



## **COUNCIL MEETING MINUTES**

**FEBRUARY 9, 2021**

A Meeting of the Council of the City of Vancouver was held on Tuesday, February 9, 2021, at 9:32 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, updated Ministerial Order No. M192.

**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:** Paul Mochrie, Acting City Manager

**CITY CLERK'S OFFICE:** Rosemary Hagiwara, Acting City Clerk  
Bonnie Kennett, 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.

### **PROCLAMATION – LUNAR NEW YEAR**

The Mayor proclaimed the week of February 12 to 18, 2021, as Lunar New Year Celebration Week in the city of Vancouver.

## **IN CAMERA MEETING**

MOVED by Councillor De Genova  
SECONDED by Councillor Hardwick

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:

(c) labour relations or other employee relations;

(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;

(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 – January 19 and 20, 2021

MOVED by Councillor Carr  
SECONDED by Councillor Kirby-Yung

THAT the Minutes of the Council meeting of January 19 and 20, 2021, be approved.

CARRIED UNANIMOUSLY

2. Public Hearing – January 19, 2021

MOVED by Councillor Carr  
SECONDED by Councillor Hardwick

THAT the Minutes of the Public Hearing of January 19, 2021, be approved.

CARRIED UNANIMOUSLY

3. Council (City Finance and Services) – January 20, 2021

MOVED by Councillor Hardwick  
SECONDED by Councillor Carr

THAT the Minutes of the Council meeting following the Standing Committee on City Finance and Services meeting of January 20, 2021, be approved.

CARRIED UNANIMOUSLY

4. Public Hearing – January 21, 2021

MOVED by Councillor Hardwick  
SECONDED by Councillor Kirby-Yung

THAT the Minutes of the Public Hearing meeting of January 21, 2021, be approved.

CARRIED UNANIMOUSLY

5. Auditor General Recruitment Committee – January 29, 2021

MOVED by Councillor Hardwick  
SECONDED by Councillor Carr

THAT the Minutes of the Auditor General Recruitment Committee meeting of January 29, 2021, be approved.

CARRIED UNANIMOUSLY

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor Carr  
SECONDED by Councillor Hardwick

THAT Council adopt Reports 1 and 3 and Referral Reports 3 to 5 and 7, on consent.

CARRIED UNANIMOUSLY

**COMMUNICATIONS**

**1. Changes to 2021 Council Meetings Schedule**

MOVED by Councillor Hardwick  
SECONDED by Councillor Carr

THAT Council move the Council meeting on Tuesday, June 15, 2021, to Tuesday, June 8, 2021;

FURTHER THAT Council move the Standing Committee on City Finance and Services meeting on Wednesday, June 16, 2021, to Wednesday, June 9, 2021;

FURTHER THAT Council add a new Council meeting on Tuesday, June 22, 2021, starting at 9:30 am;

FURTHER THAT Council add a new Standing Committee on Policy and Strategic Priorities meeting on Wednesday, June 23, 2021, starting at 9:30 am;

FURTHER THAT Council move the Business Licence Hearing on Tuesday, June 22, 2021, to Tuesday, June 15, 2021;

AND FURTHER THAT Council move the Business Licence Hearing on Wednesday, June 23, 2021, to Wednesday, June 16, 2021.

CARRIED UNANIMOUSLY (Vote No. 06912)

## REPORTS

### 1. **2021 Street Cleaning Grants January 18, 2021**

THAT Council approve the 2021 Street Cleaning Grant Program totalling \$2,105,000 to the following recipients for programs that support improvements to street cleanliness, as detailed in the Report dated January 18, 2021, entitled "2021 Street Cleaning Grants", with funding from the approved 2021 Street Cleaning and 2021 Plaza Stewardship operating budgets:

- Save Our Living Environment – United We Can (\$469,100);
- Coast Mental Health Foundation – Employment Services Program (\$663,000);
- Mission Possible Compassionate Ministries Society – MP Maintenance (\$796,000);
- Family Services of Greater Vancouver – Street Youth Job Action (\$73,100);
- The Kettle Friendship Society – SEED Employment Program (\$48,800); and
- Makeway Charitable Society - The Binners' Project (\$55,000).

ADOPTED ON CONSENT AND  
BY THE REQUIRED MAJORITY (Vote No. 06919)

### 2. **License for Covered Electrical Cords for Electric Vehicle Charging - Climate Emergency January 13, 2021**

Sustainability Group staff, along with Lon LaClaire, General Manager, Engineering Services, responded to questions.

Council heard from two speakers opposed to the report recommendations.

Paul Mochrie, Acting City Manager, and Sustainability Group staff, responded to additional questions.

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Carr

THAT Council authorize the General Manager of Engineering Services to enter into and execute license agreements on behalf of the City of Vancouver, allowing owners and

occupants of residential property to access City lands adjacent to their property for the purpose of charging electrical vehicles, on such terms and conditions as may be acceptable to the Director of Legal Services.

amended

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

THAT the recommendation be struck and the following be inserted in its place to read as follows:

THAT Council refer this report to staff to provide an alternative recommendation at the earliest possible opportunity in order to enable owners and occupants of residential property to access City lands adjacent to their property for the purpose of charging electrical vehicles, without requiring a license agreement with the City of Vancouver to do so.

LOST (Vote No. 06913)  
(Councillors Boyle, Carr, Swanson, Wiebe and Mayor Stewart opposed)  
(Councillor Fry absent for the vote)

AMENDMENT MOVED by Councillor Carr  
SECONDED by Councillor Boyle

THAT the following be added as B:

THAT Council direct staff to continue exploring under-sidewalk electrical connection options for Electric Vehicle (EV) charging.

CARRIED UNANIMOUSLY (Vote No. 06921)  
(Councillor Fry absent for the vote)

The amendments having either lost or carried, the motion as amended was put and CARRIED UNANIMOUSLY AND WITH A BY THE REQUIRED MAJORITY (Vote No. 06926) with Councillor Fry absent for the vote.

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

- A. THAT Council authorize the General Manager of Engineering Services to enter into and execute license agreements on behalf of the City of Vancouver, allowing owners and occupants of residential property to access City lands adjacent to their property for the purpose of charging electrical vehicles, on such terms and conditions as may be acceptable to the Director of Legal Services.
- B. THAT Council direct staff to continue exploring under-sidewalk electrical connection options for Electric Vehicle (EV) charging.

**3. Federation of Canadian Municipalities Green Municipal Fund Loan Agreement  
January 6, 2021**

THAT Council authorize the Director of Legal Services, in consultation with the Director of Finance, to, on behalf of the City, negotiate and execute an agreement with the Federation of Canadian Municipalities (Green Municipal Fund) for a loan of up to \$3,726,200 to fund the New Sewage Heat Capacity for False Creek Neighbourhood Energy Utility Project in place of the City's debenture program and on terms as generally described in Appendix A of the Report dated January 6, 2021, entitled "Federation of Canadian Municipalities Green Municipal Fund Loan Agreement".

ADOPTED ON CONSENT (Vote No. 06920)

**REFERRAL REPORTS**

**1. East Fraser Lands Official Development Plan and Public Amenity Financial Plan  
and Strategy: 10-year Review and Update  
January 26, 2021**

Planning, Urban Design and Sustainability staff responded to questions.

MOVED by Councillor Carr

SECONDED by Councillor Boyle

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the East Fraser Lands Official Development Plan By-law No. 9393, generally in accordance with Appendix A of the Referral Report dated January 26, 2021, entitled "East Fraser Lands Official Development Plan and Public Amenity Financial Plan and Strategy: 10-year Review and Update", to achieve the following:
- i. alignment with select Council policies approved since 2006;
  - ii. allow for an additional 39 246 sq. m (422,442 sq. ft.) of floor area in Area 1 to increase housing options;
  - iii. allow for an additional 104 358 sq. m (1,123,303 sq. ft.) of floor area and adjustments to the plan in Area 3; and
  - iv. increase the required public amenities by adding 20 childcare spaces, two acres of park, a park fieldhouse, transportation improvements, and 20% of the additional residential units to be for affordable housing;

FURTHER THAT the application be referred to a Public Hearing;

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

- B. THAT a consequential amendment to CD-1 (567) By-law No. 10943 for the East Fraser Lands Waterfront Precinct also be referred to the same Public Hearing to increase the maximum building height from 24 to 28 storeys, generally as presented in Appendix B of the Referral Report dated January 26, 2021, entitled "East Fraser Lands Official Development Plan and Public Amenity Financial Plan and Strategy: 10-year Review and Update";

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally in accordance with Appendix B of the above-noted report, for consideration at the Public Hearing.

- C. THAT, subject to approval of the amendment to CD-1 (567) By-law No. 10943 for the East Fraser Lands Waterfront Precinct, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for Council adoption, at the time of enactment of the amending by-law, updates to the East Fraser Lands Phase 1 Design Guidelines, generally as presented in Appendix C of the Referral Report dated January 26, 2021, entitled "East Fraser Lands Official Development Plan and Public Amenity Financial Plan and Strategy: 10-year Review and Update".
- D. THAT, subject to approval of the amendments to the East Fraser Lands Official Development Plan (EFL ODP), Council direct staff to pursue removal of the EFL ODP area from the Utilities Development Cost Levy (UDCL) boundary in exchange for in-kind delivery of a package of amenities including the community centre and required drainage works, with future consideration of the UDCL By-law amendments as part of the Area 1 rezoning application.
- E. THAT A to C above be adopted on the following conditions:
- i. THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City 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.

CARRIED UNANIMOUSLY (Vote No. 06930)

**2. Extension of the Rental Housing Stock Official Development Plan to Require Rental Replacement in C-2, C-2B, C-2C, and C-2C1 Commercial Districts January 27, 2021**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor De Genova

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make an application to amend the Rental Housing Stock Official Development Plan generally in accordance with Appendix A of the Referral Report dated January 27, 2021, entitled "Extension of the Rental Housing Stock Official Development Plan to Require Rental Replacement in C-2, C-2B, C-2C, and C-2C1 Commercial Districts", to add the C-2, C-2B, C-2C, and C-2C1 districts;

FURTHER THAT the application be referred to Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally as set out in Appendix A of the Referral Report dated January 27, 2021, entitled "Extension of the Rental Housing Stock Official Development Plan to Require Rental Replacement in C-2, C-2B, C-2C, and C-2C1 Commercial Districts", for consideration at Public Hearing;

AND FURTHER THAT B and C below be referred to Public Hearing for consideration along with A.

- B. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law generally in accordance with Appendix B of the Referral Report dated January 27, 2021, entitled "Extension of the Rental Housing Stock Official Development Plan to Require Rental Replacement in C-2, C-2B, C-2C, and C-2C1 Commercial Districts", as consequential amendments;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally as set out in Appendix B of the above-noted report for consideration at Public Hearing.

- C. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward, for Council adoption, consequential amendments to the "Strata Title and Cooperative Conversion Guidelines", generally as set out in Appendix C of the Referral Report dated January 27, 2021, entitled "Extension of the Rental Housing Stock Official Development Plan to Require Rental



Replacement in C-2, C-2B, C-2C, and C-2C1 Commercial Districts”, at the time of enactment of the amending by-law referenced in A above.

- D. THAT A through C above be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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.

CARRIED (Vote No. 06917)

(Councillors De Genova, Dominato, Fry and Kirby-Yung opposed)

**3. CD-1 Rezoning: 1943-1999 East Hastings Street  
January 26, 2021**

- A. THAT the application by Boniface Oleksiuk Politano Architects on behalf of all of Reliance Properties Ltd., the registered owner of the lands located at 1967-1999 East Hastings Street [*Lot H, Block 38, District Lot 184, Plan 20337; 002-469-898*], East Hastings Holdings Ltd., the registered owner of the lands located at 1955 East Hastings Street [*Lot 12, except the north 10 feet now lane, Block 38 District Lot 184 Plan 178; 015-679-454*], and 1150985 B.C Ltd., the registered owner of the lands located at 1943-1945 East Hastings Street [*Lot 13 except the north 10 feet now lane, Block 38 District Lot 184 Plan 178; 005-411-530*] to rezone the lands from MC-2 (Industrial, Commercial and Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 2.5 to 4.0 and the building height from 13.8 m (45.3 ft.) to 31.5 m (103 ft.) to permit the development of an eight-storey mixed-use building which would contain at-grade commercial space, 131 strata residential units, and two live-work units be referred to a Public Hearing, together with:
- (i) plans prepared by Boniface Oleksiuk Politano Architects, received July 5, 2019;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Referral Report dated January 26, 2021, entitled “CD-1 Rezoning: 1943-1999 East Hastings Street”; 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 the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings Street", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C of the above-noted report, for consideration at the Public Hearing.

- C. THAT, subject to approval of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 1943-1999 East Hastings Street";

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

- D. THAT A to C above be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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; 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. 06922)

**4. CD-1 Rezoning: 4118-4138 Cambie Street  
January 26, 2021**

- A. THAT the application by Pennyfarthing Hillcrest Developments Ltd., on behalf of Pennyfarthing Properties Grayson North Ltd., the registered owner, to rezone 4118-4138 Cambie Street [*Lot 1, Block 681, District Lot 526, New Westminster District, Plan EPP92886; PID 030-954-894*] from RS-1 (Residential) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.70 to 2.94 and the height from 10.7 m (35 ft.) to 22.0 m (72 ft.) and 25.0 m (82 ft.) for the portion with rooftop amenity, to permit the development of a six-storey building containing 90 secured market rental units, be referred to a Public Hearing together with:
- (i) plans prepared by Raymond Letkeman Architects Inc., received October 17, 2018 and supplemental plans received August 4, 2020;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 4118-4138 Cambie Street"; 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 approval in principle of the rezoning and the Housing Agreement described in Appendix B of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 4118-4138 Cambie Street", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment, after the Housing Agreement has been agreed to and signed by the property owner and their mortgagee(s) and prior to enactment of the CD-1 By-law.
- C. THAT, subject to approval of the CD-1 By-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated January 26, 2021, entitled "CD-1 Rezoning: 4118-4138 Cambie Street";

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.

- D. THAT A through C 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; 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. 06923)

**5. Rezoning: 183 West King Edward Avenue and 4088 Columbia Street  
January 26, 2021**

- A. THAT the application by Forme Development on behalf of 4088 Columbia Properties Inc., the registered owner of the lands located at 183 West King Edward Avenue and 4088 Columbia Street [*Lots 26 and 27, Block 663 District Lot 526 Plan 2913; PIDs 011-429-666, 013-341-600, respectively*], to rezone the lands from RS-1 (Single-detached Houses and Duplexes) District to RM-8AN (Multiple Dwelling) District, be referred to a Public Hearing, together with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application in principle, subject to the Conditions of Approval contained in Appendix B of the Referral Report dated January 26, 2021, entitled "Rezoning: 183 West King Edward Avenue and 4088 Columbia Street";

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

- B. THAT, subject to approval of the zoning by-law, the Subdivision By-law be amended generally as set out in Appendix C of the Referral Report dated January 26, 2021, entitled "Rezoning: 183 West King Edward Avenue and 4088 Columbia Street";

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 zoning by-law.

- C. 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 expenditure or incurring the cost;

- (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
- (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

ADOPTED ON CONSENT (Vote No. 06925)

**6. CD-1 Rezoning: 5910-5998 Cambie Street  
January 28, 2021**

Planning, Urban Design and Sustainability staff responded to questions.

MOVED by Councillor Carr

SECONDED by Councillor Dominato

- A. THAT the application by Perkins&Will Canada Architects Co. on behalf of Cambie and 43rd Nominee Ltd., the registered owner, to rezone 5910-5998 Cambie Street [*Lots 1-4, Block 860, District Lot 526, Plan 7737; PIDs 010-547-053, 010-548-041, 005-221-790, and 005-221-811, respectively*], from RT-2 (Residential) District to CD-1 (Comprehensive Development) District to permit a mixed-use development with a 15-storey hotel tower, a 29-storey market strata tower and live-work artist studios, be referred to a Public Hearing, together with:
  - (i) plans prepared by Perkins&Will Canada Architects Co., received December 20, 2019;
  - (ii) draft CD-1 By-law provisions, generally as presented in Appendix A of the Referral Report dated January 28, 2021, entitled "CD-1 Rezoning: 5910-5998 Cambie Street"; 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 the application to amend the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Referral Report dated January 28, 2021, entitled "CD-1 Rezoning: 5910-5998 Cambie Street", be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary by-law, generally as set out in Appendix C of the above-noted report, for consideration at the Public Hearing.

- C. THAT, subject to enactment of the CD-1 By-law, the Noise Control By-law be amended to include this CD-1 in Schedule B, generally as set out in Appendix C of the Referral Report dated January 28, 2021, entitled "CD-1 Rezoning: 5910-5998 Cambie Street";

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

- D. THAT A to C above be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; 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; 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.

CARRIED (Vote No. 06918)  
(Councillor Hardwick opposed)  
(Councillor Kirby-Yung abstained from the vote)

**7. CD-1 Text Amendment: 100 West 49th Avenue (Langara College)  
January 26, 2021**

- A. THAT the application by Schmidt & Associates Development Planning Ltd., on behalf of Langara College, the registered owner, to amend the CD-1 (55) (Comprehensive District) By-Law at 100 West 49th Avenue [*Lot 1 (Reference Plan 9821) of Lot A, Block 1165, District Lot 526, Plan 12842; PID 008-775-842*], to increase the permitted floor space ratio from 0.94 to 1.66 to permit the phased masterplan of the Langara College campus, be referred to a public hearing, together with:
- (i) Plans prepared by Proscenium Architecture + Interiors Inc., received on March 19, 2019;

- (ii) Draft CD-1 By-law provisions, generally as presented in Appendix A of the Referral Report dated January 26, 2021, entitled “CD-1 Text Amendment: 100 West 49th Avenue (Langara College)”;
- (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;
- (iv) Amendments to the Langara College Policy Statement, generally as presented in Appendix D of the above-noted report; and
- (v) Draft Langara College Design Guidelines, generally as presented in Appendix E 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 the Public Hearing.

- B. THAT, subject to enactment of the CD-1 By-law, the Parking By-law be amended to include this CD-1 and to provide parking regulations generally as set out in Appendix C of the Referral Report dated January 26, 2021, entitled “CD-1 Text Amendment: 100 West 49th Avenue (Langara College)”;

FURTHER THAT the Director of Legal Services be instructed to bring forward necessary amendments to the Parking By-law at the time of enactment of the CD-1 By-law.

- C. THAT, at the time of enactment of the CD-1 By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval the Langara College Policy Statement and Design Guidelines, generally as presented in Appendices D and E of the Referral Report dated January 26, 2021, entitled “CD-1 Text Amendment: 100 West 49th Avenue (Langara College)”.

- D. THAT A to C above be adopted on the following conditions:

- (i) THAT the passage of the above resolution 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 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 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. 06927)

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Council recessed at 11:49 am and reconvened at 3:17 pm.

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**8. Amendment to Downtown Official Development Plan – Area K3 (Granville Street)  
January 4, 2021**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Fry

- A. THAT, the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Downtown Official Development Plan (the “DODP”) to increase the allowable density for developments where 100% of the residential floor space is for social housing or secured rental housing to 5.00 FSR in Area K3, generally as set out in Appendix A of the Referral Report dated January 4, 2021, entitled “Amendment to Downtown Official Development Plan – Area K3 (Granville Street)”.

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 above-noted report for consideration at the Public Hearing.

- B. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to update the Granville Street (Downtown South) Guidelines, to add consideration of low operational or embodied emissions including the use of mass timber, generally as set out in Appendix B of the Referral Report dated January 4, 2021, entitled “Amendment to Downtown Official Development Plan – Area K3 (Granville Street)”.
- C. THAT, as part of efforts to advance and implement the Vancouver Plan, Council direct staff to report back to Council in 2021 with a draft scope of work and budget for a future planning program for Granville Street Downtown to build a vision for the future of the area, and review and update relevant regulation and policy.
- D. THAT A through C above be adopted on the following conditions:
- (i) THAT passage of the above resolutions creates no legal rights for any 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 any rezoning by-laws; 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.

amended

During discussion on the amendment below, Mayor Stewart relinquished the Chair to Deputy Mayor Carr, in order to ask a point of information and resumed the Chair when completed.

Paul Mochrie, Acting City Manager, along with Gil Kelley, General Manager, Planning, Urban Design and Sustainability, responded to questions.

AMENDMENT MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Fry

THAT the following be added to the end of C:

FURTHER THAT staff consider any quick start actions or initiatives including development proposals that would support economic stimulus and cultural revitalization for the area.

CARRIED (Vote No. 06934)  
(Mayor Stewart opposed)

The amendment having carried, the motion as amended was put and Council agreed to sever the vote with A having CARRIED (Vote No. 06935) with Councillors De Genova, Dominato, Hardwick and Kirby-Yung opposed, B having CARRIED (Vote No. 06936) with Councillors De Genova, Dominato and Hardwick opposed, C having CARRIED (Vote No. 06937) with Mayor Stewart opposed and D having CARRIED UNANIMOUSLY (Vote No. 06938) with Councillor Kirby-Yung having abstained from the vote.

\* \* \* \* \*

RECONSIDERATION MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Dominato

THAT B of Referral Report 8 dated January 5, 2021, entitled "Amendment to Downtown Official Development Plan – Area K3 (Granville Street)", be reconsidered.

CARRIED UNANIMOUSLY (Vote No. 06941)

Following the reconsideration vote, the vote on B of the above-noted Referral Report was put and CARRIED UNANIMOUSLY (Vote No. 06943).

\* \* \* \* \*

## BY-LAWS

Mayor Stewart advised he had reviewed the proceedings for by-laws 2 and 3, and was therefore eligible to vote on the enactments.

Councillor De Genova advised she had reviewed the proceedings for by-laws 6 and 7, and was therefore eligible to vote on the enactments.

Councillor Fry advised he had reviewed the proceedings for by-law 11, and was therefore eligible to vote on the enactment.

Councillors Boyle, De Genova and Kirby-Yung advised they had reviewed the proceedings for by-law 12, and were therefore eligible to vote on the enactment.

MOVED by Councillor De Genova  
SECONDED by Councillor Carr

THAT Council enact the by-law listed on the agenda for this meeting as number 13 and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED (Vote No. 06939)  
(Councillors Hardwick and Swanson opposed)

MOVED by Councillor Hardwick  
SECONDED by Councillor De Genova

THAT Council enact the by-law listed on the agenda for this meeting as number 2 and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED (Vote No. 06940)  
(Councillor Hardwick opposed)

MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT Council, except for those members ineligible to vote as noted below, enact the by-laws listed on the agenda for this meeting as numbers 1, 3 to 12 and 14 to 23 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to enact The Code of Conduct for Council Members and Advisory Board Members (By-law No. 12886)
2. A By-law to amend the Zoning and Development By-law to create the I-1C District Schedule (By-law No. 12887)
3. A By-law to amend the Zoning and Development By-law regarding Health Care Office as a permitted use in the I-1 District Schedule (By-law No. 12888)

4. A By-law to amend the Vancouver Development Cost Levy By-law regarding I-1C zoning (By-law No. 12889)
5. A By-law to amend the Vancouver Utilities Development Cost Levy By-law regarding I-1C zoning (By-law No. 12890)
6. A By-law to amend the Downtown Eastside/Oppenheimer Official Development Plan By-law regarding exceptions to retail continuity (By-law No. 12891)
7. A By-law to amend the Zoning and Development By-law regarding Artist Studio (By-law No. 12892)
8. A By-law to amend the Zoning and Development By-law regarding Neighbourhood Grocery Store (By-law No. 12893)
9. A By-law to amend the Sign Fee By-law regarding housekeeping amendments (By-law No. 12894)
10. A By-law to amend the Zoning and Development By-law to rezone an area from RS-1 to RM-8AN (6250-6410 Oak Street) (By-law No. 12895)  
*(Councillor Hardwick ineligible for the vote)*
11. A By-law to amend the Zoning and Development By-law to rezone an area from RS-1 to RM-8A (930 West 49th Avenue and 6525 Fremlin Street) (By-law No. 12896)
12. A By-law to amend the Zoning and Development By-law to rezone an area from RS-1 to RM-8A (404-434 West 23rd Avenue) (By-law No. 12897)  
*(Councillor Hardwick ineligible for the vote)*
13. A By-law to amend the Zoning and Development By-law to rezone an area to CD-1 (4906-4970 Quebec Street) (By-law No. 12898)
14. A By-law to amend the Zoning and Development By-law to rezone an area from RS-1 to RM-8A (168 West 44th Avenue) (By-law No. 12899)  
*(Councillor Hardwick ineligible for the vote)*
15. A By-law to enact a Housing Agreement for 2715 West 12th Avenue (By-law No. 12900)
16. A By-law to amend the Sign By-law (1002 Station Street and 250-310 Prior Street) (By-law No. 12901)
17. A By-law to amend Noise Control By-law (1002 Station Street and 250-310 Prior Street) (By-law No. 12902)
18. A By-law to amend the Sign By-law (3600 East Hastings Street) (By-law No. 12903)
19. A By-law to amend Noise Control By-law (3600 East Hastings Street) (By-law No. 12904)
20. A By-law to amend the Sign By-law (2601-2619 East Hastings Street) (By-law No. 12905)  
*(Councillors Carr and Hardwick ineligible for the vote)*

21. A By-law to amend Noise Control By-law (2601-2619 East Hastings Street) (By-law No. 12906)
22. A By-law to enact a Housing Agreement for 750 East Broadway (By-law No. 12907)
23. By-law to amend the Ticket Offences By-law No. 9360 regarding certain Street Vending By-law offences (By-law No. 12908)

## **MOTIONS**

### **A. Administrative Motions**

#### **1. Approval of Form of Development – 2619 East Hastings Street**

MOVED by Councillor Carr

SECONDED by Councillor Boyle

THAT the form of development for this portion of the site known as 2619 East Hastings Street (formerly known as 2601-2619 East Hastings) be approved generally as illustrated in the Development Application Number DP-2019-00993 prepared by Studio One Architecture Inc., and stamped "Received, Community Services Group, Development Services", on December 3, 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

\* \* \* \* \*

At this point in the proceedings a reconsideration vote occurred for B of Referral Report 8, followed by a vote on B. For clarity, this is minuted in RR8 above.

\* \* \* \* \*

#### **2. Approval of Form of Development – 4906-4970 Quebec Street (specific address: 4928 Quebec Street)**

MOVED by Councillor De Genova

SECONDED by Councillor Bligh

THAT the form of development for this portion of the site known as 4906-4970 Quebec Street (specific address: 4928 Quebec Street) be approved generally as illustrated in the Development Application Number DP-2020-00125, prepared by Ciccozzi Architecture, and stamped "Received, Community Services Group, Development Services", on November 23, 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 (Vote No. 06944)

(Councillors Hardwick and Swanson opposed)

**3. Consequential Amendments to the Code of Conduct (Policy Number AE-028-01)**

\* \* \* \* \*

At 3:55 pm, Councillor Wiebe rose to declare a conflict of interest with reference to the Administrative Motion entitled, "Consequential Amendments to the Code of Conduct (Policy Number AE-028-01)" as he was not present for the prior-to votes and decision on the above-noted topic, and left the meeting. Councillor Wiebe returned to the meeting at the conclusion of this item.

\* \* \* \* \*

Paul Mochrie, Acting City Manager, responded to questions.

MOVED by Councillor Carr  
SECONDED by Councillor De Genova

WHEREAS at the Standing Committee on City Finances and Services on January 20, 2021, Council approved in principle the enactment of a Code of Conduct By-law;

WHEREAS Council has now enacted the Code of Conduct By-law;

AND WHEREAS the enactment of the Code of Conduct By-law necessitates amendments to the Code of Conduct Policy AE-028-01.

THEREFORE BE IT RESOLVED THAT Council hereby repeals the existing Code of Conduct Policy and replaces it with the Code of Conduct Policy attached as Appendix A of the resolution entitled "Consequential Amendments to the Code of Conduct (Policy Number AE-028-01)".

CARRIED UNANIMOUSLY  
(Councillor Wiebe absent due to conflict of interest)

**B. Council Members' Motions**

**1. Requests for Leaves of Absence**

MOVED by Councillor Wiebe  
SECONDED by Councillor De Genova

THAT Councillors Carr and Fry be granted a Leave of Absence for civic business from meetings on February 16, 2021, from 7 pm to 8 pm;

FURTHER THAT Councillor De Genova be granted Leaves of Absence for civic business from meetings on April 7, 2021 and May 5, 2021, from 3 to 5:30 pm;

AND FURTHER THAT Councillor Bligh be granted Leaves of Absence for civic business from meetings on March 9, 2021, from 11 am to 2:30 pm, and March 10, 2021, from 2:30 pm to 4 pm.

CARRIED UNANIMOUSLY (Vote No. 06928)

## **2. Change to March Business Licence Hearing Panel**

MOVED by Councillor Wiebe  
SECONDED by Councillor Hardwick

THAT Councillor Hardwick replace Councillor Wiebe as Chair at the Business Licence Hearing to be held March 2, 2021.

CARRIED UNANIMOUSLY (Vote No. 06929)

## **3. Protecting Tenants from Real Estate Investment Trusts**

MOVED by Councillor Swanson  
SECONDED by Councillor De Genova

WHEREAS

1. Across Canada and the globe, government policies and financial pressures have shifted housing away from a necessity and human right into an asset, commodity and financial investment;
2. In Canada, this shift has included a transformation of smaller landlords to larger, investment-oriented companies, including Real Estate Investment Trusts (REITs);
3. REITs pool the capital of multiple investors to own, operate or finance income-generating real estate. Investors can receive returns on their investments without needing the expertise to buy or manage any properties themselves;
4. As of 2017, REITs owned 20% of units in Canada; in BC they own 4%;
5. REITs' portion of the housing market locally and nationally continues to grow, exposing more tenants to landlords who are motivated to displace existing tenants in favour of wealthier ones who can generate the income expected for their portfolio. This process feeds gentrification, poverty, and homelessness;
6. In 2019, the Government of Canada adopted the National Housing Strategy Act (NHSA), which recognizes that housing is a fundamental human right;
7. Canada Mortgage and Housing Corporation (CMHC) recently committed to ensuring secure and affordable housing for all by 2030;

8. Cities like Vancouver continue to bear substantial responsibility for addressing the housing crisis without sufficient resources from higher levels of government;
9. Cities like Vancouver must create innovative solutions to ensure that our residents' human rights are protected and to keep higher levels of government accountable to their commitments;
10. Two REITs just bought 15 Vancouver apartment buildings with 614 units for \$292.5 million. Seven rental buildings in Vancouver's West End are owned by a single REIT company as of Summer 2020; and
11. REITs' offer investors the benefit of not having to pay federal business taxes as long as the taxable income is distributed to unit holders;
12. The REIT business model often relies on substantially raising rents when tenants leave or are evicted;
13. The BC Non-Profit Housing Association and the Co-op Housing Federation are working with the BC government on an apartment acquisition strategy worth \$500 million and this is a significant step forward but won't protect the majority of older purpose-built rental buildings from falling prey to this business model;
14. The Canadian Alliance to End Homelessness warns "When investors buy up rental housing, they deepen Canada's housing crisis by taking existing rental housing off the market or by increasing rent, making it unaffordable. This leaves lower income Canadians facing eviction, unable to afford rent or to live in the communities they choose. Following the pandemic there is an added risk that such predatory purchases will accelerate as small asset owners are impacted by rental loss and forced to sell their properties.";
15. The Canadian Alliance to End Homelessness is calling for governments to implement "measures to curtail the impacts of financialization of rental housing markets by limiting the ability of large capital funds (including Real Estate Income Trusts – REITS) to purchase 'distressed' rental housing assets.";
16. The City of Montreal has implemented a "Right of First Refusal" program, such that when an offer to purchase a purpose-built rental building has been accepted by a buyer, the municipality has priority over any other buyer in order to carry out projects for the benefit of the community.

THEREFORE BE IT RESOLVED

- A. THAT the Mayor write to the federal government on behalf of Council to:
  - a. Express concern about the growing share of units that Real Estate Investment Trusts (REITs) and other big investors own across the country and their impacts on the human right to housing, the commodification of housing, housing security and affordability for Vancouver residents;

- b. Urge the federal government to base the tax rate for REITs and other big investors on the amount of affordable housing they provide or destroy;
  - c. Urge the federal government to ensure that any CMHC-backed financing or insurance for Real Estate Income Trusts (REITS), private equity firms, pension funds, and other investors has clear conditions to prevent rent increases on tenant turnover;
  - d. Ask that the federal and provincial governments take more measures to protect and reinvest in existing rental stock and to facilitate their acquisition by non-profits and co-operatives.
- B. THAT staff investigate ways the City could mitigate harm to affordability of older housing stock by Real Estate Income Trusts (REITS) and other investors using action such as, but not limited to, vacancy control, right of first refusal, and supporting a non-profit acquisition strategy and to report back as part of ongoing work.

referred

REFERRAL MOVED by Councillor Swanson  
SECONDED by Councillor De Genova

THAT Motion B.3 entitled “Protecting Tenants from Real Estate Investment Trusts”, be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, February 10, 2021, to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY

#### **4. Daylighting Building Permit Wait Times**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor De Genova

WHEREAS

1. The City of Vancouver continually works to make Vancouver's homes and buildings safer, healthier, greener, and more accessible, including reviewing permit applications and enforcing regulations in a fair and consistent manner, and working to decrease the length and complexity of the permit process by introducing – among other measures – online services and more efficient procedures and processes;
2. Construction projects and any change of land use or occupancy on private property require a building permit. All projects must comply with the Vancouver Building By-law to meet life safety, livability, accessibility, and sustainability requirements. Building permits are the tool the City uses to achieve these requirements;



3. The City has a Small Business Commercial Renovation Centre (CRC) for small business owners planning a renovation or looking to move or start a business in Vancouver. The CRC offers assistance to help customers make an informed decision about the suitability of a business property or the viability of a proposed renovation;
4. Despite various strategies and measures implemented by the City of Vancouver over time to improve permit wait times such as the Commercial Renovation Centre launched in February 2017 (as a 'one stop shop' for small businesses to get dedicated support), investments in technology to improve transparency, workflow, and overall customer experience, increased staff to address backlogs and specific areas of need, as well as conducting stakeholder engagements, policy inventories, high-level process and decision-making reviews, and data and metrics reviews, the duration and clarity surrounding permit wait times continue to be an impediment to those wishing to invest in existing and/or open new businesses in Vancouver;
5. At a public hearing on June 25, 2020, Council approved amendments to clean-up, clarify, and consolidate our land use regulations and related land use documents to make them more user-friendly. These amendments represent incremental changes toward a set of simplified zoning regulations and are intended to help simplify and streamline permit reviews in combination with permit processing improvements;
6. Likewise, on July 24, 2020, Council enacted the amendments to the zoning regulations noted above, and on September 15, 2020, Council gave final approval to the various consequential amendments related to the City's land use documents. The updated and simplified land use regulations and policies are intended to result in review processes that are more streamlined;
7. With reference to the City's "Regulation Redesign" initiative – a comprehensive ongoing review of the City's land use regulations and related policy documents – staff are scheduled to report back to Council in the Winter of 2021 with regulatory updates related to the drafting and refining of new zoning by-laws, the development of an implementation plan for introducing new by-laws, and the communication protocols and procedures for developing regulations and policies, along with related public engagement opportunities. The timeline for implementation of the above-noted report items is scheduled for 2022;
8. Despite the foregoing, and despite the various strategies and measures implemented by the City to improve permit wait times, a lack of clear information and general uncertainty regarding permit wait times continues to be an issue, especially in terms of transparently communicating wait times to the general public and small businesses wishing to expand or open. For example, the CRC webpage on the City's website shows "permit processing times as of January 1, 2021" but only for one permit category – namely, for "Minor commercial renovation" work;
9. Likewise, the CRC webpage notes a target to issue 95% of "minor commercial renovation" permits within seven weeks, yet only 44% of these applications have

been accomplished within the seven-week target in the last three months; further there is no clear information given regarding the average wait time;

10. The impact of delays and/or permit processing times that are longer than expected causes a range of financial hardships for small businesses, not the least of which are having to carry extra months of lease costs without any revenue, delaying the projected timeline for opening to the paying public, and generally impacting the financial well-being and sustainability of a business (especially considering the added layers of uncertainty due to COVID-19);
11. Making clear, transparent information available to small businesses would help them to plan more effectively, for example in negotiating leases by knowing the length of time they will have to plan for carrying costs along with other matters relevant to opening or expanding a small business (while recognizing that wait times could be subject to change for a number of reasons such as the completeness of a permit application, questions that arise, and the volume of instream applications to be processed).

THEREFORE BE IT RESOLVED THAT Vancouver City Council direct staff to post easy-to-access information on the City's website that would show current projected wait times for various building permit types in as close to real-time as possible, so that businesses planning to make improvements and/or changes to their premises (where a permit is required), or people planning to open a new business that would require permits, can have greater clarity and ability to plan appropriately and achieve success.

referred

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT Motion B.4 entitled "Daylighting Building Permit Wait Times", be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, February 10, 2021, to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY

## **5. UBCM Resolution: Updating BC's Wrongful Death Law**

MOVED by Councillor Fry  
SECONDED by Councillor Bligh

WHEREAS

1. Natasha Forry was a healthy, vibrant, Vancouver born and raised 29-year-old. On October 12th, 2020, Ms. Forry died of a treatable staph infection despite four visits over ten days and multiple misdiagnoses at her local hospital.<sup>1</sup> Because Ms. Forry leaves behind no financial dependents, her family is denied an opportunity of legal remedy or accountability for her wrongful death;

2. Tragically, hundreds of British Columbians will experience the loss of a loved one each year, and in the event of a wrongful death many will discover they cannot access legal representation or recourse;
3. Wrongful deaths and harms are disproportionately experienced by Indigenous and racialized people. The *National Inquiry into Missing and Murdered Indigenous Women and Girls* and *In Plain Sight: Addressing Indigenous-specific Racism and Discrimination in B.C. Health Care*<sup>2</sup> recognize systemic inequities for Indigenous peoples in the care system, and variously recommend fully investigating deaths of Indigenous youth in care; and an obligation to support families, recognizing cultural and spiritual losses, and access to justice;
4. Wrongful Death Law in BC is legislated by the *Family Compensation Act*, with accompanying provisions in the *Wills, Estates and Succession Act*, for determining the “worth” of a deceased family member. Currently, access to the courts requires that the deceased was a breadwinner, meaning that typically the wrongful death of a child, an elderly person, or someone with a significant disability cannot go to trial, and precludes opportunities for independent investigation, recourse, or accountability that could avail justice, system change, economic or non-economic damages;
5. The *Family Compensation Act* is antiquated legislation that’s had no significant or meaningful updates since its adoption from the UK’s “*Lord Campbell’s Act*” in 1846, and British Columbia is the last remaining province in Canada yet to modernize its wrongful death legislation to provide a modern standard of human value, dignity, and protection under the law.<sup>3</sup> BC’s *Family Compensation Act* discriminates against children, the elderly and many people with disabilities when killed by the recklessness and harm of another;
6. The Canadian Bar Association of BC has recommended the *Family Compensation Act* be amended to provide for bereavement damages in the event of a death of a family member caused by the wrongdoing of another person or entity, with the reasoning: “The current failure of the law to recognize such losses is offensive and inexplicable to BC families who experience such tragedies, fails to reflect modern-day accepted norms as to basic fairness in a tort system, and is out of line with the law in most jurisdictions in Canada”;<sup>4</sup>
7. The BC Wrongful Death Law Reform Society has recommended the replacement of the *Family Compensation Act*, to allow for non-pecuniary damages relating to the loss of love, guidance, care, companionship, and affection, as well as conscious pain and suffering that the decedent endured before death, and in egregious circumstances, punitive damages.<sup>5</sup>

THEREFORE BE IT RESOLVED

- A. THAT the following resolution be submitted to LMGA for submission as a 2021 UBCM Resolution, and titled: “Updating BC’s Wrongful Death Law”

WHEREAS Tragically, hundreds of British Columbians will experience the loss of a loved one each year, and in the event of a wrongful death, many will discover

they cannot access legal representation or recourse because Wrongful Death Law in BC is legislated by the *Family Compensation Act* and provisions in the *Wills, Estates and Succession Act* in determining the “worth” of a deceased family member. Currently, access to the courts requires that the deceased was a breadwinner, and otherwise precludes opportunities for independent investigation, recourse, or accountability that could avail justice, system change, economic or non-economic damages.

AND WHEREAS the *Family Compensation Act* is antiquated legislation that’s had no significant or meaningful updates since the 1800s, and British Columbia is the last remaining province in Canada to modernize its wrongful death legislation to provide a fair standard of human value, dignity, and protection under the law. BC’s *Family Compensation Act* discriminates against children, the elderly and many people with disabilities when killed by the recklessness and harm of another.

THEREFORE BE IT RESOLVED THAT the UBCM request the Government of British Columbia and Attorney General modernize and reform wrongful death law in British Columbia to ensure access to justice, accountability, and compensation in British Columbia for the surviving family members of those wrongfully killed.

- B. THAT whereas clauses 1 through 7 and footnotes be submitted as background.

referred

- 
1. Mother demands justice for daughter who died of infection despite 4 hospital visits in 10 days (Lovegreen, CBC, Dec 2020)  
<https://www.cbc.ca/news/canada/british-columbia/bc-wrongful-death-laws-staph-infection-ann-natasha-forry-1.5849227>
  2. In Plain Sight: Addressing Indigenous-specific Racism and Discrimination in B.C. Health Care (Turpel-Lafond, Nov 2020)  
<https://engage.gov.bc.ca/app/uploads/sites/613/2020/11/In-Plain-Sight-Full-Report.pdf>
  3. BC Wrongful Death Law Reform Society: Comparing other provinces  
<https://intheirname.ca/comparing-other-provinces/>
  4. CBABC Briefing Note: Family Compensation Act (2014)  
[https://www.cbabc.org/CBAMediaLibrary/cba\\_bc/pdf/Advocacy/FamilyCompensationAct/CBABC\\_Briefing\\_Note\\_Family\\_Compensation\\_Act.pdf](https://www.cbabc.org/CBAMediaLibrary/cba_bc/pdf/Advocacy/FamilyCompensationAct/CBABC_Briefing_Note_Family_Compensation_Act.pdf)
  5. BC Wrongful Death Law Reform Society: Wrongful Death Accountability Act Proposal  
<https://intheirname.ca/proposed-legislation/>

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Bligh

THAT Motion B.5 entitled “UBCM Resolution: Updating BC’s Wrongful Death Law”, be referred to the Standing Committee on Policy and Strategic Priorities meeting on

Wednesday, February 10, 2021, to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY

## 6. Local Elections: Review and Reform

During questions to the mover of the above-noted motion, Mayor Stewart relinquished the Chair to Deputy Mayor Carr, in order to ask a question and resumed the Chair when completed.

MOVED by Councillor Fry  
SECONDED by Councillor Carr

WHEREAS

1. *The Vancouver Act of Incorporation* of April 6, 1886, was enacted by the Government of the Province of British Columbia, and established the City of Vancouver and its City Council as an order of local government with a requirement for democratic elections. The first Vancouver municipal election took place in May 1886, and since that time through the *Vancouver Incorporation Act* of 1921, to amalgamation in 1929, to the *Vancouver Charter* of 1953, the rules and governance of Vancouver municipal elections have evolved to respond to legal and societal changes through many amendments over many years;
2. The B.C. government is responsible for the core local government system and its legislative framework including maintaining and changing the framework for local elections, by-elections and assent voting events. Elections in Vancouver are variously governed by provincial legislation including the *BC Election Act*<sup>1</sup>, the *BC Local Elections Campaign Financing Act*<sup>2</sup> and *The Vancouver Charter*<sup>3</sup>, as well as the City's *Election By-law 9070*<sup>4</sup> and *Code of Conduct Corporate Policy*<sup>5</sup> (currently under consideration for adoption as by-law);
3. The administration of local elections and by-elections is a shared responsibility between the government of the City of Vancouver and Elections BC. Elections BC is responsible for the administration of the provincial electoral process in B.C. and the campaign financing and third party advertising rules under the *Local Elections Campaign Financing Act*;
4. Across Canada, municipalities continue to struggle with low voter turnout (average 40%), lack of diversity represented in election results<sup>6</sup>, disenfranchisement of youth and permanent residents, impacts of emergent digital campaign tools, political machines, and civic literacy. Vancouver has additionally struggled with "big money" under-regulated financial influence in elections;
5. Recent efforts to remedy and reform the electoral process include advocacy and resolutions from current and past Vancouver Councils, and through the Union of BC Municipalities (UBCM). These efforts have resulted in:

- a. Amendments to the *Local Election Campaign Finance Act (LECFA)* in 2018 which resulted in a number of significant campaign finance reforms notably stricter limits, and the elimination of corporate and union donations; and
  - b. The creation of Vancouver's Independent Election Task Force, which analyzed voting and electoral systems in Vancouver and reported in 2017 and 2019 with a number of priority recommendations and reforms, few of which have been implemented; and
  - c. Vancouver's *Report Back on the Random Order Ballot Model Used in the 2018 Vancouver Election*, suggesting improvements to the random ballot process and measures to more carefully manage and limit the number of names on ballots, considered by City Council in January of 2021;
6. Several of the remedies and reforms suggested by the IETF reports cannot be implemented by the City of Vancouver and await a response from the province. Some under consideration include:
- a. UBCM 2020 Special Resolution 3 (SR3) *Local Government Election Financing* is currently under review with the province and incorporates a number of Vancouver-led 2020 election finance reform resolutions (notably C5 and C6) calling upon the province to amend the LEFCA to:
    - i. require all elector organizations, as defined under the Local Government Act to register with Elections BC, similar to how provincial political parties are registered with Elections BC;
    - ii. require real time disclosure of in-kind support and financial contributions made to local government election candidates in election years, as well as to sitting elected officials in non-election years;
    - iii. apply contributor and contribution limits to operating accounts of elector organizations and candidates for operational purposes at all times, and to require that annual disclosure reports of contributions received in operating bank accounts, in election years and non-election years; and
    - iv. establish a pre-campaign period during which time all election advertising must include sponsorship information.
  - b. UBCM 2019 B108 *Youth Voting in Local Government Elections*, resolution to lower the voting age to 16 (still under provincial review).
  - c. UBCM 2019 B109 *Fresh Voices #LostVotes*, to allow Permanent Residents to vote (still under provincial review, and considering federal consultation).
  - d. Additional recommendations by the IETF that have not been formally submitted for consideration include
    - i. Use of "Own Funds";

- ii. Distinction between (types of) third parties;
  - iii. Exemptions for Small Entities;
  - iv. Counting Contributions of Staff Time; and
  - v. Different Treatment of Independent and Party-Affiliated Candidates;
7. Priority recommendations from *The City of Vancouver Independent Election Task Force 2017*<sup>7</sup> include several suggested reforms that do not require provincial legislation, and could be implemented by the City of Vancouver, notably:
- a. Using a deliberative participatory process to determine a system of Proportional Representation suited for municipal elections in Vancouver;
  - b. Amend the City of Vancouver Code of Conduct for Council officials requiring elected officials to withdraw from the decision-making process in matters submitted to City Council from corporations, unions, non-profit societies, and associations that contribute directly or indirectly to their campaigns. Require all submissions before Vancouver City Council to indicate whether the applicants (either the applying entity, or in the case of an organization, its officers) made campaign contributions and, if so, to whom. Contributors would self-identify on submissions that require a decision by City Council. The disclosure would accompany the submissions throughout the decision-making process.; and
  - c. Increase voter turnout through positive cues to improve engagement, civic literacy, and political knowledge;
8. Priority recommendations from *The City of Vancouver Independent Election Task Force 2019*<sup>8</sup> include several suggested reforms that do not require provincial legislation, and could be implemented by the City of Vancouver, notably:
- a. Increase penalties and associated enforcement mechanisms to a level where this is a reliable disincentive to contravene regulations. Penalties need not be solely monetary and could include the loss of right to enter into a municipal contract (Recommendation 12);
  - b. Invest in voter engagement (Recommendation 13); and
  - c. The need for more research and a new Independent Election Task Force (Recommendations 14 and 15);
9. *The City of Vancouver Independent Election Task Force 2019* additionally recommends, “Expanding the Definition of Advertising” (Recommendation 6) to include paid phone banking, paid digital campaigns, polling, and paid door-to-door canvassing.
- a. Today, sophisticated data analytics, weapons-grade communication technology<sup>9</sup>, artificial intelligence and machine learning, alongside under-regulated online campaign and engagement tools have created a fertile environment for a new political machine for the 21st Century.

- b. These concepts may not have been contemplated in reforms to the LECFA in 2018, or submitted for provincial consideration but are viewed by data and privacy experts as an emergent threat to democratic process<sup>10</sup>; and
  - c. Recent investigations and revelations around Cambridge Analytica and the use of psychographic profiling and predicting techniques to identify voter behaviour and persuade the persuadables have been implicated in manipulating electoral outcomes in developing nations and more recently Trump in the United States and Brexit in the UK.<sup>11</sup>
  - d. A joint investigation by BC and Canadian privacy commissioners<sup>12</sup> has revealed one local company, Aggregate IQ Data Services (AIQ) was responsible for privacy violations and data breaches and provided services to “several political organizations and campaigns in BC,” including “provincial party, certain candidates in the 2017 provincial election, a candidate for the leadership of a provincial party, and a municipal slate in the 2018 local elections.”<sup>13</sup>
10. The COVID-19 pandemic and resulting socio-economic crisis have strained the City of Vancouver’s financial and human resources, as well as means to effectively engage with Vancouver voters and non-voters alike;
11. Current City-led public outreach opportunities to improve civic literacy include the Vancouver Plan, led by PDS and operating across departments; and the “Your City Hall” (YCH) initiative, led by the City Clerk’s Office. The YCH initiative intends to take new actions aimed at reducing systemic barriers through civic engagement and outreach, to increase voter turnout and candidate diversity.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to include as part of Your City Hall and/or another City-led undertaking, a deliberative public participatory process, to engage, consider and report back on Vancouverites preference for a system of Proportional Representation suited for municipal elections;

FURTHER THAT Council direct staff to report back on methodology and cost to establish a Citizen’s Assembly to review and recommend a preferred electoral system for Vancouver, independently or in collaboration with the above deliberative public participatory process findings;

AND FURTHER THAT timing of this work consider an opportunity for voters in the 2022 general election to provide input.

- B. THAT Council direct staff to advise amendments to the City of Vancouver Code of Conduct for Council officials, requiring elected officials to publicly declare any potential conflict related to campaign donations in decision-making process on matters submitted to City Council;

FURTHER THAT staff advise amendments to require all submissions before



Vancouver City Council to indicate whether the applicants (either the applying entity, or in the case of an organization, its officers) made any political contributions to any member of council either inside or outside the local election or campaign period and, if so, to whom; and that contributors would self-identify on submissions requiring a decision by City Council, and these disclosures would accompany the submissions throughout the decision-making process.

- C. THAT Council direct staff to advise amendments to the City of Vancouver Election By-law 9070 and/or Vancouver Code of Conduct, to increase penalties and associated enforcement mechanisms (including the loss of right to enter into a municipal contract) to a level where this is a reliable disincentive to contravene regulations.
- D. THAT Council direct staff to report back with options and framework to reconvene an Independent Election Task Force in advance of, and to report back after on the 2022 Vancouver general election. Per the recommendations of the 2016-2019 IETF a reconvened task force would be composed of entirely different members and that the work of the task force would be in addition to – and not a substitute for – reports undertaken by the city election office.
- E. THAT Council direct staff to include opportunities and engagement to improve civic literacy and voter turnout as part of the Your City Hall initiative, as well as through information and dialogues conveyed through the Vancouver Plan.
- F. THAT the following resolution be submitted to LMGA for submission as a 2021 UBCM Resolution titled “Expanding definitions and responsibilities of digital campaigns”:

WHEREAS Elections BC regulates and defines online advertising as election advertising that has or would normally have a placement cost, but this does not specifically or explicitly include all digital campaigns or data collection.

AND WHEREAS Sophisticated data analytics, weapons-grade communication technology, artificial intelligence and machine learning, alongside under-regulated online campaign and engagement tools have emerged to use psychographic profiling and predicting techniques to identify voter behaviour and persuade the persuadables using a variety of online engagement methods including but not limited to news, profiles, groups, memes and shareables. The use of deceptive and coercive digital campaigns have been implicated in manipulating electoral outcomes in developing nations, and more recently the Trump campaign in the United States, Brexit in the UK (Cambridge Analytica) and in BC’s 2017 provincial and 2018 local elections (AIQ).

THEREFORE BE IT RESOLVED THAT the UBCM request the Government of British Columbia to expand the definition of advertising to cover digital political campaigns and tools, and mandate their disclosure of how and when data is being collected and used, and by whom.

FURTHER THAT Whereas clause number 9 and related footnotes be included as backgrounder to this motion.

FURTHER THAT the Mayor on behalf of council write to the Premier and Minister of Municipal Affairs requesting the Government of British Columbia consider and implement this request as an amendment to the Local Election Campaign Finance Act.

AND FURTHER THAT council direct staff to consider and report back on implementing these recommendations into the Council Code of Conduct and/or Election By-law 9070.

referred

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1. Election Act  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96106\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96106_01)
  2. Local Elections Campaign Finance Act  
<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14018>
  3. Vancouver Charter  
[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/vanch\\_00](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/vanch_00)
  4. Vancouver Election By-law No. 9070  
<https://bylaws.vancouver.ca/9070c.PDF>
  5. Code of Conduct Corporate Policy  
<https://vancouver.ca/files/cov/boards-committees-code-of-conduct.pdf>
  6. Canadian cities are still electing overwhelmingly white governments (Zhou, Vice, Oct 2018)  
<https://www.vice.com/en/article/598v8k/canadian-cities-are-still-electing-overwhelming-white-governments>
  7. Independent Election Task Force Final Report (2017)  
<https://council.vancouver.ca/20170124/documents/rr3AppendixA.pdf>
  8. 2019 Report Back from the Independent Election Task Force (2019)  
<https://vancouver.ca/files/cov/2019-06-21-report-back-from-the-independent-election-task-force-rts-12665.pdf>
  9. Before Trump, Cambridge Analytica quietly built “psyops” for militaries (Witt/Pasternack, Fast Company, Sept 2019)  
<https://www.fastcompany.com/90235437/before-trump-cambridge-analytica-parent-built-weapons-for-war>

10. Pew Research: Many Tech Experts Say Digital Disruption Will Hurt Democracy (Feb 2020)  
<https://www.pewresearch.org/internet/2020/02/21/many-tech-experts-say-digital-disruption-will-hurt-democracy/>
11. Fresh Cambridge Analytica leak 'shows global manipulation is out of control' (Cadwalladr, The Guardian, Jan 2020)  
<https://www.theguardian.com/uk-news/2020/jan/04/cambridge-analytica-data-leak-global-election-manipulation>
12. *Investigation Report P19-03/PIPEDA-035913: AggregateIQ Investigation* (McEvoy/Therrien, Office of the Information & Privacy Commissioner for British Columbia / Office of the Privacy Commissioner of Canada, Nov 2019)  
<https://www.oipc.bc.ca/investigation-reports/2363>
13. A B.C. company with ties to Cambridge Analytica broke Canadian law. Here's why privacy watchdogs say it's a big deal (Seucharan, Star Vancouver, Nov 2019)  
<https://www.thestar.com/vancouver/2019/11/26/data-firm-aggregate-ig-broke-law-by-sharing-personal-information-with-facebook-without-user-consent-bc-investigation-finds.html>

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT Motion B.6 entitled "Local Elections: Review and Reform", be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, February 10, 2021, to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY

\* \* \* \* \*

At 4:20 pm, Mayor Stewart relinquished the Chair to Deputy Mayor Carr, in order to introduce the next motion.

\* \* \* \* \*

## **7. Understanding COVID-19 Recovery Through Housing Construction**

MOVED by Mayor Stewart  
SECONDED by Councillor Kirby-Yung

WHEREAS

1. COVID-19 has adversely impacted Vancouver's economy and dramatically increased unemployment local rates with an estimated 32,000 jobs lost since February 2020 - many of which are in the construction industry;

2. At the same time, Vancouver continues to experience an entrenched housing crisis and shortage of adequate housing -- specifically when it comes to market, below market, and social housing rental units;
3. Vancouver City Council's COVID-19 Recovery Committee recommends council develop a just recovery focused on addressing the "very unaffordable Vancouver housing market", mitigating "the accelerating emergencies of housing affordability", and pursuing opportunities to "tackle systemic problems quickly and create a new, better 'normal'";
4. Many private and non-profit housing providers have submitted proposals that may help to meet these challenges that do not fall under established rezoning-enabling policy;
5. More detailed and complete information is needed for council to properly assess how these projects might positively impact COVID-19 recovery through constructing new social, affordable, and below-market residential housing.

THEREFORE BE IT RESOLVED THAT Council direct staff to report back with a memo and attached Excel-formatted searchable and sortable pre-application housing project inventory list by the end of Q1 2021 and updated quarterly containing the following information for all Letters of Enquiries, pre-enquiries, and informal expressions of interest (excluding those projects for which established rezoning-enabling policy currently applies):

1. Project proponent
2. Project address
3. Pre-application enquiry type (i.e. LOE, pre-enquiry, informal, etc.)
4. Submission date
5. Public Hearing Requirement (Yes/No/Don't Know)
6. Approximate number of buildings included in proposed project
7. Proposed housing units
  - a. Approximate total number of units
  - b. Approximate number of social or supportive housing units
  - c. Approximate number of below market rental units
  - d. Approximate number of market rental units
  - e. Approximate number of strata units
8. Associated economic activity
  - a. Approximate project value
  - b. Approximate number of construction jobs

9. Impact on renters
  - a. Renter displacement (Yes/No/Don't Know)
  - b. Renters covered by Tenant Relocation Policy (Yes/No/Don't Know)
10. Paying-for-growth opportunities:
  - a. Fixed rate CAC (Yes/No/Don't Know)
  - b. Negotiated CAC (Yes/No/Don't Know)
  - c. DCLs and UDCLS (Yes/No/Don't Know)
  - d. Other community benefits (Yes/No/Don't Know)
11. Potential federal or provincial grants or loan eligibility (Yes/No/Don't Know)

referred

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Bligh

THAT Motion B.7 entitled "Understanding COVID-19 Recovery Through Housing Construction", be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, February 10, 2021, to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY

\* \* \* \* \*

At 4:23 pm, Mayor Stewart resumed the Chair at the conclusion of this item.

\* \* \* \* \*

## **8. Aligning the Cannabis License Fee Structure to Support Vancouver Businesses**

MOVED by Councillor Bligh  
SECONDED by Councillor Dominato

WHEREAS

1. The Cannabis Act (S.C. 2018, c. 16) legalized the use of cannabis for recreational purposes, and regulated its production, distribution, sale and use federally across Canada;<sup>1</sup>
2. The Province of British Columbia Liquor and Cannabis Regulation Branch (LCRB) is responsible for the oversight, regulation, and enforcement of private, non-medical cannabis retail within the province;<sup>2</sup>

3. The Provincial Community Safety Unit (CSU) is responsible for compliance and enforcement with respect to sales by unlicensed retailers under the Cannabis Control and Licensing Act;<sup>3</sup>
4. The Province of British Columbia requires all cannabis retailers to have a provincial retail store license that is awarded upon municipal recommendation, and involves a \$7500 application fee, a \$1500 first-year license fee, a \$1500 annual renewal fee, and a security screening renewal fee. This fee is non-refundable;<sup>4</sup>
5. The City of Vancouver requires all cannabis retailers to have a municipal development permit costing at least \$908 for 100 square-metres of floor space, that increases with the size of the development;<sup>5</sup>
6. The City of Vancouver requires all cannabis retailers to have a municipal business license, which has a fee of \$33,958 in 2020;<sup>6</sup>
7. The license fee of \$30,000 for medical marijuana retailers was initially implemented by a 2015 bylaw amendment with the purpose of recuperating the costs of enforcement by the City on non-licensed marijuana retailers;<sup>7</sup>
8. The Worker Qualification Regulation of the provincial Cannabis Control and Licensing Act (CCLA) and Cannabis Distribution Act (CDA) requires all employees of cannabis retailers to have had a security verification check once every five years;<sup>8</sup>
9. Comparable annual business license fees in the City of Vancouver for 2020 are substantially lower than the annual fee for cannabis retail: the liquor retail store fee is \$429.00; the maximum fee for a standard hours liquor establishment is \$3,219.00; the next highest retail dealer fee is \$4,595.00 for a 50,000 sq ft premises; a Class-2 Casino license fee and the license fee for a Horse Racing Exhibition are both \$13,464.00; the Pacific National Exhibition annual license fee is \$18,856.00; and the maximum fee for an extended hours liquor establishment is \$23,525.00;<sup>9</sup>
10. The municipal business license fee for cannabis in comparable cities within the province are significantly less than Vancouver; Victoria requires a \$5000 business license fee and a \$7500 rezoning fee, while Kelowna requires a \$1,000 non-refundable application fee, a \$9,495 rezoning fee and an annual \$9,645 business licensing fee;<sup>10</sup>

11. Municipalities across the country are often exempted from municipal license fees where cost-sharing agreements are in place as the provincial government bears the burden of the cost of enforcement, such as cities like Toronto and Halifax;<sup>11</sup>
12. Staff have stated that the fee acts as a cost recuperation measure going towards four areas: policy and regulation development, customer and operations support, retail license and review legislation, and compliance/enforcement; with the main staff cost associated with reviewing applications, while compliance/enforcement makes up the majority of costs to the City, despite being under the jurisdiction of the province;<sup>12</sup>
13. The extremely high size of the municipal business license fee for cannabis retailers acts as a significant barrier to entry for businesses seeking to join the legal market, which can incentivize them into operating illicitly, requiring additional enforcement and compliance costs, increasing the risk to public safety, and undermining the operations of the legal businesses who have paid the exorbitant licensing fee;
14. The cannabis retail industry is a growing market that provides high paying entry level jobs that develop essential skills, and can be an important facilitator and contributor to economic growth and employment in the city during the pandemic and pandemic recovery.<sup>13</sup>

THEREFORE BE IT RESOLVED THAT Council direct staff to prepare an alternate fee structure that reduces the cannabis retail license fee to better align it with other retail license fees in the City of Vancouver and support businesses seeking to enter the legal cannabis retail market, with recommendations to take effect by the next renewal of the business license fee;

FURTHER THAT the Mayor advocate to the provincial Minister of Public Safety on the need for a cost-sharing agreement for the cannabis industry that reduces the economic burden on municipalities requiring expensive cost recuperation;

FURTHER THAT the Mayor advocate to the Minister of Public Safety to increase the enforcement efforts of the Provincial Community Safety Unit against illegal cannabis retailers whose continued operation undermines the legal industry;

AND FURTHER THAT the Mayor write to the Premier and the Attorney General of British Columbia to remove the Worker Qualification Regulation of the Cannabis Control and Licensing Act and Cannabis Distribution Act, which adds undue cost and burden to cannabis retailers and their employees, and is discriminatory to those who work in the cannabis industry.

referred

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1. <https://www.justice.gc.ca/eng/cj-jp/cannabis/>
  2. <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/compliance-enforcement>
  3. <https://www2.gov.bc.ca/gov/content/safety/public-safety/cannabis>
  4. <https://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing/non-medical-cannabis-licenses/apply-non-medical-cannabis-licence/apply-for-a-cannabis-retail-store-licence>
  5. <https://vancouver.ca/files/cov/vancouver-development-building-permit-fees.pdf>
  6. City Staff Memorandum 'Cannabis Legalization and Retail Licensing: Costs, Revenue and Analysis', June 29, 2020
  7. <https://council.vancouver.ca/20150624/documents/ptecbylaws.pdf>
  8. [https://www.bclaws.ca/civix/document/id/complete/statreg/214\\_2018](https://www.bclaws.ca/civix/document/id/complete/statreg/214_2018)
  9. [https://bylaws.vancouver.ca/4450c.PDF?\\_ga=2.43659749.1793961635.1607899242-792371063.1607899242&\\_ga=2.43659749.1793961635.1607899242-792371063.1607899242](https://bylaws.vancouver.ca/4450c.PDF?_ga=2.43659749.1793961635.1607899242-792371063.1607899242&_ga=2.43659749.1793961635.1607899242-792371063.1607899242)
  10. <https://mugglehead.com/vancouver-retailers-pay-highest-licensing-fees-in-country/>
  11. <https://mugglehead.com/vancouver-retailers-pay-highest-licensing-fees-in-country/>
  12. City Staff Memorandum 'Cannabis Legalization and Retail Licensing: Costs, Revenue and Analysis', June 29, 2020
  13. <https://vancouver.sun.com/opinion/dan-baxter-b-c-cannabis-sector-has-ability-to-accelerate-economic-recovery-but-is-hampered-by-unreasonable-policies>

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Fry

THAT Motion B.8 entitled "Aligning the Cannabis License Fee Structure to Support Vancouver Businesses", be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, February 10, 2021, to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY



**9. Childcare that Works: Extended Hour and Around-the-Clock Childcare for Working Families in Vancouver**

MOVED by Councillor De Genova

SECONDED by Councillor Wiebe

WHEREAS

1. The current City Council has identified Childcare as a top priority;
2. Increasing safe and affordable childcare spaces in all Vancouver neighbourhoods is essential for families with young children;
3. In December 2018 Council unanimously supported the motion “Building a Family Friendly Vancouver: Affordable Child Care”. Staff are currently working on the direction from this motion and will report back to Council with recommendations hopefully in 2021;
4. The availability of quality childcare is essential to Vancouver’s work force and affects Vancouver’s economy;
5. Canadian cities located in Ontario and Quebec do have licensed childcare centres providing 24-hour childcare models. Both provincial governments have provided subsidies. The high demand for extended hour childcare is supported by significant waitlist. For example, a 24-hour licensed childcare centre located in Barrie, Ontario opened with 70 licensed spots in 2015 and has a steady waitlist of approximately 800 children;
6. Many families with young children, including single-parent families, work on various shift patterns, including overnight and on weekend shifts;
7. Many families requiring childcare due to work outside of traditional hours are also low income and single parent families. These families often must make arrangements for childcare that are not ideal, stable and/or come at a greater cost than families who are supported;
8. The expense of childcare is greater than the expense of housing for many families with young children living in the City of Vancouver;
9. Although zoning does not exclude licensed childcare centres that wish to operate 24 hours, the current requirements for childcare at the City of Vancouver does not include guidelines that address space necessary for extended hour or 24 hour childcare models, including overnight sleeping areas;
10. The Provincial government has committed funding from the Childcare BC’s New Spaces Fund for the Tamitik Status of Women (TSW) in Kitimat, a 24-hour childcare facility that is expected to open in 2022. The licensed facility will offer

60 new spaces and provide childcare for infants and toddlers and school-age children.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to consider policy to encourage and incentivize the development and operation of 24-hour and/or extended hour childcare centres in Vancouver.
- B. THAT Council direct staff to add a question to applications related to development or licensing of childcare, to survey and measure the interest these stakeholders may have in future applications to provide 24-hour childcare models, if specific policy was implemented.
- C. THAT Council direct staff to explore the possibility of supplementing current requirements for licensed childcare centres to include specific considerations and requirements for childcare offering 24-hour or extended care models, including overnight and weekend childcare.
- D. THAT Council direct staff to explore the possibility of Provincial funding specific to 24-hour or extended hour Childcare in the City of Vancouver.
- E. THAT Council direct staff to include this work in the workplan, report back and recommendations to Council on the actions passed in the motion "Building a Family Friendly Vancouver: Affordable Child Care" or earlier, if possible.

referred

REFERRAL MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT Motion B.9 entitled "Childcare that Works: Extended Hour and Around-the-Clock Childcare for Working Families in Vancouver", be referred to the Standing Committee on Policy and Strategic Priorities meeting on Wednesday, February 10, 2021, to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY

**10. Naming a Street After the Komagata Maru - WITHDRAWN**

This motion was withdrawn at the request of Councillor Swanson.

## NOTICE OF COUNCIL MEMBER'S MOTIONS

### 1. Professional and Regular Park Board Staff in Parks

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 February 23, 2021, as a Council Member's Motion.

### 2. Closing the Inequality Gap with Paid Sick Leave

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 February 23, 2021, as a Council Member's Motion.

### 3. Developing a City Framework for the Leveraging and Nurturing of a Social Impact Investment Community to Amplify Social and Environmental Outcomes

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 February 23, 2021, as a Council Member's Motion.

### 4. Appropriate Use of City's Emblem, Logo and Other City Symbols by Elected Members of Council

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 February 23, 2021, as a Council Member's Motion.

### 5. Implementing the UN Declaration on the Rights of Indigenous Peoples in the City of Vancouver

Councillor Boyle submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of February 23, 2021, as a Council Member's Motion.

### 6. Implementing a Lobbyist Registry

Mayor Stewart submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of February 23, 2021, as a Council Member's Motion.

### 7. Commemorating COVID-19 in the City of Vancouver

Mayor Stewart submitted a notice of Council Member's motion on the above-noted matter. The motion may be placed on the Council meeting agenda of February 23, 2021, as a Council Member's Motion.

## NEW BUSINESS

### 1. Requests for Leaves of Absence

MOVED by Councillor De Genova  
SECONDED by Councillor Fry

THAT Councillor Kirby-Yung be granted Leaves of Absence for civic business from meetings on June 9, 2021, from 9 am to 1 pm; and June 23, 2021, from 3:30 pm to 5:30 pm;

FURTHER THAT Mayor Stewart be granted a Leave of Absence for civic business from meetings on February 10, 2021, from 9:30 am to 11 am and February 9, 2021, from 6 to 10 pm.

CARRIED UNANIMOUSLY (Vote No. 06931)

MOVED by Councillor Wiebe  
SECONDED by Councillor De Genova

THAT Councillor Wiebe be granted Leaves of Absence for civic business from meetings on February 22, 2021 to February 26, 2021.

CARRIED UNANIMOUSLY (Vote No. 06932)

MOVED by Councillor Fry  
SECONDED by Councillor Bligh

THAT Councillor Fry be granted a Leave of Absence for civic business from meetings on February 18, 2021, from 7 to 7:30 pm.

CARRIED UNANIMOUSLY (Vote No. 06933)

### 2. Change to the 2021 Deputy Mayor Roster

MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe

THAT Councillor Wiebe be named in place of Councillor De Genova as the Deputy Mayor for the month of March 2021;

FURTHER THAT Councillor De Genova be named in place of Councillor Wiebe as the Deputy Mayor for the month of June 2021.

CARRIED UNANIMOUSLY

## **ENQUIRIES AND OTHER MATTERS**

### **1. Local Streetcar Network**

Councillor Wiebe requested an update on the timeline for a staff report regarding the local streetcar network.

### **2. Washroom Requirement**

Councillor Wiebe enquired how a requirement of washrooms could be included in business permits for properties such as transit hubs, pump stations and other civic infrastructure.

### **3. Lack of Accessibility at Spanish Banks**

Councillor Wiebe enquired about accessibility issues at Spanish Banks because of the placement of sandbags noting this has been an ongoing problem. He enquired if there is a long term plan in place to resolve accessibility issues. The Acting City Manager agreed to provide an update.

### **4. Spawning Herring**

Councillor Wiebe enquired about moving some herring currently spawning in False Creek to Harbour Green and working with the Department of Fisheries and Oceans to help bring back herring to the city of Vancouver.

### **5. Past Motion - Recalibrating the Housing Vancouver Strategy Post COVID-19**

Councillor Hardwick enquired when additional data would be available related to the motion passed by Council entitled "Recalibrating the Housing Vancouver Strategy post COVID-19", as the memo received on February 5, 2021, was incomplete. The Acting City Manager provided a brief verbal update and agreed to follow up on the next steps taking into account the implications of producing the requested data.

### **6. Redline Documents**

Councillor Hardwick requested that it become standard process to receive redline documents for changes to by-laws and policy changes. The Acting City Manager responded and indicated staff is continuing to work on this.

### **7. Past Motion - Naming a Civic Asset After the Komagata Maru**

Councillor Swanson requested an update on the motion passed by Council entitled "Naming a Civic Asset After the Komagata Maru". The Acting City Manager provided a brief update and indicated the Civic Asset Naming Committee has not identified an appropriate asset that is suitable for naming. He also noted the notion of commemorative naming is a broader policy issue that has not been addressed and recognizes that this is an outstanding issue and an ongoing concern.

**8. Past Motion - Transparent Process and Taxation for Land Banks Repurposed as Temporary Recreational Properties**

Councillor Fry requested an update on the motion passed by Council entitled “Transparent Process and Taxation for Land Banks Repurposed as Temporary Recreational Properties”, specifically in regards to community gardens being used as land banks and are taxed at different rates.

**9. Appointment of Integrity Commissioner**

Councillor Dominato requested a timeline to appoint an integrity commissioner. The Acting City Manager agreed to report back once more information was available.

**10. City Policy of Use of City Emblem and Logo**

Councillor Dominato enquired about a City policy governing the use of the City emblem, logo and other City symbols currently in place. The Acting City Manager agreed to report back.

**11. Past Motion - A Comprehensive Strategy for Realizing the Full Potential of the Nighttime Economy in the City of Vancouver**

Councillor Dominato requested an update on the motion passed by Council entitled “A Comprehensive Strategy for Realizing the Full Potential of the Nighttime Economy in the City of Vancouver”. During the budget discussions, night economy work was deferred due to budget constraints. She enquired if there are any opportunities for this work to go forward now in light of interest in revitalizing the Granville Entertainment District. The Acting City Manager agreed to report back when more information was available.

**12. Public Washroom Access along the Broadway Line**

Councillor Dominato enquired about work around the Broadway line and access to public washrooms and cost sharing with Translink. The Acting City Manager provided a brief update which included the need to consider capital costs to construct and the cost of maintaining and operating washroom facilities and agreed to provide an update.

**13. Data on Noise Complaints**

Councillor Kirby-Yung enquired about data available around noise complaints on gas powered gardening equipment and other maintenance equipment in the city. The Acting City Manager agreed to report back.

**14. Past Motion - Including Pedestrians in Vancouver Snow Protocol and Response**

Councillor Kirby-Yung requested an update on the motion passed by Council entitled “Including Pedestrians in Vancouver Snow Protocol and Response”, and the implementation of changes to the snow protocol and how these changes will be communicated to the public. The Acting City Manager agreed to follow up with staff and report back.

**15. Slow Streets Program**

Councillor Boyle requested an update on the slow streets program and its effectiveness and implementation, with an interest in challenges and successes the program has seen. The Acting City Manager agreed to provide an update.

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During Enquires and Other Matters, Mayor Stewart relinquished the Chair to Deputy Mayor Carr, in order to present to Council and resumed the Chair when completed.

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**16. Federal Funding Grant**

Mayor Stewart announced the City received \$4.9 million in federal funding to support key initiatives including increased washroom access and additional shelter spaces.

**ADJOURNMENT**

MOVED by Councillor De Genova  
SECONDED by Councillor Hardwick

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY

Council adjourned at 4:57 pm.

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