



NO. VLC-S-S-1711114
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN THE MATTER OF THE JUDICIAL PROCEDURE ACT,
R.S.B.C. 1996, C. 241

BETWEEN:

CITY OF VANCOUVER

PETITIONER

AND:

VANCOUVER (CITY) BOARD OF VARIANCE
AND 308 WEST 62ND AVENUE LTD.

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE) WEDNESDAY THE 5TH DAY
MISTER JUSTICE BRANCH)
) OF APRIL, 2018

THE APPLICATION of the Petitioner dated November 30, 2017, coming on for hearing at 800 Smithe Street, Vancouver, B.C., on Wednesday April 4 and Thursday April 5, 2018, and on hearing Grant Murray, counsel for the Petitioner, Alyssa Bradley, counsel for the Respondent Vancouver (City) Board of Variance, and Nathalie Baker, counsel for the Respondent 308 West 62nd Avenue Ltd., and no one appearing on behalf of the Attorney General of British Columbia despite being duly served,

THIS COURT DECLARES THAT:

1. The variance issued by the Vancouver (City) Board of Variance in Appeal No. Z34972 regarding 308 West 62nd Avenue, Vancouver, BC on June 13, 2017 was lawfully issued under section 573(1)(a) of the *Vancouver Charter*, S.B.C. 1953, c. 55.


THIS COURT ORDERS THAT:

2. The Petition is dismissed.
3. The Petitioner, City of Vancouver pay costs to each of the Respondents at Scale B.

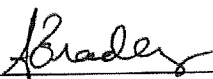
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4. This order may be signed in counterpart.

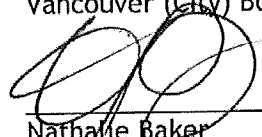
THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER:



Grant Murray
Counsel for the Petitioner



Alyssa Bradley
Counsel for the Respondent,
Vancouver (City) Board of Variance



Nathalie Baker
Counsel for the Respondent,
308 West 62nd Avenue Ltd.

BY THE COURT

Digitally signed by
Elaine Au

REGISTRAR

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