



## COUNCIL MEETING MINUTES

FEBRUARY 8, 2022

A Meeting of the Council of the City of Vancouver was held on Tuesday, February 8, 2022, at 9:31 am, in the Council Chamber, Third Floor, City Hall. This Council meeting was convened by electronic means as authorized in Part 14 of the *Procedure By-law*.

**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, City Manager  
Armin Amrolia, Deputy City Manager

**CITY CLERK'S OFFICE:** Katrina Leckovic, City Clerk  
Irina Dragnea, Meeting Coordinator

\* Denotes absence for a portion of the meeting

### WELCOME

The Mayor acknowledged we are on the unceded homelands of the Musqueam, Squamish, and Tsleil-Waututh People. 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 – Black History Month

The Mayor read the Proclamation and proclaimed February 2022, as "Black History Month" at the City of Vancouver.

**PUBLIC NOTICE** – Pursuant to Section 164.1(2) of the *Vancouver Charter*, public notice is hereby given that Council will give consideration to amend Procedure By-law No. 12577 at the Council meeting on March 1, 2022.

## **IN CAMERA MEETING**

MOVED by Councillor Hardwick  
SECONDED by Councillor Dominato

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

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

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

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

(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  
(Councillor De Genova absent for the vote)

## **ADOPTION OF MINUTES**

1. Public Hearing – January 18, 2022

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Boyle

THAT the Minutes of the Public Hearing of January 18, 2022, be approved.

CARRIED UNANIMOUSLY  
(Councillor De Genova absent for the vote)

2. Council – January 25, 2022

MOVED by Councillor Hardwick  
SECONDED by Councillor Wiebe

THAT the Minutes of the Council meeting of January 25, 2022, be approved.

CARRIED UNANIMOUSLY  
(Councillor De Genova absent for the vote)

3. Public Hearing – January 25, 2022

MOVED by Councillor Hardwick  
SECONDED by Councillor Swanson

THAT the Minutes of the Public Hearing of January 25, 2022, be approved.

CARRIED UNANIMOUSLY  
(Councillor De Genova absent for the vote)

4. Council (Policy and Strategic Priorities) – January 26 and 27, 2022

MOVED by Councillor Bligh  
SECONDED by Councillor Carr

THAT the Minutes of the Council meeting following the Standing Committee on Policy and Strategic Priorities meeting of January 26 and 27, 2022, be approved.

CARRIED UNANIMOUSLY  
(Councillor De Genova absent for the vote)

**MATTERS ADOPTED ON CONSENT**

MOVED by Councillor Wiebe  
SECONDED by Councillor Hardwick

THAT Council adopt Communication 1, Reports 1 and 4, and Referral Reports 1, 2, 4, 5 and 6, on consent.

CARRIED UNANIMOUSLY  
(Councillor De Genova absent for the vote)

**COMMUNICATIONS**

**1. Changes to 2022 Council Meetings Schedule**

THAT Council cancel the following Council/Public Hearing Reserves and replace them with Public Hearings:

- May 24, 2022, starting at 6 pm;
- June 28, 2022, starting at 6 pm;
- July 12, 2022, starting at 6 pm;

FURTHER THAT Council cancel the Council/Public Hearing Reserve on July 13, 2022, at 6 pm.

ADOPTED ON CONSENT (Vote No. 08076)  
(Councillor De Genova absent for the vote)

## REPORTS

### 1. **2022 Street Cleaning Grants January 11, 2022**

THAT Council approve the 2022 Street Cleaning Grant Program totalling \$2,185,000 to the following recipients for programs that support improvements to street cleanliness, as detailed in the report dated January 11, 2022, entitled "2022 Street Cleaning Grants" with funding from the approved 2022 Street Cleaning and 2022 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 (\$876,000);
- 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 Binnars' Project (\$55,000).

ADOPTED ON CONSENT AND BY  
THE REQUIRED MAJORITY (Vote No. 08077)  
(Councillor De Genova absent for the vote)

### 2. **Funding Application to Investing in Canada Infrastructure (Green Infrastructure – Environmental Quality) Program January 24, 2022**

Liz Jones, Manager, Senior Government Partnerships and Funding Strategy, Long Term Financial Strategy, Finance, Risk and Supply Chain Management, along with Jimmy Zammar, Director, Urban Watersheds, Sewers and Drainage, Engineering Services, responded to questions.

MOVED by Councillor Wiebe  
SECONDED by Councillor Kirby-Yung

- A. THAT Council endorse an application to the Investing in Canada Infrastructure (Green Infrastructure – Environmental Quality) Program for \$18.0 Million towards the \$24.5 million Alberta Street & Columbia Park Green Infrastructure Project eligible costs.
- B. THAT Council direct staff to incorporate the project into the upcoming Draft 2023-2026 Capital Plan and in accordance with the City's Capital Budget Policy, upon a successful funding application, bring forward the related capital project budgets for Council consideration.

CARRIED UNANIMOUSLY (Vote No. 08078)

**3. Enabling Quadricycle Tours in Vancouver  
February 1, 2022**

Council heard from one speaker in support of the report recommendations.

Sarah Hicks, Chief Licence Inspector, Licensing and Policy, Development, Buildings and Licensing, along with Paul Storer, Director, Transportation Division, Engineering Services, responded to questions.

MOVED by Councillor De Genova  
SECONDED by Councillor Hardwick

- A. THAT Council approve, in principle, changes to the Vehicles for Hire By-law No. 6066 to enable quadricycle tours in Vancouver as detailed in the Report dated February 1, 2022, entitled "Enabling Quadricycle Tours in Vancouver", and Appendix A of the same report;

FURTHER THAT Council authorize the Director of Legal Services to bring forward for enactment amendments to the Vehicles for Hire By-law No. 6066 as generally outlined in Appendix A of the above-noted report.

- B. THAT Council approve, in principle, changes to the Street and Traffic By-law No. 2849 to enable quadricycle tours in Vancouver as detailed in the Report dated February 1, 2022, entitled "Enabling Quadricycle Tours in Vancouver", and Appendix B of the same report;

FURTHER THAT Council authorize the Director of Legal Services to bring forward for enactment amendments to the Street and Traffic By-law No. 2849 as generally outlined in Appendix B of the above-noted report.

CARRIED UNANIMOUSLY (Vote No. 08070)

**4. Contract Award for Supply and Delivery of Ductile Iron Fittings  
January 17, 2022**

- A. THAT Council authorize City staff to negotiate to the satisfaction of the City's General Manager of Engineering Services, City's Director of Legal Services, and the City's Chief Procurement Officer and enter into a contract with EMCO Corporation, for supply and delivery of ductile iron fittings, for a term of three (3) years, with the option to extend for three (3) additional two (2) year terms, with an estimated contract value of \$2,168,627 plus applicable taxes over the initial 3-year term, to be funded through approved Engineering operational and capital budgets.

- B. THAT the Director of Legal Services, Chief Procurement Officer and General Manager of Engineering Services be authorized to execute on behalf of the City the contract contemplated by A above.

- C. THAT no legal rights or obligations will be created by Council's adoption of A and B above unless and until such contract is executed by the authorized signatories of the City as set out in the clauses noted above.

ADOPTED ON CONSENT (Vote No. 08081)  
(Councillor De Genova absent for the vote)

## REFERRAL REPORTS

### 1. **CD-1 Rezoning: 277-291 West 42nd Avenue January 25, 2022**

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

#### **RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT, the application by Marcon Properties Ltd., on behalf of W 42 Properties E Nominee Corp., the registered owner of the lands at 277-291 West 42nd Avenue [*Lots 17-19, Block 858 District Lot 526 Plan 7737; PIDs 004-232-119, 010-336-559 and 010-336-567 respectively*] to rezone the lands from RS-1 (Residential) District to CD-1 (Comprehensive Development) District to increase the floor space ratio (FSR) from 0.70 to 6.73 and the building height from 10.7 m (35 ft.) to 57 m (187 ft.), to permit an 18-storey residential building with 211 secured rental residential units, of which 20% of the residential floor area will be secured below-market rental units, be approved in principle;

FURTHER THAT the draft CD-1 By-law, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "CD-1 Rezoning: 277-291 West 42nd Avenue", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Rositch Hemphill Architects, received May 5, 2021, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- B. THAT, subject to approval in principle of the rezoning and the Housing Agreement described in Part 2 of Appendix B of the Referral Report dated January 25, 2022, entitled "CD-1 Rezoning: 277-291 West 42nd Avenue", the Director of Legal Services be instructed to prepare the necessary Housing

Agreement By-law for enactment prior to enactment of the CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services, the General Manager of Planning, Urban Design and Sustainability.

- 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 25, 2022, entitled "CD-1 Rezoning: 277-291 West 42nd Avenue";

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

- 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; 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. 08082)  
(Councillor De Genova absent for the vote)

**2. CD-1 Text Amendment: 650 West 41st Avenue (Oakridge Centre)  
January 25, 2022**

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

**RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT the application by Henriquez Partners Architects, on behalf of 7503059 Canada Inc.<sup>1</sup>, the registered owner of the lands located at 650 West 41st Avenue [Legal Description: PID: 003-128-687, Lot 7 Block 892 District Lot 526 Group 1 New Westminster District Plan 20424 Except Air Space Plan 20425 And Plan EPP85694] to amend CD-1 (1) Oakridge By-law No. 3568, as amended, to increase the permitted floor area from 424,600.7 sq. m (4,570,356 sq. ft.) to 468,938.9 sq. m (5,047,617 sq. ft.); increase the maximum floor space ratio (FSR) from 3.71 to 4.10; and increase maximum building heights to allow the additional development of 283 market rental units, 130 moderate income rental units and additional office space, be approved in principle;

FURTHER THAT the draft CD-1 By-law amendment, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "CD-1 Text Amendment: 650 West 41st Avenue (Oakridge Centre)", be approved in principle;

FURTHER THAT the proposed form of development also be approved in principle, generally as prepared by Henriquez Architects, received September 4, 2020, provided the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- B. THAT, if after the Public Hearing, Council approves in principle the rezoning and the Housing Agreements (Social Housing, Secured Rental Housing and Moderate Income Rental) described in Part 2 of Appendix B of the Referral Report dated January 25, 2022, entitled "CD-1 Text Amendment: 650 West 41st Avenue (Oakridge Centre)", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-laws and amendments to the necessary Housing Agreement By-laws for enactment prior to enactment of the amended CD-1 By-law, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Planning, Urban Design and Sustainability.
- C. THAT, at the time of enactment of the amended CD-1 By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval the updated Oakridge Centre Design Guidelines.
- 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;

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<sup>1</sup> Beneficially owned and controlled by QR OM LTH LP and Westbank Oakridge Holdings Inc.



- (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. 08083)  
(Councillor De Genova absent for the vote)

**3. Rezoning: 5327-5477 Oak Street and 1006-1008 West 37th Avenue  
January 25, 2022**

Theresa O'Donnell, General Manager, Planning, Urban Design and Sustainability, responded to questions.

MOVED by Councillor Wiebe  
SECONDED by Councillor De Genova

THAT the rezoning application, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

**RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT the application by Formwerks Architectural Inc., on behalf of Oak 37 BT Limited, the registered owner of the lands located at:
  - 5475, 5423, 5387, 5347, and 5327 Oak Street and 1006 West 37th Avenue [*Lots 1-3 and 5-7, Block 915 District Lot 526 Plan 11811; PIDs: 009-003-592, 004-076-621, 005-264-511, 009-003-622, 009-003-631 and 009-003-649 respectively*] and;
  - 5367 and 5369 Oak Street [*Strata Lot 1 and 2, District Lot 526 Strata Plan VAS2829; PIDs: 016-914-368 and 016-914-376; and PID: NPA; Common Property, Strata Plan VAS2829*];

to rezone the lands from RT-1 (Two-family Dwelling) District to RM-8AN (Multiple Dwelling) District, be approved in principle;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "Rezoning: 5327-5477 Oak Street and 1006-1008 West 37th Avenue", for consideration at the Public Hearing;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- B. THAT A 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; 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. 08071)  
(Councillor Hardwick opposed)

**4. CD-1 (761) Text Amendment: 1002 Station Street and 250-310 Prior Street  
January 25, 2022**

THAT the rezoning application and plans, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

**RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT the application by Providence Health Care Society, the registered owner of the lands located at 1002 Station Street [*Lots 1, 3 and 4 District Lot 2037 Group 1 New Westminster District Plan EPP105034; PIDs 031-266-932, 031-266-959 and 031-266-967 respectively; and PID 031-266-941; Lot 2 District Lots 196 and 2037 Group 1 New Westminster District Plan EPP105034*] to amend CD-1 (761) By-law No. 12883 to permit elevator overruns and stair

enclosures extending 10.6 m (34.8 ft.) above the approved maximum height and to permit floor area exclusions for mechanical uses directly associated with the energy centre up to 22,891 sq. m (246,397 sq. ft.) be approved in principle;

FURTHER THAT that the draft amending by-law, prepared for the Public Hearing in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "CD-1 (761) Text Amendment: 1002 Station Street and 250-310 Prior Street", be approved in principle;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- B. THAT A 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; 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. 08085)  
(Councillor De Genova absent for the vote)

**5. Rezoning: 877- 887 West 28th Avenue  
January 25, 2022**

THAT the rezoning application, described below, be referred to Public Hearing together with the recommendations set out below and with the recommendation of the General Manager of Planning, Urban Design and Sustainability to approve the application, subject to the conditions set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

**RECOMMENDATION FOR PUBLIC HEARING**

- A. THAT the application, by PSquare Engineering and Construction Ltd., on behalf of 1314617 BC Ltd.<sup>2</sup>, the registered owner of the lands located at 877-887 West 28th Avenue [Lots 15 and 16, Block 717 District Lot 526 Plan 5377; PIDs: 011-166-436 and 011-166-444, respectively], to rezone the consolidated lands from RS-1 (Single-detached Houses and Duplexes) District to RM-8A (Multiple Dwelling) District be approved in principle;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-law generally in accordance with Appendix A of the Referral Report dated January 25, 2022, entitled "Rezoning: 877- 887 West 28th Avenue", for consideration at the Public Hearing;

AND FURTHER THAT the above approvals be subject to the Conditions of Approval contained in Appendix B of the above-noted report.

- 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 25, 2022, entitled "Rezoning: 877- 887 West 28th Avenue";

FURTHER THAT the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law at the time of enactment of the 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; 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. 08086)  
(Councillor De Genova absent for the vote)

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<sup>2</sup> Represented by PCube Holdings Ltd. and NMMH Holdings Ltd.

**6. Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan  
November 29, 2021**

- A. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law, generally as presented in Appendix A of the Referral Report dated November 29, 2021, entitled “Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan”, to:
- i. update bullet formatting in section 4.7 to match the existing template;
  - ii. re-insert a clause in section 10.18 permitting additional height for mid-rise residential buildings with more roof insulation that was inadvertently omitted by amending By-law No. 12865;
  - iii. clarify intent in section 10.29.1;
  - iv. include regulations for basements and exemptions for window wells in the RS-7 District Schedule that were inadvertently omitted in amending By-law No. 12719;
  - v. correct an omission in section 4.7.7 in the RM-11 and RM-11N Districts Schedule by including reference to two additional sections for which more density for multiple dwellings can be achieved through the purchase of amenity or affordable housing shares;
  - vi. correct an omission in sections 4.1.1. and 4.1.3 in the RM-3A District Schedule and section 4.1.1 in the RM-4 and RM-4N Districts Schedule to include seniors supportive or assisted housing as a use for which minimum site area requirements can be reduced;
  - vii. replace an incorrect term for covered porches in the RS-1, RS-1A, RS-1B, RS-2, RS-5, RS-6, RS-7, RT-5 and RT-5N, RT-11 and RT-11N, RM-7, RM-7N and RM-7AN and RM-8, RM-8A, RM-8N and RM-8AN District Schedules;
  - viii. correct a typographical error in section 4.6.2 in the RM-1 and RM-1N Districts Schedule; and
  - ix. correct the minimum site area allowance for multiple dwellings to align with unit density in sections 4.1.2 and 4.1.3 in the RT-5 and RT-5N Districts Schedule and the RT-6 District Schedule;

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 Public Hearing.

- B. THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the East Fraser Lands Official Development Plan, generally as presented in Appendix B of the Referral Report dated November 29, 2021, entitled “Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan”, to correct typographical errors in sections 6.1.3 (b) and 6.1.6;

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 B of the above-noted report, for consideration at Public Hearing.

- C. THAT, subject to the enactment of the amending by-law described in A above, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward, at the time of enactment of such amending by-law, consequential amendments to the “RT-4, RT-4A, RT-4N, RT-4AN, RT-5, RT-5N and RT-6 Guidelines”, generally in accordance with Appendix C of the Referral Report dated November 29, 2021, entitled “Miscellaneous Amendments – Zoning and Development By-law and East Fraser Lands Official Development Plan”, for Council adoption.

ADOPTED ON CONSENT (Vote No. 08087)  
(Councillor De Genova absent for the vote)

## **7. Miscellaneous Amendments Concerning Various CD-1 By-laws January 25, 2022**

Theresa O’Donnell, General Manager, Planning, Urban Design and Sustainability, responded to questions.

MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to bring forward the zoning by-law amendments as described below and that the application be referred to Public Hearing together with the recommendations set out below;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary zoning by-laws, in accordance with the recommendations set out below, for consideration at the Public Hearing.

### ***RECOMMENDATION FOR PUBLIC HEARING***

THAT Council approves the application to:

- (i) amend CD-1 (803) By-law No. 13257 for 150 West 4th Avenue to apply the floor space restriction currently placed on all service uses to restaurant use only,

generally as presented in Appendix A of the Referral Report dated January 25, 2022, entitled "Miscellaneous Amendments Concerning Various CD-1 By-laws"; and

- (ii) amend CD-1 (684) By-law No. 11944 for 1837-1847 Main Street, 180 East 2nd Avenue and 157-185 East 3rd Avenue (180 East 2nd Avenue) to permit a wider range of commercial uses, creating consistency with more recently approved and comparable CD-1 by-laws, generally as presented in Appendix B of the above-noted report.

CARRIED UNANIMOUSLY (Vote No. 08088)

### BY-LAWS

Councillor De Genova advised having reviewed the proceedings related to By-law 4 and would therefore be voting on the enactment.

MOVED by Councillor Dominato  
SECONDED by Councillor De Genova

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 3, 11, 12, 14, 15, 16 and 17, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED  
(Councillors Hardwick and Swanson opposed)

MOVED by Councillor Fry  
SECONDED by Councillor Wiebe

THAT Council enact the by-laws listed on the agenda for this meeting as numbers 4, and 18, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED  
(Councillor Hardwick opposed)

MOVED by Councillor Hardwick  
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, 2, 5, 6, 7, 8, 9, 10, 13, 19, and 20, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend the Vacancy Tax By-law No. 11674 regarding miscellaneous amendments (By-law No. 13258)

2. A By-law to amend Building By-law No. 12511 regarding the addition of a mechanical permit and various housekeeping and miscellaneous amendments (By-law No. 13259)
3. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 regarding 6825 West Boulevard (By-law No. 13260)
4. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area from RS-1 to RM-8A regarding 4575 Ash Street and 623-693 West 30th Avenue (By-law No. 13261)
5. A By-law to amend Zoning and Development By-law No. 3575 to rezone an area to CD-1 regarding 3609-3687 Arbutus Street (By-law No. 13262)  
*(Councillors De Genova and Hardwick ineligible vote)*
6. A By-law to amend Parking By-law No. 6059 regarding 6829-6869 Cambie Street (By-law No. 13263)
7. A By-law to amend Sign By-law No. 11879 regarding 150 West 4th Avenue (By-law No. 13264)
8. A By-law to amend Noise Control By-law No. regarding 150 West 4th Avenue (By-law No. 13265)
9. A By-law to amend Vancouver Development Cost Levy By-law No. 9755 regarding the addition of 150 West 4th Avenue to mixed-employment (light industrial) zones (By-law No. 13266)
10. A By-law to amend Vancouver Utilities Development Cost Levy By-law No. 12183 regarding the addition of 150 West 4th Avenue to mixed-employment (light industrial) zones (By-law No. 13267)
11. A By-law to amend Subdivision By-law No. 5208 regarding 3701-3743 West Broadway (By-law No. 13268)
12. A By-law to amend Subdivision By-law No. 5208 regarding 203-263 West 49th Avenue (By-law No. 13269)
13. A By-law to amend Subdivision By-law No. 5208 regarding 749-815 West 49th Avenue (By-law No. 13270)
14. A By-law to amend Subdivision By-law No. 5208 regarding 809-889 West 33rd Avenue (By-law No. 13271)
15. A By-law to amend Subdivision By-law No. 5208 regarding 2406-2488 Garden Drive (By-law No. 13272)
16. A By-law to amend Subdivision By-law No. 5208 regarding 183 West King Edward Avenue and 4088 Columbia Street (By-law No. 13273)



17. A By-law to amend Subdivision By-law No. 5208 regarding 105-125 West 49th Avenue (By-law No. 13274)
18. A By-law to amend Subdivision By-law No. 5208 regarding 4750 Granville Street and 1494 West 32nd Avenue (By-law No. 13275)
19. A By-law to amend Subdivision By-law No. 5208 regarding 916-926 West 32nd Avenue (By-law No. 13276)
20. A By-law to amend Subdivision By-law No. 5208 regarding 2543-2583 Renfrew Street and 2895 East 10th Avenue (By-law No. 13277)

## MOTIONS

### A. Administrative Motions

#### 1. Approval of Form of Development – 5083 Joyce Street (Previously 5055 Joyce Street)

Jason Olinek, Assistant Director of Planning, Development Planning, Planning, Urban Design and Sustainability, responded to questions.

MOVED by Councillor De Genova  
SECONDED by Councillor Bligh

THAT the form of development for this portion of the site known as 5083 Joyce Street (previously 5055 Joyce Street) be approved generally as illustrated in the Development Application Number DP-2021-00004, prepared by Perkins&Will, and uploaded on December 20, 2021, 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

#### 2. Approval of Form of Development – 150 West 4th Avenue

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor De Genova

THAT the form of development for this portion of the site known as 150 West 4<sup>th</sup> Avenue be approved generally as illustrated in the Development Application Number DP-2021-00321, prepared by TKA+D Architecture + Design Inc., and received by Permitting Services, electronically, on January 12, 2022, 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

**3. Approval of Form of Development – 480 West 16th Avenue (Formerly 3220 Cambie Street)**

MOVED by Councillor De Genova  
SECONDED by Councillor Bligh

THAT the form of development for this portion of the site known as 480 West 16th Avenue (formerly 3220 Cambie Street) be approved generally as illustrated in the Development Application Number DP-2021-00378, prepared by IBI Group Architects (Canada) Inc., received by Permitting Services on January 4, 2022, 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  
(Councillor Swanson opposed)

**4. Approval of Form of Development – 8705 French Street (Formerly 8725 French Street)**

MOVED by Councillor Fry  
SECONDED by Councillor Carr

THAT the form of development for this portion of the site known as 8705 French Street (formerly 8725 French Street) be approved generally as illustrated in the Development Application Number DP-2021-00531, prepared by Integra Architecture Inc., and received, November 17, 2021, 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

**B. Council Members' Motions**

**1. Requests for Leaves of Absence**

MOVED by Councillor Hardwick  
SECONDED by Councillor De Genova

THAT Councillor Boyle be granted a Leave of Absence for personal reasons from meetings on June 22, 2022, from 12 pm onwards;

FURTHER THAT Councillor Carr be granted a Leave of Absence for personal reasons from meetings on March 3, 2022, from 6 pm to 10 pm.

CARRIED UNANIMOUSLY

## **2. Local Elected Representation on the TransLink Board**

MOVED by Councillor Fry  
SECONDED by Councillor Swanson

### WHEREAS

1. The City of Vancouver had elected Councillors appointed to the TransLink Board until 2008;
2. There are currently two Metro Vancouver mayors and nine unelected members on the TransLink Board;
3. The City of Vancouver Council represents the municipal population with the highest transit use in the region; with 50% of transit riders;
4. The provision of greatly improved public transit is part of one of the City of Vancouver's major Big Moves to address the climate crisis;
5. Representation from the City of Vancouver and other cities within Metro Vancouver on the TransLink Board would open the door for more local initiatives to increase accessibility and affordability of transit for our communities, which would make it easier to meet our climate goals;
6. The Metro Vancouver Mayors' Council on Regional Transportation has consistently and including during the 2020 British Columbia general election, urged the provincial government to move ahead with a promised review of TransLink's governance structure, where a majority of people around the table are elected by the people; and
7. The City of Vancouver's Transportation Advisory Committee and Seniors Advisory Committee have both supported this motion.

THEREFORE BE IT RESOLVED THAT Council request the Mayor to write to the BC Government and urge them to reconfigure the Board of TransLink to allow for a majority of the Board to be composed of local elected officials, and that these positions are allocated in relation to the populations, ridership, and transit infrastructure present and potential of member cities with consideration of urban, suburban, and rural representation.

referred

REFERRAL MOVED by Councillor Hardwick  
SECONDED by Councillor De Genova

THAT the motion entitled "Local Elected Representation on the TransLink Board" be referred to the Standing Committee on City Finance and Services meeting on February 9, 2022, in order to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY

\* \* \* \* \*

*Prior to beginning the next item, Mayor Stewart relinquished the Chair to Deputy Mayor Hardwick.*

\* \* \* \* \*

### **3. Supporting the Legal Challenge Against Discrimination Implied in Quebec's Bill 21**

At 10:35 am, Councillor Dominato rose on a point of order under Sections 8.7(d) and 8.7(f) of the *Procedure By-law*, enquiring whether the above-noted motion is in order as a similar motion had been approved by Council in 2019 and whether this grant can be funded out of the City's reserve fund as that reserve is to be used for potential future events in the City, such as the pandemic.

\* \* \* \* \*

*Council recessed at 10:35 am and reconvened at 10:42 am.*

\* \* \* \* \*

After consulting with staff, Deputy Mayor Hardwick ruled Councillor Swanson's motion in order as recommendation A is not redundant as it is not reflective of the original motion, and recommendation B, using the reserve fund, is at the discretion of Council.

MOVED by Councillor Swanson  
SECONDED by Councillor Boyle

#### WHEREAS

1. In 2019 Vancouver City Council passed the following motion:  
  
"THEREFORE BE IT RESOLVED THAT Vancouver City Council continues to support diversity, equity, and access for all citizens and support in principle the legal challenge against the discrimination of freedom of religion as set out in Quebec's Bill 21;  
  
FURTHER THAT Council refer this motion to the Racial and Ethno-Cultural Equity Advisory Committee for further consideration;"
2. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) considered the motion and a request for the City to help finance a legal challenge to Quebec's Bill 21 on January 13, 2022;
3. The legal challenge is currently in the appeal process at the Quebec Court of Appeal, and then if there is no resolution, it will be escalated to the Supreme Court of Canada;

4. The legal challenge is being led by the World Sikh Organization of Canada, National Council of Canadian Muslims, and the Canadian Civil Liberties Association (<https://ccla.org/major-cases-and-reports/bill-21/>);
5. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) noted the growing list of incidents of Islamophobia, not just in Quebec, but also in BC;
6. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) noted that Bill 21 is not in line with Canadian values and highlights the continued inequality of racialized people and incites racism;
7. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) is also concerned about the potential negative ripple effects of Bill 21 including a further increase in Islamophobic hate incidents;
8. A number of Canadian cities, including Brampton (\$100,000), Toronto (\$100,000) and Victoria (\$9,500) have made financial contributions to support the upcoming Supreme Court case;
9. The Racial and Ethno-Cultural Equity Advisory Committee (RECE) passed a motion calling on Vancouver Council to contribute a minimum of \$100,000 to support the court case, similar to Brampton which has a smaller population than Vancouver;
10. Vancouver City Council believes we cannot allow the defense of the *Charter* and the foundational value of religious freedom to be on the backs of racialized communities against the Province of Quebec with unlimited legal resources;
11. If Canadian cities assist to fund the legal challenge we level the playing field since it is not a fair legal fight in the absence of federal government involvement;
12. A Supreme Court decision allowing infringement of religious freedom would have negative consequences for Vancouver residents and all Canadians; and
13. Contributing money to the court case would be a concrete way of showing solidarity with Muslims, Sikhs, and others disproportionately affected by Bill 21 in BC and across Canada, and will show that Vancouver is willing to act as well as talk about opposing discrimination against racialized people.

THEREFORE BE IT RESOLVED

- A. THAT Vancouver City Council request the Mayor to make public Council's support for the Supreme Court case against Quebec's Bill 21 launched by the World Sikh Organization of Canada, National Council of Canadian Muslims, and Canadian Civil Liberties Association.
- B. THAT Vancouver City Council contribute a grant of \$10,000 to this cause with the money to come out of the City's reserve fund.

referred

REFERRAL MOVED by Councillor Swanson  
SECONDED by Councillor Fry

THAT the motion entitled “Supporting the Legal Challenge Against Discrimination Implied in Quebec’s Bill 21” be referred to the Standing Committee on City Finance and Services meeting on February 9, 2022, in order to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY  
(Mayor Stewart absent for the vote)

#### **4. Aligning Vancouver’s 2023-2026 Capital Plan with Increased Climate Emergency Action**

MOVED by Councillor Carr  
SECONDED by Councillor Boyle

WHEREAS

1. The City of Vancouver develops 4-year capital plans aligned with the 4-year election cycle and approval of the capital plan by public vote at the time of a civic election, the next one to be held October 15, 2022;
2. Developing and implementing the City’s capital plan is typically an eight-year process: two years to prepare the plan, four years to implement it and two follow-up years to complete construction and wrap up projects. This means that the 2023-2026 capital plan, with projects wrapped up by 2028, must be sufficiently robust to ensure we achieve our city’s Climate Emergency Action Plan (CEAP) goals to reduce Greenhouse Gas (GHG) emissions by 50% by 2030. Because Vancouver has only reduced emissions by 15% to date, the 2023-2026 capital plan should aim to reduce our emissions by close to 35%;
3. Climate scientists are urging governments at all levels to more rapidly reduce GHGs to prevent runaway global warming. If we do not reduce GHGs by at least 50% by 2030 and to net zero carbon by 2050 they predict that climate events such as last summer’s “heat dome” that resulted in the deaths of 595 British Columbians, 99 of which were Vancouverites, last fall’s “atmospheric river” that caused extensive flooding, landslides and severe damage to transportation infrastructure, the unprecedented tornado in Pacific Spirit Park, and the stronger winds coupled with a higher king tide due to rising sea levels seriously damaged Vancouver’s seawall this January, will become more common and more severe in the future.
4. Youth, such as Greta Thunberg on a global level, and the Sustainabiliteens in Vancouver, are calling for political leadership on climate change mitigation stating their future is at stake. Leadership is needed at all levels of government. Leadership both inspires and generates more leadership;

5. On November 3, 2021, staff delivered their first CEAP update to Council stating: “the next capital plan is a significant opportunity to consider CEAP funding”;
6. As part of Vancouver 2022 Operating Budget passed on December 7, 2021, Council created an annual \$9 million fund dedicated to new climate emergency action specifically directing that the 2022 funding be spent on measures that will undoubtedly require additional capital spending;
7. Investing more in reducing GHGs now will reduce the greater future costs of adapting to climate-caused changes including more extreme temperatures and rising sea levels, and repairing climate-caused damages to our natural and built environments;
8. Staff’s November 3, 2021, Report to Council on CEAP noted surveys showing that 90% of Vancouver residents are concerned about climate but only 10% understand the type and scale of action needed, including that the city must use all tools: regulation, advocacy and investment, and increase accountability by tracking milestones, outcomes and expenditures; and
9. City staff also noted in the November 3, 2021, CEAP Report that there are considerable co-benefits to investments in climate action, including better health, more green space, more equitable and lower cost transportation and an estimation that an overall investment of \$1.3B in CEAP measures will generate \$2.2B in savings including \$1B in savings for Vancouver’s residents and businesses over the next decade alone.

THEREFORE BE IT RESOLVED

A. THAT Council direct staff to:

1. Report back for Council’s consideration early in the 2023-2027 capital budget planning process a list of potential capital projects, with associated costs, benefits and estimated GHG reductions, to:
  - i. Achieve the necessary reductions in our city’s GHG emissions to reach, at minimum, our stated goal of 50% reductions in GHG emissions below 2007 levels by 2030 and that would significantly move us to being a net zero carbon city by 2050;
  - ii. Simultaneously achieve equity and resilience objectives, including energy retrofits of city and non-profit owned social and non-market rental housing and childcare facilities, increasing the tree canopy city-wide, and increasing renewable energy production including solar hot water and solar voltaic as a resilience measure;
2. Ensure the needed capital funding is in place in the 2022-2026 capital plan to complete new climate emergency projects funded through the city’s annual \$9 million climate levy including those noted in the city’s 2022 Operating Budget:

- i. Electric vehicle infrastructure including EV chargers, power drops for community events, chargers in rental buildings and charging infrastructure for the city's fleet and equipment;
    - ii. Transportation measures including transit, slow streets, and walking and cycling improvements including to Vancouver schools;
    - iii. Building retrofits for Vancouver civic facilities including community centers and libraries to reduce GHGs and provide safe centers during extreme weather events;
  3. Establish a regular reporting schedule to Council and the public on the costs and benefits of the funded projects and their contribution to meeting our city's climate emergency goals including emission reductions, increased resiliency and social and economic benefits; and
  4. Continue to seek partnership funding from senior governments and other sources to help finance and more quickly implement climate emergency projects.
- B. THAT Council direct the Mayor to write letters on behalf of Council to the BC Urban Mayors Caucus (BCUMC), Union of BC Municipalities (UBCM) and Federation of Canadian Municipalities (FCM) to advocate for predictable funding to enable achieving the Paris Accord targets of reducing GHGs by 50% by 2030 and net zero carbon by 2050, and cost-sharing arrangements with senior levels of government to help fund and more quickly implement climate emergency projects.

referred

REFERRAL MOVED by Councillor Dominato  
SECONDED by Councillor Boyle

THAT the motion entitled "Aligning Vancouver's 2023-2026 Capital Plan with Increased Climate Emergency Action" be referred to the Standing Committee on City Finance and Services meeting on February 9, 2022, in order to hear from speakers, debate and decision.

CARRIED UNANIMOUSLY  
(Mayor Stewart absent for the vote)

## **5. Improving the Effectiveness of Standards of Maintenance By-law**

MOVED by Councillor Kirby-Yung  
SECONDED by Councillor Swanson

WHEREAS



1. The City of Vancouver had a Standards of Maintenance By-law No. 5462 (“the By-law”) which prescribes standards for the maintenance and occupancy of buildings within the City of Vancouver to ensure that the buildings are free from hazard and are maintained continuously in conformity with accepted health, fire, and building requirements;
2. Section 23.6 (1) of the By-law states that “Every person who commits an offence against this By-law is liable to a fine and penalty of not less than \$250.00 or more than \$10,000.00 for each offence.”;
3. Section 23.6 (2) of the By-law states that “Despite the minimum fine referred to in subsection (1), every person who commits an offence against section 11.1(1), 15.1(1), 16.1(2), 17, 18, 21.4(a), 21.13(a), 21.13(b), 21.14, or 23.3 is liable to a fine of not less than \$500.00 for each offence.” A significant number of the specific offences noted under Section 23.6 (2) of the By-law relate to the requirement to provide heat and hot water to the tenants of a building as well as related fire prevention measures;
4. Section 23.7 of the By-law states that “Every person who commits an offence of a continuing nature against this By-law is liable to a fine not less than \$250.00 and not more than \$10,000.00 for each day such offence continues.”;
5. Section 23.5 (1) of the By-law states that “Every person is guilty of an offence against this By-law” wherever and whenever they violate the provisions of the By-law, suffer or permit any act or thing to be done in contravention or violation of the By-law, or neglect or refrain from doing those things required by the By-law along with various related provisions of this section;
6. Section 23.5 (2) of the By-law states that “Each day that a violation is permitted to exist, shall constitute a separate offence.”;
7. Section 23.8 of the By-law states that “Notwithstanding any other provisions of this By-law, where any building or land does not comply with standards set out in this By-law, the Council may, by resolution, order that failure to remedy any default specified in such order within 60 days after service of such order, will result in the work being carried out by the City at the expense of the owner.”;
8. In December 2020, the City of Vancouver reached a settlement with the owners of the Balmoral and Regent hotels to expropriate the properties. The settlement which was approved by Vancouver City Council, ensured that the buildings – (after many years of enforcement and legal action “against the owners, who oversaw decades of underinvestment and unaddressed life-safety issues that resulted in the closure of these two derelict buildings in 2017 and 2019”) – could be turned into safe and secure low-income housing in partnership with BC Housing;
9. At the September 22, 2021, Standing Committee of Council on Policy and Strategic Priorities, Council unanimously endorsed a staff recommendation to commence legal action in relation to the Regal Hotel located at 1046 Granville

Street in order to bring this property into compliance with City By-laws and address an unsafe condition identified by the City Building Inspector; and

10. Over the recent Christmas holidays in December of this year, residents of the Regal Hotel were widely reported to be without heat for multiple days, at a time when the outside temperature and wind chill factor were expected to drop to minus 20 degrees. Living without heat during these incredibly cold temperatures clearly represented a life-threatening situation for the residents of the building as well as a significant violation of the City's Standards of Maintenance By-law No. 5462 and its intent to safeguard and ensure the necessities of life for all Vancouver residents.

THEREFORE BE IT RESOLVED THAT Council direct staff to report back with recommendations and options to improve the effectiveness of the Standards of Maintenance By-law No. 5462 before the end of Q2, 2022 with respect to problematic properties that exhibit a history of non-compliance, such as – but not restricted to – giving consideration to raising the minimum and maximum fines for certain violations where an immediate impact on the life and limb of building residents (such as non-functioning heating systems) is clearly evident, as well as shortening the period of time in which the City can step in to carry out any and all necessary work to bring a building into compliance under the By-law at the expense of the property owner.

amended

AMENDMENT MOVED by Councillor Swanson  
SECONDED by Councillor Wiebe

THAT the following be added to the motion:

FURTHER THAT staff include in this report an analysis of the impact of these measures on building closures and tenant evictions;

FURTHER THAT staff report back on the possibilities of requiring SRO owners to place permanent plaques in their lobbies that would state the mailing address for service of documents to landlords, how to call 311 with repair and maintenance issues, contact info and function of the Residential Tenancy Branch;

AND FURTHER THAT staff report back on the possibility of requiring City inspectors to contact tenants after they have made inspections so the tenant knows the result of their complaints.

CARRIED UNANIMOUSLY (Vote No. 08094)  
(Councillor De Genova and Mayor Stewart absent for the vote)

AMENDMENT MOVED by Councillor Boyle  
SECONDED by Councillor Carr

THAT the following be added to the motion:

FURTHER THAT Council direct staff to report back with considerations for adding language related to cooling within the Standards of Maintenance By-law No. 5462, so that in addition to requiring buildings be able to maintain a minimum temperature during cold snaps, that we also require buildings be able to not exceed a maximum temperature during future heat waves;

AND FURTHER THAT considerations around options for adding building cooling requirements within the Standards of Maintenance By-law No. 5462 be aligned with action on zero emission buildings within Vancouver's Climate Emergency Action Plan.

CARRIED UNANIMOUSLY (Vote No. 08095)  
(Councillor De Genova and Mayor Stewart absent for the vote)

The amendments having carried, the motion was put and CARRIED UNANIMOUSLY (Vote No. 08096) with Councillor De Genova and Mayor Stewart absent for the vote.

### **FINAL MOTION AS APPROVED**

#### WHEREAS

1. The City of Vancouver had a Standards of Maintenance By-law No. 5462 ("the By-law") which prescribes standards for the maintenance and occupancy of buildings within the City of Vancouver to ensure that the buildings are free from hazard and are maintained continuously in conformity with accepted health, fire, and building requirements;
2. Section 23.6 (1) of the By-law states that "Every person who commits an offence against this By-law is liable to a fine and penalty of not less than \$250.00 or more than \$10,000.00 for each offence.";
3. Section 23.6 (2) of the By-law states that "Despite the minimum fine referred to in subsection (1), every person who commits an offence against section 11.1(1), 15.1(1), 16.1(2), 17, 18, 21.4(a), 21.13(a), 21.13(b), 21.14, or 23.3 is liable to a fine of not less than \$500.00 for each offence." A significant number of the specific offences noted under Section 23.6 (2) of the By-law relate to the requirement to provide heat and hot water to the tenants of a building as well as related fire prevention measures;
4. Section 23.7 of the By-law states that "Every person who commits an offence of a continuing nature against this By-law is liable to a fine not less than \$250.00 and not more than \$10,000.00 for each day such offence continues.";
5. Section 23.5 (1) of the By-law states that "Every person is guilty of an offence against this By-law" wherever and whenever they violate the provisions of the By-law, suffer or permit any act or thing to be done in contravention or violation of the By-law, or neglect or refrain from doing those things required by the By-law along with various related provisions of this section;

6. Section 23.5 (2) of the By-law states that “Each day that a violation is permitted to exist, shall constitute a separate offence.”;
7. Section 23.8 of the By-law states that “Notwithstanding any other provisions of this By-law, where any building or land does not comply with standards set out in this By-law, the Council may, by resolution, order that failure to remedy any default specified in such order within 60 days after service of such order, will result in the work being carried out by the City at the expense of the owner.”;
8. In December 2020, the City of Vancouver reached a settlement with the owners of the Balmoral and Regent hotels to expropriate the properties. The settlement which was approved by Vancouver City Council, ensured that the buildings – (after many years of enforcement and legal action “against the owners, who oversaw decades of underinvestment and unaddressed life-safety issues that resulted in the closure of these two derelict buildings in 2017 and 2019”) – could be turned into safe and secure low-income housing in partnership with BC Housing;
9. At the September 22, 2021, Standing Committee of Council on Policy and Strategic Priorities, Council unanimously endorsed a staff recommendation to commence legal action in relation to the Regal Hotel located at 1046 Granville Street in order to bring this property into compliance with City By-laws and address an unsafe condition identified by the City Building Inspector; and
10. Over the recent Christmas holidays in December of this year, residents of the Regal Hotel were widely reported to be without heat for multiple days, at a time when the outside temperature and wind chill factor were expected to drop to minus 20 degrees. Living without heat during these incredibly cold temperatures clearly represented a life-threatening situation for the residents of the building as well as a significant violation of the City’s Standards of Maintenance By-law No. 5462 and its intent to safeguard and ensure the necessities of life for all Vancouver residents.

THEREFORE BE IT RESOLVED THAT Council direct staff to report back with recommendations and options to improve the effectiveness of the Standards of Maintenance By-law No. 5462 before the end of Q2, 2022 with respect to problematic properties that exhibit a history of non-compliance, such as – but not restricted to – giving consideration to raising the minimum and maximum fines for certain violations where an immediate impact on the life and limb of building residents (such as non-functioning heating systems) is clearly evident, as well as shortening the period of time in which the City can step in to carry out any and all necessary work to bring a building into compliance under the By-law at the expense of the property owner;

FURTHER THAT staff include in this report an analysis of the impact of these measures on building closures and tenant evictions;

FURTHER THAT staff report back on the possibilities of requiring Single Room Occupancy (SRO) owners to place permanent plaques in their lobbies that would state the mailing address for service of documents to landlords, how to call 311 with repair and maintenance issues, contact info and function of the Residential Tenancy Branch;

FURTHER THAT staff report back on the possibility of requiring City inspectors to contact tenants after they have made inspections so the tenant knows the result of their complaints;

FURTHER THAT Council direct staff to report back with considerations for adding language related to cooling within the Standards of Maintenance By-law No. 5462, so that in addition to requiring buildings be able to maintain a minimum temperature during cold snaps, that we also require buildings be able to not exceed a maximum temperature during future heat waves;

AND FURTHER THAT considerations around options for adding building cooling requirements within the Standards of Maintenance By-law No. 5462 be aligned with action on zero emission buildings within Vancouver's Climate Emergency Action Plan.

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

#### **1. Centering Community Facilities and Infrastructure in 2023-2026 Capital Plan**

Councillor Kirby-Yung submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

#### **2. Placekeeping: Protecting and Supporting Cultural Food Assets and Other Forms of Intangible Cultural Heritage in Vancouver**

Councillor Boyle submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 29, 2022, as a Council Members' Motion.

#### **3. Assessing Vacant Lands to Support Housing for BC's Most Vulnerable**

Councillor Fry submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

#### **4. Protecting BC Coasts From Acidic Washwater Dumping**

Councillor Fry submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

#### **5. Centralized Community NFT Rewards Program**

Councillor Wiebe submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council

Members' Motion.

**6. Expanding BC Manufacturing and Construction of Climate Smart, Made in BC, Pre-Fabricated-Wood-Made Housing**

Councillor Carr submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

**7. Provincial Incentives for Installing Solar PV Panels and Solar Hot Water**

Councillor Carr submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

**8. Training of BC Workers in Deep Energy Retrofit and Climate Smart Construction**

Councillor Carr submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

**9. Vancouver Civic Theatres 2021 Visioning Road Map**

Councillor Dominato submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

**10. A Regulatory Framework to Enable Innovative Urban Activation Projects**

Councillor Dominato submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

**11. Prioritizing Public Safety**

Councillor De Genova submitted a notice of Council Members' Motion on the above-noted matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

**12. The Unintended Consequences of Recent Policy Changes to DCL Waivers on Affordable Housing**

Councillor De Genova submitted a notice of Council Members' Motion on the above-noted

matter. The motion may be placed on the Council meeting agenda of March 1, 2022, as a Council Members' Motion.

## **NEW BUSINESS**

### **1. Requests for Leaves of Absence**

MOVED by Councillor De Genova  
SECONDED by Councillor Wiebe

THAT Councillor Dominato be granted a Leave of Absence for personal reasons from meetings on February 16, 2022, from 7 pm to 8:30 pm;

FURTHER THAT Councillor Boyle be granted a Leave of Absence for civic business from meetings on February 9, 2022, from 9 am to 12 pm.

CARRIED UNANIMOUSLY  
(Mayor Stewart absent for the vote)

## **ENQUIRIES AND OTHER MATTERS**

### **1. Status of Green Bin Collection Services**

Councillor Kirby-Yung asked staff to comment on the status of green bin collection. The City Manager noted that due to staff shortages because of surging Covid cases, the City switched to bi-weekly green waste collection instead of weekly; however, the team is largely caught up and is aiming to be back to normal collection services by March. Councillor Kirby-Yung enquired if it was possible to resume weekly collections prior to March, as residents have noted sanitation concerns, such as rodents. The City Manager noted that the Engineering Services management team is monitoring the issue, and if it is possible to proceed earlier, staff will. Councillor Kirby-Yung also asked if other cities are experiencing similar delays. The City Manager noted that no specific data from other municipalities has been collected, as many contract out these services; however, the City Manager agreed to reach out to other municipalities to collect this data and share the results with Council.

### **2. FortisBC Application to the BC Utilities Commission**

Councillor Carr noted FortisBC's recent application to the BC Utilities Commission to connect new residential dwellings with 100% renewable gas. Councillor Carr also noted that this application has the potential to undermine the City's goals, which are to move towards having all new buildings to provide area and hot water heating by sources other than fossil fuels, and asked if staff have considered an intervener status on this application. The City Manager confirmed that staff are aware of this application and have applied for intervener status in this proceeding and are working with Metro and other municipalities in this regard.

### **3. South False Creek Community and Planning Staff Engagement**

Councillor Fry noted that together with Councillor Hardwick, as the appointed Council Liaisons to the South False Creek, have been meeting with the community and the South False Creek Neighbourhood Association, and highlighted the community's eagerness to work with City Planning staff in setting up the baseline and expectations for the area's planning process, such as, clarifying data and timelines, optimizing the contribution of the existing affordable housing on site and providing support for the emergent priorities starting with the campus of care. Councillor Fry asked staff what the proposed timeline is for staff engagement, keeping with the Council policy of it being an open and transparent process, and whether he and Councillor Hardwick can help facilitate that. The City Manager noted that the Director of Planning is drafting the terms of reference for the planning process for South False Creek, and that this report will come to Council seeking approval. The City Manager said he would follow up with staff on the timeline of the report. Councillor Fry also asked if the report will include the report back with recommendations to inform the formal scope of the Council Liaisons' independent of the planning process for False Creek South, and the City Manager confirmed that it would.

### **4. Updates on the Zoning and Development By-law for Home-Based Businesses**

Councillor Dominato asked staff for an update on the zoning and development by-law around home-based businesses on the ability to have clients come to their home business, as currently, the by-law prohibits this and staff had indicated they were likely bringing back recommendations in 2022. The City Manager agreed to follow up with staff and provide an update.

### **ADJOURNMENT**

MOVED by Councillor De Genova  
SECONDED by Councillor Dominato

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Mayor Stewart absent for the vote)

Council adjourned at 11:26 am.

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