

IN-CAMERA COUNCIL MEETING

MARCH 9 and 10, 2021

DECISION RELEASE

Future Use of 2294 West 10th Avenue & Considerations for Fraser Academy

- A. THAT Council direct the Director of Real Estate Services to negotiate and report back for Council approval on a lease extension of the existing lease (the "Lease"), on the existing terms, with the Fraser Academy Association (Fraser Academy or "FA") at 2294 West 10th Avenue, legally described as: PID 023-150-645, Lot 2, Block 363, Plan LMP24360, District Lot 526, New Westminster, Exp Plan LMP24361 (the "Premises"), by five (5) years to July 16, 2030 (represents a grant of s.17(1)) (the "Extension");

AND FURTHER THAT pursuant to section 206(1) (j), Council deems that Fraser Academy is a non-profit society and recognizes the unique benefit the school provides to children with language-based learning disabilities, including children that are represented in vulnerable and marginalized groups and is "contributing to the culture, beautification, health or welfare of the city".

A above represents a grant requiring the affirmative vote of 2/3 of all Council members, per section 206(1) of the *Vancouver Charter*.

- B. THAT Council authorize the Director of Real Estate Services to negotiate, to the satisfaction of the Directors of Law and Arts Culture and Community Services, and report back for Council approval on a Letter of Intent or Memorandum of Understanding with Fraser Academy, which includes without limitation the following terms:

- i) Subject to Fraser Academy's fulfillment of the pre-conditions outlined below and Council approval of the terms of the ground lease negotiated between Staff and Fraser Academy, the City will enter into a minimum of 60 years, of life of the building lease with the Fraser Academy for the Premises (the "Ground Lease")

B i) above represents a grant requiring the affirmative vote of 2/3 of all Council members, per section 206(1) of the *Vancouver Charter*;

AND FURTHER THAT pursuant to section 206(1) (j), Council deems that Fraser Academy is a non-profit society and recognizes the unique benefit the school provides to children with language-based learning disabilities, including children that are represented in vulnerable and marginalized groups and is "contributing to the culture, beautification, health or welfare of the city";

- ii) That prior to the City entering into a Ground Lease as described in B i), the following pre-conditions must be met by Fraser Academy to the satisfaction of Council:
- a) to produce a business plan for an institutional use development with expanded school and childcare facility (that meets the intent of the childcare design guidelines) on the Premises. AND THAT the business plan be subject to the satisfaction of the General Manager of Real Estate and Facilities Management and the General Manager of Arts, Culture and Community Services prior to any formal inquiry or application for redevelopment, and include, without limitation:
 - i. Programming Plan that supports its vision for a Center for Dyslexia & Community Literacy (e.g. day program, outreach services, training center, childcare, bursary funding, education agreements, early literacy screening for Vancouver childcare facilities);
 - ii. Public Benefit Plan that outlines how the school supports public access to programs and community benefit for all children with learning disabilities, including equity seeking groups (e.g. low income, Indigenous and racialized communities);
 - iii. Capital and Operating Funding Strategy for construction and ongoing programming and facility costs, including fundraising, support from other levels of government, tuition fees etc. that demonstrates the financial viability of the Fraser Academy's expanded vision; and
 - b) the approval by the City of a project pro forma submitted by Fraser Academy incorporating current financial information (including all sources of required debt and equity financing) and Class A or B construction cost estimates for redevelopment of the Premises;
 - c) the development permit prior-to letter for the project has been issued or is issuable;
 - d) Fraser Academy has obtained commitment letters, letters of intent and/or memorandums of understanding in respect of all required project equity and debt financing on terms and conditions approved by the City; and
 - e) Such other conditions as may be required by the General Manager of Real Estate and Facilities Management, the General Manager of Arts, Culture and Community Services and the Director of Legal Services; and

(the "Pre-Conditions")

- iii) If the Fraser Academy meets all the Pre-Conditions before the expiry of the Extension, staff will bring forward the Ground Lease for Council approval at that time.
 - iv) If the Pre-Conditions have not been met by Fraser Academy by the expiry of the Extension then the Lease shall be at an end and the City may at its option and sole discretion offer Fraser Academy a lease or sublease of a portion of the Premises within a City-project or at another City site, subject to approval of Council.
- C. THAT the Mayor send a letter to the Minister of Education, on behalf of Council to advocate for systems change in public education to address inequities in access to learning supports for children with learning disabilities and to provide resources to support Fraser Academy's work and expansion goals so long as there is a gap in the formal education system.
- D. THAT Council direct the City Manager to confidentially share this resolution with Fraser Academy as soon as possible, and subject to a joint communications plan.
- E. FURTHER THAT Council direct staff to return Council with a verbal briefing on the progress and conversations with Fraser Academy by June 2021.

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