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and which is secured by a housing agreement or other legal commitment;<sup>1</sup>
2. On March 15, 2014, Social Housing in the Downtown Eastside and elsewhere was re-defined by amendment after but not subject to the public hearing process;<sup>2</sup>
3. The Province of BC, through BC Housing, defines *Social Housing* as owned by a not-for-profit organization, a co-op or a government. Rents are subsidized (usually by the government) making it possible for people with lower incomes to find housing they can afford. Household income must be below certain limits in order to be eligible;<sup>3</sup>
4. The Government of Canada and Province of British Columbia bilateral 10 year Social Housing Agreement (June 2018) defines *Social Housing* as housing that is owned and operated by non-profit housing corporations and housing co-operatives or housing owned directly or indirectly by provincial, territorial or municipal governments or district social services administration boards and further distinguishes *Social Housing* from Affordable Rental, Affordable Homeownership, Transitional Shelter or Other Supportive Housing, and specifically commits support to 34,491 Social Housing Units, of which 20,427 are low-income;<sup>4</sup>
5. For purposes of census data, Statistics Canada defines *Social Housing* as “non-market rental housing” (for example, where housing allocation and rent-setting mechanisms are not entirely dictated by the law of supply and demand);<sup>5</sup>
6. The English language and urban studies variously define *Social Housing* as any rental housing that may be owned and managed by the state, by non-profit organizations, or by a combination of the two, usually with the aim of providing affordable housing. Social housing is generally rationed by some form of means testing or administrative measures of housing need;<sup>6</sup>
7. The City of Vancouver definition of *Social Housing* is inconsistent with the standard definitions employed by the Province, Government of Canada Agencies and the English-speaking world; and

8. When attempting to understand housing targets or determining the merits or public benefits of a rezoning or development application, Vancouverites may be confused or misled by the term *Social Housing* as defined by the City of Vancouver and applied to the entire project, not just the percent or portion of non-market affordable rental or co-op housing.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to review the definition of *Social Housing* across City regulations, and consider alternatives that refer specifically and only to non-market affordable rental or co-op housing.
- B. THAT Council direct staff to report back with a proposed new definition of *Social Housing* and an inventory of current housing that meets this new definition of *Social Housing*.
- C. THAT Council direct staff to report back on the process needed to implement any new definition of *Social Housing* in City regulations.

- 
1. City of Vancouver - Housing Vancouver Strategy  
<https://council.vancouver.ca/20171128/documents/rr1appendixa.pdf>
  2. City of Vancouver – Standing Committee of Council on City Finance and Services, 2014  
<https://council.vancouver.ca/20140312/documents/cfsc20140312min.pdf>
  3. Government of British Columbia Housing Glossary  
<https://www2.gov.bc.ca/gov/content/housing-tenancy/affordable-and-social-housing/housing-glossary>
  4. CMHC-BC Social Housing Agreement 2018  
<http://www.bchousing.org/publications/CMHC-BC-Bilateral-Agreement-April-2018.pdf>
  5. Statistics Canada  
<https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=4610002401>
  6. Caves, R. W. (2004). *Encyclopedia of the City*. Routledge. p. 610. ISBN 9780415252256.

referred

REFERRAL MOVED by Councillor Dominato  
SECONDED by Councillor De Genova

THAT the motion entitled “Defining Social Housing Consistently and Transparently in the City of Vancouver” be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, May 27, 2020, in order to hear from speakers.

CARRIED UNANIMOUSLY



## 5. Short Term Landlords – Long Term Protections for Renters and Hotels

MOVED by Councillor Fry  
SECONDED by Councillor Carr

### WHEREAS

1. Tourism in Vancouver has normally been a strong economic factor, driving:
  - a. Over 11 million overnight visitors annually;
  - b. \$4.8 million in direct spending to Metro Vancouver economy annually;
  - c. Over 70,000 full time jobs;
  - d. Over 12,000 hotel rooms in the Downtown Core<sup>1</sup>; and
  - e. At least 5,000 Short Term Rental (STR) listings in the city;
2. The COVID-19 Pandemic has had profound impacts on Vancouver's tourism industries, and BC Public Health Officials suggest limited recovery for this sector may be later in the summer if at all;
3. The collapse of the global travel industry has seen demand for Short Term Rentals decline precipitously, with a sustained negative trajectory for future reservations. Analysts note urban markets face significantly higher risk and fluctuation than leisure destinations.<sup>2</sup> As a result, Short Term Rental property owners are reportedly seeking the stability of conventional long-term rentals over the uncertainty of short-term tourist apartments;<sup>3</sup>
4. Independent open data research portal Inside Airbnb documents, 5,806 active STR listings in Vancouver, including links to numerous multiple listing property owners/managers on the Downtown Peninsula, verifiable on the Airbnb platform (for example, Bruce: 50 listings, Rami: 32 listings, Anne: 11 listings, Brad: 10 listings, Vida: 7 listings, Charlie: 7 listings);
5. Short Term Rental data aggregator and market research portal AirDNA reports 5,180 active STR listings in the City of Vancouver, of which 73% are "entire home rentals" and 91% are listed with Airbnb (5% VRBO, 4% on both);<sup>4</sup>
6. Recent data trends from both platforms show a number of the current Short Term Rental stock in Vancouver are newly listed for a minimum 30-day stay;
7. So far in 2020 the City has issued 2,972 STR licenses, down from 4,201 in 2019;
8. The City of Vancouver enables, regulates, and licenses Short Term Rentals through three separate by-laws. Goals of STR license and regulations include:
  - a. Protecting long-term rental housing;
  - b. Enforcing against commercial and illegal operators who are using long-term rental homes as short-term rentals;
  - c. Providing safe and healthy accommodation options to support the tourism industry;

- d. Ensuring STRs are operating with a valid business license, in principle residences, and are allowed by landlord or strata as applicable; and
  - e. Helping the City to follow up on complaints and nuisance properties;
9. Despite the City's STR by-law stipulation that licensees require strata permission, some property and building managers' report an inability to determine illegal STRs because the City's Open Data license portal redacts address information. Uncertainty about strangers and virus transmission from infected travellers are reportedly heightening anxiety among residents;
  10. Despite the goal of STR regulations to provide safe and healthy accommodations to support our tourism industry, there is no appropriate oversight of safe standards in the context of COVID-19. Inconsistent cleaning and related mitigation efforts by STR operators may subject the City to further pandemic outbreaks and reputational damage;
  11. Despite the reported trend toward longer-term rentals, the STR license stipulates that units must be rented for less than 30 consecutive days at a time, otherwise owners must apply for a Long Term Rental business license and pay a separate fee;
  12. Section 4 of *BC's Residential Tenancy Act (RTA)* establishes that vacation or travel accommodations are exempt the RTA. However, in arbitration and legal precedent the undertaking of any residential tenancy is protected. Further, a fixed term tenancy does not implicitly give cause for a landlord to end tenancy;
  13. Short Term Rentals extending for Long Term Rentals may be engaged in an ad-hoc manner inconsistent with the City's STR bylaws or the RTA and have the potential to exacerbate further crisis in the rental vacancy market, if and when the tourism industry recovers;
  14. Hotels are further distinct from STRs in so far as:
    - a. Hotels pay significantly higher property taxes as Class 6 (business, other) relative to STRs taxed at Class 1 (residential) at a ratio of \$2.93 to \$6.73 per \$1000 taxable value;
    - b. Hotels and premises are subject to safety and health inspections by WorkSafe BC and the BC Hotel Association (BCHA), as well as standards set by the City of Vancouver and Vancouver Coastal Health;
    - c. Hotels employ a number of full- and part-time workers;
    - d. Hotels aren't a threat to the long-term rental market; and
    - e. Hotels are purpose built and zoned for that purpose.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to review Short Term Rental licensing, fees, regulation and safety in the context of COVID-19 and overall health of City rental vacancies and hotel industry recovery.

- B. THAT Council direct staff to prepare and circulate memos to all 2019 and 2020 Short Term Rental license holders advising:
- a. that the conditions of their short term rental by-law limits rentals to less than 30 consecutive days at a time; and
  - b. that to rent a residential property for 30 days or more at a time, a rental property business licence is required.

- C. THAT Council direct staff to report back on the feasibility and fairness of assessing and taxing Short Term Rentals (STR) as Class 6 Business, other, rather than Class 1 Residential;

FURTHER THAT staff distinguish in this report any distinctions between multiple STR listing owners or brokers and single listing individual STR owners.

- D. THAT Council direct staff to create a mechanism whereby strata, building and property manager can request and receive access to the Open Data records of Short Term Rental licenses and locations in their properties.
- E. THAT Council direct staff to work with stakeholders to amplify any cleaning protocols and public information campaigns developed by the hospitality accommodation industry, in consultation with the Provincial Health Officer, health authorities and WorkSafe BC which might signal safe readiness to COVID-19 response and public health if and when tourism industry recovers;

FURTHER THAT staff consider and report back on methods for inspection or implementation of safety and cleaning standards in Short Term Rentals (STRs) and common areas as applicable;

AND FURTHER THAT staff report back on any reputational, legal or other liability the City might face as licensors and regulators of STRs (and common areas by extension and as applicable) should they be source of a COVID-19 outbreak.

- F. THAT Council direct staff to identify ways to support Hotel recovery and work with the Vancouver Economic Commission Task Force on same.

- 
1. Tourism Vancouver Fast Facts <https://www.tourismvancouver.com/media/corporate-communications/vancouvers-tourism-industry-fast-facts/>
  2. [Impact of the Coronavirus on Global Short-Term Rental Markets](https://www.airdna.co/blog/coronavirus-impact-on-global-short-term-rental-markets)  
<https://www.airdna.co/blog/coronavirus-impact-on-global-short-term-rental-markets>
  3. The Guardian: Airbnb Slump means Europe's cities can return to residents, says officials  
<https://www.theguardian.com/technology/2020/may/09/airbnb-slump-europe-cities-residents-barcelona-dublin>
  4. AirDNA Market Minder (retrieved May 10, 2020) <https://www.airdna.co/vacation-rental-data/app/ca/british-columbia/vancouver/overview>
  5. Inside Airbnb (retrieved May 10, 2020)  
<http://insideairbnb.com/vancouver>

referred

REFERRAL MOVED by Councillor Wiebe  
SECONDED by Councillor Kirby-Yung

THAT the motion entitled “Short Term Landlords – Long Term Protections for Renters and Hotels” be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, May 27, 2020, in order to hear from speakers.

CARRIED UNANIMOUSLY

**6. Declaration to Urge the Government of Canada to Provide Urgent Funding to Assure the Viability of Public Transit During the COVID-19 Pandemic and to Aid Transit Operators to Rebuild Ridership**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor De Genova

WHEREAS

1. The situation of an unprecedented drop in public transit ridership provoked by the COVID-19 outbreak accompanied by massive revenue losses is affecting public transit agencies right across Canada putting in jeopardy their financial viability and future ability to operate;
2. The Canadian Urban Transit Association (CUTA) Canada’s largest public transport lobby, the membership of which includes most Canadian transit agencies, has called for urgent emergency funding to address the immediate liquidity issues of transit operators while providing financial stability while ridership rebuilds;
3. CUTA estimates as many as 40 percent of systems may require bridge funding over the coming months requiring some \$1.2 billion to help them keep the buses and trains running;
4. CUTA is seeking \$400 million a month to keep services running as fare box and other revenue drop by up to 100 percent;
5. CUTA notes that it will likely take some time for transit operators to rebuild ridership to February 2020 levels during a gradual return to more normal economic activity;
6. Without a quick infusion of funds by the Government of Canada it is impossible to assure that the gains made over the past decade in growing the modal share of all rides taken via collective transit will not be lost;
7. While transit is a provincial jurisdiction, only the Government of Canada has the budgetary capacity to stabilize public transit during the COVID-19 emergency;

THEREFORE BE IT RESOLVED

- A. THAT Vancouver City Council endorse the Canadian Urban Transit Association's request to the Government of Canada for emergency funding to provide immediate liquidity to transit operators, and ongoing funding to alleviate revenue loss as ridership rebuilds during the pandemic.
- B. THAT Vancouver City Council urge the Government of Canada to continue funding public transit beyond the pandemic and act on funding public transit permanently, recognizing that in addition to capital funding, stable operating funding is needed for local transit agencies to boost ridership, maintain this essential service, and support sustainable travel and climate response.
- C. THAT a copy of this motion be sent to the Prime Minister of Canada, the Federal Minister of Transport and the Minister of Finance.
- D. THAT a copy of this motion be sent to TransLink and the Mayor's Council, as well as the Premier and Provincial Minister of Transportation and Infrastructure for their information.

amended

AMENDMENT MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT A be amended as follows:

- Add the words "and TransLink's" after the word "Association"; and
- Add the words "and the Province of BC" after the word "Canada";

FURTHER THAT B be amended as follows:

- Add the words "and the Province of BC" after the word "Canada".

CARRIED UNANIMOUSLY (Vote No. 05915)  
(Councillor Hardwick abstained from the vote)  
(Councillor Dominato absent for the vote)

The amendment having carried, the motion as amended was put and CARRIED UNANIMOUSLY (Vote No. 05917) with Councillor Hardwick abstaining from the vote.

**FINAL MOTION AS APPROVED**

WHEREAS

1. The situation of an unprecedented drop in public transit ridership provoked by the COVID-19 outbreak accompanied by massive revenue losses is affecting public transit agencies right across Canada putting in jeopardy their financial viability and future ability to operate;

2. The Canadian Urban Transit Association (CUTA) Canada's largest public transport lobby, the membership of which includes most Canadian transit agencies, has called for urgent emergency funding to address the immediate liquidity issues of transit operators while providing financial stability while ridership rebuilds;
3. CUTA estimates as many as 40 percent of systems may require bridge funding over the coming months requiring some \$1.2 billion to help them keep the buses and trains running;
4. CUTA is seeking \$400 million a month to keep services running as fare box and other revenue drop by up to 100 percent;
5. CUTA notes that it will likely take some time for transit operators to rebuild ridership to February 2020 levels during a gradual return to more normal economic activity;
6. Without a quick infusion of funds by the Government of Canada it is impossible to assure that the gains made over the past decade in growing the modal share of all rides taken via collective transit will not be lost; and
7. While transit is a provincial jurisdiction, only the Government of Canada has the budgetary capacity to stabilize public transit during the COVID-19 emergency.

THEREFORE BE IT RESOLVED

- A. THAT Vancouver City Council endorse the Canadian Urban Transit Association and TransLink's request to the Government of Canada and the Province of BC for emergency funding to provide immediate liquidity to transit operators, and ongoing funding to alleviate revenue loss as ridership rebuilds during the pandemic.
- B. THAT Vancouver City Council urge the Government of Canada and the Province of BC to continue funding public transit beyond the pandemic and act on funding public transit permanently, recognizing that in addition to capital funding, stable operating funding is needed for local transit agencies to boost ridership, maintain this essential service, and support sustainable travel and climate response.
- C. THAT a copy of this motion be sent to the Prime Minister of Canada, the Federal Minister of Transport and the Minister of Finance.
- D. THAT a copy of this motion be sent to TransLink and the Mayors' Council, as well as the Premier and Provincial Minister of Transportation and Infrastructure for their information.

## **NOTICE OF COUNCIL MEMBER'S MOTIONS**

### **1. Komagata Maru Apology and Remembrance Day Proclamation**

Councillor Swanson submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

### **2. Offering a Teensy Bit of Protection to People Who Live in Tents and Homemade Shelters**

Councillor Swanson submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

### **3. Standing Up to the Rise in Anti-Asian Racism & Hate Crimes**

Councillor Kirby-Yung submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

### **4. City of Vancouver Recognition for National Weeks to Observe Emergency Services and Their Contributions to Vancouver**

Councillor De Genova submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

### **5. City of Vancouver Recognition of Italian Heritage Month and Other Civic Observances and In Light of Physical Distancing Requirements**

Councillor De Genova submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

### **6. Establishing Fairness for Standing Committee Chairs and Agendas**

Councillor Wiebe submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

**7. A Review of the City of Vancouver \$30,000 Cannabis Retail License Fee**

Councillor Bligh submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

**8. Amending Policy Number ADMIN-004 ("Budgets - Operating") For Municipal Election Years**

Councillor Dominato submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of June 9, 2020, as a Council Member's Motion.

**NEW BUSINESS**

**1. Correcting Council COVID-19 Recovery Committee Terms of Reference Regarding Rotation of Chair**

MOVED by Councillor Carr  
SECONDED by Councillor Fry

WHEREAS

1. Council's motion of April 14, 2020, to establish a Pandemic Response and Recovery Working Group of Council specified that:

*The structure of the Pandemic Response and Recovery Working Group shall be a committee of the whole of Council, the Chair of which shall rotate for each meeting amongst Council members in the same order as the established seniority roster for Deputy Mayor; and*

2. At a Special Council Meeting of May 14, 2020, Council passed Terms of Reference for the Council COVID-19 Recovery Committee that included specifics on rotating the chair that did not fully capture the original direction regarding the chairing of the committee:

*Section 4. Structure and membership*

*c. The Chair of the CCRC will rotate among Council members over time and shall follow the established roster for Deputy Mayor.*

THEREFORE BE IT RESOLVED THAT the following change be made to the Council COVID-19 Recovery Committee Terms of Reference to align the rotation of Chair with the original motion passed by Council:

Replace:

Section 4 Structure and membership

c. The Chair of the CCRC will rotate among Council members over time, following the roster for Deputy Mayor.



With:

Section 4 Structure and membership

c. The Chair of the CCRC will rotate among Council members for each meeting in the same order as the established seniority roster for Deputy Mayor, starting at the top of the roster.

CARRIED UNANIMOUSLY (Vote No. 05918)  
(Councillor Kirby-Yung abstained from the vote)

## **2. Support for Small Businesses Unable to Access the Assistance They Need**

MOVED by Councillor Wiebe  
SECONDED by Councillor Carr

WHEREAS

1. The Federal and Provincial Governments have collaborated to provide rent assistance to small businesses through the Canada Emergency Commercial Rent Assistance Program (CECRA);
2. The Canada Emergency Commercial Rent Assistance (CECRA) provides relief for small businesses experiencing financial hardship due to COVID-19 by providing unsecured, forgivable loans to eligible commercial property owners to:
  - a. reduce the rent owed by their impacted small business tenants;
  - b. meet operating expenses on commercial properties;
3. Businesses are not eligible to access CECRA unless their commercial landlords participate in the program;
4. Applications for the CECRA opened on May 25, 2020; and
5. Half of business owners can't make June rent without further help, 20 percent fear eviction.

THEREFORE BE IT RESOLVED THAT Council direct the Mayor, on behalf of Council, to write a letter to the Provincial Government requesting:

- a. An immediate moratorium on commercial evictions immediately, retroactive to April 1st and extending to September 30th, to match the end of the CECRA program;
- b. A mechanism for small businesses who qualify for CECRA to notify their Provincial Government of landlords who decline to offer a CECRA agreement;
- c. Broader eligibility criteria to include landlord structures common to the not-for-profit sector, such as head lessees operating community hubs in public sector properties, to ensure that not-for-profit organizations and tiered landlord structures are eligible for the program;

- d. Monitored uptake of the CECRA program, and consider mandating the agreement for all small businesses who qualify if there isn't significant uptake of the program;
- e. Encouraging landlords and tenants to work cooperatively with regard to June rent until the program is operational; and
- f. Negotiate with the Federal Government for another tier for CECRA rent relief, covering more small businesses which lost between 30% and 70% of revenue.

The Canadian Federation of Independent Business (CFIB): <https://www.cfib-fcei.ca/en/media/news-releases/rent-relief-major-missing-piece-small-business-survival-options-beyond-cecra>

CARRIED UNANIMOUSLY (Vote No. 05919)  
(Councillor De Genova absent for the vote)

\* \* \* \* \*

At 4:55 pm, during discussion on the above-noted motion, it was

MOVED by Councillor Carr  
SECONDED by Councillor Dominato

THAT Council extend the meeting past 5 pm in order to deal with the remainder of the agenda.

CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY

\* \* \* \* \*

## ENQUIRIES AND OTHER MATTERS

### 1. **Alternative Measures for Recycling Electronics and Flexible Packaging**

Councillor Fry requested an update on alternative measures of recycling electronics and flexible packaging, especially in the Downtown area, in light of London Drugs having shut down their front of house zero waste services.

### 2. **Business Licensing for Animal and Related Services**

Councillor Fry requested information on what the process is in order to acquire a business license for businesses related to animal services in the case of outstanding complaints towards that business.

### **3. Impacts on Zero Waste By-laws During the COVID-19 Pandemic**

Councillor Kirby-Yung enquired on the impacts of the zero waste proposed implementation by-laws, such as the ban on plastic bags, during the COVID-19 pandemic and the public being prohibited to bring their own reusable bags to grocery stores. The City Manager noted that staff is evaluating the impacts of COVID-19 on zero waste in the city, and continue to maintain awareness during this time, as the restrictions caused by COVID-19 are slowly lessening with time.

### **4. Addressing Safety Concerns from Residents Previously Living in Oppenheimer Park and Being Relocated to Hotels**

Councillor Kirby-Yung noted that there have been a plethora of safety concerns from residents of Oppenheimer Park that have been relocated to hotels, and enquired what initiatives have staff taken to address these concerns. The City Manager advised that the relocation to hotels has been organized by BC Housing and that the hotels are operated by qualified non-profits. The City Manager also noted that the City is working closely with BC Housing and Vancouver Coastal Health, recognizing the significance of these safety concerns, and in partnership will work to address these concerns. Councillor Kirby-Yung requested a memorandum on how the City is addressing the concerns of the residents.

### **5. Creating Dialogue with BIAs Addressing COVID-19 Response and Recovery**

Councillor Dominato enquired about the possibility to create more thoughtful dialogue between the Mayor, the City Manager and the Vancouver Police Chief, and the 22 BIAs in order to discuss COVID-19 response and recovery, specifically about issues of public safety, sanitation, and safe access for business owners and residents.

### **6. News Conference with Muslim Organizations and Government**

Councillor Swanson highlighted a letter received that described a recent act of hate crime towards a 17 year old Muslim woman on a bus, and the mental repercussions that has caused for the individual and the Muslim community. Councillor Swanson requested information from staff on the possibility of organizing a news conference where representatives from Muslim organizations and government can come together to bring awareness of hate crimes and their repercussions, as well as to highlight the positive contributions of the Muslim community.

**ADJOURNMENT**

MOVED by Councillor Hardwick  
SECONDED by Councillor Bligh

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

Council adjourned at 5:38 pm.

\* \* \* \* \*