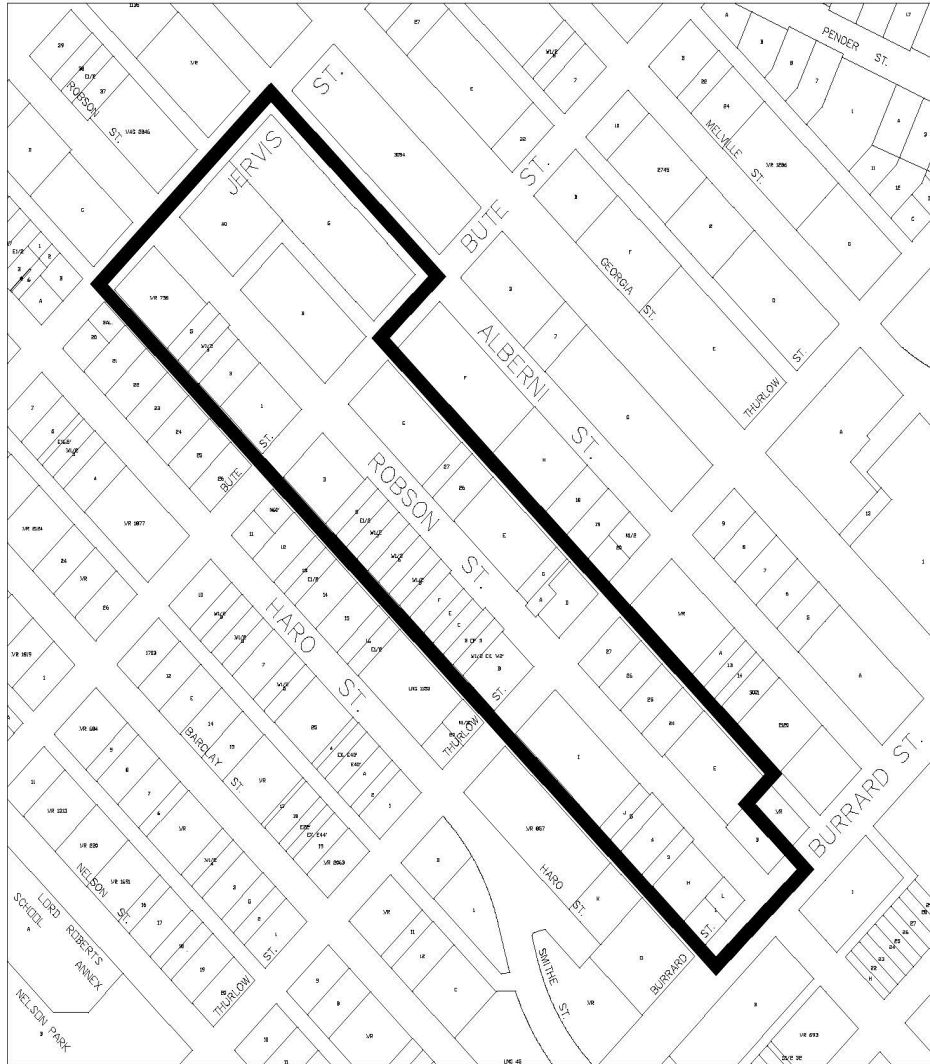


**EXPLANATION****Designation of an area described as  
Robson Street as a Business Improvement Area**

Enactment of the attached by-law will implement Council's resolution of March 7, 2023 to re-designate (renew) Robson Street as a business improvement area with a 5-year funding ceiling of \$3,916,894.00 for a further term from April 1, 2023 to March 31, 2028.

Director of Legal Services  
March 28, 2023





# Robson Street B.I.A.



**EXPLANATION****2023 Grant Allocation By-law  
Robson Street Business Society**

Following the Council meeting on March 7, 2023, Council approved a 5-year (2023-2028) funding-ceiling of \$3,916,894.00 for the Robson Street Business Improvement Area. Enactment of the attached by-law, after the enactment of the 2023 Robson BIA Designation By-law, will accomplish Council's resolution.

Director of Legal Services  
March 28, 2023

**BY-LAW NO. \_\_\_\_\_**

**A By-law to Grant Money for a Business Promotion Scheme  
in the Robson Street Business Improvement Area**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. The name of this By-law, for citation, is the “2023 Robson Street Business Improvement Area Grant Allocation By-law”.

2. In this By-law:

“accountant” means a member in good standing, or a partnership whose partners are members in good standing, of the Chartered Professional Accountants of British Columbia and who is authorized to carry on public practice;

“Association” means the Robson Street Business Association;

“audited financial statements” mean financial statements that have been audited by an accountant and that include a Statement of Financial Position, a Statement of Revenue and Expenditures, a Statement of Cash Flows, a Statement of Retained Earnings or Equity, and a separate schedule for grant money and revenue derived from grant money;

“budget” means a budget based on a fiscal year commencing April 1, containing information sufficient in detail to describe anticipated expenses and revenues, including anticipated non-grant expenses and revenues, and that has been approved at a general meeting of the Association;

“business improvement area” means the area of the city designated by Council as the Robson Street Business Improvement Area;

“business promotion scheme” means a business promotion scheme as defined in section 455 of the Vancouver Charter;

“declaration of meeting” means a document that includes a copy of the draft minutes of a general meeting, together with a declaration that all persons eligible to be BIA members were notified of the meeting, the meeting was duly convened and conducted, a quorum was achieved and maintained, and, in the case of an annual general meeting, that the budget and audited financial statements were approved;

“Director” means the Director of Finance appointed by Council and any person authorized to act on behalf of the Director of Finance;

“grant money” means any money granted to the Association by Council pursuant to this By-law;

“list of directors” means a list of the names and executive positions of continuing and newly elected directors, together with contact information for at least one director;

“owner” means all persons who own class 5 or class 6 properties in the business improvement area;

“summary budget” means a budget in a form satisfactory to the Director; and

“tenant” means all persons who lease class 5 or class 6 properties in the business improvement area.

3. Subject to the Robson Street Business Improvement Area Designation By-Law, the terms and conditions set out in this By-law, and Council’s approval of the budget referred to in section 4, Council, by annual resolution, may grant money to the Association at such times and in such amounts as Council determines.

4. The grant money may be paid to the Association, subject to the following conditions:

- (a) the Association must have as one of its aims, functions or purposes the planning and implementation of a business promotion scheme;
- (b) the Association must give at least 60 days’ notice to the Director of any general meeting at which the Association proposes the amendment of its constitution or by-laws, together with an annotated and itemized text of the proposed amendments;
- (c) the Association must not alter its constitution and by-laws without first obtaining the consent of the Director;
- (d) the by-laws of the Association must include:
  - (i) provisions to require that the elected directors of the Association include at least one owner and at least one tenant, or their authorized representative,
  - (ii) provisions for distribution, in the event of dissolution of the Association of any remaining grant money, after payment of liabilities, as follows:
    - (A) to a not-for-profit society having similar purposes,
    - (B) pro-rata to the owners, or
    - (C) a method acceptable to the Director;
- (e) the by-laws of the Association must not include:
  - (i) provisions that, in the opinion of the Director, create inequitable voting rights among members or classes of members, or between the general membership and the board of directors,
  - (ii) provisions that would permit an elected director, or a director appointed to fill a vacancy, to receive a salary or remuneration for serving as a director, or
  - (iii) provisions that would limit the ability to conduct virtual meetings;
- (f) the grant money must only be spent by the Association;

- (g) the Association must only spend the grant money for a business promotion scheme which scheme may include the provision of grant money by the Association to owners or tenants in the business improvement area in support of a business promotion scheme;
- (h) on or before November 30 of each year, the Association must submit a summary budget and a budget to the Director for approval by Council;
- (i) on or before September 30th of each year, the Association must submit the Association's audited financial statements to the Director;
- (j) the Association must keep grant money and revenue derived from grant money in a separate general ledger account or sub-ledger account;
- (k) the Association must:
  - (i) have sufficient funds to pay all its debts, and
  - (ii) insofar as possible, pay all its debts,by the end of the fiscal year;
- (l) the Association must permit the Director to inspect all financial records that, in the opinion of the Director, must be inspected in order to verify and obtain further particulars of budgets and audited financial statements as they relate to grant money, except that such inspections must take place during normal business hours and on reasonable notice;
- (m) the Association may invest any grant money not required for immediate use but must do so only in securities in which trustees are authorized to invest in accordance with the Trustee Act of British Columbia;
- (n) the Association must carry commercial general liability insurance:
  - (i) in the amount of at least \$5,000,000.00,
  - (ii) with a maximum deductible of \$5,000.00,
  - (iii) naming the city as an additional named insured,
  - (iv) containing a cross coverage provision, and
  - (v) including an endorsement stating that the Director will be given 30 days' notice of any material change to or cancellation of the policy;
- (o) the Association must provide proof of insurance, to the satisfaction of the Director, annually and within 30 days of the effective date of the insurance or insurance renewal;

- (p) the Association must give notice of every general meeting to all owners and tenants, or their authorized representative, together with the proposed budget, the audited financial statements, and membership application information, at least 14 days before the date scheduled for the meeting if delivered by hand or transmitted via facsimile or electronically, and at least 21 days before the date scheduled for the meeting if delivered by any other means;
- (q) the Association must give notice to the Director of every general meeting, other than a meeting referred to in subsection (b), together with the financial and membership information that is provided to owners and tenants, or their authorized representative, in accordance with subsection (p), at least 14 days before the date scheduled for the meeting if delivered by hand or transmitted via facsimile or electronically, and at least 21 days before the date scheduled for the meeting if delivered by any other means;
- (r) notice of a general meeting:
  - (i) if sent to owners or their authorized representative, by mail, must be sent to their address as ascertained from the most recent assessment roll for the City of Vancouver,
  - (ii) may be given to owners, tenants, or the authorized representative of owners or tenants, or the Director, by hand delivery to their business address, or by mail, e mail or facsimile or similar means, and
  - (iii) must not be given solely by means of publication in a newspaper or on a website;
- (s) the quorum at a general meeting must be 15 members present in person or by proxy, provided that no fewer than eight members be present in person;
- (t) within 30 days of every general meeting, the Association must submit to the Director:
  - (i) a declaration of meeting, and
  - (ii) in the case of an annual general meeting, a list of directors; and
- (u) owner and tenant data provided from time to time by the Director to the Association may contain personal information that is protected under the Freedom of Information and Protection of Privacy Act, and whether provided in print, electronic or other format, the Association must:
  - (i) only use such personal information for the purpose provided,
  - (ii) not disclose such personal information to third parties,
  - (iii) store such personal information securely, and
  - (iv) destroy such personal information when it is no longer needed.





**EXPLANATION**

**Designation of an area described as  
Dunbar Village as a Business Improvement Area**

Enactment of the attached by-law will implement Council's resolution of March 7, 2023 to re-designate (renew) Dunbar Village as a business improvement area with a 3-year funding ceiling of \$500,000.00 for a further term from April 1, 2023 to March 31, 2026.

Director of Legal Services  
March 28, 2023





**Dunbar Village B.I.A.**

**EXPLANATION****2023 Grant Allocation By-law  
Dunbar Village Business Society**

Following the Council meeting on March 7, 2023, Council approved a 3-year (2023-2026) funding-ceiling of \$500,000.00 for the Dunbar Village Business Improvement Area. Enactment of the attached by-law, after the enactment of the 2023 Dunbar Village BIA Designation By-law, will accomplish Council's resolution.

Director of Legal Services  
March 28, 2023

**BY-LAW NO. \_\_\_\_\_**

**A By-law to Grant Money for a Business Promotion Scheme  
in the Dunbar Village Business Improvement Area**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. The name of this By-law, for citation, is the “2023 Dunbar Village Business Improvement Area Grant Allocation By-law”.

2. In this By-law:

“accountant” means a member in good standing, or a partnership whose partners are members in good standing, of the Chartered Professional Accountants of British Columbia and who is authorized to carry on public practice;

“Association” means the Dunbar Village Business Association;

“audited financial statements” mean financial statements that have been audited by an accountant and that include a Statement of Financial Position, a Statement of Revenue and Expenditures, a Statement of Cash Flows, a Statement of Retained Earnings or Equity, and a separate schedule for grant money and revenue derived from grant money;

“budget” means a budget based on a fiscal year commencing April 1, containing information sufficient in detail to describe anticipated expenses and revenues, including anticipated non-grant expenses and revenues, and that has been approved at a general meeting of the Association;

“business improvement area” means the area of the city designated by Council as the Dunbar Village Business Improvement Area;

“business promotion scheme” means a business promotion scheme as defined in section 455 of the Vancouver Charter;

“declaration of meeting” means a document that includes a copy of the draft minutes of a general meeting, together with a declaration that all persons eligible to be BIA members were notified of the meeting, the meeting was duly convened and conducted, a quorum was achieved and maintained, and, in the case of an annual general meeting, that the budget and audited financial statements were approved;

“Director” means the Director of Finance appointed by Council and any person authorized to act on behalf of the Director of Finance;

“grant money” means any money granted to the Association by Council pursuant to this By-law;

“list of directors” means a list of the names and executive positions of continuing and newly elected directors, together with contact information for at least one director;

“owner” means all persons who own class 5 or class 6 properties in the business improvement area;

“summary budget” means a budget in a form satisfactory to the Director; and

“tenant” means all persons who lease class 5 or class 6 properties in the business improvement area.

3. Subject to the Dunbar Village Business Improvement Area Designation By-Law, the terms and conditions set out in this By-law, and Council’s approval of the budget referred to in section 4, Council, by annual resolution, may grant money to the Association at such times and in such amounts as Council determines.

4. The grant money may be paid to the Association, subject to the following conditions:

- (a) the Association must have as one of its aims, functions or purposes the planning and implementation of a business promotion scheme;
- (b) the Association must give at least 60 days’ notice to the Director of any general meeting at which the Association proposes the amendment of its constitution or by-laws, together with an annotated and itemized text of the proposed amendments;
- (c) the Association must not alter its constitution and by-laws without first obtaining the consent of the Director;
- (d) the by-laws of the Association must include:
  - (i) provisions to require that the elected directors of the Association include at least one owner and at least one tenant, or their authorized representative,
  - (ii) provisions for distribution, in the event of dissolution of the Association of any remaining grant money, after payment of liabilities, as follows:
    - (A) to a not-for-profit society having similar purposes,
    - (B) pro-rata to the owners, or
    - (C) a method acceptable to the Director;
- (e) the by-laws of the Association must not include:
  - (i) provisions that, in the opinion of the Director, create inequitable voting rights among members or classes of members, or between the general membership and the board of directors,
  - (ii) provisions that would permit an elected director, or a director appointed to fill a vacancy, to receive a salary or remuneration for serving as a director, or
  - (iii) provisions that would limit the ability to conduct virtual meetings;
- (f) the grant money must only be spent by the Association;

- (g) the Association must only spend the grant money for a business promotion scheme which scheme may include the provision of grant money by the Association to owners or tenants in the business improvement area in support of a business promotion scheme;
- (h) on or before November 30 of each year, the Association must submit a summary budget and a budget to the Director for approval by Council;
- (i) on or before September 30th of each year, the Association must submit the Association's audited financial statements to the Director;
- (j) the Association must keep grant money and revenue derived from grant money in a separate general ledger account or sub-ledger account;
- (k) the Association must:
  - (i) have sufficient funds to pay all its debts, and
  - (ii) insofar as possible, pay all its debts,by the end of the fiscal year;
- (l) the Association must permit the Director to inspect all financial records that, in the opinion of the Director, must be inspected in order to verify and obtain further particulars of budgets and audited financial statements as they relate to grant money, except that such inspections must take place during normal business hours and on reasonable notice;
- (m) the Association may invest any grant money not required for immediate use but must do so only in securities in which trustees are authorized to invest in accordance with the Trustee Act of British Columbia;
- (n) the Association must carry commercial general liability insurance:
  - (i) in the amount of at least \$5,000,000.00,
  - (ii) with a maximum deductible of \$5,000.00,
  - (iii) naming the city as an additional named insured,
  - (iv) containing a cross coverage provision, and
  - (v) including an endorsement stating that the Director will be given 30 days' notice of any material change to or cancellation of the policy;
- (o) the Association must provide proof of insurance, to the satisfaction of the Director, annually and within 30 days of the effective date of the insurance or insurance renewal;



- (p) the Association must give notice of every general meeting to all owners and tenants, or their authorized representative, together with the proposed budget, the audited financial statements, and membership application information, at least 14 days before the date scheduled for the meeting if delivered by hand or transmitted via facsimile or electronically, and at least 21 days before the date scheduled for the meeting if delivered by any other means;
- (q) the Association must give notice to the Director of every general meeting, other than a meeting referred to in subsection (b), together with the financial and membership information that is provided to owners and tenants, or their authorized representative, in accordance with subsection (p), at least 14 days before the date scheduled for the meeting if delivered by hand or transmitted via facsimile or electronically, and at least 21 days before the date scheduled for the meeting if delivered by any other means;
- (r) notice of a general meeting:
  - (i) if sent to owners or their authorized representative, by mail, must be sent to their address as ascertained from the most recent assessment roll for the City of Vancouver,
  - (ii) may be given to owners, tenants, or the authorized representative of owners or tenants, or the Director, by hand delivery to their business address, or by mail, e mail or facsimile or similar means, and
  - (iii) must not be given solely by means of publication in a newspaper or on a website;
- (s) the quorum at a general meeting must be 15 members present in person or by proxy, provided that no fewer than eight members be present in person;
- (t) within 30 days of every general meeting, the Association must submit to the Director:
  - (i) a declaration of meeting, and
  - (ii) in the case of an annual general meeting, a list of directors; and
- (u) owner and tenant data provided from time to time by the Director to the Association may contain personal information that is protected under the Freedom of Information and Protection of Privacy Act, and whether provided in print, electronic or other format, the Association must:
  - (i) only use such personal information for the purpose provided,
  - (ii) not disclose such personal information to third parties,
  - (iii) store such personal information securely, and
  - (iv) destroy such personal information when it is no longer needed.



## EXPLANATION

### **A By-law to amend the Ticket Offences By-law No. 9360 regarding cups**

Enactment of the attached by-law will implement part of Council's resolution of February 15, 2023 regarding the repeal of single use cup regulations.

Director of Legal Services  
March 28, 2023



**EXPLANATION****A By-law to amend License By-law No. 4450  
regarding single-use beverage cups**

On February 15, 2023, Council resolved to amend the License By-law regarding single-use beverage cups to repeal those sections enacted by Council on January 21, 2020, relating to single-use beverage cups, including any relevant by-law amendments enacted concurrently or subsequently, at the earliest possible date but no later than June 1, 2023.

Enactment of the attached By-law will implement Council's resolution by repealing (i) the single-use cup fee and reporting requirements, and (ii) the requirement for food vendors to accept customers' clean reusable cups.

The effective date of May 1, 2023 is intended to give businesses enough formal notice to remove the cup fee from Point of Sale (POS) systems and menus, and train staff.

Director of Legal Services  
March 28, 2023



**EXPLANATION****A By-law to amend  
CD-1 (845) By-law No. 13614**

Following the Public Hearing on March 7, 2023, Council resolved to amend CD-1 (845) for 728-796 Main Street to correct a reference for the location of family housing. The Director of Planning has advised that there are no prior to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023





**EXPLANATION****A By-law to amend  
CD-1 (643) By-law No. 11661**

Following the Public Hearing on March 7, 2023, Council resolved to amend CD-1 (643) for 1335 Howe Street to permit a wider range of commercial uses. The Director of Planning has advised that there are no prior to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023



**EXPLANATION****A By-law to amend  
CD-1 (80) By-law No. 4665**

Following the Public Hearing on March 7, 2023, Council resolved to amend CD-1 (80) for 4949-4951 Heather Street to add Interim Uses and add Office Uses, limited to Temporary Sales Office. The Director of Planning has advised that there are no prior conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023

4949-4951 Heather Street

**BY-LAW NO. \_\_\_\_\_**

**A By-law to amend CD-1 (80) By-law No. 4665**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This by-law amends the indicated provisions of By-law No. 4665.
2. Council strikes out section 2 and substitutes the following:
  - “2. The area shown outlined in black on the said plan is rezoned CD-1 and the only uses permitted within the said area and the only uses for which development permits will be issued are:
    - (a) A use required by a Public Authority (R.C.M.P. Headquarters);
    - (b) Office Uses, limited to Temporary Sales Office;
    - (c) Interim Uses, if:
      - (i) the Director of Planning or Development Permit Board considers that the interim use will be compatible with and not adversely affect adjacent development that either exists or that this By-law allows,
      - (ii) the Director of Planning or Development Permit Board is satisfied that the interim use is easily removable and is of low intensity or low in capital investment,
      - (iii) the Director of Planning or Development Permit Board is satisfied that there is no risk to the public from contaminated soils either on or adjacent to CD1 (80),
      - (iv) the Director of Planning or Development Permit Board approves the location of the interim use, and
      - (v) any development permit for an interim use has a time limit of five years, except that the Director of Planning or Development Permit Board may renew development permits for interim uses for subsequent terms of up to five years; and
    - (d) Accessory Uses customarily associated with the uses listed above, subject to such conditions as Council may by resolution prescribe.”.



## EXPLANATION

### **A By-law to amend CD-1 (312) By-law No. 7200**

Following the Public Hearing on March 7, 2023, Council resolved to amend CD-1 (312) for 1529 West Pender Street, 560-588 Cardero Street, 535 Nicola Street, 499 Broughton Street and 1199 West Cordova Street to correct a map referencing error. The Director of Planning has advised that there are no prior to conditions, and enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023



**EXPLANATION****A By-law to amend  
CD-1 (832) By-law No. 13484**

Following the Public Hearings held on February 14 and 21, 2023, Council resolved to amend CD-1 (832) for 319-359 West 49th Avenue (now 319 West 49th Avenue) to increase the FSR to 2.50 for additional commercial and strata-titled residential units in a mixed-use development. The Director of Legal Services has advised that all prior to conditions have been met, and enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023





**EXPLANATION****A By-law to amend Zoning and Development By-law No. 3575  
Regarding Building Lines**

Following the Public Hearing on March 9, 2023, Council resolved to amend Schedule E of the Zoning and Development By-law to amend the building line on the north side of East Hastings Street from Cassiar Street to Boundary Road. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023



## EXPLANATION

**A By-law to authorize the amendment of a  
Heritage Revitalization Agreement Authorized by By-law No. 8907  
for 995 Bute Street (Rand House)**

The attached by-law will accomplish Council's resolution of March 7, 2023 to amend the Heritage Revitalization Agreement entered into pursuant to Heritage Revitalization Agreement By-law No. 8907 in respect of the heritage building known as the Rand House located at 995 Bute Street.

Director of Legal Services  
March 28, 2023

995 Bute Street

**BY-LAW NO. \_\_\_\_**

**A By-law to authorize the amendment of a  
Heritage Revitalization Agreement authorized by By-law No. 8907  
for 995 Bute Street (Rand House)**

PREAMBLE

WHEREAS

Council has authority under the *Vancouver Charter* to amend an existing Heritage Revitalization Agreement with the consent of the owner of heritage property.

AND WHEREAS

Pursuant to By-law No. 8907, the City of Vancouver (the "City") has entered into a Heritage Revitalization Agreement with the owner of certain property with a civic address of 995 Bute Street (the "Heritage Revitalization Agreement").

AND WHEREAS

The owner now wishes to amend the Heritage Revitalization Agreement and the owner's proposed amendments are acceptable to the City.

NOW THEREFORE THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. Council authorizes amendment of the Heritage Revitalization Agreement with the owner, in substantially the form and substance of the Heritage Revitalization Amendment Agreement attached as Schedule A to this by-law, and also authorizes the Director of Legal Services to execute the agreement on behalf of the City, and to deliver it to the owner on such terms and conditions as the Director of Legal Services deems fit.
2. This by-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Acting City Clerk

## Schedule A

1

### MODIFICATION OF HERITAGE REVITALIZATION AGREEMENT 995 Bute Street

THIS AGREEMENT dated for reference the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, is

BETWEEN:

**RANDY VERNON JOSEPH SMALLWOOD**  
995 Bute Street, Vancouver, BC V6E 1Y7

(the "Strata Lots Owner")

AND:

**THE OWNERS, STRATA PLAN BCS2060**  
995 Bute Street, Vancouver, BC V6E 1Y7

(the "Strata Corporation")

(together, the Strata Lots Owner and the Strata Corporation comprise the "Owner")

AND:

**CITY OF VANCOUVER**  
453 West 12<sup>th</sup> Avenue, Vancouver, BC V5Y 1V4

(the "City")

WHEREAS:

- A. The Strata Lots Owner is the legal and beneficial owner of the lands and premises in the City of Vancouver having a civic addresses of 995 Bute Street, Vancouver, British Columbia, legally described as follows:

PID: 026-838-591  
Strata Lot 1 District Lot 185 Group 1 New Westminster District  
Strata Plan BCS2060  
Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V

PID: 026-838-605  
Strata Lot 2 District Lot 185 Group 1 New Westminster District  
Strata Plan BCS2060  
Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V

PID: 026-838-613  
Strata Lot 3 District Lot 185 Group 1 New Westminster District  
Strata Plan BCS2060

Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V

PID: 026-838-621

Strata Lot 4 District Lot 185 Group 1 New Westminster District

Strata Plan BCS2060

Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V

(together, the “**Strata Lots**”);

- B. The Strata Corporation is a corporation subsisting under the *Strata Property Act* on behalf of the strata lot owner of Strata Plan BCS2060 and is the owner of those lands situate in the City of Vancouver, in the Province of British Columbia, known and described as:

NO PID, The Common Property of the Owners, Strata Plan BCS2060

(the “**Common Property**”);

- C. Together, the Strata Lots and the Common Property comprise the “**Lands**”;
- D. As part of a proposed development of the Lands under Development Permit Application No. DE108214, the previous owners of the Lands and the City entered into a heritage revitalization agreement in respect of the Lands, notice of which was registered on title to the Lands in the Land Title Office on December 17, 2004 under No. BW568753 (the “**HRA**”), which agreement is binding on the current Owner; and
- E. The City and the Owner have agreed to modify the HRA on the terms and conditions set out herein, subject to enactment of a by-law authorizing this Agreement pursuant to Section 592(4) of the *Vancouver Charter*.

**NOW THEREFORE** in consideration of the matters referred to in the foregoing recitals, covenants and agreements herein contained and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged and agreed to by the Owner and the City), the Owner and the City hereby covenant and agree as follows:

1. **Interpretation.** All capitalized terms in this Agreement, unless otherwise defined in this Agreement, have the meanings ascribed thereto in the HRA.
2. **Modification of HRA.** The HRA is hereby modified as of the date that notice of this Agreement is registered in the Land Title Office as follows:
  - (a) Recital D is deleted and replaced with the following:
 

“D. The Owner proposes to reposition, rehabilitate, convert and renovate the Heritage House into a multiple conversion dwelling containing three dwelling units.”;
  - (b) Recital E is deleted and replaced with the following:

- “E. Because without this agreement a multiple conversion dwelling on the Lands is only permitted if the floor space ratio does not exceed 1.0 and because of the obligation herein to restore and replicate the Heritage House following damage or destruction, it is imperative that such conversion, renovation, restoration, replication and use of three dwelling units be permitted unconditionally as provided in paragraph 1 hereof.”;
- (c) The opening paragraph of section 1 is deleted and replaced with the following:
- “1. The Owner shall convert, renovate and upgrade the Heritage House into a multiple conversion dwelling containing three dwelling units as contemplated in development permit application DP-2022-00377 (which is a minor amendment to the original development permit application #DE408214) and the development permit issued therefrom, and to allow such work unconditionally and so that the Owner shall have the unconditional right to restore and replicate the Heritage House as a multiple conversion dwelling containing three dwelling units, it is agreed that:”; and
- (d) Section 2 is modified by deleting the phrase “Heritage Development” and replacing it with the phrase “Heritage House”.
3. **HRA Ratified and Confirmed.** Except as hereby expressly modified, the HRA is hereby ratified and confirmed by the City and the Owner to the effect and with the intent that the HRA and this Agreement will be read and construed as one document.
  4. **Conflict.** In the event of any conflict between the terms and conditions of the HRA and this Agreement, the terms and conditions of this Agreement will prevail.
  5. **Further Assurances.** The City and the Owner will do and cause to be done all things and execute and cause to be executed all documents which may be necessary to give proper effect to the intention of this Agreement.
  6. **Binding Effect.** This Agreement will enure to the benefit of and be binding upon the City and the Owner and their respective successors and permitted assigns.
  7. **Amendment.** No alteration or amendment of the Agreement or this Agreement shall have effect unless the same is in writing and duly executed by all the parties.
  8. **City’s Other Rights.** Nothing contained or implied in this Agreement will derogate from the obligations of the Owner under any other agreement with the City or, if the City so elects, prejudice or affect the City’s rights, powers, duties or obligations in the exercise of its functions pursuant to the *Vancouver Charter* and the rights, powers, duties and obligations of the City under all public and private statutes, by-laws, orders and regulations, which may be, if the City so elects, as fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by the Owner and the City.



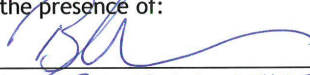
9. **Time.** Time shall be of the essence of this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first written above.

**CITY OF VANCOUVER**

Per:

\_\_\_\_\_  
Authorized Signatory

**SIGNED, SEALED AND DELIVERED** )  
in the presence of: )  
 )  
Witness BILLIE LAWRENCE )  
3500-1021 WEST HASTINGS ST. )  
Address )  
MANAGER, ADMIN )  
Occupation )

  
\_\_\_\_\_  
**RANDY VERNON JOSEPH SMALLWOOD**

**THE OWNERS, STRATA PLAN BCS2060**

Per:   
\_\_\_\_\_  
Authorized Signatory

Randy Smallwood

**EXPLANATION****Repeal of By-law No. 12750  
Re: 741–743 East Broadway**

The owner made an application for a development permit pursuant to Development Application DP-2019-00469 (the “**Development Application**”) for a development on the above-noted property (the “**Development**”). On October 3, 2019, the Director of Planning approved in principle the Development subject to the owner of the lands entering into a Housing Agreement with the City. Subsequently, the landowner and the City entered into a Housing Agreement (the “**Housing Agreement**”), as approved under By-law No. 12750. A number of agreements were registered at the Land Title Office, including the Housing Agreement. In February 2023, the owner advised the City that it is no longer proceeding with the Development. All permits associated with the Development have been cancelled by the City. The owner has requested that all agreements registered at the Land Title Office as a condition of the Development Application be discharged from title to the above-noted property. As a result of the owner no longer proceeding with the Development, all permits associated with the Development being cancelled, and the Housing Agreement no longer being required, By-law No. 12750, authorizing the Housing Agreement should be repealed.

Director of Legal Services  
March 28, 2023



## EXPLANATION

### **A By-law to amend the Sign By-law Re: 2406-2484 Renfrew Street**

At the Public Hearing on April 12, 2022, Council resolved to amend the Sign By-law for this site. Enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023



## EXPLANATION

### **A By-law to amend the Noise Control By-law Re: 2406-2484 Renfrew Street**

After the Public Hearing on April 12, 2022, Council resolved to amend the Noise Control By-law regarding this site. Enactment of the attached By-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023



## EXPLANATION

### **A By-law to amend the Sign By-law Re: 131-163 West 49th Avenue**

At the Public Hearing on July 7, 2022, Council resolved to amend the Sign By-law for this site. Enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023





## EXPLANATION

### **A By-law to amend the Noise Control By-law Re: 131-163 West 49th Avenue**

After the Public Hearing on July 7, 2022, Council resolved to amend the Noise Control By-law regarding this site. Enactment of the attached by-law will implement Council's resolution.

Director of Legal Services  
March 28, 2023

