

CITY COUNCIL MEETING AGENDA

Monday, March 28, 2022, Immediately following the Public Hearing that begins at 6:00 p.m.

Meeting held electronically and open to public attendance

Council Chamber, City Hall

We recognize and respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. We acknowledge that colonialism has made invisible their histories and connections to the land. As a City, we are learning and building relationships with the people whose lands we are on.

LIVE WEBCAST: Please note City Council Meetings, Public Hearings, Council Workshops and some Special City Council Meetings are streamed online and are accessible through the City's website at <http://www.newwestcity.ca/council>

Pages

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Mayor will open the meeting and provide a land acknowledgement.

2. CHANGES TO THE AGENDA

Urgent/time sensitive matters only

3. BYLAWS CONSIDERED AT THE PUBLIC HEARING

3.1. Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022

7

To subdivide and enable the construction of an infill house on the new lot. Primary relaxations to the proposed HRA include relaxations to the density, lot size, site coverage, front yard setbacks and off-street parking as well as minor ones to regularize the heritage house. This bylaw is on the agenda for **THIRD READING and ADOPTION.**

3.2. Heritage Designation Bylaw (1324 Nanaimo Street) No. 8291, 2022

57

To designate the 1944 house at 1324 Nanaimo Street as a protected heritage property. This bylaw is on the agenda for **THIRD READING.**

3.3. Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022

61

To enable construction of an infill duplex at 102 Seventh Avenue, with

relaxations for lot size, density, and construction and siting of the duplex.
This bylaw is on the agenda for **THIRD READING and ADOPTION.**

- 3.4. Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022** 149
To designate the 1941 house at 102 Seventh Avenue as a protected heritage property. This bylaw is on the agenda for **THIRD READING.**

4. CONSENT AGENDA

If Council decides, all the recommendations in the reports on the Consent Agenda can be approved in one motion, without discussion. If Council wishes to discuss a report, that report is removed from the Consent Agenda. A report may be removed in order to discuss it, because someone wants to vote against the report's recommendation, or because someone has a conflict of interest with the report. Any reports not removed from the Consent Agenda are passed without discussion.

Recommendation:

THAT Council adopt the recommendations for items # on consent.

- 4.1. 2022 Spring Freshet and Snow Pack Level** 153
This report is to inform Council of the current snowpack conditions as of March 1, 2022 in the Fraser River Basin and related preparation for the annual freshet for 2022.

Recommendation:

THAT Council receive this report for information.

- 4.2. Amendment to the Water Shortage Response Bylaw No. 6948, 2004 - Revision of Lawn Sprinkling Regulations** 169
To introduce an amendment to the Water Shortage Response Bylaw No. 6948, 2004 for Council's consideration (Attachment 1).

Recommendation:

THAT the Water Shortage Response Bylaw Amendment Bylaw No. 8314, 2022, which amends Water Shortage Response Bylaw No. 6948, 2004, be granted three readings.

- 4.3. Arts Council of New Westminster License Agreement Renewal** 206
The purpose of this report is to seek authorization to renew the license agreement with the Arts Council of New Westminster for the use of a portion of Centennial Lodge.

Recommendation:

THAT the Mayor and Corporate Office be authorized to execute the Arts Council License Agreement for the use of a portion of Centennial Lodge (as per Attachment "A"), subject to required public notification.

- 4.4. Construction Noise Bylaw Exemption Request: 330 E. Columbia Street (Royal Columbian Hospital Development)** 226

To seek Council's approval for an exemption from Construction Noise Bylaw No. 6063, 1992 to enable EllisDon Design Build to conduct a concrete pour for a building construction at Royal Columbian Hospital located at 330 E. Columbia Street.

Recommendation:

THAT Council grant an exemption to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 on Friday April 22, 2022 from 6:00 AM to 11:00 PM to enable a concrete pour for a building construction; and

THAT Council grant an exemption to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 for one day from 6:00 AM to 11:00 PM, within an eight (8) day period until Saturday April 30th 2022 excluding Sunday, to enable a concrete pour for a building construction if unfavorable weather conditions or construction delays prohibit the work from occurring on the Friday April 22, 2022.

4.5. Designation of an Acting Chief Licence Inspector

237

To provide for the efficient operation of the City by designating Manager of Communications and Economic Development, Blair Fryer as the Acting Chief Licence Inspector, with the power, duty and responsibility to carry out the functions prescribed to this position.

Recommendation:

That Council designate the Manager of Communications and Economic Development, Blair Fryer as Acting Chief Licence Inspector.

4.6. European Chafer Management Program Update

243

The purpose of this report is to provide an update on the City's European Chafer Management Subsidy Program and propose changes to the program for 2022.

Recommendation:

THAT the European Chafer Management Subsidy Program be temporarily suspended, and

THAT staff be directed to monitor the impacts of the suspension for the next two years.

4.7. Local Government Act Updates (Bill 26) and Proposed Delegation of Small Development Variance Permits

249

The purpose of this report is to update Council on changes to the Local Government Act (LGA), and to request Council endorsement of next steps to delegate small development variance permits to staff, as now permitted in the LGA.

Recommendation:

	<p>THAT Council direct staff to bring forward the necessary bylaw changes required to implement delegation of minor variances, as outlined in Attachment 1 of this report.</p>	
4.8.	<p>Rezoning and Development Permit Applications for a 15-unit Rental Project: 1321 Cariboo Street – For Information</p> <p>This report is intended to provide Council with preliminary information on the proposed rezoning and Development Permit of the property at 1321 Cariboo Street, including initial Land Use and Planning Committee discussion.</p> <p>Recommendation: THAT Council receive this report for information.</p>	259
4.9.	<p>Rezoning and Special Development Permit (815 – 821 Victoria Street and 810 Agnes Street) – Project Update</p> <p>This report provides Council with preliminary information on the revised development proposal for 815-821 Victoria Street and 810 Agnes Street, and outlines the application review process for endorsement.</p> <p>Recommendation: THAT Council direct staff to process the Rezoning and Special Development Permit applications at 815 – 821 Victoria Street and 810 Agnes Street, as outlined in the “Application Review Process and Next Steps” Section of this report.</p>	286
4.10.	<p>Sex Worker Safety Proposed Work Plan</p> <p>This report requests Council endorsement of a proposed work plan and provides information on an upcoming workshop with Council and senior staff related to sex worker safety.</p> <p>Recommendation: THAT Council endorse the sex worker safety proposed work plan.</p>	368
4.11.	<p>Temporary Use Permit Renewal: 488 Furness Street – for Presentation Centre</p> <p>To request Council extend the expiry date of the Temporary Use Permit at 488 Furness Street from April 29, 2022 to April 29, 2024 to allow the continued operation of a temporary sales centre.</p> <p>Recommendation: THAT Council extend the expiry date of TUP00019 to April 29, 2024 to allow the continued operation of a temporary sales centre.</p>	374
4.12.	<p>Ukrainian Crisis – Government and Community Response</p> <p>This report provides an update on actions currently underway by the federal and provincial governments and Holy Eucharist Cathedral, New Westminster Parish and possible future actions by the City, the Welcoming and Inclusive New Westminster Local Immigration</p>	405

Partnership Council, Holy Eucharist Cathedral, and others to support the Ukrainian community during this time of crisis.

Recommendation:

THAT Council receive this report for information.

4.13. Minutes for Adoption

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|----|--|-----|
| a. | February 28, 2022 City Council Meeting (9:00 a.m.) | 412 |
| b. | February 28, 2022 City Council Meeting (6:00 p.m.) | 415 |
| c. | March 7, 2022 City Council Meeting (9:00 a.m.) | 425 |
| d. | March 7, 2022 City Council Meeting (6:00 p.m.) | 428 |
| e. | March 10, 2022 Special City Council Meeting | 445 |

5. BYLAWS

5.1. Bylaws for readings

- | | | |
|----|---|-----|
| a. | Zoning Amendment Bylaw (Parking Reductions for Patios) No. 8317 2022 | 448 |
| | To allow businesses to convert parking or loading spaces on private property into patio space. This bylaw is on the agenda for THIRD READING . | |
| b. | Water Shortage Response Amendment Bylaw No. 8314, 2022 | 450 |
| | To bring the City's water shortage restrictions into alignment with Metro Vancouver's. This bylaw is on the agenda for THREE READINGS . | |

5.2. Bylaws for adoption

- | | | |
|----|---|-----|
| a. | Corporate Records Management Program Amendment Bylaw No. 8322, 2022 | 455 |
| | An amendment to permit electronic signatures on City documents under certain circumstances. This bylaw is on the agenda for ADOPTION . | |
| b. | Street and Sidewalk Patio Bylaw No. 8318 2022 | 469 |
| | To regulate patios so that businesses can build or continue to operate patios on City property. This bylaw is on the agenda for ADOPTION . | |

6. NEW BUSINESS

7. ANNOUNCEMENTS FROM MEMBERS OF COUNCIL

8. END OF THE MEETING

*Some personal information is collected and archived by the City of New Westminster under Section 26(g)(ii) of the Freedom of Information and Protection of Privacy Act and for the purpose of the City's ongoing commitment to open and transparent government. If you have any questions about the collection of personal information please contact Legislative Services, 511 Royal Avenue, New Westminster, V3L 1H9, 604-527-4523.

**THE CORPORATION OF THE CITY OF NEW WESTMINSTER
HERITAGE REVITALIZATION AGREEMENT (1324 Nanaimo Street)
BYLAW NO. 8290, 2022**

**A Bylaw to enter into a Heritage Revitalization Agreement under
Section 610 of the *Local Government Act***

WHEREAS the City of New Westminster and the owners of the property located at 1324 Nanaimo Street in New Westminster wish to enter into a Heritage Revitalization Agreement in respect of the property;

NOW THEREFORE, the Council of the City of New Westminster enacts as follows:

Citation

1. This Bylaw may be cited as “Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022”.

Heritage Revitalization Agreement

2. The City of New Westminster enters into a Heritage Revitalization Agreement with the registered owner of the property located at 1324 Nanaimo Street legally described as PID: 002-819-155; LOT “A” PLAN 7689.
3. The Mayor and City Clerk are authorized on behalf of the City of New Westminster Council to sign and seal the Heritage Revitalization Agreement attached to this Bylaw as Schedule “A”.

READ A FIRST TIME this 7th day of March, 2022.

READ A SECOND TIME this 7th day of March, 2022.

PUBLIC HEARING held this _____ day of _____, 2022.

READ A THIRD TIME this _____ day of _____, 2022.

ADOPTED this _____ day of _____, 2022.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

SCHEDULE "A"**HERITAGE REVITALIZATION AGREEMENT (1324 Nanaimo Street)**

THIS AGREEMENT dated for reference the 23rd day of February, 2022 is

BETWEEN:

BHARATVEER SINGH JASWAL and **HARKAMAL SANDHU**, 7517 Humphries Court
Burnaby, BC, V3N 4K9 and **JARNAIL SINGH SANDHU**, 10471 No. 5 Road, Richmond,
BC, V7A 4E6,

(the "Owner")

AND:

THE CORPORATION OF THE CITY OF NEW WESTMINSTER, City Hall, 511 Royal
Avenue, New Westminster, BC V3L 1H9

(the "City")

WHEREAS:

- A. The Owner is the registered owner in fee simple of the land and all improvements located at 1324 Nanaimo Street, New Westminster, British Columbia, legally described as PID: 002-819-155; LOT "A" PLAN 7689 (the "Land");
- B. There is one principal building situated on the Land, known as the Larson House (the "Heritage Building"), which is shown on the site plan attached as Appendix 1 (the "Site Plan") labeled "1324 Nanaimo Street Heritage House";
- C. The City and the Owner agree that the Heritage Building has heritage value and should be conserved;
- D. The Owner wishes to make certain alterations to restore and rehabilitate the Heritage Building (the "Work");
- E. The Owner intends to apply to the City's Approving Officer for approval to file a subdivision plan (the "Subdivision Plan") in the Land Title Office in order to subdivide the Land into two separate parcels, generally as shown on the Site Plan;
- F. If the proposed subdivision of the Land is approved by the City's Approving Officer, the Owner wishes to construct a new residential building and detached garage (the "New Buildings") on that portion of the Land labeled on the Site Plan as "#607 Fourteenth Street New House";
- G. Section 610 of the *Local Government Act*, RSBC 2015, Chapter 1 authorizes a local government to enter into a Heritage Revitalization Agreement with the owner of heritage property, and to

allow variations of, and supplements to, the provisions of a bylaw or a permit issued under Part 14 or Part 15 of the *Local Government Act*;

- H. The Owner and the City have agreed to enter into this Heritage Revitalization Agreement (the “Agreement”) setting out the terms and conditions by which the heritage value of the Heritage Building is to be preserved and protected, in return for specified supplements and variances to City bylaws;

THIS AGREEMENT is evidence that in consideration of the sum of ten dollars (\$10.00) now paid by each party to the other and for other good and valuable consideration (the receipt of which each party hereby acknowledges) the Owner and the City each covenant with the other pursuant to Section 610 of the *Local Government Act* as follows:

Conservation of Heritage Building

1. Upon execution of this Agreement, the Owner shall promptly commence the restoration and revitalization of the Heritage Building (the “Work”) in accordance with the Site Plan, the heritage conservation plan prepared by Elana Zysblat, dated September 2015 and updated by Julie Schueck in addendums dated July and December 2020, copies of which are attached hereto as Appendix 2 (the “Conservation Plans”), and the design plans and specifications prepared by Rob Johnson Architect dated 22-Feb-2022, a copy of which is attached hereto as Appendix 5 (the “Approved Plans”), full-size copies of which plans and specifications are on file at the New Westminster City Hall.
2. Prior to commencement of the Work, the Owner shall obtain from the City all necessary permits and licenses, including a heritage alteration permit, building permit, and tree permit.
3. The Owner shall obtain written approval from the City’s Director of Climate Action Planning and Development for any changes to the Work, and obtain any amended permits that may be required for such changes to the Work, as required by the City.
4. The Owner agrees that the City may, notwithstanding that such permits may be issuable under the City’s zoning and building regulations and the BC Building Code, withhold a heritage alteration permit or building permit applied for in respect of the Heritage Building if the work that the Owner wishes to undertake is not in accordance with the Conservation Plans or the Approved Plans.
5. The Work shall be done at the Owner’s sole expense in accordance with generally accepted engineering, architectural, and heritage conservation practices. If any conflict or ambiguity arises in the interpretation of Appendix 2, the parties agree that the conflict or ambiguity shall be resolved in accordance with the “Standards and Guidelines for the Conservation of Historic Places in Canada”, 2nd edition, published by Parks Canada in 2010.
6. The Owner shall, at the Owner’s sole expense, erect on the Land and keep erected throughout the course of the Work, a sign of sufficient size and visibility to effectively notify contractors and tradespersons entering onto the Land that the Work involves protected heritage property and is being carried out for heritage conservation purposes.

7. The Owner shall, at the Owner's sole expense, engage a member of the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of British Columbia or the Canadian Association of Heritage Professionals with specialization in Building or Planning (the "Registered Professional") to oversee the Work and to perform the duties set out in section 8 of this Agreement, below.

Role of Registered Professional

8. The Registered Professional shall:
 - (a) prior to commencement of the Work, and at any time during the course of the Work that a Registered Professional has been engaged in substitution for a Registered Professional previously engaged by the Owner, provide to the City an executed and sealed Confirmation of Commitment in the form attached as Appendix 3 and, if the Registered Professional is a member of the Canadian Association of Heritage Professionals, the Registered Professional shall provide evidence of their membership and specialization when submitting such executed Confirmation of Commitment;
 - (b) conduct field reviews of the Work with the aim of ensuring compliance of the Work with the Conservation Plans in Appendix 2;
 - (c) provide regular reports to the City's Climate Action, Planning and Development Department, Planning Division, on the progress of the Work;
 - (d) upon substantial completion of the Work, provide to the City an executed and sealed Certification of Compliance in the form attached as Appendix 4; and
 - (e) notify the City within one business day if the Registered Professional's engagement by the Owner is terminated for any reason.

Heritage Designation

9. The Owner irrevocably agrees to the designation of the Heritage Building as protected heritage property, in accordance with Section 611 of the *Local Government Act*, and releases the City from any obligation to compensate the Owner in any form for any reduction in the market value of the Lands or the Heritage Building that may result from the designation.
10. Following completion of the Work, the Owner shall maintain the Heritage Building in good repair in accordance with the Conservation Plans in Appendix 2 and the maintenance standards set out in City of New Westminster Heritage Properties Minimum Maintenance Standards Bylaw No. 7971, 2018, as amended or replaced from time to time, and, in the event that Bylaw No. 7971 is repealed and not replaced, the Owner shall continue to maintain the building to the standards that applied under Bylaw No. 7971 immediately prior to its repeal.

11. Following completion of the Work in accordance with this Agreement, the Owner shall not alter the heritage character or the exterior appearance of the Heritage Building, except as permitted by a heritage alteration permit issued by the City.

Damage to or Destruction of Heritage Building

12. If the Heritage Building is damaged, the Owner shall obtain a heritage alteration permit and any other necessary permits and licenses and, in a timely manner, shall restore and repair the Heritage Building to the same condition and appearance that existed before the damage occurred.
13. If, in the opinion of the City, the Heritage Building is completely destroyed, the Owner shall construct a replica, using contemporary material if necessary, of the Heritage Building that complies in all respects with the Conservation Plans in Appendix 2 and with City of New Westminster Zoning Bylaw No. 6680, 2001 as amended (the "Zoning Bylaw"), as varied by this Agreement, after having obtained a heritage alteration permit and any other necessary permits and licenses.
14. The Owner shall use best efforts to commence and complete any repairs to the Heritage Building, or the construction of any replica building, with reasonable dispatch.

Construction of New Buildings

15. The Owner shall construct the New Buildings in strict accordance with the Site Plan and the Approved Plans.
16. Prior to commencement of construction of the New Buildings, the Owner shall obtain from the City all necessary approvals, permits, and licenses, including a heritage alteration permit, building permit, tree permit, and approval of the City's Approving Officer to file the Subdivision Plan in the Land Title Office.
17. The Owner shall obtain written approval from the City's Director of Climate Action, Planning and Development for any changes to the New Buildings, and obtain any amended permits that may be required for such changes to the New Buildings, as required by the City.
18. The Owner agrees that the City may, notwithstanding that such permits may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a heritage alteration permit or building permit applied for in respect of the New Buildings if the work that the Owner wishes to undertake is not in accordance with the Approved Plans.
19. The construction of the New Buildings shall be done at the Owner's sole expense and in accordance with generally accepted engineering and architectural practices.

Timing and Phasing

20. The Owner shall commence and complete all actions required for the completion of the Work, as set out in the Conservation Plans in Appendix 2, within three years following the date of adoption of the Bylaw authorizing this Agreement.
21. The Owner shall not construct the New Buildings on the Land until the Owner has completed the Work in respect of the Heritage Building to the satisfaction of the City's Director of Climate Action, Planning and Development, has provided the Certification of Compliance described in section 8(d) above, and has approval of the City's Approving Officer to file the Subdivision Plan in the Land Title Office.
22. The City may, notwithstanding that such a permit may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a building permit or heritage alteration permit applied for in respect of the New Buildings if the Owner has not completed the Work in respect of the Heritage Building, to the satisfaction of the City's Director of Climate Action, Planning and Development.
23. The Owner shall complete all actions required for the completion of the New Buildings, as set out in Approved Plans in Appendix 5, within five years following the date on which the Owner deposits the Subdivision Plan in the Land Title Office.

Subdivision

24. The Owner shall, concurrently with the deposit of the Subdivision Plan, deposit in the Land Title Office a covenant under s.219 of the *Land Title Act* in favour of the City, in the form attached as Appendix 6, by which the Owner covenants and agrees not to transfer separately the parcels created by the Subdivision Plan until the Owner has complied with the requirements of this Agreement for the preservation and restoration of the Heritage Building.
25. The City shall execute and deliver to the Owner a discharge of the covenant described in section 24 above on the request of the Owner, if the Owner has complied with the requirements of this Agreement for the preservation and restoration of the Heritage Building.
26. Nothing in this Agreement commits the Approving Officer to approve the proposed subdivision of the Land.

Inspection

27. Upon request by the City, the Owner shall advise or cause the Registered Professional to advise, the City's Climate Action, Planning and Development Department, Planning Division, of the status of the Work.
28. Without limiting the City's power of inspection conferred by statute and in addition to such powers, the City shall be entitled at all reasonable times and from time to time to enter onto

the Land for the purpose of ensuring that the Owner is fully observing and performing all of the restrictions and requirements in this Agreement to be observed and performed by the Owner.

29. The Owner agrees that the City may, notwithstanding that a final inspection may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a final inspection or occupancy certificate applied for in respect of the Heritage Building or the New Buildings if the Owner has not completed the Work with respect to the Heritage Building or construction of the New Buildings to the satisfaction of the City's Director of Climate Action, Planning and Development.

Conformity with City Bylaws

30. The Zoning Bylaw is varied and supplemented in its application to the Land in the manner and to the extent provided and attached as Appendix 7
31. The Owner acknowledges and agrees that, except as expressly varied by this Agreement, any development or use of the Land, including any construction, alteration, rehabilitation, restoration and repairs of the Heritage Building or New Buildings, must comply with all applicable bylaws of the City.

No Application to Building Interiors

32. Unless otherwise stated in this Agreement or set out in the Conservation Plans, the terms and conditions of this Agreement respecting the Heritage Building and New Buildings apply only to the structure and exterior of the buildings, including without limitation the foundation, walls, roof, and all exterior doors, windows and architectural ornamentation.

Enforcement of Agreement

33. The Owner acknowledges that it is an offence under Section 621(1)(c) of the *Local Government Act* to alter the Land or the Heritage Building in contravention of this Agreement, punishable by a fine of up to \$50,000.00 or imprisonment for a term of up to 2 years, or both.
34. The Owner acknowledges that it is an offence under Section 621(1)(b) of the *Local Government Act* to fail to comply with the requirements and conditions of any heritage alteration permit issued to the Owner pursuant to this Agreement and Section 617 of the *Local Government Act*, punishable in the manner described in the preceding section.
35. The Owner acknowledges that, if the Owner alters the Land, the Heritage Building or the New Buildings in contravention of this Agreement, the City may apply to the British Columbia Supreme Court for:
 - (a) an order that the Owner restore the Land or the Heritage Building or the New Buildings, or all, to their condition before the contravention;

- (b) an order that the Owner undertake compensatory conservation work on the Land, the Heritage Building, or the New Buildings;
 - (c) an order requiring the Owner to take other measures specified by the Court to ameliorate the effects of the contravention; and
 - (d) an order authorizing the City to perform any and all such work at the expense of the Owner.
36. The Owner acknowledges that, if the City undertakes work to satisfy the terms, requirements or conditions of any heritage alteration permit issued to the Owners pursuant to this Agreement upon the Owner's failure to do so, the City may add the cost of the work and any incidental expenses to the taxes payable with respect to the Land, or may recover the cost from any security that the Owner has provided to the City to guarantee the performance of the terms, requirements or conditions of the permit, or both.
37. The Owner acknowledges that the City may file a notice on title to the Land in the Land Title Office if the terms and conditions of this Agreement have been contravened.
38. The City may notify the Owner in writing of any alleged breach of this Agreement and the Owner shall have the time specified in the notice to remedy the breach. In the event that the Owner fails to remedy the breach within the time specified, the City may enforce this Agreement by:
- (a) seeking an order for specific performance of the Agreement;
 - (b) any other means specified in this Agreement; or
 - (c) any means specified in the *Community Charter* or the *Local Government Act*,
- and the City's resort to any remedy for a breach of this Agreement does not limit its right to resort to any other remedy available at law or in equity.

Statutory Authority Retained

39. Nothing in this Agreement shall limit, impair, fetter, or derogate from the statutory powers of the City, all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled.

Indemnity

40. The Owner hereby releases, indemnifies and saves the City, its officers, employees, elected officials, agents and assigns harmless from and against any and all actions, causes of action, losses, damages, costs, claims, debts and demands whatsoever by any person, arising out of or in any way due to the existence or effect of any of the restrictions or requirements in this Agreement, or the breach or non-performance by the Owner of any term or provision of this Agreement, or by reason of any work or action of the Owner in performance of its obligations

under this Agreement or by reason of any wrongful act or omission, default, or negligence of the Owner.

41. In no case shall the City be liable or responsible in any way for:

- (a) any personal injury, death or consequential damage of any nature whatsoever, howsoever caused, that be suffered or sustained by the Owner or by any other person who may be on the Land; or
- (b) any loss or damage of any nature whatsoever, howsoever caused to the Land, or any improvements or personal property thereon belonging to the Owner or to any other person,

arising directly or indirectly from compliance with the restrictions and requirements in this Agreement, wrongful or negligent failure or omission to comply with the restrictions and requirements in this Agreement or refusal, omission or failure of the City to enforce or require compliance by the Owner with the restrictions or requirements in this Agreement or with any other term, condition, or provision of this Agreement.

No Waiver

42. No restrictions, requirements, or other provisions of this Agreement shall be deemed to have been waived by the City unless a written waiver signed by an officer of the City has first been obtained, and without limiting the generality of the foregoing, no condoning, excusing or overlooking by the City on previous occasions of any default, nor any previous written waiver, shall be taken to operate as a waiver by the City of any subsequent default or in any way defeat or affect the rights and remedies of the City.

Interpretation

43. In this Agreement, "Owner" shall mean all registered owners of the Land or subsequent registered owners of the Land, as the context requires or permits.

Headings

44. The headings in this Agreement are inserted for convenience only and shall not affect the interpretation of this Agreement or any of its provisions.

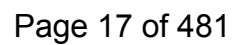
Appendices

45. All appendices to this Agreement are incorporated into and form part of this Agreement.

Number and Gender

46. Whenever the singular or masculine or neuter is used in this Agreement, the same shall be construed to mean the plural or feminine or body corporate where the context so requires.

SITE PLAN



APPENDIX 2
CONSERVATION PLANS

HERITAGE CONSERVATION PLAN

1324 Nanaimo Street, New Westminster BC
Claude and Ruth Larson House ~ 1944



CONSERVATION OBJECTIVE

The Claude and Ruth Larson Residence will continue on its original site with its single-detached, residential use. The heritage house will retain its corner location on Nanaimo and Fourteenth but may undergo some alterations or removal at the back to accommodate adequate setbacks for the subdivision of the southern portion of its original lot as part of a heritage retention development incentive.

Restoration is the objective for extant original exterior elements which require basic maintenance and repair.

BUILDING DESCRIPTION

The Claude and Ruth Larson Residence is a one and one-half storey (plus basement), wood-framed house with embellished facade and side elevations. It has a steeply pitched main gable roof, ridgeline parallel to the street with an intersecting medium pitched gable on the front in the form of a projecting vestibule.

The building style, English Revival bungalow, was widely featured in period catalogues of prefabricated homes—from companies such as Sears in the first half the 20th century and was especially popular in the 1930s and 40s. The bungalow's informal, cottage-like scale, asymmetrical massing and horizontal orientation made it a popular design within the revival architectural trend in the Lower Mainland during these decades.

The exterior features stucco cladding on all levels. Simple, square-edge exterior trims are framed with a back band moulding around windows, doors and at fascia boards. Wood segment-top windows (casement and double hung varieties) in varying assortments of single, double and triple bands are present on all four elevations. The facade windows on the main level feature divided-light, leaded upper sashes with art glass. On the facade there is also a round, leaded glass window at the projecting gable, upper level.

Roofs feature design elements common to the English Revival bungalow tradition including restrained overhangs and a combination of steep and medium slopes.

CONDITION ASSESSMENT

Overall the building is generally in good condition and no immediate work is needed to stabilize the building.

a. Structure

The exterior building lines are true to the eye, there is no visual evidence of structural distortion or obvious failures.

b. Foundations and Masonry

Concrete foundations appear sound and there is no evidence of moisture damage in the basement. Both interior and end wall chimneys are presenting some mortar failure and are in need of eventual repointing.

c. General Wood Elements

Non-invasive inspection did not expose any areas of rot in wood elements. Facia boards and all windows sills are in poor condition requiring eventual detailed repair, caulking and repainting.

d. Roofing

The roof, which is currently covered in contemporary asphalt roofing shingles, will be soon in need of replacement due to its deteriorated state and age (over 20 years) although it is currently intact and not leaking. Rainwater works are deteriorated and need eventual replacement. Attic spaces do not appear to have sufficient Code required venting.

e. Windows and Doors

Original wood windows, present on all levels and elevations, appear to be in good condition overall, requiring eventual general maintenance. The only exception is the round window at the gable peak above the entrance which has bowed and needs eventual repair as does its hardware and opening mechanism. Windows at the basement level are a combination of replacement sashes and new units. The back (south) of the house has a mix of original wood windows on the second floor and aluminum windows on upper level dormer. The wooden front door with cottage style hardware are in restorable condition. Window and door frames are in poor condition requiring eventual detailed repair, caulking and repainting. Special attention should be directed to the areas where the back band moulding and the stucco cladding meet to make sure there is no undetected moisture penetration or wood rot. Some of the deteriorated back band mouldings will need replacing in kind. A thorough re-caulking job around all windows and doors (including proper removal of old caulking) is necessary both at the carpentry and painting stage of the trim restoration.

f. Cladding

The stucco cladding is generally in good condition. There are some areas in the soffits where small pieces have fallen off. These areas should be investigated and eventually repaired.

RECOMMENDED CONSERVATION PROCEDURES

The following procedures are according to conservation standards for historic buildings as established by the Parks Canada, Historic Places Initiative (HPI) and listed in Standards & Guidelines for the Conservation of Historic Places in Canada.

Preservation: The action or process of protecting, maintaining and/or stabilizing the existing materials, form and integrity of an historic place or of an individual component, while protecting its heritage value.

Restoration: The action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

Rehabilitation: The action or process of making possible a continuing or compatible contemporary use of an historic place or of an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

a. Structure - Preservation:

- As no change is planned for the existing house, its form and framing on the north, east and west should be preserved (protected, maintained and stabilized). The back side of the house has several additions (sunroom addition, dormer*, deck and garage under deck) which could be removed or altered as per subdivision requirements.

*If the dormer is to be retained it should maintain its wood siding cladding as it was originally designed in the late 1960s, painted in the same colour of the house body. New windows on the dormer, if existing aluminum windows fail, could be wood or aluminum.

b. Roof and Rainwater Works - Rehabilitation:

- The existing roof is over 20 years old and should be replaced with a similar style asphalt shingle roof. The roof colour should be significantly darker than the body of the house.
- Replace rainwater works with continuous aluminum square downspouts in body or trim colour

c. Masonry and Foundation – Reconstruction and Preservation:

- Repair and repoint deteriorated chimneys. Remove stucco from end-wall chimney to reveal and restore its brick construction

- Preserve stucco cladding repairing with care where needed
- Preserve concrete front steps repairing with care where needed

d. Trimwork and fascia boards - Restoration:

- Repair or replace in kind (wood species, profile and finish) deteriorated or damaged exterior trims, only where and if beyond repair.
- Epoxy consolidants (Rot-Fix or equal) are acceptable for in situ repair of wood members

e. Front Porch - Preservation & Restoration:

- Preserve and retain front porch elements and organization

f. Windows and Doors - Restoration:

- Original wood casement windows and art glass windows are to be retained in their original locations and repaired as necessary by a knowledgeable tradesperson who understands old windows, their construction and repair. Installing interior or exterior storm windows to improve energy efficiency is an option if required.
- An alteration at the ground level entrance on the west side of the house introduced a highly visible fiberglass door and glass block window - modern elements that clash with the consistency of the otherwise original wooden doors and windows on the other visible elevations. The recommended strategy here would be the eventual replacement of this newer current door and glass block window with replica wooden assemblies - a wooden segment-top window (double or single) to replace the glass block window, (replicating one of the windows above on this same elevation) and a wooden age-appropriate entry door. If the chosen replica door has panelling or glazing it should replicate the front door long vertical panels and arched light.

g. Finishes - Restoration:

- The current colour scheme could be maintained although when restoration work is carried out on the house an opportunity arises to reintroduce an authentic historical 1940s exterior paint scheme. Mid-Century colour palettes have been researched and produced by companies such as California Paints or Sherwin Williams.

A potential colour scheme, appropriate both to the age and design of the house, by California Paints from its Mid-Century Modern Colors 1940 - 1960 palette could be:



Body: Bauhaus (light pearl-grey)



Trim and front door: Greenberg



Window sash and back band trim: Gropius White
(glossy on window sash)

The roof colour should be significantly darker than the body of the house. To match the above scheme it could be black or a dark grey.

FUTURE CHANGES

Changes to the building configuration, especially additions, should be carefully considered for minimal affect on the Heritage Values as embodied in the Character-Defining Elements (CDE) listed in the Statement of Significance.

Proposed changes to the house would be acceptable at the back of the house. The existing rear additions at the back (sunroom addition, dormer*, deck and garage under deck)) are not visible from the principle street and thus could be retained or removed.

*If the dormer is to be retained it should maintain its wood siding cladding as it was originally designed in the late 1960s, painted in the same colour of the house body. New windows on the dormer, if existing aluminum windows fail, could be wood or aluminum.

The changes listed below are considered reasonable interventions given generally accepted conservation standards, rehabilitation needs for proposed uses and site conditions, technical and deterioration shortcomings, and the realities of achieving heritage retention through development incentives.

Proposed Alterations:

- Excavate the front yard on the eastern side of the house to provide an off site parking space at this side of the house in lieu of possible garage loss at the back of the house

MAINTENANCE PLAN

Following completion of the conservation works, the owner must maintain the building and land in good repair and in accordance with generally accepted maintenance standards. All work should follow The Standards and Guidelines for the Conservation of Historic Places in Canada (2nd Edition). The local government determines an acceptable level or condition to which the heritage building is maintained through the Heritage Maintenance Bylaw. As with the Heritage Conservation Plan, such maintenance standards apply only to the building exterior.

As general upkeep is frequently overlooked and will lead to deterioration of heritage resources, maintenance standards warrant special attention. Any building should be kept in a reasonable condition so it continues to function properly without incurring major expenses to repair deterioration from neglect. To avoid compounding problems a continuity of informed supervision of assessments and repairs is essential.

A periodic Condition Survey by a Heritage Professional will enable the owner to anticipate and budget for upcoming repair or replacement work. The most frequent source of deterioration problems are from poorly maintained roofs, rainwater works and destructive pests.

Establish a maintenance plan using the information below:

Maintenance Checklist:

a. Site

- Ensure site runoff drainage directed away from buildings.
- Maintain min. 2 foot clearance between vegetation and building face and a 12 inch wide gravel strip against the foundation in planted areas.
- Do not permit vegetation (vines, etc.) to attach to the building.
- Keep tree branches pruned so they don't overhang roofs.
- Ensure roots from large trees to not stress and deform building foundation, or damage perimeter drainage piping.

b. Foundation

- Review exterior, and interior where visible, for signs of undue settlement, deformation or cracking of foundation and if encountered seek advice from Professional Engineer.

- Ensure perimeter drainage piping is functioning satisfactorily by flushing and/or professional inspection every 3-5 years.
- Inspect basement interior for signs of moisture migrating through foundation walls or the slab-on-grade in the form of efflorescence (a white powder on concrete) or staining of finishes. A "smell test" for musty air can indicate a moisture problem.

c. Masonry

- Review structural integrity for deformation, leaning, cracked bricks and if encountered seek advice from Professional Engineer as may be related to foundation problem.

d. Wood Elements

- In the wet coastal climate of British Columbia maintaining integrity of exterior wood elements is critical in preventing water ingress into buildings.
- Annually inspect wood elements for signs of deterioration mechanisms, identify source of problem and take corrective repair/replacement action:
 - o wood in contact with ground or plantings;
 - o excessive cupping, loose knots, cracks or splits;
 - o open wood-to-wood joints or loose/missing fasteners;
 - o attack from biological growth (moss, moulds, etc.) or infestations (carpenter ants, etc.);
 - o animal damage or accumulations (chewed holes, nesting, bird/rodent droppings) USE
 - o signs of water ingress (rot, staining, mould, infestation).
- Closely inspect highly exposed wood elements such as porches, railings and stairs for deterioration. Anticipate replacement in kind of these elements every 10-15 years.
- Inspect paint finishes every 3-5 years and expect full repainting every 7-10 years. Look for:
 - o bubbling, cracks, "alligatoring" or crazing, wrinkles, flaking, peeling or powdering;
 - o excessive fading of colours, especially dark tones;
- Note repainting shall be in historic colours approved for the HRA unless altered by Heritage Alteration Permit (HAP) issued by the Local Authority.

- Inspect visible caulking joints for continuity and shrinkage. Expect to redo caulking every 3-5 years.
- Review metal flashings to ensure water runoff properly directed to the exterior and that flashing joints are intact.

e. Windows and Doors

- Annually check integrity of window glazing putty for drying, cracking or loss.
- Replace cracked or broken glass as it occurs.
- Check satisfactory operation of windows and doors. Poor operation can be a sign of building settlement distorting the frame, or sashes or doors may be warped.
- Check condition and operation of hardware for rust or breakage. Lubricate annually.
- Inspect weather stripping for excessive wear and integrity.

f. Roofing and Rainwater Works

- Inspect roof condition every 5 years, looking for:
 - o loose, split or missing shingles, especially at edges, ridges and hips;
 - o excessive biological growth (moss) and/or accumulation of debris from adjacent trees;
 - o flashings functioning properly to shed water down slope, especially at chimney.
- Remove roof debris and moss with gentle sweeping and low-pressure hose.
- Plan for roof replacement at 18-22 years or longer.
- Annually inspect and clean gutters, flush out downpipes. Ensure gutters positively slope to downpipes, there are no leaks or water splashing onto building.
- Ensure gutter hangers and rainwater system elements intact and secure.
- Ensure downpipes inserted into collection piping stub-outs at grade and/or directed away from building onto concrete splash pads.

g. General Cleaning

- Building exterior should be regularly cleaned depending on build up of atmospheric soot, biological growth and/or dirt up-splash from ground.

- Cleaning prevents buildup of deleterious materials which can lead to premature and avoidable maintenance problems.
- Windows, doors and rainwater works should be cleaned annually.
- When cleaning always use gentlest means possible such as soft bristle brush and low-pressure hose. Use mild cleaner if necessary such as diluted TSP or Simple Green®.
- Do not use high-pressure washing as it will lead to excessive damage to finishes, seals, caulking and wood elements, and it will drive water into wall assemblies and lead to bigger problems.

Addendum
1324 Nanaimo Street
New Westminster, BC

July 14, 2020

With permission from Elana Zysblat, who wrote the Heritage Conservation Plan (the Plan) for 1324 Nanaimo Street in 2015, Julie Schueck Heritage Consulting has reviewed the Plan against the new Heritage Revitalization Agreement (HRA) proposal and has identified the following updates. The other items in the Plan which are not referenced in this addendum, remain valid.

Non-historic Windows

The Heritage Conservation Plan identifies that the basement-level windows are a combination of replacement sashes and new windows. Since the writing of the Plan, the two basement windows adjacent to the door of the secondary suite (on the southwest elevation adjacent Thirteenth Street) and the basement window on the rear (southeast) elevation, have all failed and required immediate replacement. They were removed in July 2020 and replaced with new windows. Note that the window to the left of the door has been enlarged (see photos below).

Given that these windows were not historic and were not in keeping with the historic design of the house, the Heritage Conservation Plan identified that they should be replaced with more appropriate and compatible new windows. The new windows installed this month do not conform to the Heritage Conservation Plan and the applicant is willing to replace them with windows that replicate the historic style and pattern of the historic windows.



Non-historic windows, before replacement (March 2020)



Replacement windows. (July 2020)

July 2020

1

Historic Windows and Front Door

As noted in the Heritage Conservation Plan, most of the window sills and frames of the historic windows are in poor condition and require repair. All of the historic windows and the original front door should be assessed by a qualified historic window/door expert. It is important that a company with good experience restoring historic windows and doors be engaged for this work. It is equally important that a company that primarily does reproduction work is not hired, as they will not have the experience required. The windows and front door look to be repairable and can be made energy efficient if requested, without damaging the physical elements that give them their historic character and value. In some cases, an experienced restoration company will do an assessment without charge if there is a possibility that they will be awarded the contract.

The most qualified window/door restoration companies, in the opinion of this author, are:

Vintage Woodworks

Rusty Hadley

604-767-4080

rusty@vintagewoodworks.ca

Sashmasters Windows and Doors

Jordan Lipsett

604-783-4700

heritagewindow@gmail.com

Exterior Colour Scheme

The colour scheme, using colours from California Paints, suggested in the Heritage Conservation Plan is:

Body: Bauhaus (light pearl grey)

Trim and Front Door: Greenberg (dark green/blue)

Window Sash and Back Band Trim: Gropius White (glossy on window sash)

Roof: Black or dark grey

Since the writing of the Plan, a sample of an earlier paint colour on the stucco has been found. It is a white colour; therefore, the following exterior colour scheme, also using California Paints¹, is now proposed:

Body: Modern White or Gropius White

Trim and Front Door: Greenberg (dark green/blue)

Window Sash & Back Band Trim: Film Noir (black - glossy on window sash)

Roof: Black or dark grey

Please note that the brand of the paint is less important than the quality of the paint. Additionally, the proper preparation of the surfaces and the expertise with which the paint is applied is also particularly important. A professional painter with experience painting historic buildings, and in particular stucco, should be retained when the building is ready to be painted.



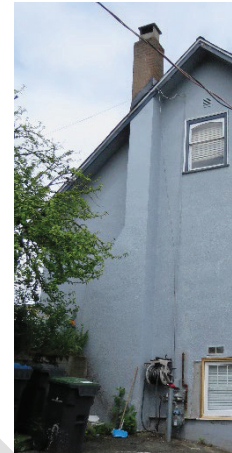
¹ <https://www.californiapaints.com/find-my-color/digital-fan-deck/>

Roof

The Heritage Conservation Plan stated that the asphalt roof was in poor condition. It appears that this roof was replaced at some point between 2015 and 2020. The current roof is in good condition and need only be maintained until it needs replacing.

Chimney

The chimney is clad in stucco. As the stucco matches that on the house, it would have been applied at the same time, thus giving it equal heritage value. The Plan suggests removing the stucco from the chimney to expose the brick, and while a valid suggestion, experience has shown that removing stucco from brick can result in damage to the brick. It is the recommendation of this author that the stucco remain on the chimney because of its historic value and to protect the brick from unintentional damage that removing the stucco might cause.



Off-street Parking

The Plan suggests excavating the front yard and providing off-street parking on the (north)east side of the house. This would require a new crossing over the sidewalk along Nanaimo Street and would not be suitable. Off-street parking should continue to be accessed from Thirteenth Street, or the requirement for parking for the heritage house be relaxed through the HRA. Off-street parking for the new house would be from the rear lane.

Other

Wiring: there is some wiring from past updates that is currently attached to the exterior of the house. The applicant would like to relocate these wires, where appropriate, to a less obvious place.



Soffit repair: some of the soffits are in need of repair and this work will be carried out in the short term.



Current Photographs: July 2020 by Julie Schueck



Front (northwest) Elevation



Rear (southeast) Elevation



Side (southwest) Elevation



Side (northeast) Elevation

Addendum #2
1324 Nanaimo Street
New Westminster, BC

December 17, 2020

With permission from Elana Zysblat, who wrote the Heritage Conservation Plan (the Plan) for 1324 Nanaimo Street in 2015, Julie Schueck of Schueck Heritage Consulting reviewed the Plan against the new Heritage Revitalization Agreement (HRA) proposal and provided an Addendum dated July 15, 2020. Since that time, more information has come forward regarding the paint scheme.

Exterior Colour Scheme

The colour scheme, using colours from California Paints, suggested in the Heritage Conservation Plan was:

Body:	Bauhaus (light pearl grey)
Trim and Front Door:	Greenberg (dark green/blue)
Window Sash & Back Band:	Gropius White (glossy on window sash)
Roof:	Black or dark grey

After the discovery of a sample of an earlier paint colour on the stucco, the applicant asked for the option of using this white colour for the stucco. As a result, Addendum #1 identified the following paint scheme, also based on the California Paint palette.

Body:	Modern White or Gropius White
Trim and Front Door:	Greenberg (dark green/blue)
Window Sash & Back Band:	Film Noir (black - glossy on window sash)
Roof:	Black or dark grey

California Paints is not available in Canada. Therefore, the colour schemes above have been matched to paints available through Sherwin Williams. As noted in the first Addendum, it is the quality of the paint that is important rather than the brand of the paint. Sherwin Williams is a good quality and is appropriate to use for this project. The following paint scheme, using Sherwin Williams, is recommended:

Body:	SW 7551 Greek Villa <u>or</u> SW 7757 High Reflective White
Trim and Doors:	SW6482 Cape Verde
Window Sash & Back Band:	SW 6258 Tricorn Black
Roof:	Black or dark grey

Julie Schueck

December 2020

1

APPENDIX 3

CONFIRMATION OF COMMITMENT BY REGISTERED PROFESSIONAL

Date: _____

City of New Westminster

511 Royal Avenue

New Westminster, BC

V3L 1H9

Attention: Director of Climate Action, Planning and Development

Re: Heritage Revitalization Agreement for 1324 Nanaimo Street

The undersigned hereby undertakes to be responsible for field reviews of the construction carried out at the captioned address for compliance with the requirements of Appendix 2 (Conservation Plans) of the Heritage Revitalization Agreement applicable to the property, which the undersigned acknowledges having received and reviewed, and undertakes to notify the City of New Westminster in writing as soon as possible if the undersigned's contract for field review is terminated at any time during construction. This letter is not being provided in connection with Part 2 of the British Columbia Building Code, but in connection only with the requirements of the Heritage Revitalization Agreement.

Registered Professional's Name

Address

Telephone No.

Signature or Seal

APPENDIX 4

CERTIFICATION OF REGISTERED PROFESSIONAL

Date: _____

City of New Westminster

511 Royal Avenue

New Westminster, BC

V3L 1H9

Attention: Director of Climate Action, Planning and Development

Re: Heritage Revitalization Agreement for 1324 Nanaimo Street

I hereby give assurance that I have fulfilled my obligations for field review as indicated in my letter to the City of New Westminster dated _____ in relation to the captioned property, and that the architectural components of the work comply in all material respects with the requirements of Appendix 2 (Conservation Plans) of the Heritage Revitalization Agreement referred to in that letter. This letter is not being provided in connection with Part 2 of the British Columbia Building Code, but in connection only with the requirements of the Heritage Revitalization Agreement.

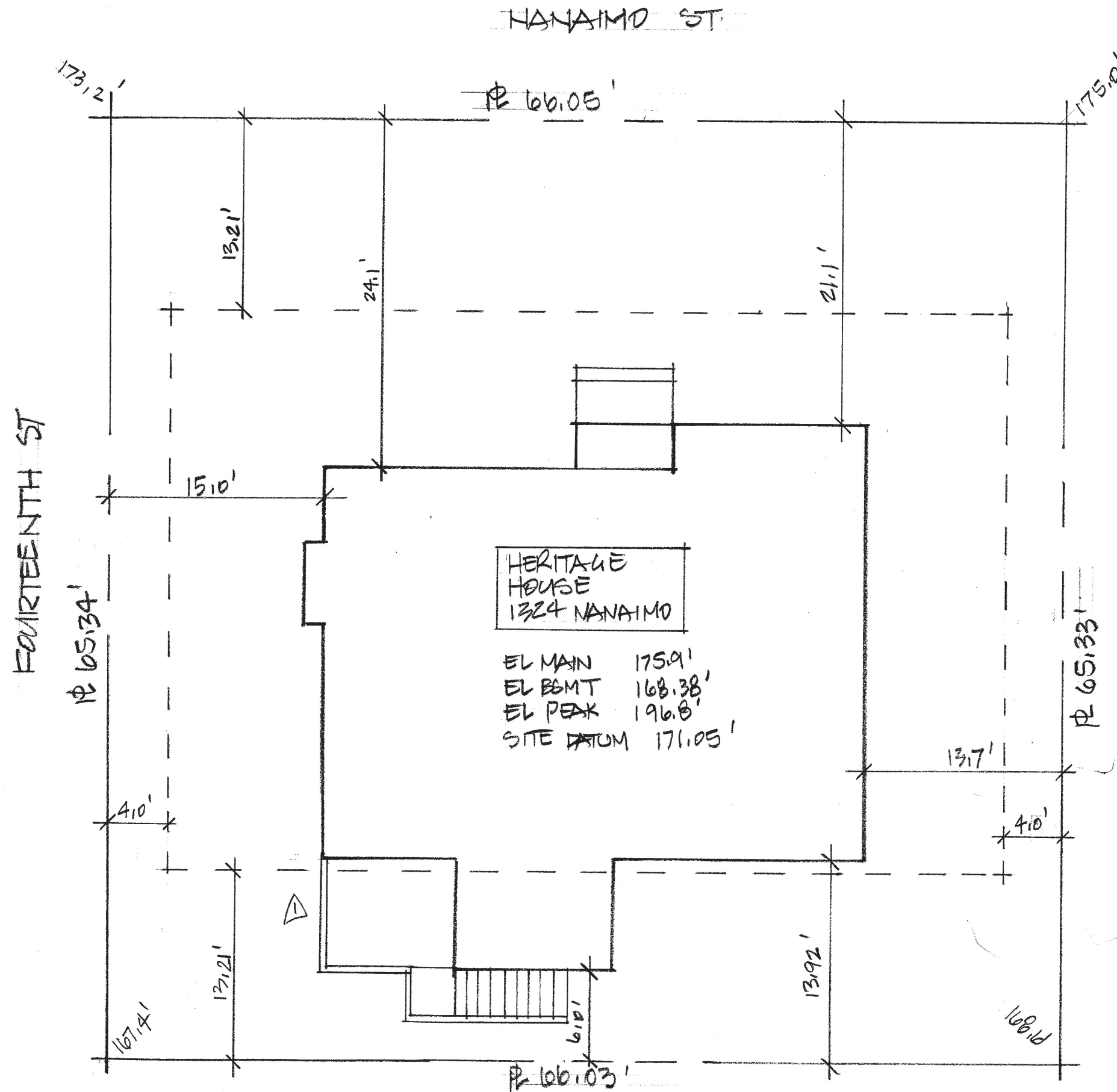
Registered Professional's Name

Address

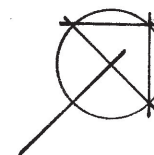
Telephone No.

Signature or Seal

APPENDIX 5
APPROVED PLANS

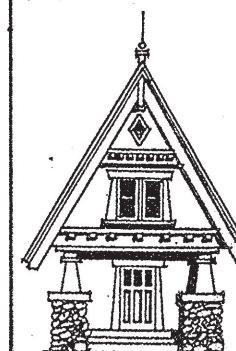


SITE PLAN (SIMPLIFIED)
1/8" = 1'-0"



1. REV'D + RE-ISS'D 24 FEB 22

LARSON HOUSE HRA
HERITAGE LOT SITE PLAN



ROBERT JOHNSON
ARCHITECT

AIBC

821 Henley St., New Westminster, BC
V3M 4B8
T=604-520-3099

DWG
1
OF
1

INFILL HOUSE

CIVIC ADDRESS

1007 FOURTEENTH ST.
NEW WESTMINSTER, BC

LEGAL DESCRIPTION

657

ZONING

NR-1/HRA

PARKING

REQUIRED = 2 SPACES
PROPOSED = 1 SPACE

SITE SIZE

48.3' x 60.03'

SITE AREA

2895.19 sq ft

ACCESSORY STRUCTURES (APP + DET)

ALLOWED = 10% = 289.5 sq ft

PROPOSED = 550.75 sq ft - VARIANCE

SITE COVERAGE

ALLOWED = 35% = 1012.8 sq ft

PROPOSED = 245.4% = 710.8 sq ft

FSR

ALLOWED = 50% = 1447.6 sq ft

PROPOSED = 52.8% = 1524.6 sq ft - VARIANCE

FLOOR AREAS

BASEMENT = 119.56 sq ft

MAIN = 784.0 sq ft

UPPER = 784.0 sq ft

TOTAL = 1667.56 sq ft

UPPER LEVEL SITE COVERAGE

ALLOWED = 80% MAIN PLATE

= MAIN 784 sq ft + F. PORCH 26.0 sq ft + REAR VERANDA 112 sq ft = 922 sq ft

PROPOSED = 784.0 sq ft - VARIANCE

HEIGHT AVERAGE GRADE

ALLOWED = 25.0' TO MID 160.4' + 167.4' + 168.6' + 162.7' = 164.8'

PROPOSED = 24.85' = 164.85'

SETBACKS

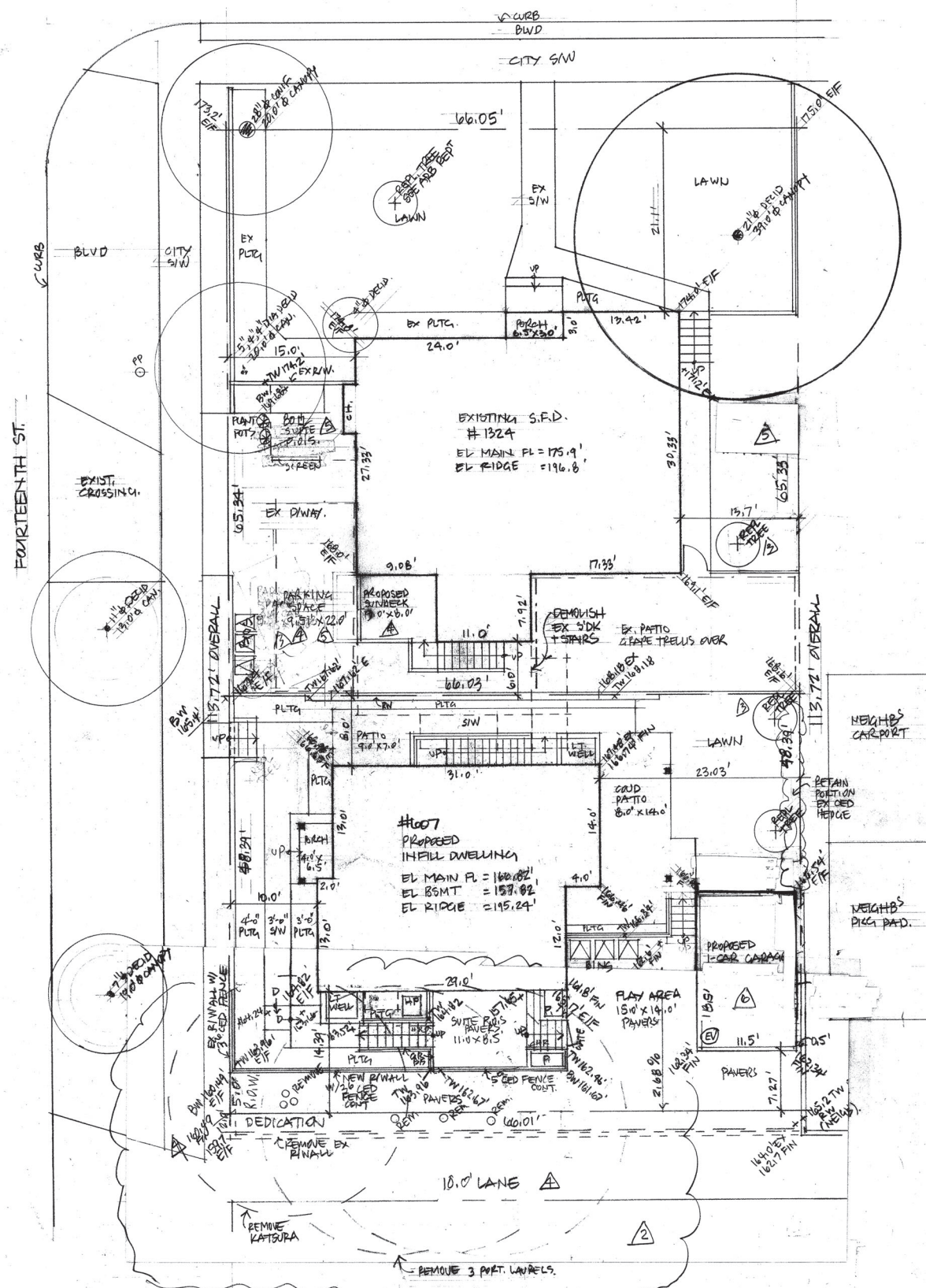
FRONT = 13.2' REQUIRED 13.2' PROPOSED 13.2'

REAR = 13.2' REQUIRED 13.2' PROPOSED 13.2'

SIDES = 4.0' REQUIRED 4.0' PROPOSED 4.0'

SIDES COMB = 12.6' REQUIRED 12.6' PROPOSED 12.6'

NANAIMO ST.



SITE PLAN

1/8" = 1'-0"

REF: TARGET LAND SURVEY DWG

DATED 29 JUNE 2020

FILE N-2783-TOPD-F-23

NOTE (E) = EXISTING VEHICLE CHALKING OUTLET

INSIDE DETACHED GARAGE

EXISTING HOUSE

CIVIC ADDRESS

1324 NANAIMO ST.
NEW WESTMINSTER, BC

LEGAL DESCRIPTION

ZONING

NR-1/HRA

PARKING

REQUIRED = 2 SPACES
PROPOSED = 1 SPACE

SITE SIZE

65.33' x 60.05'

SITE AREA

3919.05 sq ft

ACCESSORY STRUCTURES (APP + DET)

ALLOWED = 10% = 391.9 sq ft

PROPOSED = 193.9 sq ft

SITE COVERAGE

ALLOWED = 35% = 1371.6 sq ft

PROPOSED = 27.5% = 1077.7 sq ft

FSR

ALLOWED = 50% = 1958.3 sq ft

PROPOSED = 71.1% = 2786.5 sq ft - VARIANCE

FLOOR AREAS

BASEMENT = 1047.73 sq ft

MAIN = 1150.16 sq ft

UPPER = 871.69 sq ft

TOTAL = 3069.58 sq ft

UPPER LEVEL SITE COVERAGE

ALLOWED = 80% MAIN PLATE

= MAIN 1150.16 sq ft + F. PORCH 19.5 sq ft + BACK SID 96 sq ft = 1265.66 sq ft

PROPOSED = 871.69 sq ft - VARIANCE

HEIGHT AVERAGE GRADE

ALLOWED = 25.0' TO MID 173.2' + 175.0' + 168.6' + 167.4' = 171.05'

EXISTING = 19.2' " " " = 171.05'

SETBACKS

FRONT = 13.2' REQUIRED 13.2' EXISTING 13.2'

REAR = 13.2' REQUIRED 13.2' EXISTING 13.2'

SIDES = 4.0' REQUIRED 4.0' EXISTING 4.0'

SIDES COMB = 16.33' REQUIRED 16.33' EXISTING 16.33'

- 1. REVISED + RE-ISSUED 16 FEB 22
- 2. REVISED + RE-ISSUED 16 FEB 21
- 3. REVISED + RE-ISSUED 10 DEC 20
- 4. REVISED + RE-ISSUED 10 NOV 21
- 5. REVISED + RE-ISSUED 20 FEB 21
- 6. REVISED + RE-ISSUED 16 DEC 20

LARSON HOUSE
HRA / SUBDIVISION



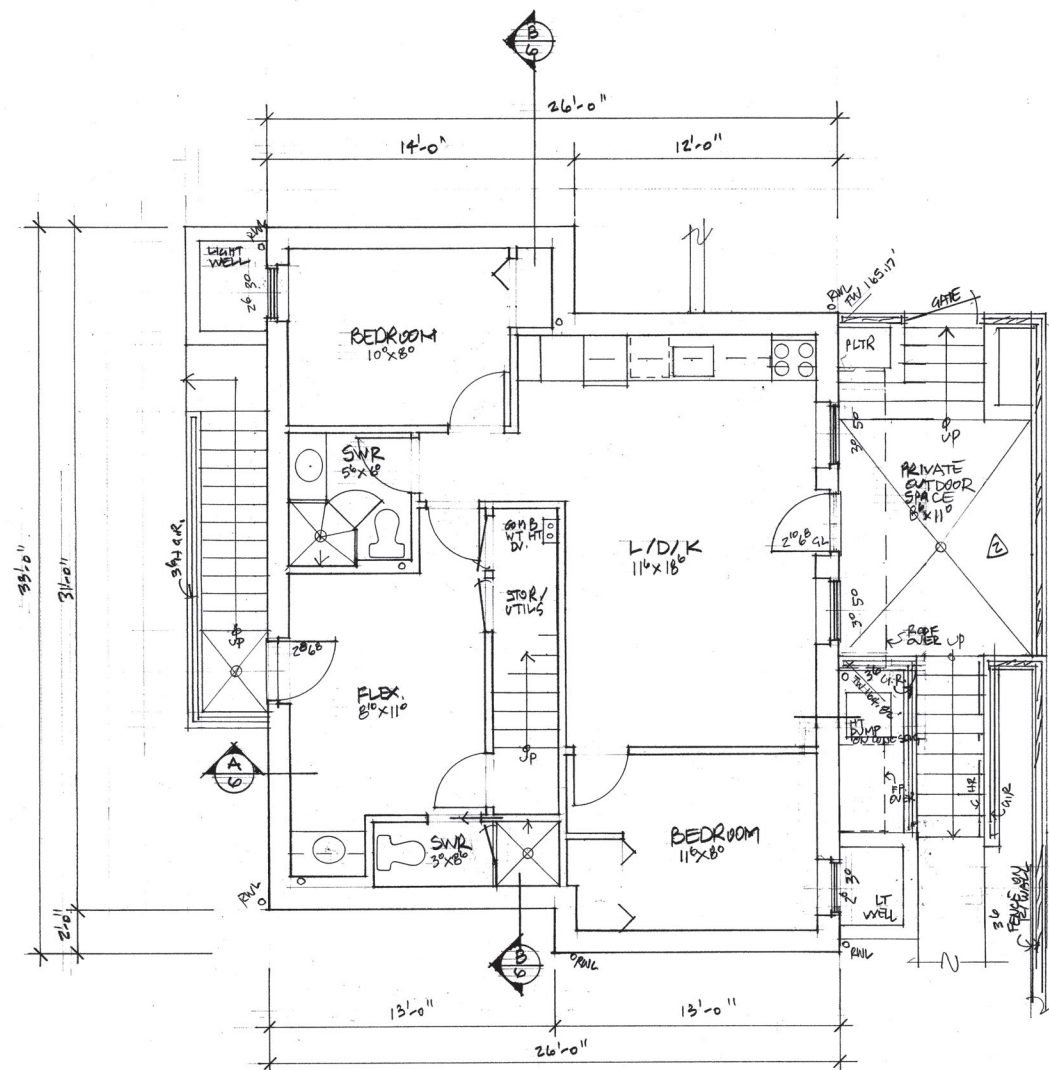
ROBERT JOHNSON
ARCHITECT

AIBC

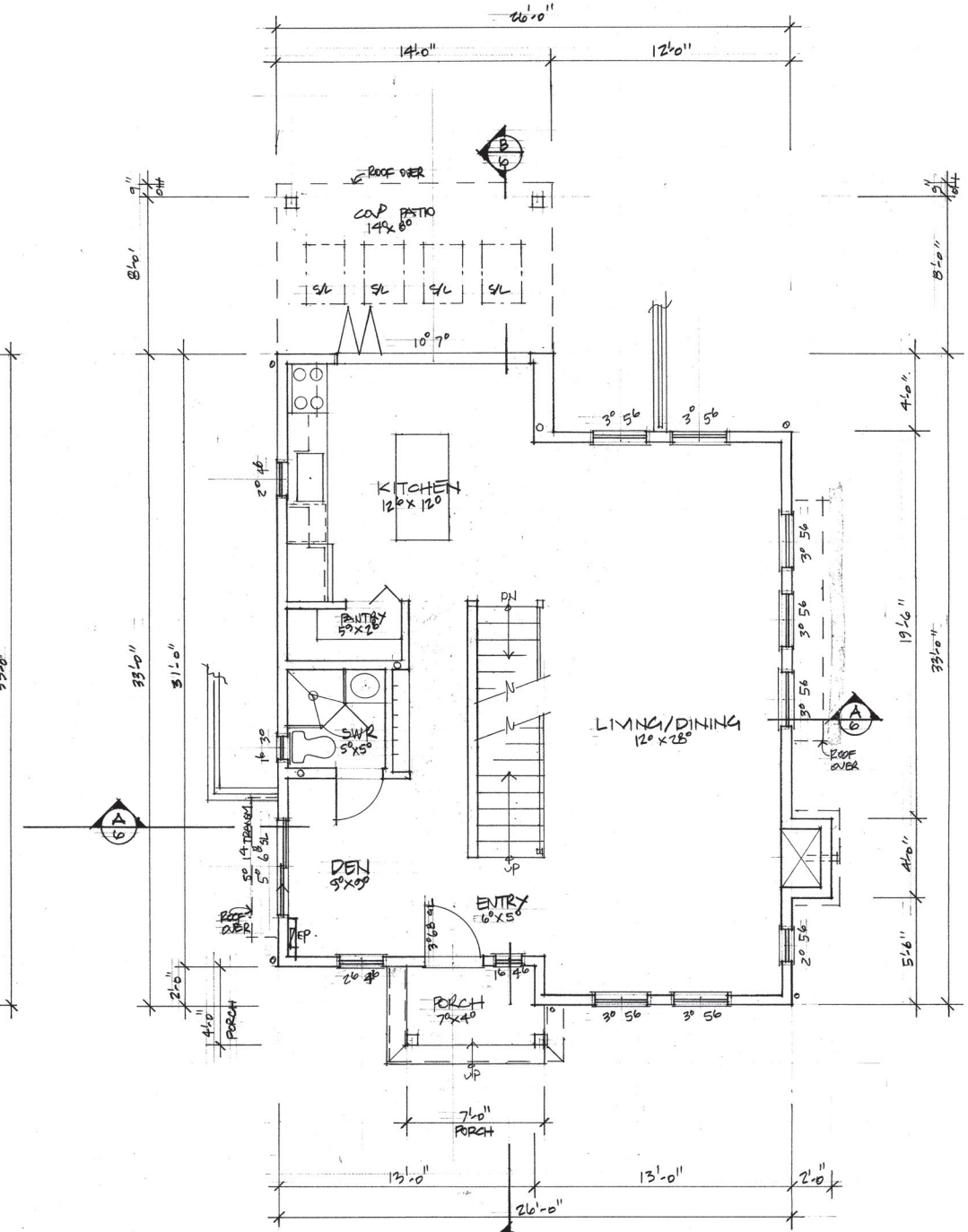
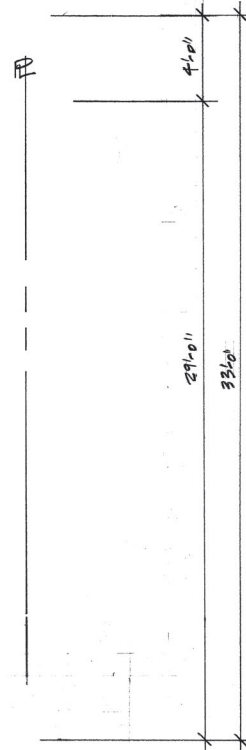
821 Huxley Street, New Westminster, BC
V3M 4B8 Tel/Fax: (604) 328-3999

DATE: 27 Nov 2020 DWG: 1

Page 38 of 48



BASEMENT PLAN
 1/4"=1'-0" 784.0 sq. ft. GROSS
 119.56 sq. ft. FSR
 SUITE: 558.0 sq. ft.
 HEAT = ELECT. BASEBOARD.
 HOT WATER = COMBO TANKLESS WTR. HTR.



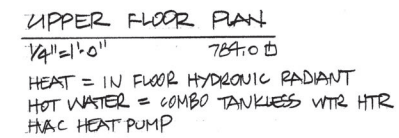
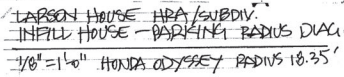
MAIN FLOOR PLAN
 1/4"=1'-0" 784.0 sq. ft. GROSS
 HEAT = IN FLOOR HYDRONIC RADIANT.
 HOT WATER = COMBO TANKLESS WTR. HTR.
 HVAC HEAT PUMP.

2. REV. + RE-155P 10/22
 1. REV. 1550 + ISSD FOR HRA 10/22

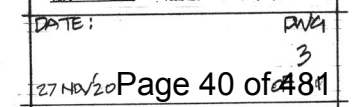
LARSON HOUSE
 HRA / SUBDIVISION

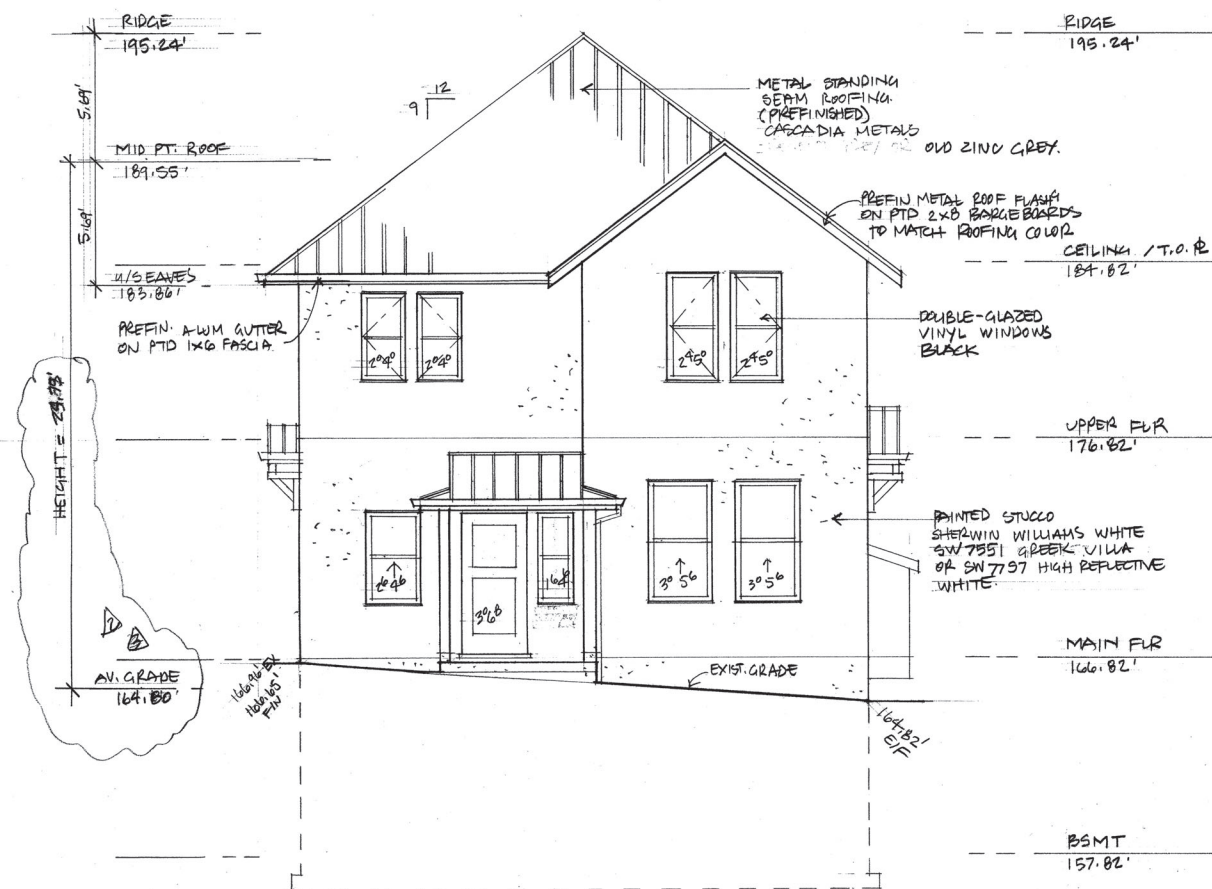


ROBERT JOHNSON
 ARCHITECT
 AIBC
 821 Hensley Street, New Westminster, BC
 V3M 4B8 Tel/Fax: (604) 320-3099

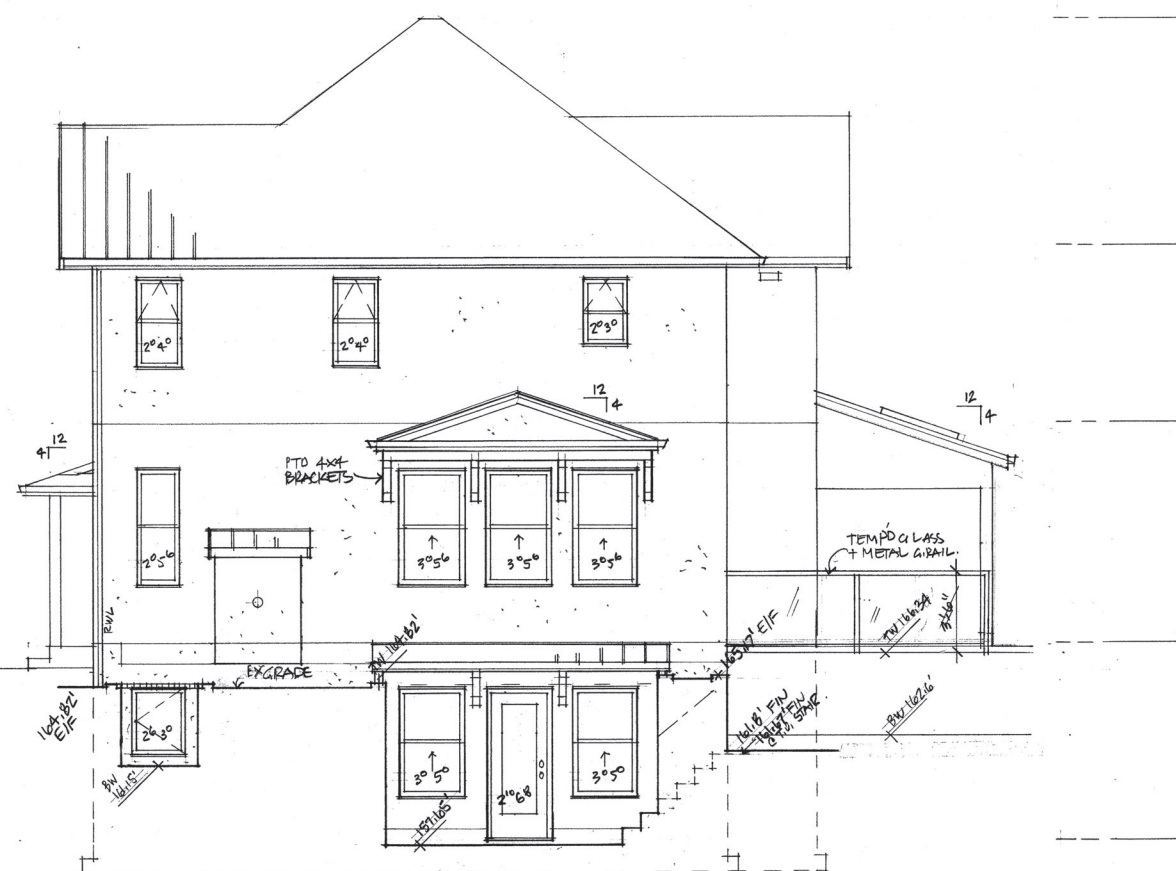


LARSON HOUSE
HRA/SUBDIVISION

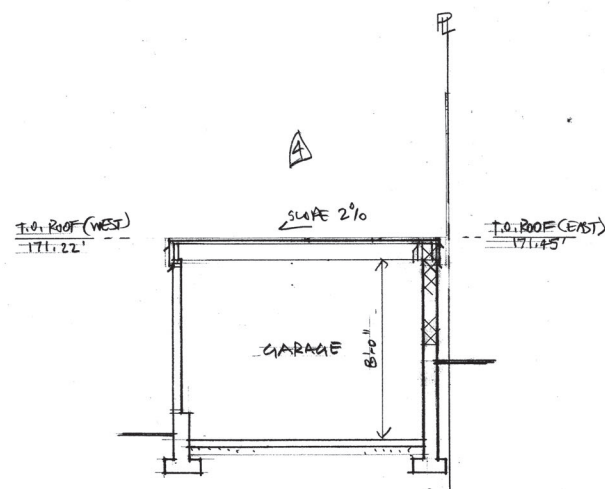




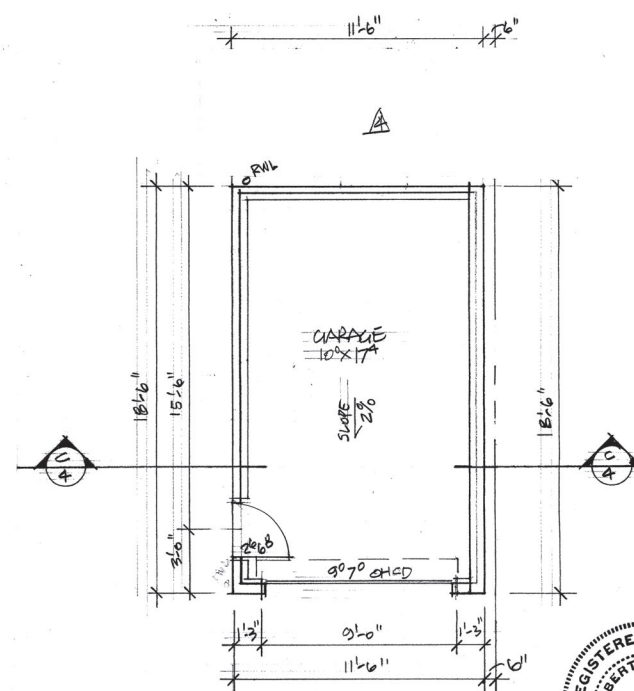
SOUTH WEST (FRONT) ELEVATION
1/4" = 1'-0"



SOUTH EAST ELEVATION
1/4" = 1'-0"



GARAGE-SECTION C-C
1/4" = 1'-0"



GARAGE-PLAN
1/4" = 1'-0"

- 4. REV'D + RE-ISS'D 16 FE 22
- 3. REV'D + RE-ISS'D 10 DE 21
- 2. REV'D + RE-ISS'D 20 SE 21
- 1. REV'D + ISS'D FOR HRA 16 DE 20

LARSON HOUSE
HRA / SUBDIVISION



ROBERT JOHNSON
ARCHITECT
AIBC
821 Hensley Street, New Westminster, BC
V3M 4B8 Tel/Fax: (604) 326-3099

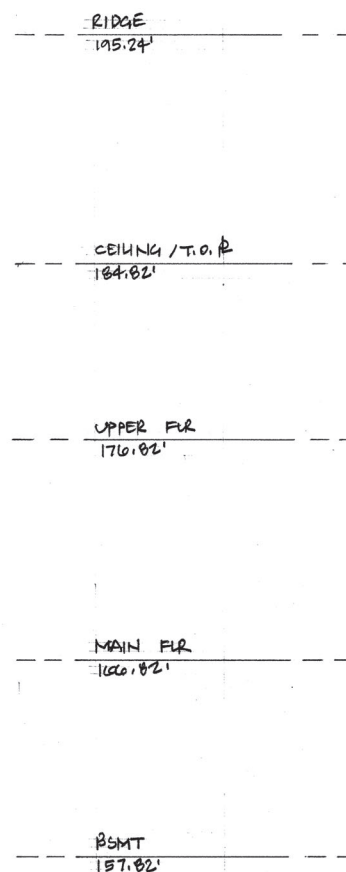
DATE: 27 Nov 20
DWG: 4
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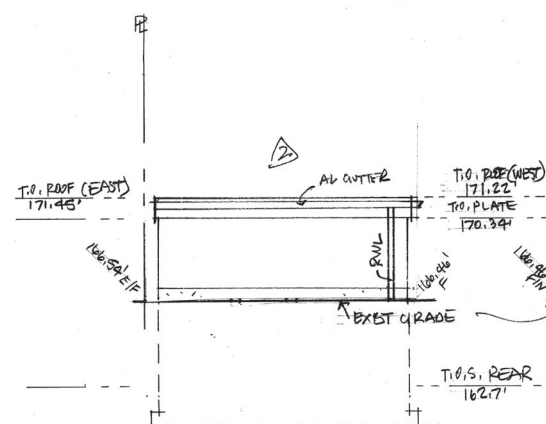
16 FE 22 18 DE 21



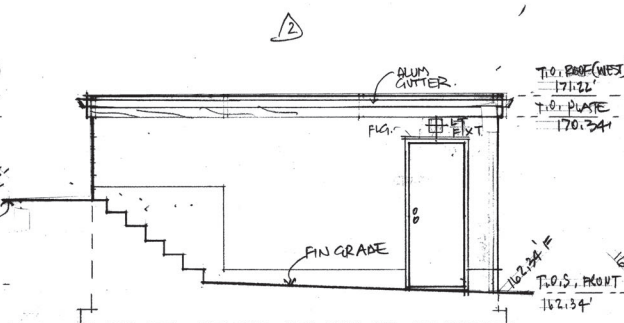
NORTHEAST ELEVATION
1/4" = 1'-0"



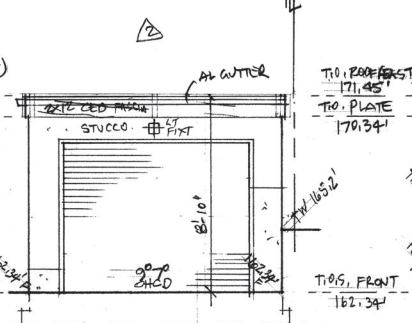
NORTHWEST ELEVATION
1/4" = 1'-0"



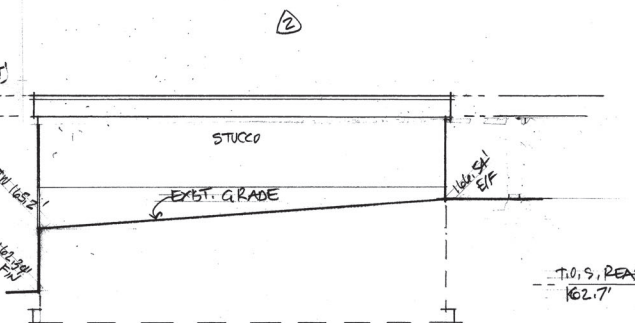
GARAGE -
NORTHWEST ELEVATION
1/4" = 1'-0"



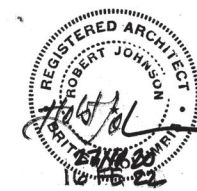
GARAGE -
SOUTHWEST ELEVATION
1/4" = 1'-0"



GARAGE -
SOUTHEAST ELEVATION
1/4" = 1'-0"

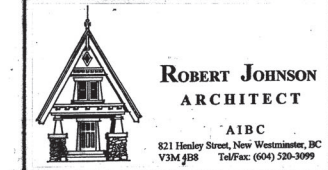


GARAGE -
NORTHEAST ELEVATION
1/4" = 1'-0"

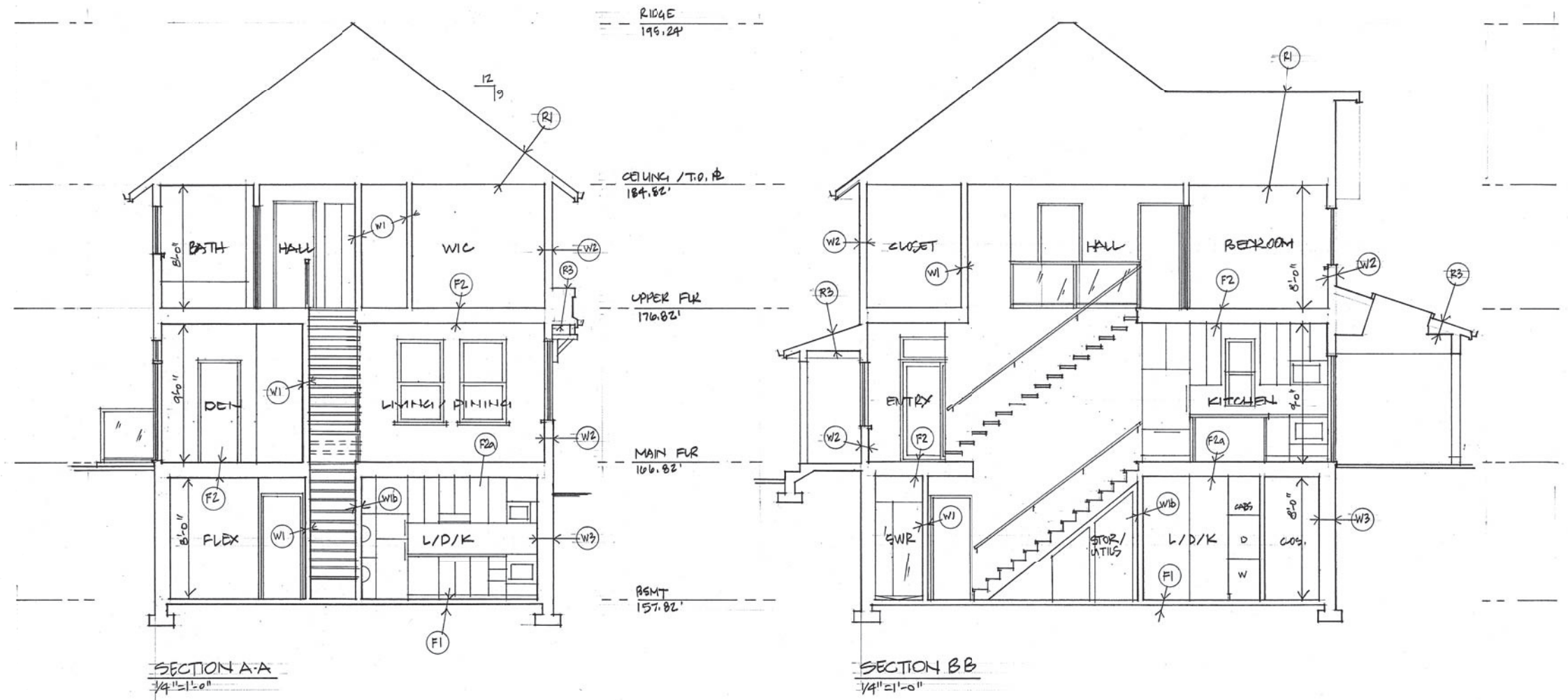


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1. REV + ISSD FOR HRA 16 DE 20

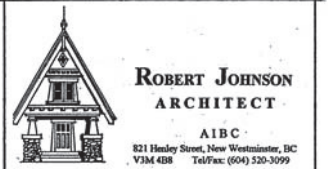
LARSON HOUSE
HRA / SUBDIVISION



DATE: 27 MAR 20 DWG: 5
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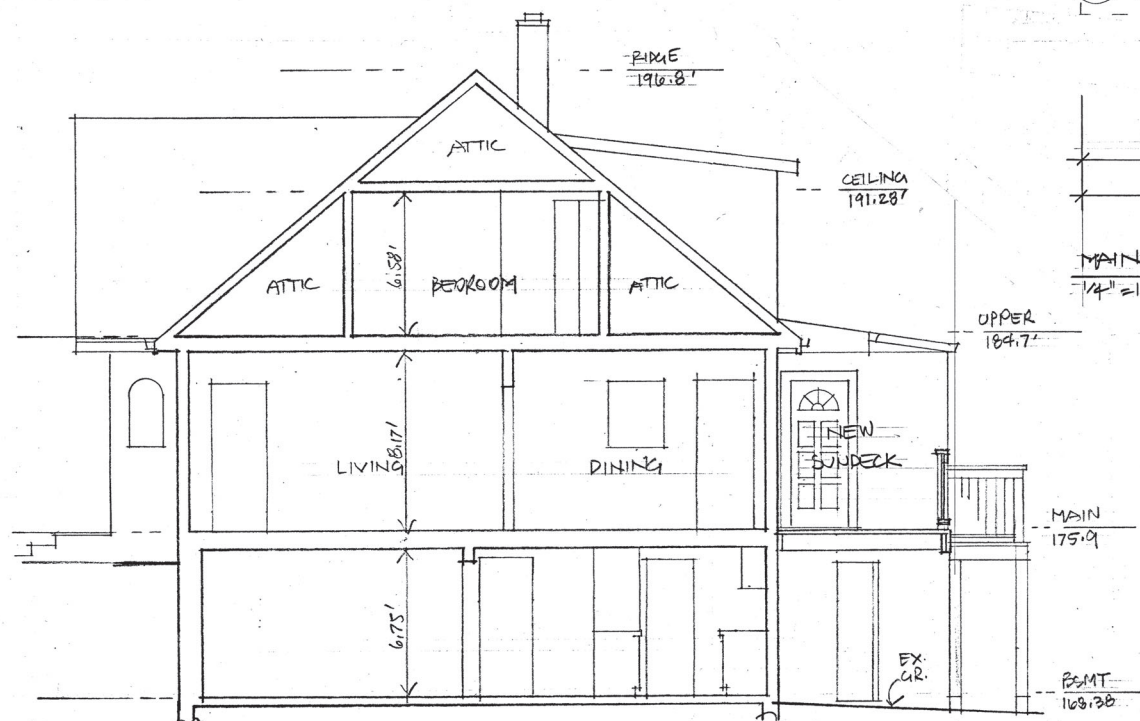
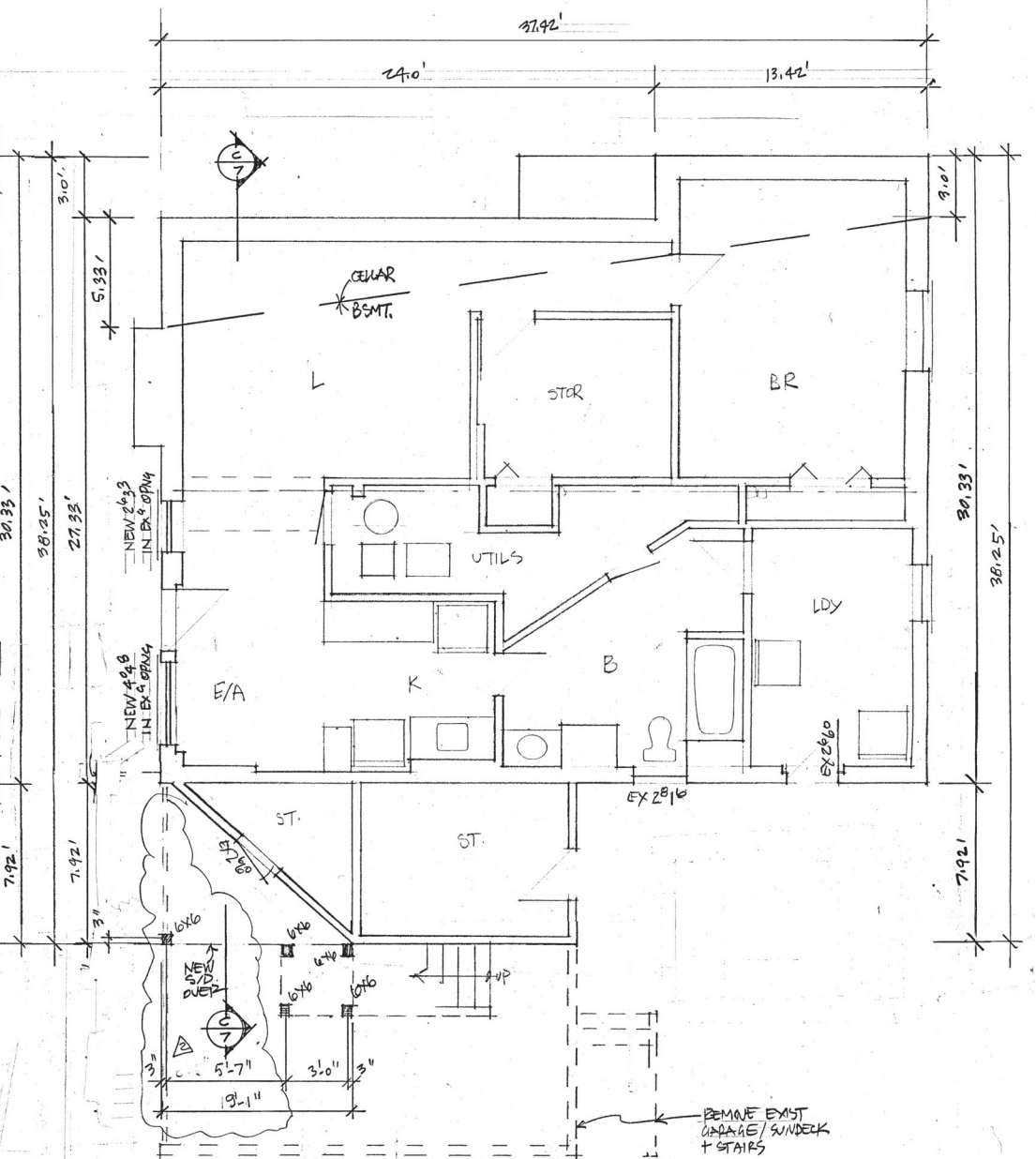
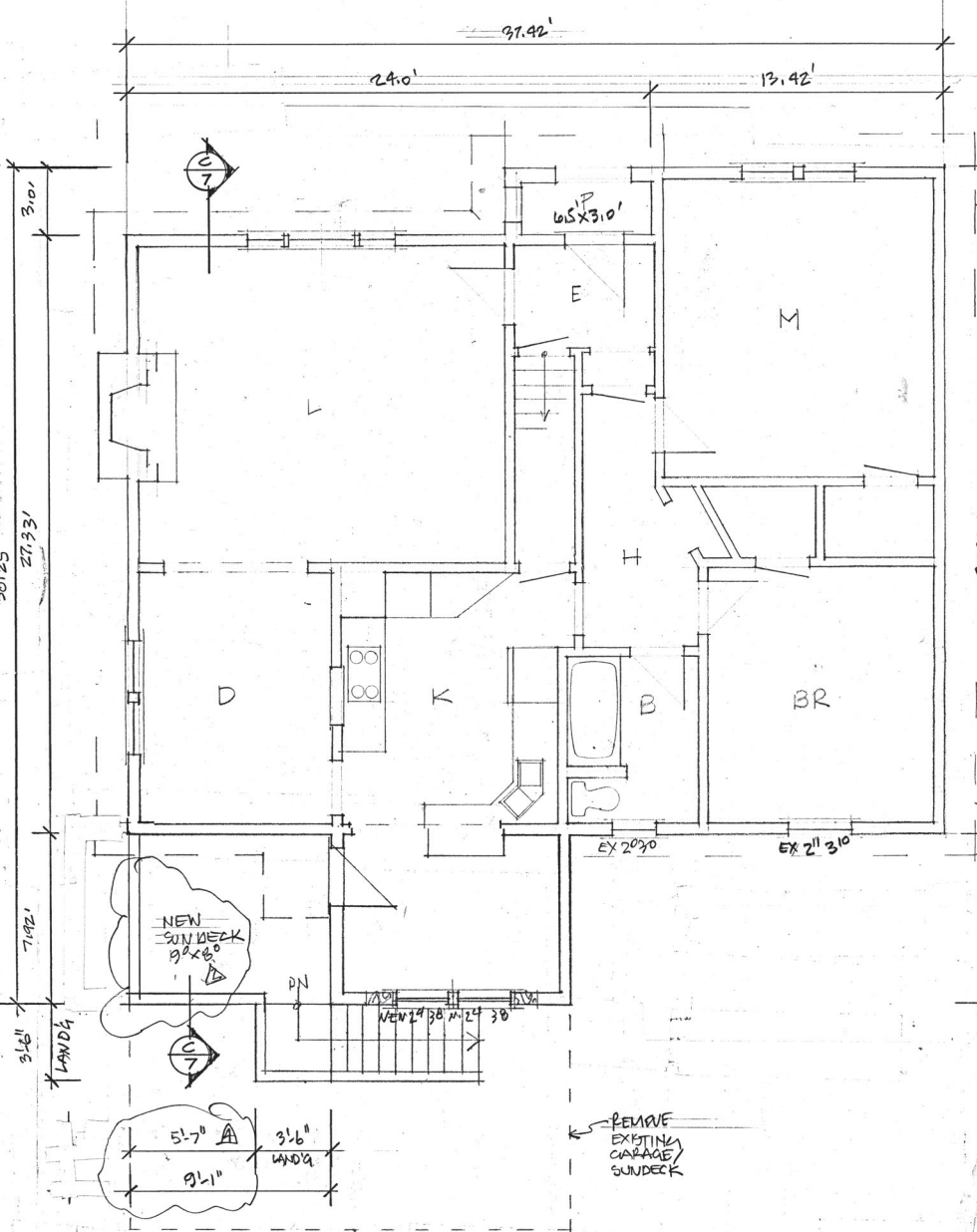
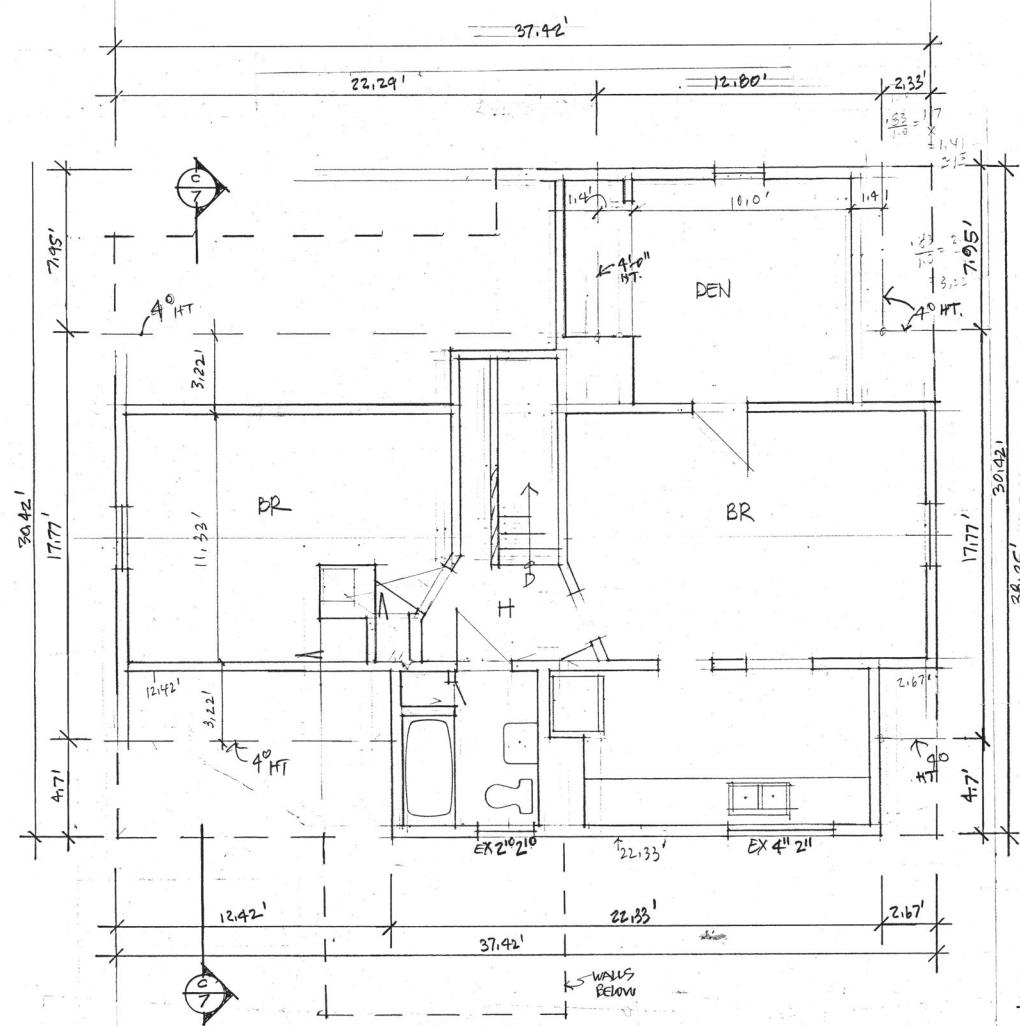


1. REV + ISSD FOR HRA 16 DE 20
 LARSON HOUSE
 HRA / SUBDIVISION



DATE: 27 NOV 20
 DWG: 481
 OF 14





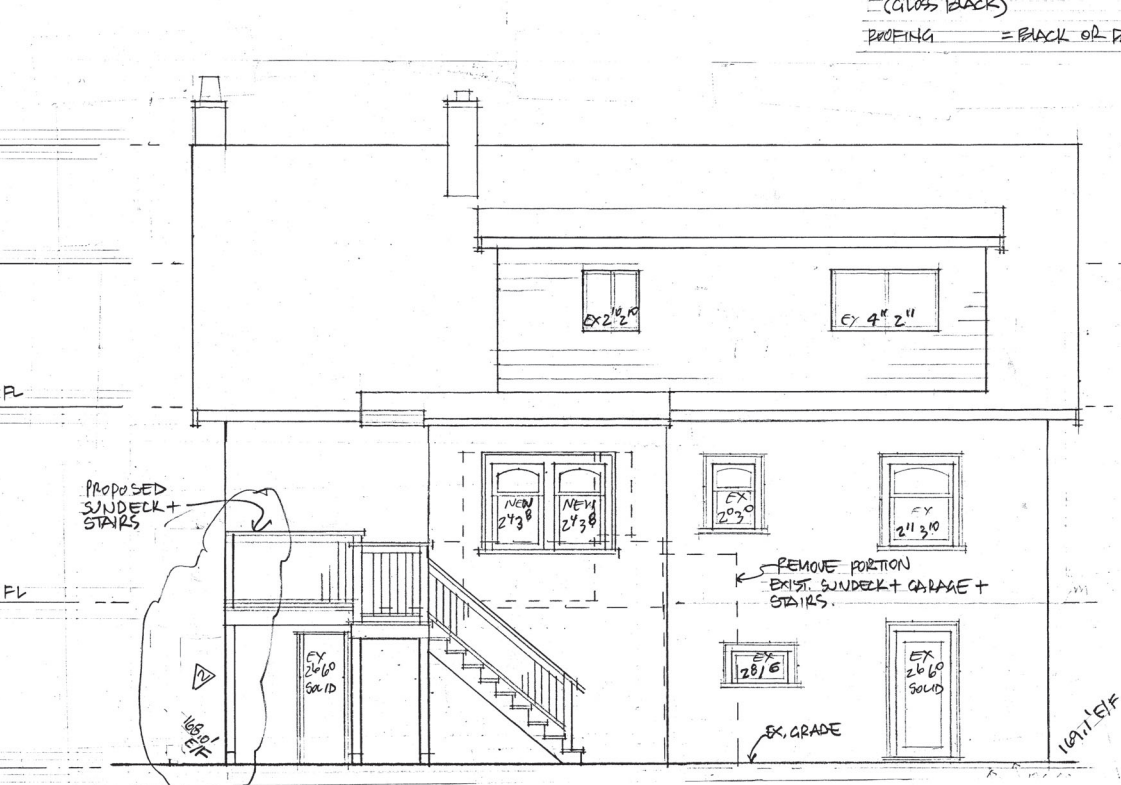
ROBERT JOHNSON
ARCHITECT

AIBC
821 Hendry Street, New Westminster, BC
V3M 4B8 Tel/Fax: (604) 520-3099

DATE: 14 DE 20 DWG: 7



SOUTHWEST ELEVATION
14" = 1'0"

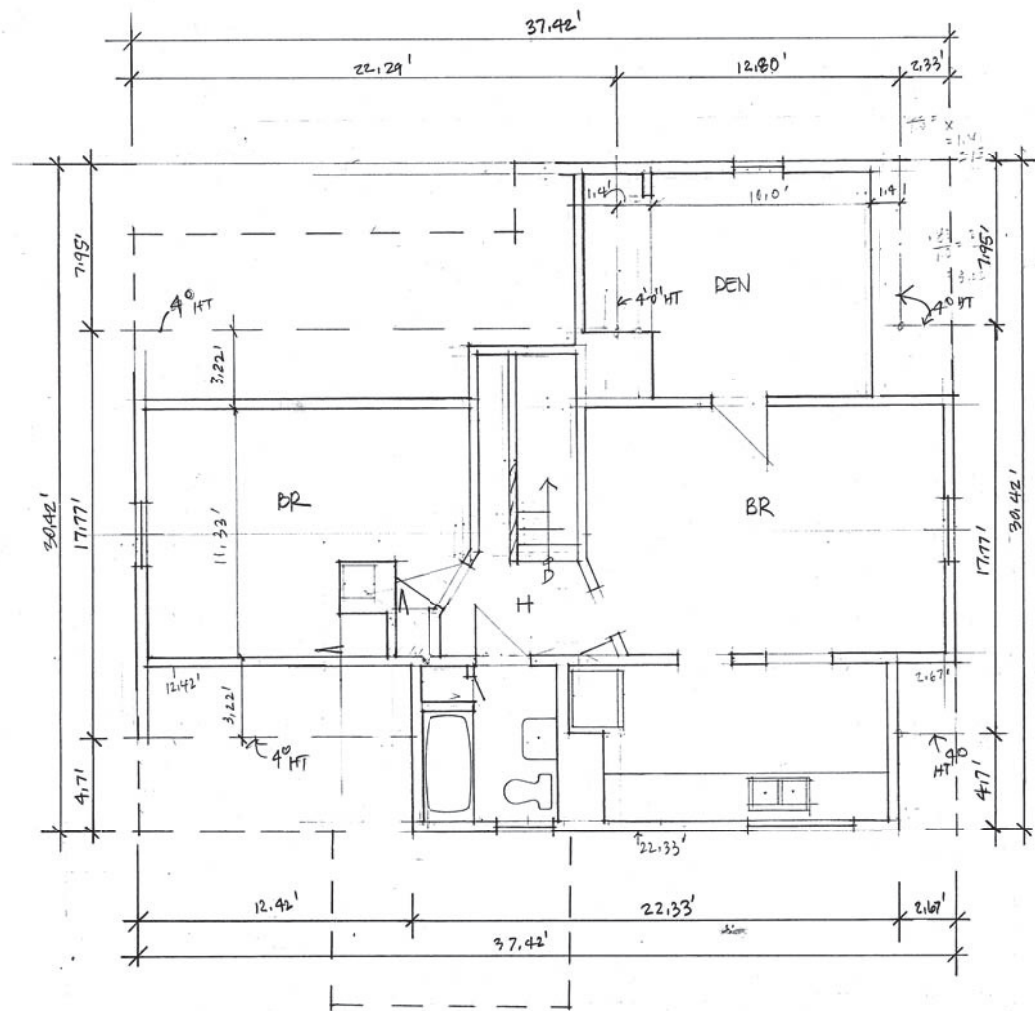


SOUTHEAST ELEVATION

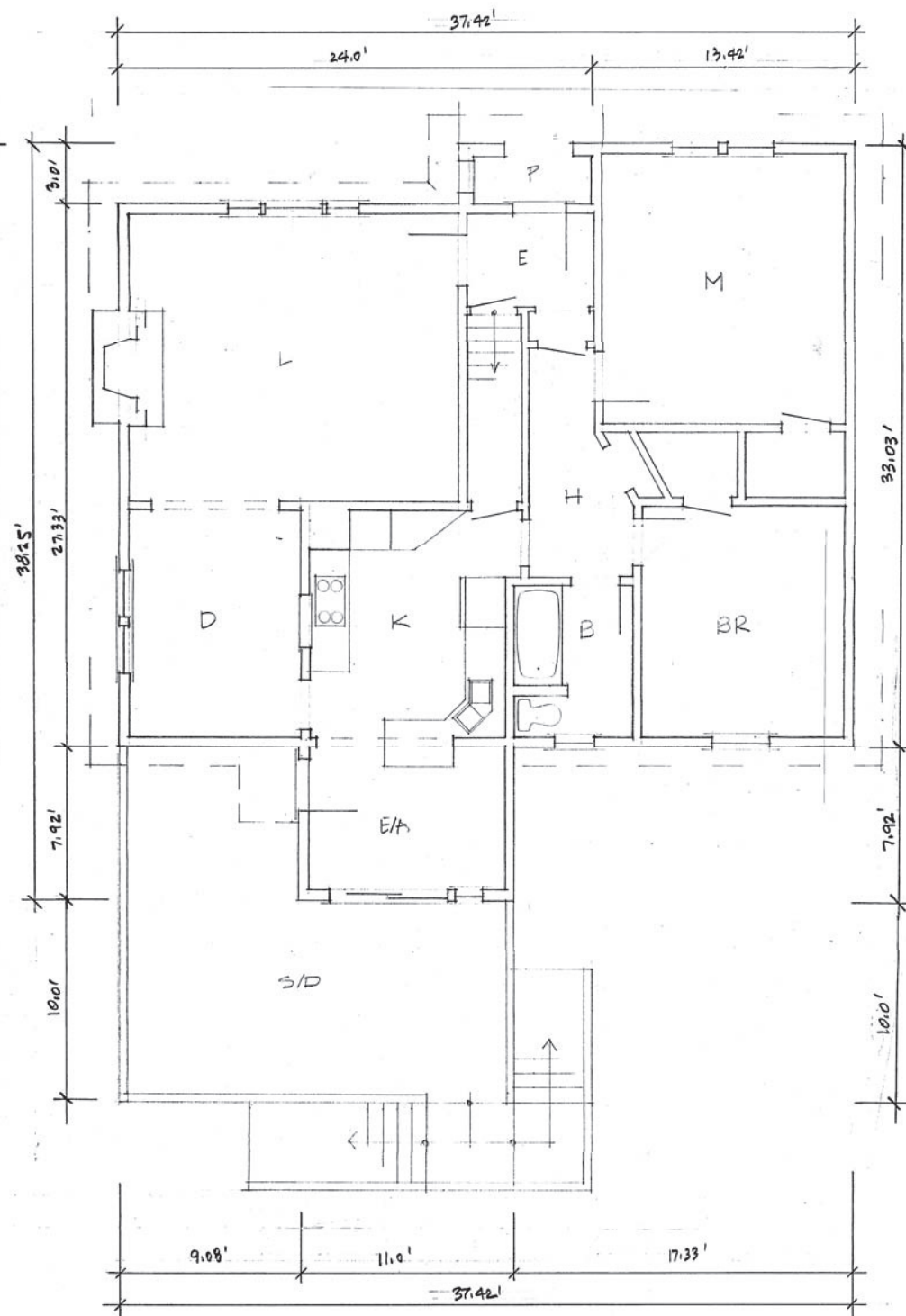


ROBERT JOHNSON
ARCHITECT
AIBC
821 Henley Street, New Westminster, BC
V3M 4B8 Tel/Fax: (604) 520-3099

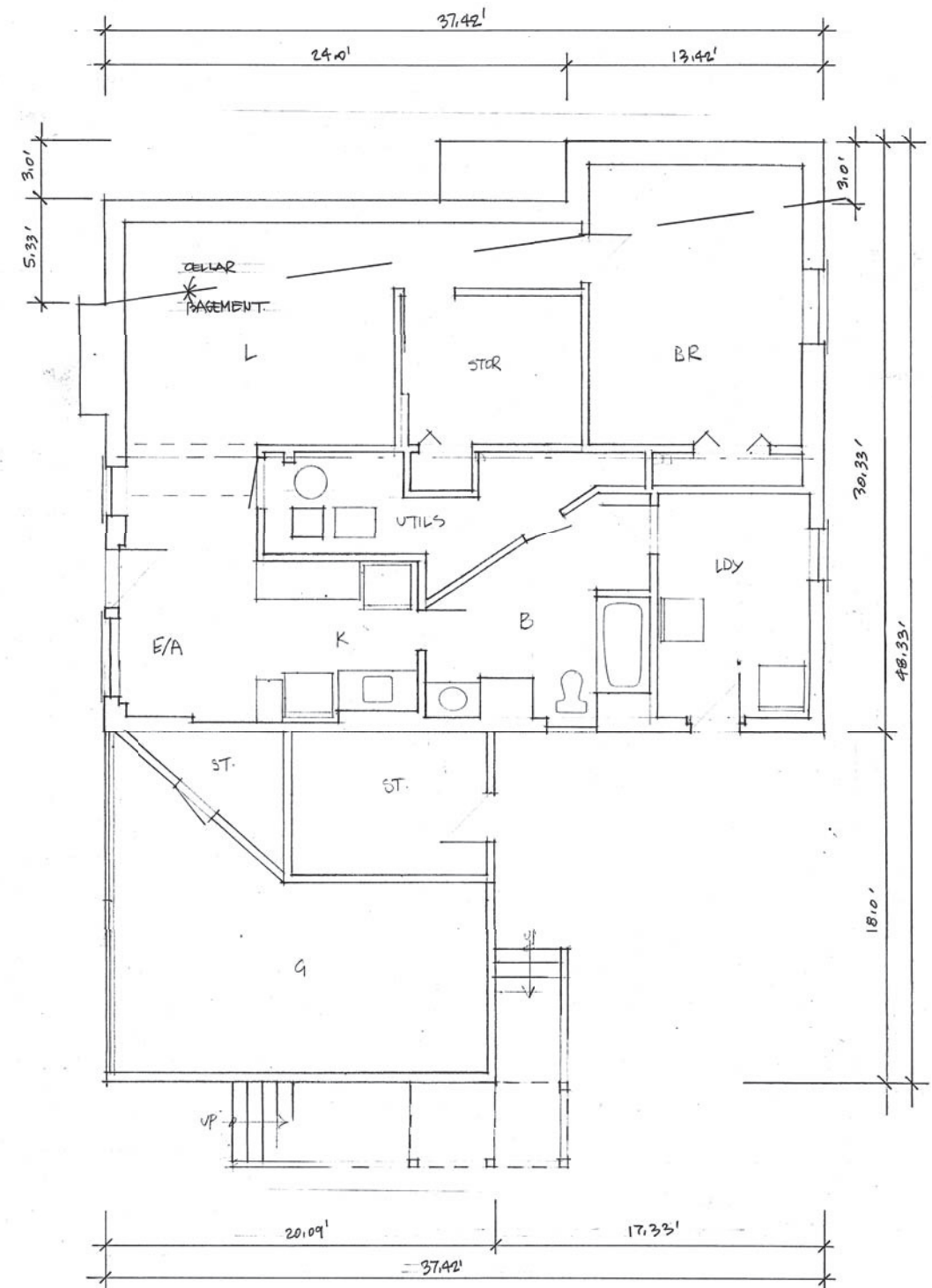
DATE: 14 DE 20 Page 45 of 481



UPPER FLOOR PLAN - AS FOUND
1/4" = 1'-0" 871.69 ±



MAIN FLOOR PLAN - AS FOUND
1/4" = 1'-0" 1150.16 ±



BASEMENT PLAN - AS FOUND
1/4" = 1'-0" 1284.59 ±



ISSD FOR HRA 16 DE 20
LARSON HOUSE
HRA + SUBDIVISION
AS FOUND DRAWINGS

ROBERT JOHNSON
ARCHITECT
AIBC
821 Hensley Street, New Westminster, BC
V3M 4B8 Tel/Fax: (604) 520-3099

DATE: 14 DE 20 DWN 11
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NORTHEAST ELEVATION - AS FOUND
1/4" = 1'-0"

RIDGE
196.8'
CEILING
191.28'
UPPER
184.7'
MAIN
175.9'
BSMT
168.38'



NORTHWEST ELEVATION - AS FOUND
1/4" = 1'-0"



SOUTHWEST ELEVATION - AS FOUND
1/4" = 1'-0"

RIDGE
196.8'
CEILING
191.28'
UPPER
184.7'
MAIN
175.9'
BSMT
168.38'



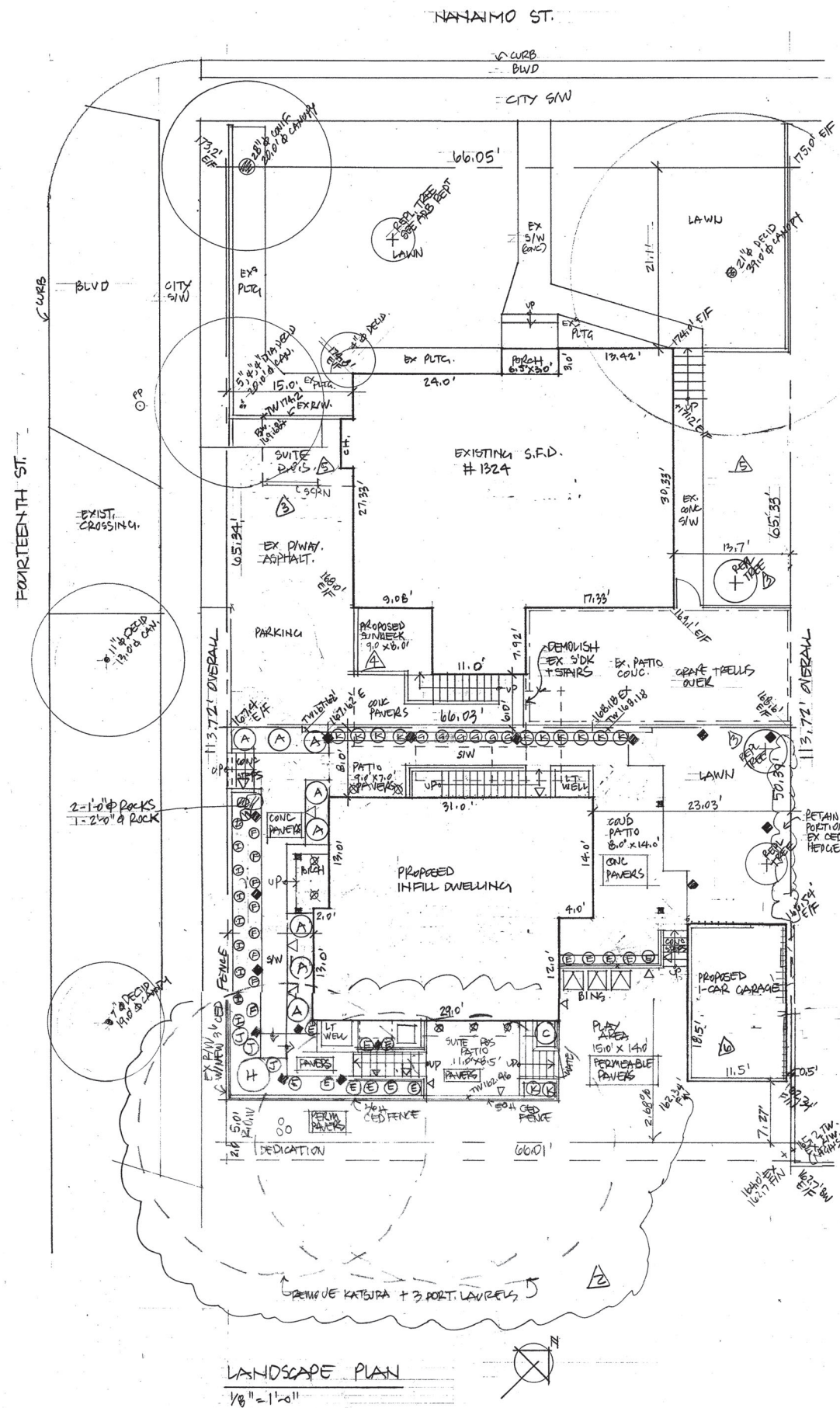
SOUTHEAST ELEVATION - AS FOUND
1/4" = 1'-0"

1.195D FOR H&A 16 DE 20
LARSON HOME
H&A + SUBDIVISION
AS FOUND DRAWINGS

ROBERT JOHNSON
ARCHITECT
AIBC
821 Hensley Street, New Westminster, BC
V3M 4B8 Tel/Fax: (604) 520-3099

DATE: 14 DE 20 DWG: 10
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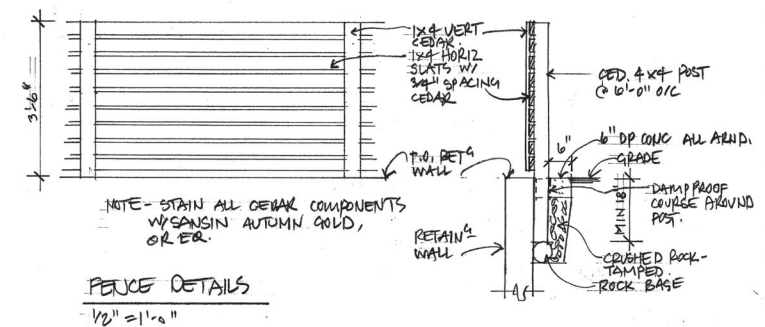


PLANT LIST

QTY	KEY	COMMON NAME	BOTANICAL NAME	SIZE	NOTES
8	A	WINTER GEM BOXWOOD	BUXUS MICROPHYLLA JAPONICA 'WINTER GEM'	#1	
1	B	NOT USED			
1	C	PIERIS JAPONICA 'MOUNTAIN FIRE'	PIERIS JAPONICA 'MOUNTAIN FIRE'	#1	
14	D	NOT USED			
8	E	MUNSTEAD LAVENDER	LAVANDULA ANGIUSTIFOLIA 'MUNSTEAD'	#1	IN 2'x2' PLANTER BOX ON DECK
6	F	NEW ZEALAND HAIR FERN	CADREX LOMANS 'BRONZE FERN'	#1	
6	G	BLACK MONDO GRASS	OPHIOPOGON PLANKSADUS 'NIGRESCENS'	#1	
1	H	RHODODENDRON	RHODODENDRON 'CUNNINGHAM WHITE'	#1	
9	I	WESTERN SWORD FERN	POLYSTICHUM MINUTUM	#1	
3	J	PLANTAIN LILY	HOSTA X HALCYON	#1	
12	K	HAKOME GRASS	HAKOMECHLOA MAERA	#1	

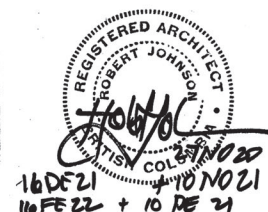
PAVERS - PARKING AREAS: ABBOTSFORD CONCRETE AQUARIUM OLD COUNTRY, CHARCOAL - INSTALL TO MEET RECOMMENDATIONS
- WALKS + PATIOS: ABBOTSFORD CONCRETE OLD COUNTRY, CHARCOAL, INSTALL TO MEET RECOMMENDATIONS.

- LIGHTING - K
- STEP LIGHT - IP LIGHTING - IPSS-616600 ALUMINUM FINISH.
 - RECESSED SOFFIT LIGHTING - RECESSED POT-IP LIGHTING IPSS-RPL SSD - ALUM. FINISH.
 - IN GROUND SPOT FLOODLIGHT / UPLIGHT. WALL WASH REDDIT 1 - CRY, LOW VOLTAGE LED.
 - SOLAR OUTDOOR LIGHT - HAMPTON BAY 10 WATT PATHWAY LIGHT, OR EQ.



16 REV + RE-15SD	16 FE 22
5 REV + RE-15SD	16 DE 21
4 REV + RE-15SD	10 DE 21
3 REV + RE-15SD	10 NOV 21
2 REV + RE-15SD	20 SE 21
1 15SD FOR HRA	16 DE 20

LARSON HOUSE
HRA / SUBDIVISION



ROBERT JOHNSON
ARCHITECT

AIBC
821 Hensley Street, New Westminster, BC
V3M 4B8 Tel/Fax: (604) 520-3099

DATE: 16 DE 21 + 10 NO 21
Page 49 of 481
9 DEC 20

APPENDIX 6

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT – NO SEPARATE SALE OF SUBDIVIDED PARCELS

THIS AGREEMENT dated for reference the ____ day of _____, 2022 is

BETWEEN:

BHARATVEER SINGH JASWAL and **HARKAMAL SANDHU**, 7517 Humphries Court
Burnaby, BC, V3N 4K9 and **JARNAIL SINGH SANDHU**, 10471 No. 5 Road, Richmond,
BC, V7A 4E6,

(the “Owner”)

AND:

CORPORATION OF THE CITY OF NEW WESTMINSTER, City Hall, 511 Royal
Avenue, New Westminster, British Columbia, V3L 1H9

(the “City”)

WHEREAS:

- A. The Owners are the registered owners in fee simple of those lands in New Westminster, British Columbia legally described as PID: 002-819-155; LOT “A” PLAN 7689 (together, the “Lands”);
- B. Pursuant to a Heritage Revitalization Agreement between the City and the Owners, dated for reference January 10, 2022 (the “HRA”), the Owners are required to deposit in the Land Title Office, concurrently with the subdivision plan creating the Lands as separate fee simple parcels, a covenant under s.219 of the *Land Title Act* in favour of the City, by which the Owners covenant and agree not to transfer separately the Lands until the Owners have complied with the requirements of the HRA for the preservation, restoration, and rehabilitation of the Heritage Building (as defined in the HRA);
- C. Section 219 of the *Land Title Act* (British Columbia) provides that there may be registered as a charge against the title to any land a covenant in favour of a municipality in respect of the use of land, the use of a building on or to be erected on land, or that parcels of land designated in the covenant are not to be sold or otherwise transferred separately;

NOW THEREFORE in consideration of the sum of \$10.00 now paid by the City to the Owners and other good and valuable consideration, the receipt and sufficiency of which the Owners hereby acknowledge, the parties covenant and agree pursuant to Section 219 of the *Land Title Act* (British Columbia) as follows:

1. **Lands Not to be Separately Sold or Transferred** – The Lands shall not be sold or otherwise transferred separately.
2. **Discharge** – The City shall, at the written request of the Owners, execute and deliver to the Owners a registrable discharge of this Agreement, in its sole and unfettered discretion, to be exercised consistently with the wording and intent of the HRA, that the Owners have completed and complied with all requirements in the HRA for the preservation, restoration, and rehabilitation of the Heritage Building by the deadlines set out therein.
3. **Notice** – All notices and other communications required or permitted to be given under this Agreement must be in writing and must be sent by registered mail or delivered as follows:

(a) if to the Owner, to the address shown on the Land Title Office title search to the Lands,

(b) if to the City, as follows:

City of New Westminster
511 Royal Avenue
New Westminster, BC, V3L 1H9

Attention: Heritage Planner

Any notice or other communication that is delivered is considered to have been given on the next business day after it is dispatched for delivery. Any notice or other communication that is sent by registered mail is considered to have been given five days after the day on which it is mailed at a Canada Post office. If there is an existing or threatened strike or labour disruption that has caused, or may cause, an interruption in the mail, any notice or other communication must be delivered until ordinary mail services is restored or assured. If a party changes its address it must immediately give notice of its new address to the other party as provided in this section.

4. **Interpretation** – In this Agreement:
 - (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
 - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
 - (c) reference to a particular numbered section or article is a reference to the correspondingly numbered section or article of this Agreement;

- (d) reference to the “Lands” or to any other parcel of land is a reference also to any parcel into which those lands are subdivided or consolidated by any means (including the removal of interior parcel boundaries) and to each parcel created by any such subdivision or consolidations;
 - (e) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
 - (f) reference to any enactment includes any regulations, orders, permits or directives made or issued under the authority of that enactment;
 - (g) unless otherwise expressly provided, reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced;
 - (h) time is of the essence;
 - (i) all provisions are to be interpreted as always speaking;
 - (j) reference to a “party” is a reference to a party to this Agreement and to their respective heirs, executors, successors (including successors in title), trustees, administrators and receivers;
 - (k) reference to the City is a reference also to its elected and appointed officials, officers, employees and agents;
 - (l) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”; and
 - (m) any act, decision, determination, consideration, opinion, consent or exercise of discretion by a party or person as provided in this Agreement must be performed, made, formed or exercised acting reasonably, except that any act, decision, determination, consideration, consent, opinion or exercise of discretion that is said to be within the “sole discretion” of a party or person may be performed, made, formed or exercised by that party or person in the sole, unfettered and absolute discretion of that party or person.
5. **No Waiver** – No provision or breach of this Agreement, nor any default, is to be considered to have been waived or acquiesced to by a party unless the waiver is express and is in writing by the party. The waiver by a party of any breach by the other party of any provision, or default, is not to be construed as or constituted a waiver of any further or other breach of the same or any other provision or default.
6. **No Effect on Laws or Powers** – This Agreement and the Owners’ contributions, obligations and agreements set out in this Agreement do not:

- (a) affect or limit the discretion, rights, duties or powers of the City or the Approving Officer under any enactment or at common law, including in relation to the use, development, servicing or subdivision of the Lands;
 - (b) impose on the City or the Approving Officer any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
 - (c) affect or limit any enactment relating to the use, development or subdivision of the Lands; or
 - (d) relieve the Owners from complying with any enactment, including in relation to the use, development, servicing, or subdivision of the Lands.
7. **Remedies for Breach** – The Owners agree that, without affecting any other rights or remedies the City may have in respect of any breach of this Agreement, the City is entitled, in light of the public interest in securing strict performance of this Agreement, to seek and obtain from the British Columbia Supreme Court a mandatory or prohibitory injunction, or order for specific performance, in respect of the breach.
8. **Binding Effect** – This Agreement enures to the benefit of and is binding upon the parties and their respective heirs, executors, administrators, trustees, receivers and successors (including successors in title).
9. **Covenant Runs With the Lands** – Every provision of this Agreement and every obligation and covenant of the Owners in this Agreement, constitutes a deed and a contractual obligation, and also a covenant granted by the Owners to the City in accordance with section 219 of the *Land Title Act*, and this Agreement burdens the Lands to the extent provided in this Agreement, and runs with them and binds the Owners’ successors in title. This Agreement also burdens and runs with every parcel into which the Lands are consolidated (including by the removal of interior parcel boundaries) or subdivided by any means, including by subdivision under the *Land Title Act* or by strata plan or bare land strata plan under the *Strata Property Act*.
10. **Further Acts** – The Owners shall do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
11. **Severance** – If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
12. **Amendment** – This Agreement may be amended from time to time by agreement between the Owners and the City. Except as otherwise expressly provided in this

Agreement, amendments to this Agreement must be made by an instrument in writing duly executed by the Owners and the City.

13. **Deed and Contract** – By executing and delivering this Agreement each of the parties intends to create both a new contract and a deed of covenant executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part I of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

CONSENT AND PRIORITY AGREEMENT

WHEREAS:

- A. **BHARATVEER SINGH JASWAL, HARKAMAL SANDHU, and JARNAIL SINGH SANDHU** (the "Owner") is the registered owner of the land described in Item 2 of Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement (the "Land");
- B. The Owner granted [*Name of chargeholder*] (the "Prior Chargeholder") a [*identify mortgage or other charge*] which was registered against the title to the Land in the New Westminster Land Title Office under number [*insert registration number*] (the "Prior Charge");
- C. The Owner granted to the Corporation of the City of New Westminster (the "Subsequent Chargeholder") a section 219 covenant which is registered against the title to the Land under number one less than this Consent and Priority Agreement (the "Subsequent Charge"); and
- D. Section 207 of the *Land Title Act* permits the Prior Chargeholder to grant priority over a charge to a subsequent chargeholder.

THEREFORE THIS CONSENT AND PRIORITY AGREEMENT WITNESSES THAT IN CONSIDERATION OF \$1.00 AND OTHER GOOD AND VALUABLE CONSIDERATION RECEIVED BY THE PRIOR CHARGEHOLDER FROM THE SUBSEQUENT CHARGEHOLDER (THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED):

1. The Prior Chargeholder hereby consents to the granting and registration of the Subsequent Charge and the Prior Chargeholder hereby agrees that the Subsequent Charge shall be binding upon its interest in and to the Land.
2. The Prior Chargeholder hereby grants to the Subsequent Chargeholder priority for the Subsequent Charge over the Prior Chargeholder's right, title and interest in and to the Land, and the Prior Chargeholder does hereby postpone the Prior Charge and all of its right, title and interest thereunder to the Subsequent Charge as if the Subsequent Charge had been executed, delivered and registered prior to the execution, delivery and registration of the Prior Charge.

As evidence of its agreement to be bound by the above terms of this Consent and Priority Agreement, the Prior Chargeholder has executed and delivered Part 1 of *Land Title Act* Form C which is attached hereto and forms part of this Agreement.

END OF DOCUMENT

APPENDIX 7

RELAXATIONS TO ZONING BYLAW NO. 6680, 2001

	NR-1 Single Detached Dwelling District Requirement	Lot with Heritage Building (1324 Nanaimo Street)	Lot with New House (607 Fourteenth Street)
Minimum Lot Size	6,000 square feet (557 square metres)	4,315 square feet (401 square metres)	3,326 square feet (309 square metres)
Maximum Floor Space Ratio*	0.51	0.71	0.53
Floor Space (above grade)	0.40	0.47	0.49
Site Coverage (Upper Level)	80%	--	90%
Windows above grade	Above grade	--	Below grade
Front Yard Setback (house) (14th St.)	13.21 feet (4.0 metre)	--	10 feet (3.0 metre)
Front Yard Setback (porch) (14th St.)	9.2 feet (2.8 metre)	--	7.0 feet (2.13 metre)
Sunken Patio at Cellar Level	30 feet (9.1 metre)	--	60.5 feet (18.44 metres)
Minimum Off-Street Vehicle Parking Spaces	One space per unit, including secondary suite (two spaces)	One parking space	One parking space
Off-Street Parking Setback (14th St.)	Not in front yard setback	In front yard setback	--
Lane Setback	12 feet (3.65 metre)	--	7.27 feet (2.21 metre)

***(With step code 3 = 0.01 increase)** - Should Step Code 3, 4 or 5 of the Energy Step Code be met, the maximum space ratio can be increased as outlined in Section 310.11.1 of Zoning Bylaw No. 6680, 2001

THE CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8291, 2022

A bylaw of the Corporation of the City of New Westminster to designate 1324 Nanaimo Street as protected heritage property.

WHEREAS the *Local Government Act*, RSBC 2015, c.1 provides Council with authority, by bylaw, to designate real property as protected heritage property, on terms and conditions it considers appropriate;

AND WHEREAS the registered owner of the land located at 1324 Nanaimo Street has entered into a heritage revitalization agreement in relation to the principal building currently located on the land as authorized by Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022 (the "Heritage Revitalization Agreement"), has requested that Council designate that property as protected heritage property, and has released the City from any obligation to compensate the registered owner for the effect of such designation;

AND WHEREAS Council considers that the building located at 1324 Nanaimo Street has significant heritage value and character and is a prominent and valued heritage property in the City;

AND WHEREAS Council considers that designation of the building located at 1324 Nanaimo Street as protected heritage property under the provisions of the *Local Government Act* is necessary and desirable for its conservation;

NOW THEREFORE City Council of the Corporation of the City of New Westminster enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as "Heritage Designation Bylaw (1324 Nanaimo Street) No. 8291, 2022."

INTERPRETATION

2. In this Bylaw, the terms "heritage value", "heritage character" and "alter" have the corresponding meanings given to them in the *Local Government Act*.

DESIGNATION

3. That parcel of land having a civic address of 1324 Nanaimo Street, New Westminster, British Columbia, legally described as PID: 002-819-155; LOT "A" PLAN 7689 and labelled "1324 Nanaimo Street" (the "Building") on the site plan in Schedule A, is hereby designated in its entirety as protected heritage property under section 611 of the *Local Government Act* of British Columbia.

PROHIBITION

4. Except as expressly permitted by Section 5 or as authorized by a heritage alteration permit issued by the City, no person shall undertake any of the following actions, nor cause or permit any of the following actions to be undertaken in relation to the Building:
 - (a) alter the exterior of the Building;
 - (b) make a structural change to the Building including, without limitation, demolition of the Building or any structural change resulting in demolition of the Building;
 - (c) move the Building; or
 - (d) alter, excavate or build on that portion of land upon which the Building is located.

EXEMPTIONS

5. Despite Section 4, the following actions may be undertaken in relation to the Building without first obtaining a heritage alteration permit from the City:
 - (a) non-structural renovations or alterations to the interior of the Building that do not alter the exterior appearance of the Building; and
 - (b) normal repairs and maintenance that do not alter the exterior appearance of the Building.
6. For the purpose of section 5, “normal repairs” means the repair or replacement of non-structural elements, components or finishing materials of the Building with elements, components or finishing materials that are equivalent to those being replaced in terms of heritage character, material composition, colour, dimensions and quality.

MAINTENANCE

7. The Building shall be maintained in good repair in accordance with the City of New Westminster Heritage Property Maintenance Standards Bylaw No. 7971, 2018, as amended or replaced from time to time.

HERITAGE ALTERATION PERMITS

8. Where a heritage alteration permit is required under this Bylaw for a proposed action in relation to the Building, application shall be made to the City of New Westminster Development Services Department, Planning Division in the manner and on the form prescribed, and the applicant shall pay the fee imposed by the City for such permit, if any.

9. City Council, or its authorized delegate, is hereby authorized to:

- (a) issue a heritage alteration permit for situations in which the proposed action would be consistent with the heritage protection provided for the Building under this Bylaw and the Heritage Revitalization Agreement;
- (b) withhold the issue of a heritage alteration permit for an action which would not be consistent with the heritage protection provided for the Building under this Bylaw or the Heritage Revitalization Agreement;
- (c) establish and impose terms, requirements and conditions on the issue of a heritage alteration permit that are considered to be consistent with the purpose of the heritage protection of the Building provided under this Bylaw and the Heritage Revitalization Agreement; and
- (d) determine whether the terms, requirements and conditions of a heritage alteration permit have been met.

RECONSIDERATION BY COUNCIL

10. An applicant or owner whose application for a heritage alteration permit for alteration of the Building has been considered by an authorized delegate may apply for a reconsideration of the matter by Council, and such reconsideration shall be without charge to the applicant or owner.

GIVEN FIRST READING this 7th day of March 2022.

GIVEN SECOND READING this 7th day of March 2022.

PUBLIC HEARING held this _____ day of _____ 2022.

GIVEN THIRD READING this _____ day of _____ 2022.

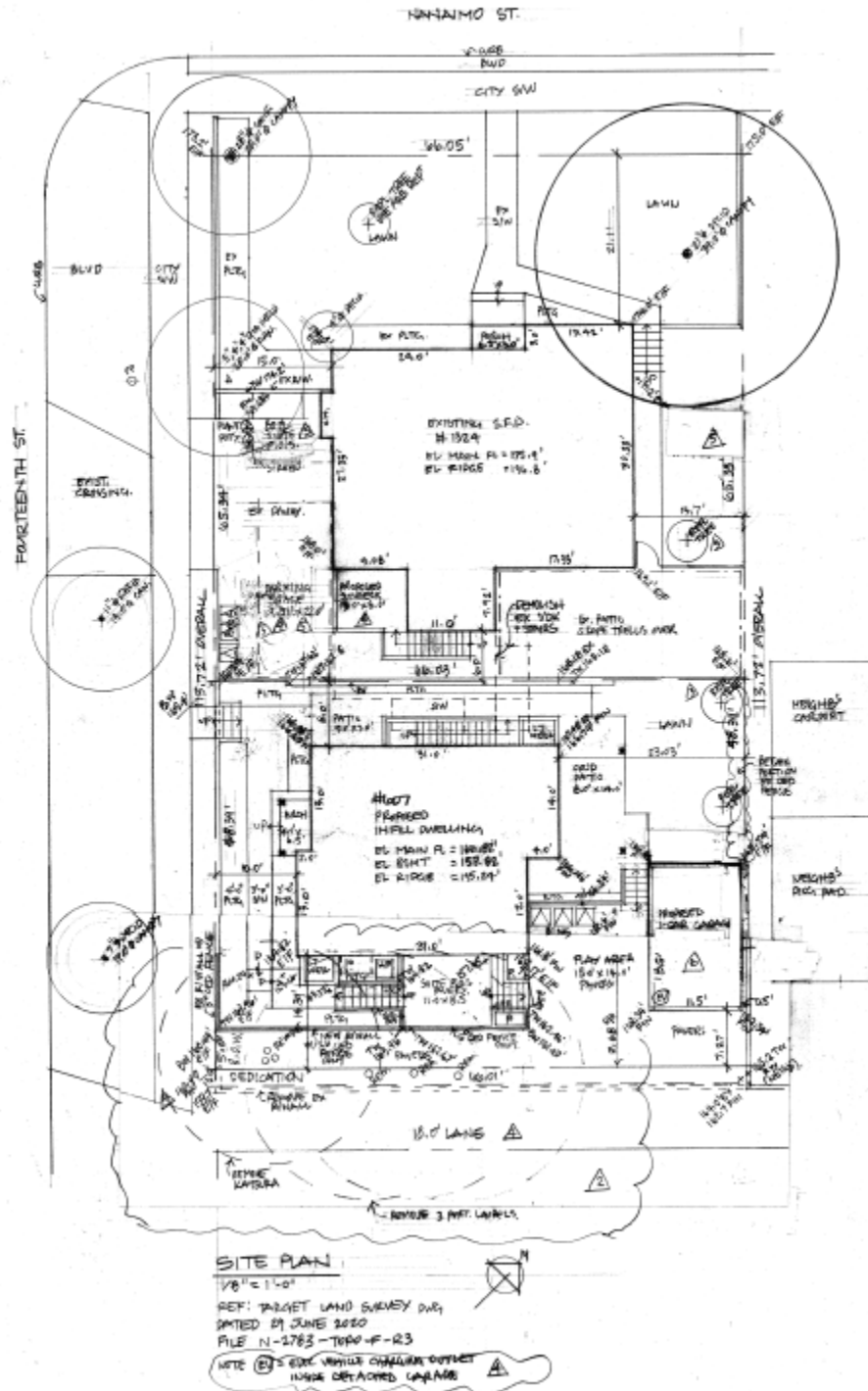
ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this _____ day of _____ 2022.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

SCHEDULE A

SKETCH



**THE CORPORATION OF THE CITY OF NEW WESTMINSTER
HERITAGE REVITALIZATION AGREEMENT (102 Seventh Avenue)
BYLAW NO. 8312, 2022**

**A Bylaw to enter into a Heritage Revitalization Agreement under
Section 610 of the *Local Government Act***

WHEREAS the City of New Westminster and the owners of the property located at 102 Seventh Avenue in New Westminster wish to enter into a Heritage Revitalization Agreement in respect of the property;

NOW THEREFORE, the Council of the City of New Westminster enacts as follows:

Citation

1. This Bylaw may be cited as “Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022”.

Heritage Revitalization Agreement

2. The City of New Westminster enters into a Heritage Revitalization Agreement with the registered owners of the property located at 102 Seventh Avenue legally described as PID: 002-367-343; LOT “A” OF LOTS 3 AND 4 OF THE NORTH HALF LOT 6 SUBURBAN BLOCK 13 PLAN 6672.
3. The Mayor and City Clerk are authorized on behalf of the City of New Westminster Council to sign and seal the Heritage Revitalization Agreement attached to this Bylaw as Schedule “A”.

READ A FIRST TIME this 7th day of March, 2022.

READ A SECOND TIME this 7th day of March, 2022.

PUBLIC HEARING held this _____ day of _____, 2022.

READ A THIRD TIME this _____ day of _____, 2022.

ADOPTED this _____ day of _____, 2022.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

SCHEDULE "A"**HERITAGE REVITALIZATION AGREEMENT (102 Seventh Avenue)**

THIS AGREEMENT dated for reference the 10th day of January, 2022 is

BETWEEN:

RAJVIR SINGH SANDHU,
102 Seventh Avenue, New Westminster, BC
V3L 1W3

(together, the "Owners")

AND:

THE CORPORATION OF THE CITY OF NEW WESTMINSTER, City Hall, 511 Royal
Avenue, New Westminster, BC V3L 1H9

(the "City")

WHEREAS:

- A. The Owners are the registered owners in fee simple of the land and all improvements located at 102 Seventh Avenue legally described as PID: 002-367-343; LOT "A" OF LOTS 3 AND 4 OF THE NORTH HALF LOT 6 SUBURBAN BLOCK 13 PLAN 6672 (the "Land");
- B. There is one principal building situated on the Land, known as the Maddock House (the "Heritage Building"), which is shown on the site plan attached as Appendix 1 (the "Site Plan") labelled as "102 Seventh Avenue Heritage House (2 Suites)";
- C. The City and the Owner agree that the Heritage Building has heritage value and should be conserved;
- D. The Owner wishes to make certain alterations to restore and rehabilitate the Heritage Building (the "Work");
- E. The Owner intends to apply to the City's Approving Officer for approval to file a subdivision plan (the "Subdivision Plan") in the Land Title Office in order to subdivide the Land into two separate parcels, generally as shown on the Site Plan;
- F. If the proposed subdivision of the Land is approved by the City's Approving Officer, the Owner wishes to construct a new residential building (the "New Duplex") on that portion of the Land labeled on the Site Plan as "686 First Street New Duplex";
- G. Section 610 of the *Local Government Act*, RSBC 2015, Chapter 1 authorizes a local government to enter into a Heritage Revitalization Agreement with the owner of heritage property, and to

allow variations of, and supplements to, the provisions of a bylaw or a permit issued under Part 14 or Part 15 of the *Local Government Act*;

- H. The Owner and the City have agreed to enter into this Heritage Revitalization Agreement (the “Agreement”) setting out the terms and conditions by which the heritage value of the Heritage Building is to be preserved and protected, in return for specified supplements and variances to City bylaws;

THIS AGREEMENT is evidence that in consideration of the sum of ten dollars (\$10.00) now paid by each party to the other and for other good and valuable consideration (the receipt of which each party hereby acknowledges) the Owner and the City each covenant with the other pursuant to Section 610 of the *Local Government Act* as follows:

Conservation of Heritage Building

1. Upon execution of this Agreement, the Owner shall promptly commence the Work in accordance with the Heritage Conservation Plan prepared by Elana Zysblat CAHP, of Acne Building Services dated February 2022, a copy of which is attached hereto as Appendix 2 (the “Conservation Plan”), and the design plans and specifications prepared by Christa MacArthur, dated January 31, 2022, a copy of which is attached hereto as Appendix 5 (the “Approved Plans”), full-size copies of which plans and specifications are on file at the New Westminster City Hall.
2. Prior to commencement of the Work, the Owner shall obtain from the City all necessary permits and licenses, including a heritage alteration permit, building permit, and tree permit.
3. The Owner shall obtain written approval from the City’s Director of Climate Action, Planning and Development for any changes to the Work, and obtain any amended permits that may be required for such changes to the Work, as required by the City.
4. The Owner agrees that the City may, notwithstanding that such permits may be issuable under the City’s zoning and building regulations and the BC Building Code, withhold a heritage alteration permit or building permit applied for in respect of the Heritage Building if the work that the Owner wishes to undertake is not in accordance with the Conservation Plan or the Approved Plans.
5. The Work shall be done at the Owner’s sole expense in accordance with generally accepted engineering, architectural, and heritage conservation practices. If any conflict or ambiguity arises in the interpretation of Appendix 2, the parties agree that the conflict or ambiguity shall be resolved in accordance with the “Standards and Guidelines for the Conservation of Historic Places in Canada”, 2nd edition, published by Parks Canada in 2010.
6. The Owner shall, at the Owner’s sole expense, erect on the Land and keep erected throughout the course of the Work, a sign of sufficient size and visibility to effectively notify contractors and tradespersons entering onto the Land that the Work involves protected heritage property and is being carried out for heritage conservation purposes.

7. The Owner shall, at the Owner's sole expense, engage a member of the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of British Columbia or the British Columbian Association of Heritage Professionals with specialization in Building or Planning (the "Registered Professional") to oversee the Work and to perform the duties set out in section 8 of this Agreement, below.

Role of Registered Professional

8. The Registered Professional shall:
 - (a) prior to commencement of the Work, and at any time during the course of the Work that a Registered Professional has been engaged in substitution for a Registered Professional previously engaged by the Owner, provide to the City an executed and sealed Confirmation of Commitment in the form attached as Appendix 3 and, if the Registered Professional is a member of the Canadian Association of Heritage Professionals, the Registered Professional shall provide evidence of their membership and specialization when submitting such executed Confirmation of Commitment;
 - (b) conduct field reviews of the Work with the aim of ensuring compliance of the Work with the Conservation Plan in Appendix 2;
 - (c) provide regular reports to the City's Climate Action, Planning and Development Department, on the progress of the Work;
 - (d) upon substantial completion of the Work, provide to the City an executed and sealed Certification of Compliance in the form attached as Appendix 4; and
 - (e) notify the City within one business day if the Registered Professional's engagement by the Owner is terminated for any reason.

Heritage Designation

9. The Owner irrevocably agrees to the designation of the Heritage Building as protected heritage property, in accordance with Section 611 of the *Local Government Act*, and releases the City from any obligation to compensate the Owner in any form for any reduction in the market value of the Lands or the Heritage Building that may result from the designation.
10. Following completion of the Work, the Owner shall maintain the Heritage Building in good repair in accordance with the Conservation Plan in Appendix 2 and the maintenance standards set out in City of New Westminster Heritage Properties Minimum Maintenance Standards Bylaw No. 7971, 2018, as amended or replaced from time to time, and, in the event that Bylaw No. 7971 is repealed and not replaced, the Owner shall continue to maintain the building to the standards that applied under Bylaw No. 7971 immediately prior to its repeal.

11. Following completion of the Work in accordance with this Agreement, the Owner shall not alter the heritage character or the exterior appearance of the Heritage Building, except as permitted by a heritage alteration permit issued by the City.

Damage to or Destruction of Heritage Building

12. If the Heritage Building is damaged, the Owner shall obtain a heritage alteration permit and any other necessary permits and licenses and, in a timely manner, shall restore and repair the Heritage Building to the same condition and appearance that existed before the damage occurred.
13. If, in the opinion of the City, the Heritage Building is completely destroyed, the Owner shall construct a replica, using contemporary material if necessary, of the Heritage Building that complies in all respects with the Conservation Plan in Appendix 2, the Approved Plans in Appendix 5, and with City of New Westminster Zoning Bylaw No. 6680, 2001 as amended (the "Zoning Bylaw"), as varied by this Agreement, after having obtained a heritage alteration permit and any other necessary permits and licenses.
14. The Owner shall use best efforts to commence and complete any repairs to the Heritage Building, or the construction of any replica building, with reasonable dispatch.

Construction of the New Duplex

15. The Owners shall construct the New Duplex in strict accordance with the Site Plan and the Approved Plans prepared by Christa MacArthur, dated January 31, 2022, a copy of which is attached hereto as Appendix 5, full-size copies of which plans and specifications are on file at the New Westminster City Hall.
16. Prior to commencement of construction of the New Duplex, the Owner shall obtain from the City all necessary approvals, permits, and licenses, including a heritage alteration permit, building permit, and tree permit and approval of the City's Approving Officer to file the Subdivision Plan in the Land Title Office.
17. The Owner shall obtain written approval from the City's Director of Climate Action, Planning and Development for any changes to the New Duplex, and obtain any amended permits that may be required for such changes to the New Duplex, as required by the City.
18. The Owner agrees that the City may, notwithstanding that such permits may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a heritage alteration permit or building permit applied for in respect of the New Duplex if the work that the Owner wishes to undertake is not in accordance with the Approved Plans.
19. The construction of the New Duplex shall be done at the Owner's sole expense and in accordance with generally accepted engineering and architectural practices.

Timing and Phasing

20. The Owner shall commence and complete all actions required for the completion of the Work, as set out in the Conservation Plan in Appendix 2, within three years following the date of adoption of the Bylaw authorizing this Agreement.
21. The Owner shall not construct the New Duplex on the Land until the Owner has completed the Work in respect of the Heritage Building to the satisfaction of the City's Director of Climate Action, Planning and Development, has provided the Certification of Compliance described in section 8(d) above, and has approval of the City's Approving Officer to file the Subdivision Plan in the Land Title Office.
22. The City may, notwithstanding that such a permit may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a building permit or heritage alteration permit applied for in respect of the New Duplex if the Owner has not completed the Work in respect of the Heritage Building, to the satisfaction of the City's Director of Climate Action, Planning and Development.
23. The Owner shall complete all actions required for the completion of the New Duplex, as set out in Approved Plans in Appendix 5, within five years following the date on which the Owner deposits the Subdivision Plan in the Land Title Office.

Subdivision

24. The Owner shall, concurrently with the deposit of the Subdivision Plan, deposit in the Land Title Office a covenant under s.219 of the Land Title Act in favour of the City, in the form attached as Appendix 6, by which the Owner covenants and agrees not to transfer separately the parcels created by the Subdivision Plan until the Owner has complied with the requirements of this Agreement for the preservation and restoration of the Heritage Building.
25. The City shall execute and deliver to the Owner a discharge of the covenant described in section 24 above on the request of the Owner, if the Owner has complied with the requirements of this Agreement for the preservation and restoration of the Heritage Building.
26. Nothing in this Agreement commits the Approving Officer to approve the proposed subdivision of the Land.

Inspection

27. Upon request by the City, the Owners shall advise or cause the Registered Professional to advise, the City's Climate Action, Planning and Development Department, of the status of the Work.
28. For the duration of the Work and the construction of the New Duplex as authorized by this Agreement, without limiting the City's power of inspection conferred by statute and in

addition to such powers, the City shall be entitled at all reasonable times and from time to time to enter onto the Land for the purpose of ensuring that the Owner is fully observing and performing all of the restrictions and requirements in this Agreement to be observed and performed by the Owner.

29. The Owner agrees that the City may, notwithstanding that a final inspection may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a final inspection or occupancy certificate applied for in respect of the Heritage Building or the New Duplex if the Owner has not completed the Work with respect to the Heritage Building or construction of the New Duplex to the satisfaction of the City's Director of Climate Action, Planning and Development.

Conformity with City Bylaws

30. The City of New Westminster Zoning Bylaw No. 6680, 2001, is varied and supplemented in its application to the Land in the manner and to the extent provided and attached as Appendix 7.
31. The Owner acknowledges and agrees that, except as expressly varied by this Agreement, any development or use of the Land, including any construction, alteration, rehabilitation, restoration and repairs of the Heritage Building or New Duplex, must comply with all applicable bylaws of the City.

No Application to Building Interiors

32. Unless otherwise stated in this Agreement or set out in the Conservation Plan, the terms and conditions of this Agreement respecting the Heritage Building and New Duplex apply only to the structure and exterior of the buildings, including without limitation the foundation, walls, roof, and all exterior doors, stairs, windows and architectural ornamentation.

Enforcement of Agreement

33. The Owner acknowledges that it is an offence under Section 621(1)(c) of the *Local Government Act* to alter the Land, the Heritage Building or the New Duplex in contravention of this Agreement, punishable by a fine of up to \$50,000.00 or imprisonment for a term of up to 2 years, or both.
34. The Owner acknowledges that it is an offence under Section 621(1)(b) of the *Local Government Act* to fail to comply with the requirements and conditions of any heritage alteration permit issued to the Owner pursuant to this Agreement and Section 617 of the *Local Government Act*, punishable in the manner described in the preceding section.
35. The Owner acknowledges that, if the Owner alters the Land, the Heritage Building or the New Duplex in contravention of this Agreement, the City may apply to the British Columbia Supreme Court for:

- (a) an order that the Owner restore the Land or the Heritage Building or the New Duplex, or all, to their condition before the contravention;
 - (b) an order that the Owner undertake compensatory conservation work on the Land, the Heritage Building, or the New Duplex;
 - (c) an order requiring the Owner to take other measures specified by the Court to ameliorate the effects of the contravention; and
 - (d) an order authorizing the City to perform any and all such work at the expense of the Owner.
36. The Owner acknowledges that, if the City undertakes work to satisfy the terms, requirements or conditions of any heritage alteration permit issued to the Owners pursuant to this Agreement upon the Owner's failure to do so, the City may add the cost of the work and any incidental expenses to the taxes payable with respect to the Land, or may recover the cost from any security that the Owner has provided to the City to guarantee the performance of the terms, requirements or conditions of the permit, or both.
37. The Owner acknowledges that the City may file a notice on title to the Land in the Land Title Office if the terms and conditions of this Agreement have been contravened.
38. The City may notify the Owner in writing of any alleged breach of this Agreement and the Owner shall have the time specified in the notice to remedy the breach. In the event that the Owner fails to remedy the breach within the time specified, the City may enforce this Agreement by:
- (a) seeking an order for specific performance of the Agreement;
 - (b) any other means specified in this Agreement; or
 - (c) any means specified in the *Community Charter* or the *Local Government Act*,
- and the City's resort to any remedy for a breach of this Agreement does not limit its right to resort to any other remedy available at law or in equity.

Statutory Authority Retained

39. Nothing in this Agreement shall limit, impair, fetter, or derogate from the statutory powers of the City, all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled.

Indemnity

40. The Owner hereby releases, indemnifies and saves the City, its officers, employees, elected officials, agents and assigns harmless from and against any and all actions, causes of action, losses, damages, costs, claims, debts and demands whatsoever by any person, arising out of

or in any way due to the existence or effect of any of the restrictions or requirements in this Agreement, or the breach or non-performance by the Owner of any term or provision of this Agreement, or by reason of any work or action of the Owner in performance of its obligations under this Agreement or by reason of any wrongful act or omission, default, or negligence of the Owner.

41. In no case shall the City be liable or responsible in any way for:

- (a) any personal injury, death or consequential damage of any nature whatsoever, howsoever caused, that be suffered or sustained by the Owner or by any other person who may be on the Land; or
- (b) any loss or damage of any nature whatsoever, howsoever caused to the Land, or any improvements or personal property thereon belonging to the Owner or to any other person,

arising directly or indirectly from compliance with the restrictions and requirements in this Agreement, wrongful or negligent failure or omission to comply with the restrictions and requirements in this Agreement or refusal, omission or failure of the City to enforce or require compliance by the Owner with the restrictions or requirements in this Agreement or with any other term, condition, or provision of this Agreement.

No Waiver

42. No restrictions, requirements, or other provisions of this Agreement shall be deemed to have been waived by the City unless a written waiver signed by an officer of the City has first been obtained, and without limiting the generality of the foregoing, no condoning, excusing or overlooking by the City on previous occasions of any default, nor any previous written waiver, shall be taken to operate as a waiver by the City of any subsequent default or in any way defeat or affect the rights and remedies of the City.

Interpretation

43. In this Agreement, "Owner" shall mean all registered owners of the Land or subsequent registered owners of the Land, as the context requires or permits.

Headings

44. The headings in this Agreement are inserted for convenience only and shall not affect the interpretation of this Agreement or any of its provisions.

Appendices

45. All appendices to this Agreement are incorporated into and form part of this Agreement.

Number and Gender

46. Whenever the singular or masculine or neuter is used in this Agreement, the same shall be construed to mean the plural or feminine or body corporate where the context so requires.

Joint and Several

47. If at any time more than one person (as defined in the *Interpretation Act* (British Columbia)) owns the Land, each of those persons will be jointly and severally liable for all of the obligations of the Owner under this Agreement.

Successors Bound

48. All restrictions, rights and liabilities herein imposed upon or given to the respective parties shall extend to and be binding upon their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Owner and the City have executed this Agreement as of the date written above.

Signed, Sealed and Delivered in the)
 presence of:)
)
)
)
)
 _____)
 Name)
)
 _____)
 Address)
)
)
 _____)
 Occupation)
)

RAJVIR SINGH SANDHU

THE CORPORATION OF THE CITY OF NEW WESTMINSTER

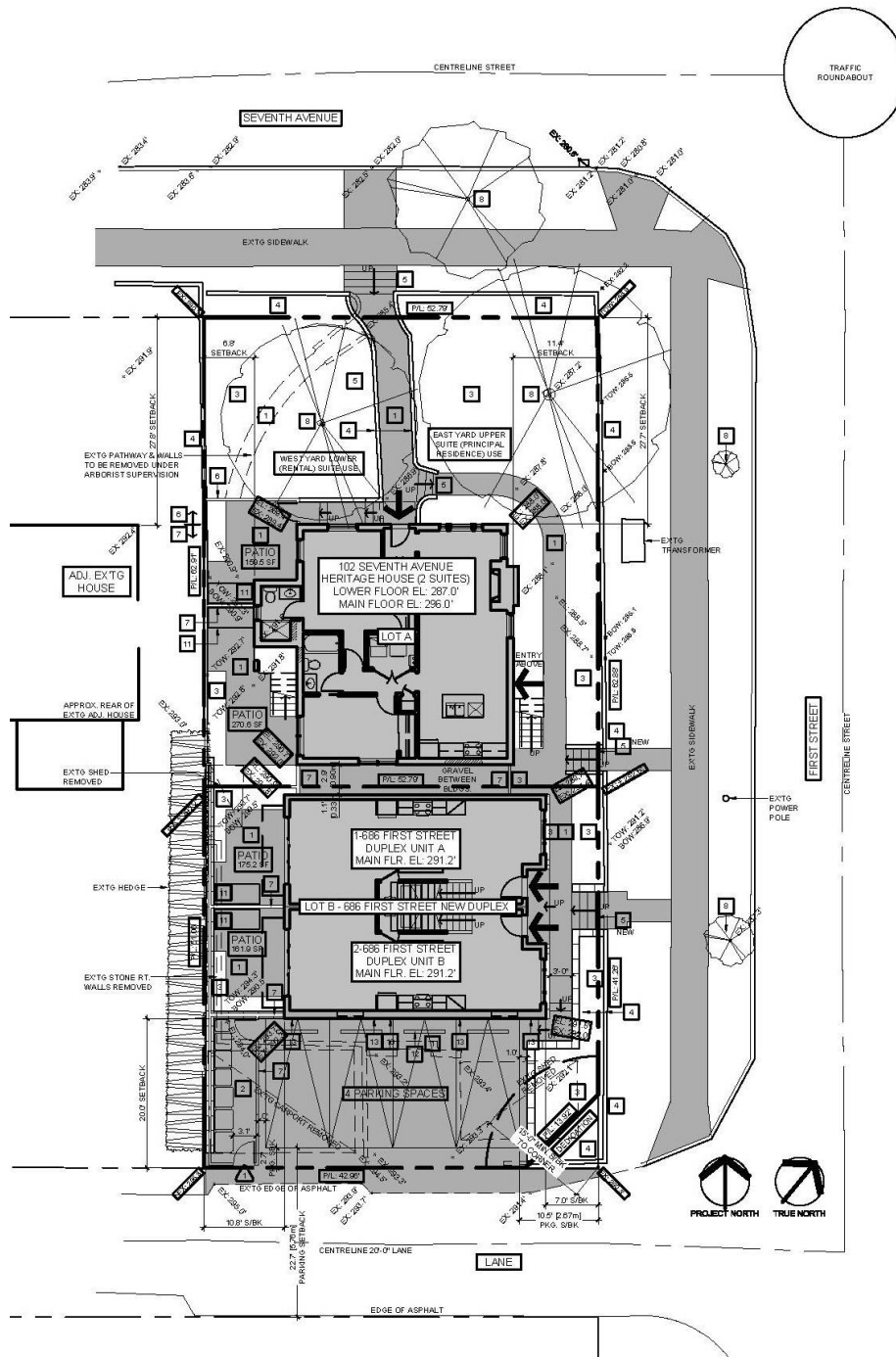
by its authorized signatories:

 Mayor Jonathan X. Cote

 Jacqueline Killawee, City Clerk

APPENDIX 1

SITE PLAN



APPENDIX 2
CONSERVATION PLAN

Heritage Conservation Plan

102 Seventh Avenue, New Westminster BC :: Maddock House ~ 1941



Prepared by Elana Zysblat, CAHP :: Ance Building Services :: February 2022

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Statement of Significance - 102 Seventh Avenue, New Westminster

Description of the Historic Place

The Maddock House is a two and a half storey Tudor Revival wood-frame house with an asymmetrical cross-gabled roof located at the corner of 1st Street and Seventh Avenue in the Glenbrooke North neighbourhood of New Westminster, BC.

Heritage Values of the Historic Place

Built in 1941, the Maddock House is valued for its association with one of the pivotal development periods of the Glenbrooke North neighbourhood of New Westminster. Glenbrooke North saw three major development periods in the first half of the 20th century - the Edwardian boom just prior to WWI, the 1920s-30s 'bungalow boom' and finally the WWII and post war growth of which the subject house is specifically representative. The subject block and surrounding streets near Herbert Spencer School (1912), are valued for representing the early section of the neighbourhood which developed initially due to its proximity to Queen's Park and other early neighbourhoods of the City.

The Maddock House makes a valued contribution to the architectural eclecticism of this historic neighbourhood. This one-of-a-kind house is noteworthy for being designed by an architect while the majority of the neighbourhood house designs were likely copied from house plan catalogues. Its strong Tudor Revival design, featuring unique and custom architectural details, is reflective of English-born Gerald and Bessie Maddock's culture from the "old country" and of Gerald's professional capacity as an architect. It is also important that this home befits the sense of stateliness that was a signature for many New Westminster streets prior to the "suburbanization" and "modernization" initiatives that began to reshape the city in the 1950s and 1960s.

Following the Maddock family 10-year residency, the Maddock House is valued for the subsequent longstanding ownership of the family of Ingval Fagerdahl, a life-long employee at the local Canfor lumber and pulp mill. This property was the Fagerdahl family home for 66 years, from 1951 until 2015, reflecting the stability and community that many working-class families found in the Glenbrooke North neighbourhood in the decades following World War II.

Character-defining elements

- Residential use since 1941
- Location on the corner lot, with primary facades and entrances on both Seventh Avenue and First Street.

- Elements of the property that provide a sense of an English country home, including the Tudor Revival design of the home, the intentional use of wood boards with some imperfections and a hand-hewn, rustic aesthetic for half-timbering details 'fastened' by round wood pegs, the informal masonry materials (granite and rubble stone) and the organic shape of the property's stone retaining walls with partially extruded cement mortar and the English-style garden.
- Residential scale, height (2.5 storeys) and massing
- Tudor Revival style, with asymmetrical facades, steeply pitched rooflines, stucco cladding and decorative half-timbering.
- Detailing of decorative half-timbering, including the use of rustically or irregularly finished boards with round wood pegs at joints, and extensive use of a crossed application pattern.
- Original window and door openings on all facades as well as two original wood entrance doors.
- Wood windows (single, double and triple assemblies) with segment top upper sashes.
- One internal brick chimney at side gable peak and one granite & concrete brick top end-wall chimney on 1st Street elevation

Current Photos



Front elevation -
north



Front and side
elevations -
northeast corner



Side elevation -
east (facing 1st
Street)



Rear elevation -
south



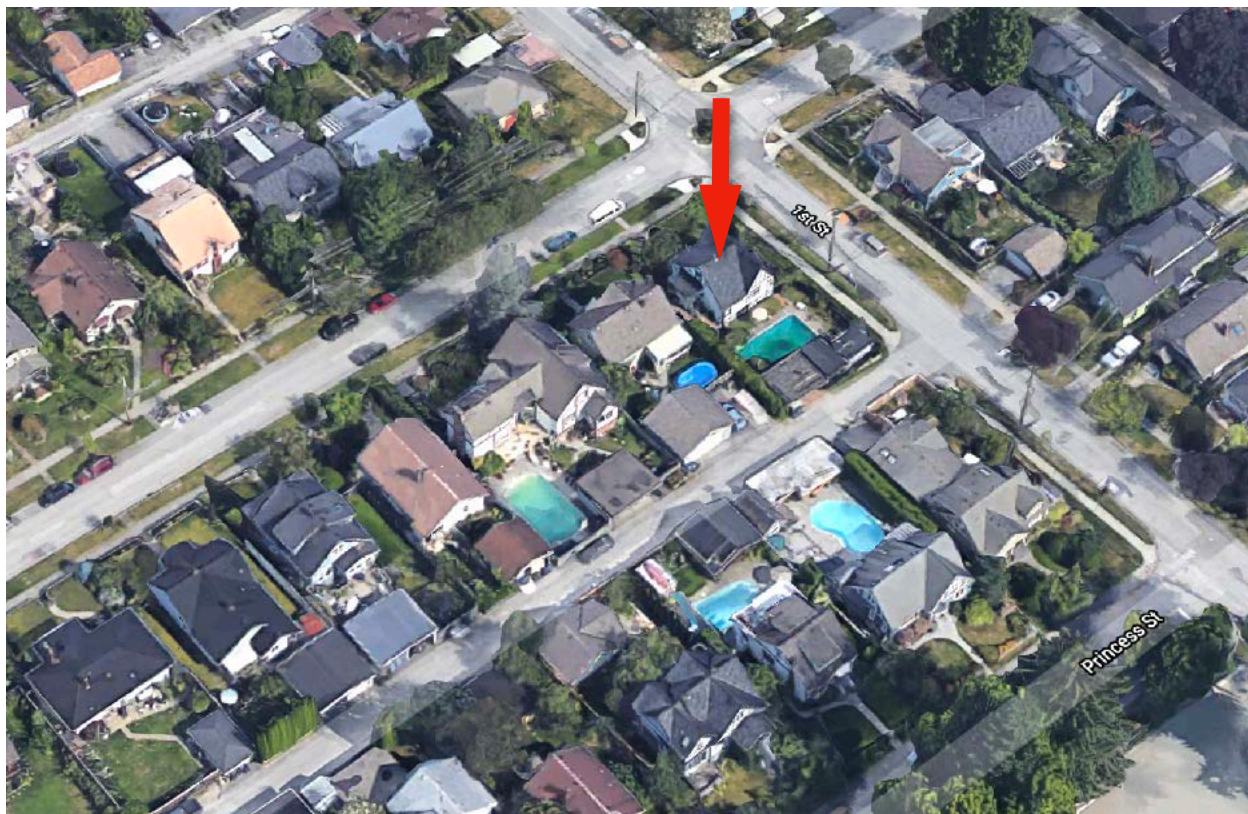
Side elevation -
west (viewed
from front)



Side elevation -
west (viewed from
rear)



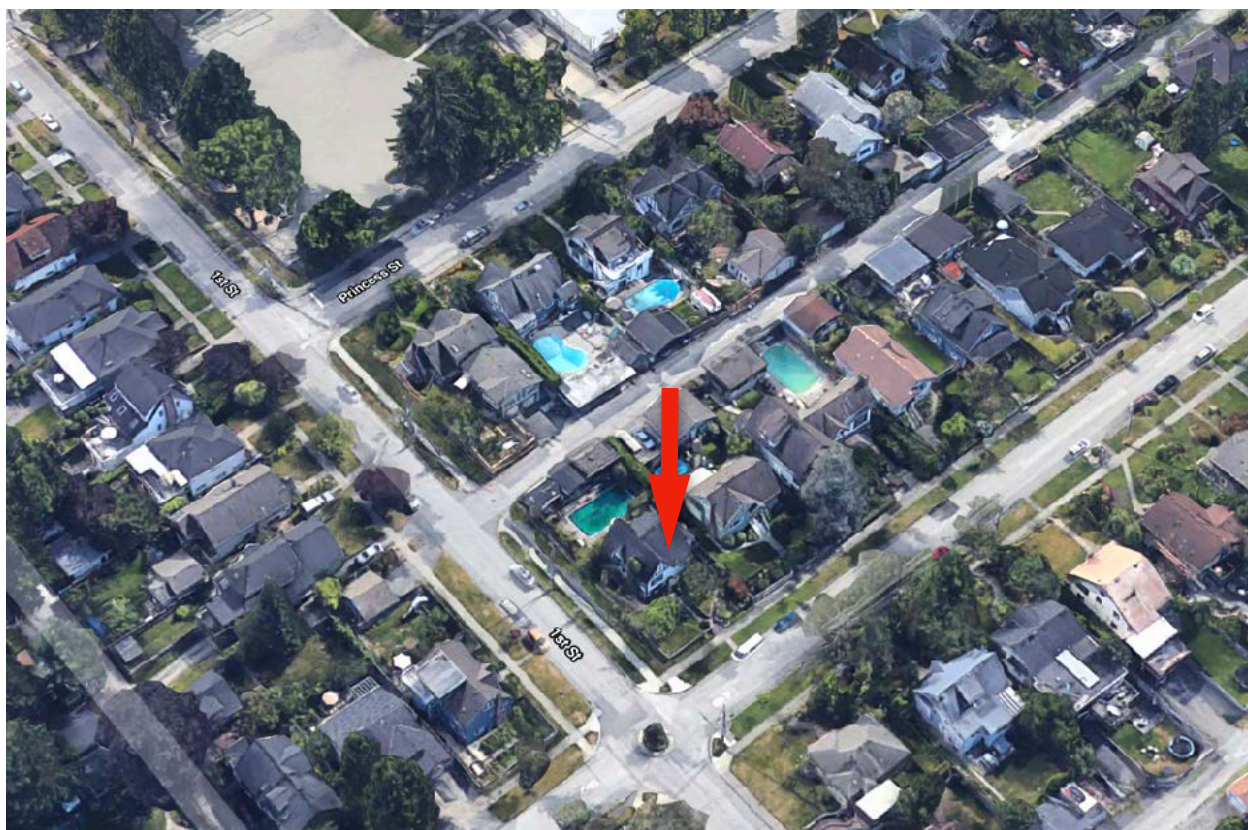
1st Street granite & concrete brick top chimney exposed after vine removal in early 2021.



Google satellite 3D view

above: from southwest **below:** from northeast.

Subject house marked with an arrow



Research Findings

Legal Address: LOT A, NEW WEST DISTRICT, PLAN NWP6672 SUBURBAN BLOCK 13, PART N 1/2, GROUP 1, OF LOTS 3 & 4; N1/2 OF LOT 6.

Date of Construction: 1941

Source: City of New Westminster Building permit – BPH07706

Original Owners: Gerald Lewellyn & Bessie Maddock

Source: City of New Westminster Building permit – BPH07706 and City Directories

Architect: Gerald Maddock

Source: City of New Westminster Building permit – BPH07706

Builder: unknown

Residents:

1941 - 1950 Maddock family

1951 - 2015 Fagerdahl* family

*The Fagerdahl family housed various renters in the basement suite. Starting in 1984, the basement suite became the residence of the Fagerdahl seniors, while one of their daughters, Kelly Jenks, lived in the main house with her husband and children.

Current- vacant

Conservation Objectives

Preservation is the overall conservation objective for the historic house.

A minor **Restoration** intervention is proposed on the East (1st Street) elevation, and minor **Rehabilitation** interventions are proposed on the West (side) and South (rear) elevations.

Rehabilitation is the overall conservation objective for the property.

The Maddock House will be conserved on its original site, with its detached single-family & rental suite existing residential use, and preserved in its 1941 exterior appearance.

To meet the development potential of the property without impacting the heritage values and Character Defining Element of the historic building, allowable and additional FSR will be added in the form of an infill duplex at the rear of this rectangular, corner lot, fronting 1st Street. The contemporary duplex design does not distract from the prominence and unique character of the Maddock House. It fits in with the surrounding homes' scale, form and finishes while being distinguishable as a contemporary introduction.

Two low-visibility, minor exterior changes are proposed for the heritage house:

1. **Restoration:** Removal of the northern flight of a twinned stair on the East elevation, introduced in the 1960s, which cuts across a ground level window opening and partially obstructs the visibility of the character defining end-wall chimney. The southern flight, which is a stair direction deemed to be original to the design of the house, will be retained.
2. **Rehabilitation:** Adjustment of a few window and door openings on the two lowest visibility elevations (west and south) to accommodate layout changes on the interior.

Preservation: *The action or process of protecting, maintaining and/or stabilizing the existing materials, form and integrity of an historic place or of an individual component, while protecting its heritage value.*

Restoration: *The action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.*

Rehabilitation: *The action or process of making possible a continuing or compatible contemporary use of an historic place or of an individual component, through repair, alterations, and/or additions, while protecting its heritage value.*

The above conservation treatment definitions are taken from the Standards & Guidelines for the Conservation of Historic Places in Canada (2nd edition).

The infill building design does not detract from the prominence and character of the Maddock House. See below renders of the preserved heritage house with the proposed infill duplex at the rear as viewed from Seventh Avenue (top), or along the side (bottom), as viewed from 1st Street. Standard 11 for Rehabilitation, in the Standards and Guidelines for the Conservation of Historic Places in Canada, requires new additions to historic places to be *subordinate*, *distinguishable* and *compatible*. The proposed duplex design, form and siting achieves this in its matching scale to the surrounding homes, and its traditional gabled roofs (compatibility); Clear contemporary design and finishes (distinguishability); Reduced texture and architectural ornamentation (subordinate).



Renders Source: Lodge Craft

Condition Assessment

Overall the building is in **good** condition.

a. Structure

The building lines are true to the eye - there is no visual evidence of structural distortion.

b. Foundation

The visible portions of the board-formed concrete foundation on the exterior appear in **good** condition, but a full structural assessment of the foundation was not conducted.

Right: A photo of the northeast corner of the white-painted board-formed concrete foundation



c. Exterior Wood Elements

The fascia and trim boards as well as the decorative half-timbering boards are all in **good** condition. No individual board was identified as damaged or deteriorated.

Right: A close-up photo of the intentional rustic character of the half-timbering boards



d. Stucco cladding

The textured stucco cladding is generally in **good** condition but there are minor spots (especially at corner or entrances) where it has been nicked and broken.

e. Roofing and gutters

The roof shingles and rainworks are all in **fair** condition and appear to be towards the end of their life cycle.

f. Chimneys

The internal brick chimney at side gable peak is in **fair** condition with gaping mortar joints and possibly inappropriate mortar. The excessive flashing is distracting. This chimney needs to be closely assessed by a conservation mason.



The granite & concrete brick top end-wall chimney on the 1st Street elevation is also in **fair** condition. There is evidence of inappropriate or inconsistent repairs in the concrete brick portion of the stack and evidence of missing mortar, loose granite stones and even missing granite stores on the north edge where it meets the roof. This chimney needs to be closely assessed by a conservation mason.



g. Windows and Doors

All of the windows and doors are wood and appear to be original to the 1941 construction and design. They appear to be in **good** condition but their individual operability was not assessed yet.

Right: A photo showing the segment-top wood windows.



h. Finishes

The current paint finish is in **good** condition both on the wood elements and stucco.

i. Concrete side stair

Likely a 1960s replacement of an earlier stair case, this concrete stair at the 1st Street entrance is distinguishable and subordinate as an addition and is in **good** condition. The only flaw is its unnecessary twinned flights, the northern of which blocks an original basement window and encroaches too closely on the character defining granite chimney.

Right: The northern flight of the side concrete stair blocking a window and in very close proximity to the granite chimney.



Recommended Conservation Treatments

a. Structure - *Preservation*

Conserve the existing structure in situ with no proposed changes.

b. Foundation - *Preservation*

Structural engineer to thoroughly inspect existing concrete foundation. Preserve in situ with no proposed changes.

c. Exterior Wood Elements - *Preservation*

Preserve all exterior wood elements in situ, unless certain boards are determined by a finishing carpenter to be damaged beyond repair and confirmed by heritage consultant. Boards that cannot be preserved are to be restored (replaced in-kind with the same dimension, profile and unique rustic finish).

d. Stucco cladding - *Preservation*

Retain the original, textured stucco cladding in situ. Repair any damaged spots with the help of a stucco professional who can replicate the exact texture seamlessly.

e. Roof and gutters - *Restoration*

Reroof in multi-coloured duroid roofing shingles (an acceptable alternative for cedar shakes) to restore the look of a rustic cedar or thatched roof typical of Tudor Revival homes (see shingle specification in Lodge Craft HRA package). Install new neutral/discreet coloured gutters (slate grey).

f. Chimneys - *Restoration*

Work with a conservation mason to assess both chimneys and conduct careful repointing for internal red brick chimney and carry out repointing, repairs and installation of missing granite stones (rustic, organic cuts as per current character of chimney) at granite end-wall chimney. For end-wall chimney also restore missing granite stones (see missing area in photo) using the ashlar pattern and multi-sized rough cut stones, and address inconsistent repairs and brick sizes at concrete brick stack.




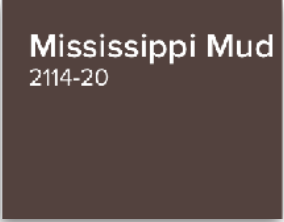
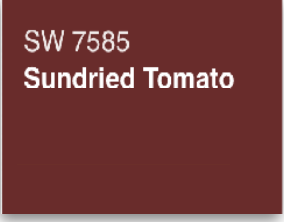

g. Windows and Doors - Preservation and Rehabilitation

Preserve all the windows and the front and side (1st St.) doors in situ. Assess their operability and perform any repair and maintenance needed to improve these, using an experienced finishing carpenter with proven experience in working with historic windows and doors.

Remove four low visibility windows on the south elevation and one basement window on the west elevation, which conflict with proposed new and improved layouts. Relocate the rear (west) door to an existing window opening and enlarge a small window opening on this elevation as well, both reasonable and low visibility interventions to improve natural light and flow in the main house. See door and window schedule in Lodge Craft HRA package and elevation details on pages 21 and 22.

h. Finishes - Restoration

Repaint the exterior in a traditional Tudor Revival colour scheme with traditional sheens, as current, but using researched late 1930s colours:

	<u>Building area</u>	<u>Researched 1930s Colour</u>	<u>Sheen</u>
	body (stucco)	Sensible White (California Paints) matches Benjamin Moore Dove Wing OC-18	Low luster
	All trim boards, sills facia, half-timbering, window sashes	Eclectic Trim (California Paints) matches Benjamin Moore Mississippi Mud 2114-20	Semi-gloss for trim boards and high gloss for window sashes
	Doors	Bright Red 33 (General Paint) matches Sherwin Williams Sun-dried Tomato 7585	High gloss
	Roof shingles	Royal Granite (Iko Crown Slate)	

Light fixtures - Restoration

There are two high visibility locations for light fixtures at the front and 1st Street entrances.

Install new Tudor/Arts & Crafts style light fixtures - a flush mount for the front door and a wall lantern for the side door. Appropriate design/model options are below. Confirm with the heritage consultant before ordering.



Rejuvenation Columbia 5" Arts & Crafts Lantern Wall Sconce



Feiss Shepherd 2 Light Flush Mount

Proposed Changes by Elevation

Front (north) elevation

no proposed changes on front elevation expect for adjusted colour scheme



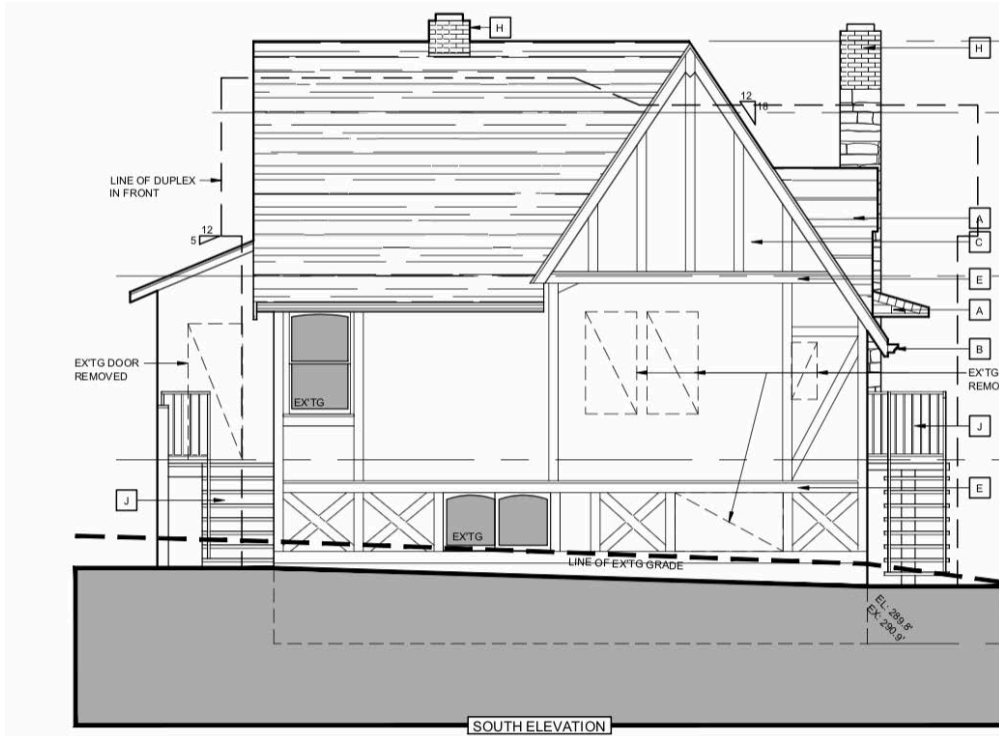
Existing front elevation
north



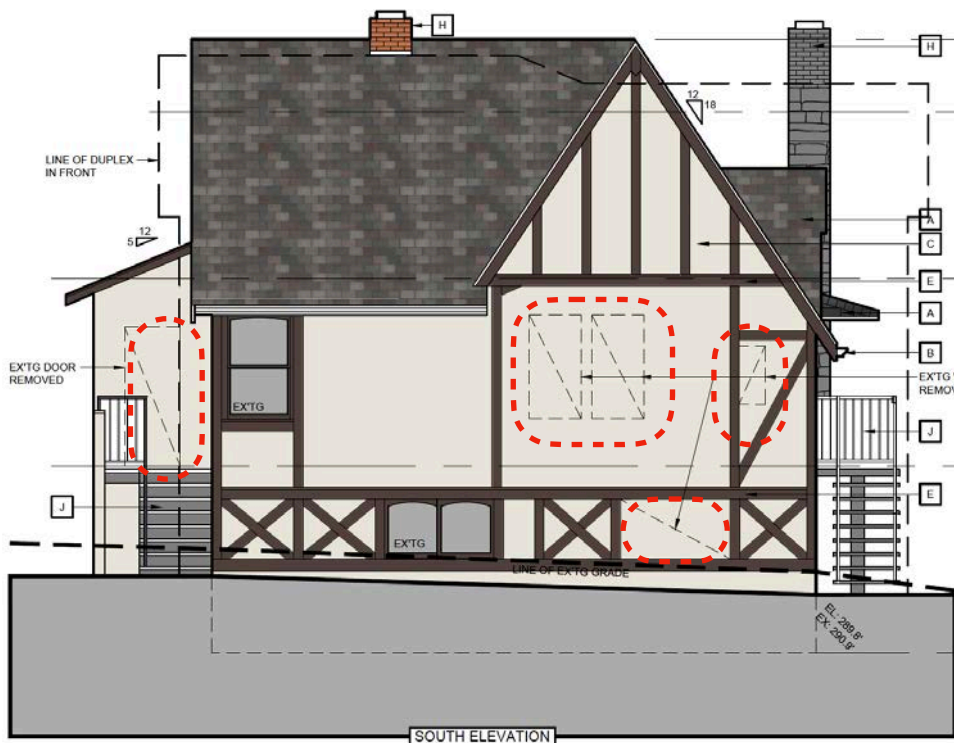
Proposed front elevation
north

Rear (south) elevation

Window and door opening changes to this very low visibility elevation to accommodate adjusted interior layouts (see outlined in red on proposed elevation).



Existing rear elevation
south



Proposed rear elevation
south

Side (east) elevation

Removal of northern flight of exterior stair



Existing side elevation
east



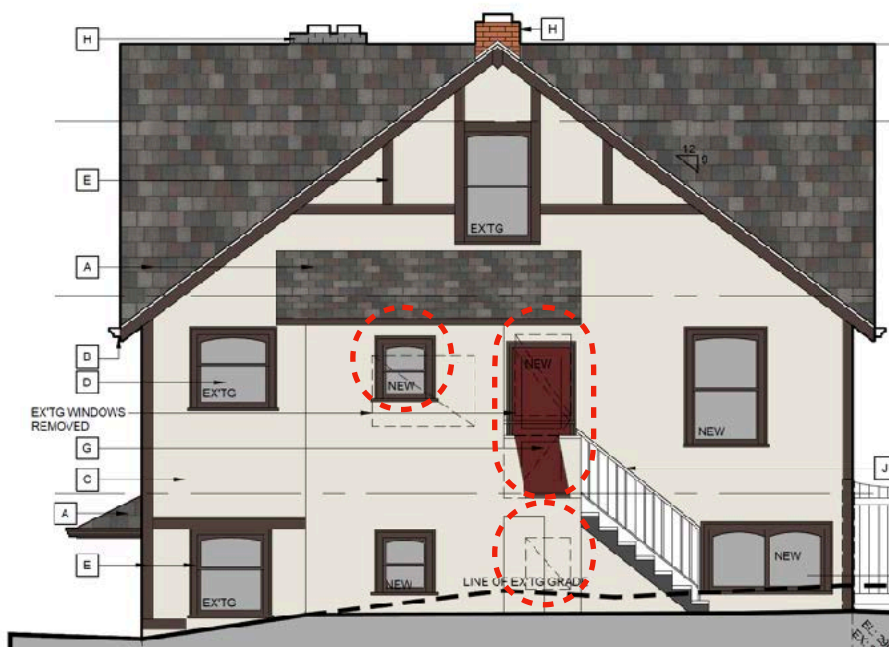
Proposed side elevation
east

Side (west) elevation

Window and door opening changes to this very low visibility elevation to accommodate adjusted interior layouts (see outlined in red on proposed elevation). Change of one window size (replica in-kind of existing window, but smaller), removal of a window, and change of one window opening into a door, through the relocation of the existing door from the porch structure to the elevation wall, now facing west.



Existing side elevation
west



Proposed side elevation
west

Maintenance Plan

Following completion of the conservation works, the owner must maintain the building and land in good repair and in accordance with generally accepted maintenance standards. All work should follow *The Standards and Guidelines for the Conservation of Historic Places in Canada (2nd Edition)*. The local government determines an acceptable level or condition to which the heritage building is maintained through the Heritage Maintenance Bylaw. As with the Heritage Conservation Plan, such maintenance standards apply only to the building exterior.

As general upkeep is frequently overlooked and will lead to deterioration of heritage resources, maintenance standards warrant special attention. Any building should be kept in a reasonable condition so it continues to function properly without incurring major expenses to repair deterioration from neglect. The most frequent source of deterioration problems are from poorly maintained roofs, rainwater works and destructive pests.

Establish a maintenance plan using the information below:

Maintenance Checklist

a. Site

- Ensure site runoff drainage is directed away from buildings.
- It is recommended to maintain min. 2 foot clearance between vegetation and building face and a 12 inch wide gravel strip against the foundation in planted areas.
- Constantly manage vegetation (vines, etc.) that is ornamentally attached to the building.

b. Foundation

- Review exterior, and interior where visible, for signs of undue settlement, deformation or cracking of foundation and if encountered seek advice from Professional Engineer.
- Ensure perimeter drainage piping is functioning satisfactorily.
- Inspect basement interior for signs of moisture migrating through foundation walls in the form of efflorescence (a white powder on concrete) or staining of finishes. A "smell test" for musty air can indicate a moisture problem.

c. Wood Elements

- In the wet coastal climate of British Columbia maintaining integrity of exterior wood elements is critical in preventing water ingress into buildings.
- Annually inspect wood elements for signs of deterioration, identify source of problem and take corrective repair/replacement action:
 - o wood in contact with ground or plantings;
 - o excessive cupping, loose knots, cracks or splits;
 - o open wood-to-wood joints or loose/missing fasteners;
 - o attack from biological growth (moss, moulds, etc.) or infestations (carpenter ants, etc.);
 - o animal damage or accumulations (chewed holes, nesting, bird/rodent droppings) USE HAZARDOUS MATERIALS PROCEDURES;
 - o signs of water ingress (rot, staining, mould, infestation).
- Closely inspect highly exposed wood elements such as porches, railings and stairs for deterioration. Anticipate replacement in-kind of portions of these elements every 10-15 years.
- Inspect visible caulking joints for continuity and shrinkage. Expect to redo caulking every 3-5 years.
- Repainting shall be in historic colours as approved in this plan or with a Heritage Alteration Permit (HAP) issued by the Local Authority.

d. Stucco

- Most stucco deterioration is the result of water infiltration, either through the roof, around chimneys, window and door openings, or excessive ground water or moisture penetrating through, or splashing up from the foundation. After the cause of deterioration has been identified, any necessary repairs to the building should be made first before repairing the stucco.
- In the interest of saving or preserving as much as possible of the historic stucco, patching rather than wholesale replacement is preferable.

e. Windows and Doors

- Replace cracked or broken glass as it occurs.
- Check satisfactory operation of windows and doors.
- Check condition and operation of hardware for rust or breakage. Lubricate hardware annually.
- Inspect weather stripping for excessive wear and integrity.

f. Roofing and Rainwater Works

- Inspect roof condition every 5 years, looking for:
 - o loose, split or missing shingles, especially at edges, ridges and hips;
 - o excessive moss growth and/or accumulation of debris from adjacent trees;
 - o flashings functioning properly to shed water down slope.
- Remove roof debris and moss with gentle sweeping and low-pressure hose.
- Plan for roof replacement every 18-22.
- Annually inspect and clean gutters, flush out downpipes. Ensure gutters positively slope to downpipes, there are no leaks or water splashing onto building.
- Ensure gutter hangers and rainwater system elements intact and secure.
- Ensure downpipes inserted into collection piping stub-outs at grade and/or directed away from building onto concrete splash pads.

g. General Cleaning

- Building exterior should be regularly cleaned depending on build up of atmospheric soot, biological growth and/or dirt up-splash from ground.
- Cleaning prevents buildup of deleterious materials which can lead to premature and avoidable maintenance problems.
- Windows, doors and rainwater works should be cleaned annually.

- When cleaning always use gentlest means possible such as soft bristle brush and low-pressure hose. Use mild cleaner if necessary such as diluted TSP or Simple Green®.
- Do not use high-pressure washing as it will lead to excessive damage to finishes, seals, caulking and wood elements, and it will drive water into wall assemblies and lead to bigger problems.

Research Resources

ancestry.ca Municipal voters lists

BC Archives - Death certificates for Maddocks and Fagerdahls

BC Assessment – Listing for 102 7th Avenue. States house built in 1941. Link: <https://www.bcassessment.ca//Property/Info/QTAWMDAzVVNZRw>

City of New Westminster- Building permit records - CityViews database

New Westminster Museum & Archives - Tax Assessments, Water Connection Records, Field Inspection Cards, 1931-1947 Fire Insurance Plan

New Westminster Public Library - Historic directories, Fire insurance maps, Municipal Voters Lists, Columbian Daily newspaper - various archival editions

Donald Luxton & Associates. 2018. Heritage Resources of Maple Ridge (Brief mention about architect Gerald Maddock on page 193)

Denise Cook Design, Birmingham & Wood, Jean Barman. 2009. Historical Neighbourhood Context Statement for Glenbrooke North.

newspapers.com:

Ingval Olaf Fagerdahl obit (with photo) Source: Province Newspaper July 5, 2007.

Newspaper obituary for Rita Fagerdahl, Vancouver Sun January 8, 2010.

Information submitted by Kelly Jenks, Fagerdahl's daughter, February 25th 2022.

APPENDIX 3

CONFIRMATION OF COMMITMENT BY REGISTERED PROFESSIONAL

Date: _____

City of New Westminster

511 Royal Avenue

New Westminster, BC

V3L 1H9

Attention: Director of Climate Action, Planning and Development

Re: Heritage Revitalization Agreement for 102 Seventh Avenue

The undersigned hereby undertakes to be responsible for field reviews of the construction carried out at the captioned address for compliance with the requirements of Appendix 2 (Conservation Plan) of the Heritage Revitalization Agreement applicable to the property, which the undersigned acknowledges having received and reviewed, and undertakes to notify the City of New Westminster in writing as soon as possible if the undersigned's contract for field review is terminated at any time during construction. This letter is not being provided in connection with Part 2 of the British Columbia Building Code, but in connection only with the requirements of the Heritage Revitalization Agreement.

Registered Professional's Name

Address

Telephone No.

Signature or Seal

APPENDIX 4

CERTIFICATION OF REGISTERED PROFESSIONAL

Date: _____

City of New Westminster

511 Royal Avenue

New Westminster, BC

V3L 1H9

Attention: Director of Climate Action, Planning and Development

Re: Heritage Revitalization Agreement for 102 Seventh Avenue

I hereby give assurance that I have fulfilled my obligations for field review as indicated in my letter to the City of New Westminster dated _____ in relation to the captioned property, and that the architectural components of the work comply in all material respects with the requirements of Appendix 2 (Conservation Plan) of the Heritage Revitalization Agreement referred to in that letter. This letter is not being provided in connection with Part 2 of the British Columbia Building Code, but in connection only with the requirements of the Heritage Revitalization Agreement.

Registered Professional's Name

Address

Telephone No.

Signature or Seal

APPENDIX 5
APPROVED PLANS



VIEW FROM NORTH

DRAWING LIST

ARCHITECTURAL

- A-1.1

COVER SHEET
- A-1.2

PROJECT DATA, CONTEXT MAP
- A-1.3

SITE PLAN
- A-1.4

STREET ELEVATIONS
- A-1.5

SITE SECTIONS
- A-2.1

HERITAGE HOUSE: LOWER FLOOR PLAN,
- A-2.2

HERITAGE HOUSE: UPPER FLOOR PLAN
- A-2.3

HERITAGE HOUSE: ATTIC PLAN
- A-2.4

HERITAGE HOUSE: ROOF PLAN
- A-3.1

HERITAGE HOUSE: BUILDING SECTION
- A-3.2

HERITAGE HOUSE: BUILDING SECTION
- A-4.1

HERITAGE HOUSE: NORTH ELEVATION / BUILDING HEIGHT
- A-4.2

HERITAGE HOUSE: EAST ELEVATION
- A-4.3

HERITAGE HOUSE: SOUTH ELEVATION
- A-4.4

HERITAGE HOUSE: WEST ELEVATION
- A-4.5

HERITAGE HOUSE: COLOURED NORTH ELEVATION / BUILDING HEIGHT
- A-4.6

HERITAGE HOUSE: COLOURED EAST ELEVATION
- A-4.7

HERITAGE HOUSE: COLOURED SOUTH ELEVATION
- A-4.8

HERITAGE HOUSE: COLOURED WEST ELEVATION
- A-5.1

DUPLEX: MAIN FLOOR PLAN
- A-5.2

DUPLEX: UPPER FLOOR PLAN
- A-5.3

DUPLEX: ROOF PLAN
- A-6.1

DUPLEX: BUILDING SECTIONS
- A-7.1

DUPLEX: EAST ELEVATION / BUILDING HEIGHT
- A-7.2

DUPLEX: SOUTH ELEVATION
- A-7.3

DUPLEX: WEST ELEVATION
- A-7.4

DUPLEX: NORTH ELEVATION
- A-7.5

DUPLEX: COLOURED EAST ELEVATION / BUILDING HEIGHT
- A-7.6

DUPLEX: COLOURED SOUTH ELEVATION
- A-7.7

DUPLEX: COLOURED WEST ELEVATION
- A-7.8

DUPLEX: COLOURED NORTH ELEVATION
- A-8.1

DOOR & WINDOW SCHEDULES
- A-8.2

TYPICAL FENCE DETAILS
- A-9.1

CONTEXT / HERITAGE HOUSE PHOTOS
- A-9.2

SITE SERVICES PLAN


LANDSCAPE

- L-1.0

LANDSCAPE SITE PLAN
- L-2.0

PLANTING PLAN

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DATE: Y/M/D	ISSUE/REVISION
21/09/01	ISSUED FOR HRA REZONING
22/01/10	RE-ISSUED FOR HRA REZONING
22/01/31	RE-ISSUED FOR HRA REZONING



2119 Edinburgh Street
New Westminster, BC
V3M 2X9 Canada

778-883-2024
christa@lodgecraft.ca

PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

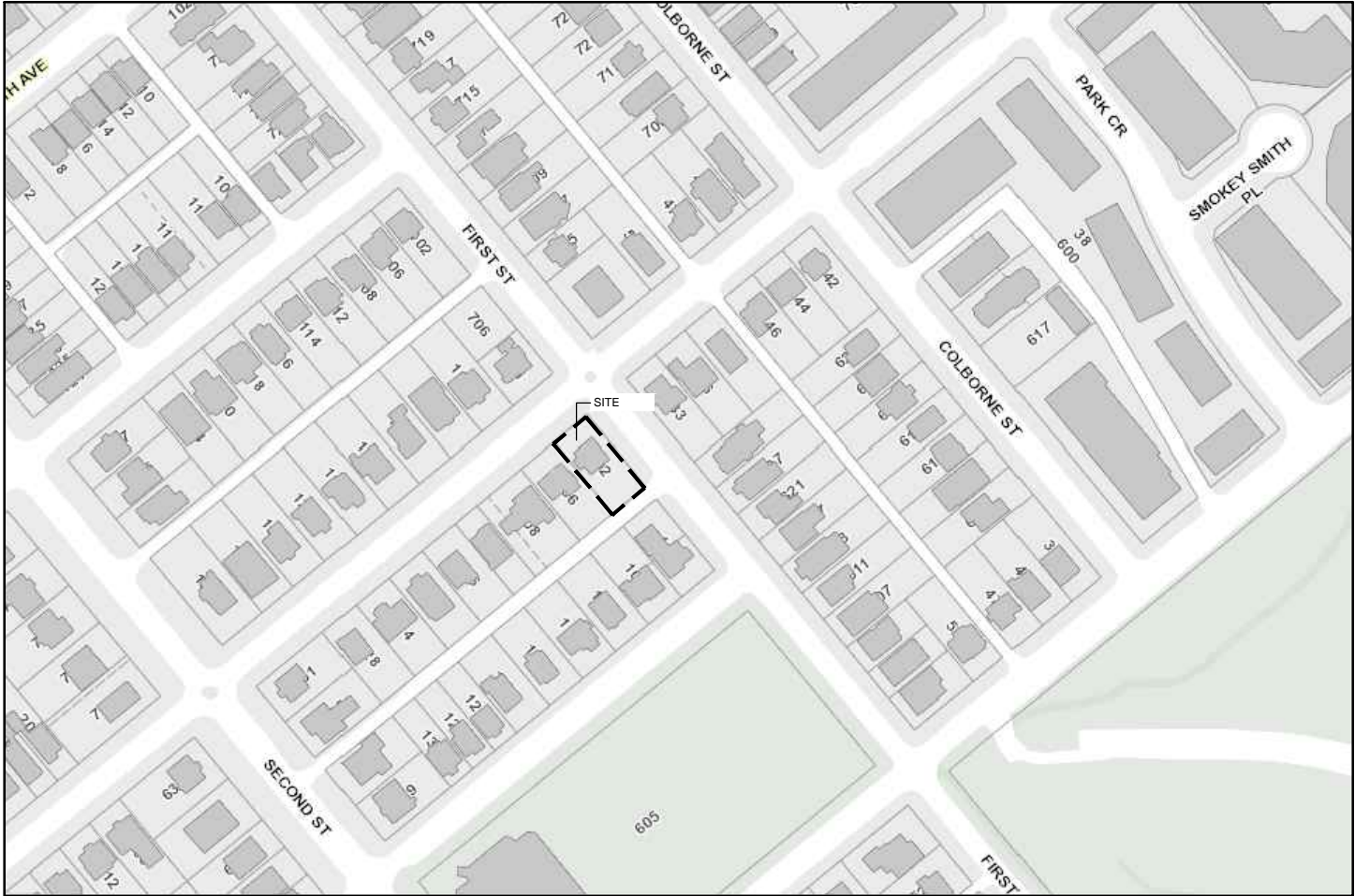
DRAWING TITLE:
COVER SHEET

DWG. START DATE: JAN 2020

SCALE: N/A

REVISION NO.: 0

DRAWING NO.: A-1.1



1 CONTEXT MAP
SCALE: N.T.S.



2 SITE CONTEXT
SCALE: N/A

OVERALL SITE PROJECT DATA

LEGAL DESCRIPTION: LOT A OF LOTS 3 AND 4 OF THE NORTH HALF OF LOT 6
SUBURBAN BLOCK 13 NWD PLAN 6672

PID: 002-367-343

CIVIC ADDRESS: 102 SEVENTH AVENUE

EXTG ZONING: SINGLE DETACHED/RS-1

PROPOSED ZONING / USE: HERITAGE REVITALIZATION AGREEMENT (HRA)

LOT SIZE: 5968.53 SF [554.48m²]

	PERMITTED/REQ'D	EXTG/PROPOSED
PROJECT FLOOR SPACE RATIO:	0.5 (3008.50 SF)	0.76 (4547.20 SF)
PROJECT SITE COVERAGE:	35% (2106.95 SF)	33.68% (2010.00 SF)
PROJECT ATTACHED ACCESSORY:	10% (601.70 SF)	2.20% (132.46 SF)
PARKING:	4	4
BIKE PARKING:	0	4 BIKE LOCKERS

DEVELOPMENT VARIANCE REQUIRED

PROJECT DATA - NEW LOT HERITAGE HOUSE

CIVIC ADDRESS: 102 SEVENTH AVENUE

EXTG ZONING: SINGLE DETACHED/RS-1

PROPOSED ZONING / USE: HERITAGE REVITALIZATION AGREEMENT (HRA)/SINGLE DETACHED

NOTE: ZONING CALCULATIONS COMPARED TO RS-1 RESIDENTIAL ZONE REGULATIONS

HEIGHT DATUM: (290.1'+285.9'+292.0'+292.2')/4 = 290.1'

	PERMITTED/REQ'D	EXTG/PROPOSED
LOT SIZE:	6000.00 SF	3319.98 SF
HEIGHT:	25.00'	19.83'
ROOF PEAK:	35.00'	26.40'
FLOOR SPACE RATIO:	0.5 (1660.26 SF)	0.75 (2497.20 SF)
SITE COVERAGE:	0.35 (1162.18 SF)	0.30 (985.00 SF)
ATTACHED ACCESSORY:	10% (332.05 SF)	1.6% (52.46 SF)
SETBACKS:		
FRONT YARD (SEVENTH AVE):	12.8'	27.7'
SIDE YARD (FIRST ST.):	5.0'	11.4'
REAR YARD (SOUTH):	12.8'	2.9'
SIDE YARD (WEST):	5.0'	6.8'

PROJECT DATA - NEW LOT DUPLEX

CIVIC ADDRESS: 686 FIRST STREET

EXTG ZONING: SINGLE DETACHED/RS-1

PROPOSED ZONING / USE: HERITAGE REVITALIZATION AGREEMENT (HRA) DUPLEX

NOTE: ZONING CALCULATIONS COMPARED TO RT-1 DUPLEX ZONE REGULATIONS

HEIGHT DATUM: (292.0'+292.2'+290.3'+295.3')/4 = 292.4'

	PERMITTED/REQ'D	EXTG/PROPOSED
LOT SIZE:	6000.00 SF	2648.55 SF
HEIGHT:	25.0'	18.6'
FLOOR SPACE RATIO:	0.6 (1617.98 SF)	0.77 (2050.00 SF)
SITE COVERAGE:	0.4 (1078.66 SF)	0.39 (1025.00 SF)
ATTACHED ACCESSORY:	10% (269.66 SF)	3.00% (80.00 SF)
SETBACKS:		
FRONT YARD (FIRST ST.):	10.6'	7.0'
SIDE YARD (LANE):	5.0'	20.0'
REAR YARD (WEST):	10.6'	10.8'
SIDE YARD (NORTH):	5.0'	1.1'
TOTAL SIDE YARDS:	12.5'	21.1'

DWELLING UNIT SUMMARY (FSR)

BLDG.	UNIT	ADDRESS	TYPE	AREA	BLDG. TOTAL	ATTACHED ACCESSORY	PRIV. OUTDR.
HERT. HS.	UPPER	1-102 SEVENTH AVE.	3 BDRM	1515.70 SF		39.80 SF	270.59 SF
	LOWER	2-102 SEVENTH AVE.	2 BDRM RENTAL	981.50 SF		12.66 SF	159.50 SF
	TOTAL			2497.20 SF	2497.20 SF	52.46 SF	
DUPLEX	UNIT A	1-686 FIRST ST.	2 BDRM	1025.00 SF		40.00 SF	175.23 SF
	UNIT B	2-686 FIRST ST.	2 BDRM	1025.00 SF		40.00 SF	161.90 SF
					2050.00 SF	80.00 SF	
	TOTAL				4547.20 SF	132.46 SF	767.22 SF

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22/01/31	RE-ISSUED FOR HRA REZONING



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New Westminster, BC
V3M 2X9 Canada

778-883-2024
christa@lodgecraft.ca

PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
PROJECT DATA
CONTEXT MAP

DWG. START DATE: JAN 2020

SCALE: 1/8"=1'-0"

REVISION NO.: 0

DRAWING NO.:

A-1.2

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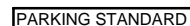
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ISSUE/REVISION

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RE-ISSUED FOR HRA REZONING

RE-ISSUED FOR HRA REZONING



TYP. PARKING
PAD SPACE

SITE PLAN KEYED NOTES:

1. TYP. EXTG/NEW PAVERS
- SEE LANDSCAPE
2. GARBAGE & RECYCLING
3. TYP. EXTG/NEW GROUND
COVER/PLANTINGS
- SEE LANDSCAPE
4. EXTG/NEW RETAINING WALL
5. TYP. EXTG/NEW STAIRS
6. TYP. NEW 4'-0" HIGH WOOD FENCE &
GATE - SEE LANDSCAPE
7. TYP. NEW 6'-0" HIGH WOOD FENCE &
GATE - SEE LANDSCAPE
8. EXTG TREE RETAINED
9. NEW TREE - SEE LANDSCAPE
10. ENERGIZED LEVEL 2 OUTLET FOR EV
11. TYP. BIKE LOCKER
12. TYP. WHEELSTOP
13. PARKING LIGHTS - KICHLER, WESLEY

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HRA RESTORATION AND INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:

SITE PLAN

DWG. START DATE:

JAN 2020

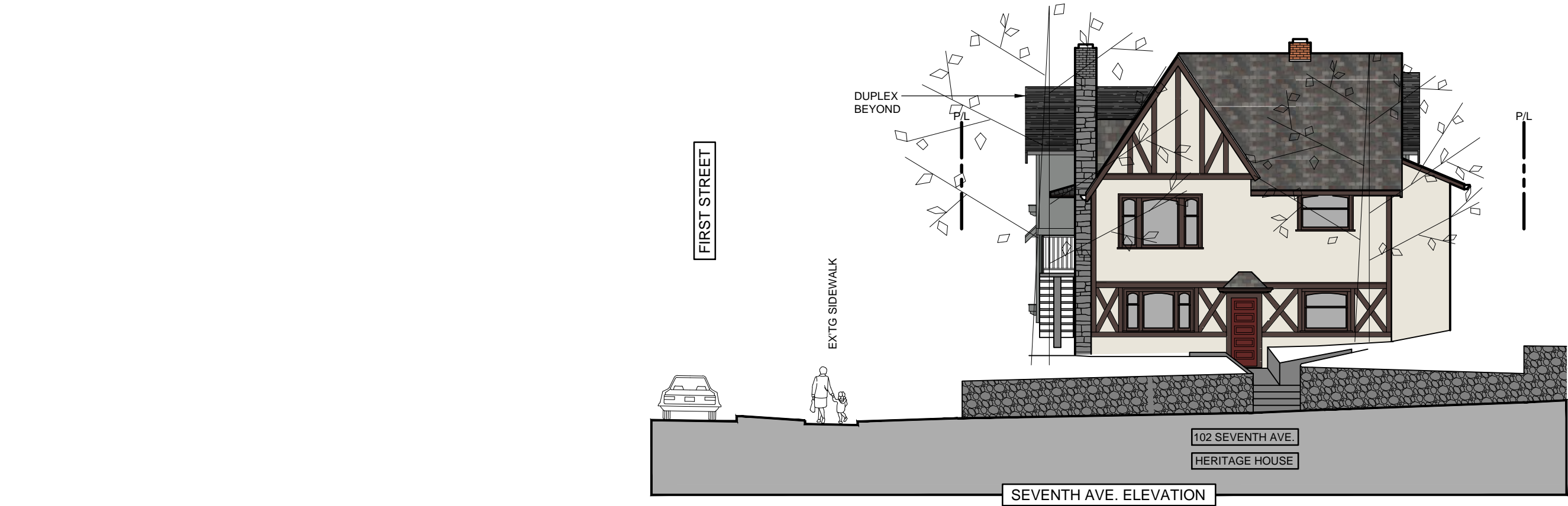
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$$1/16^8 = 1 \cdot 10^5$$

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A-1.3



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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
STREET ELEVATIONS

DWG. START DATE:	JAN 2020
SCALE:	3/32"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	

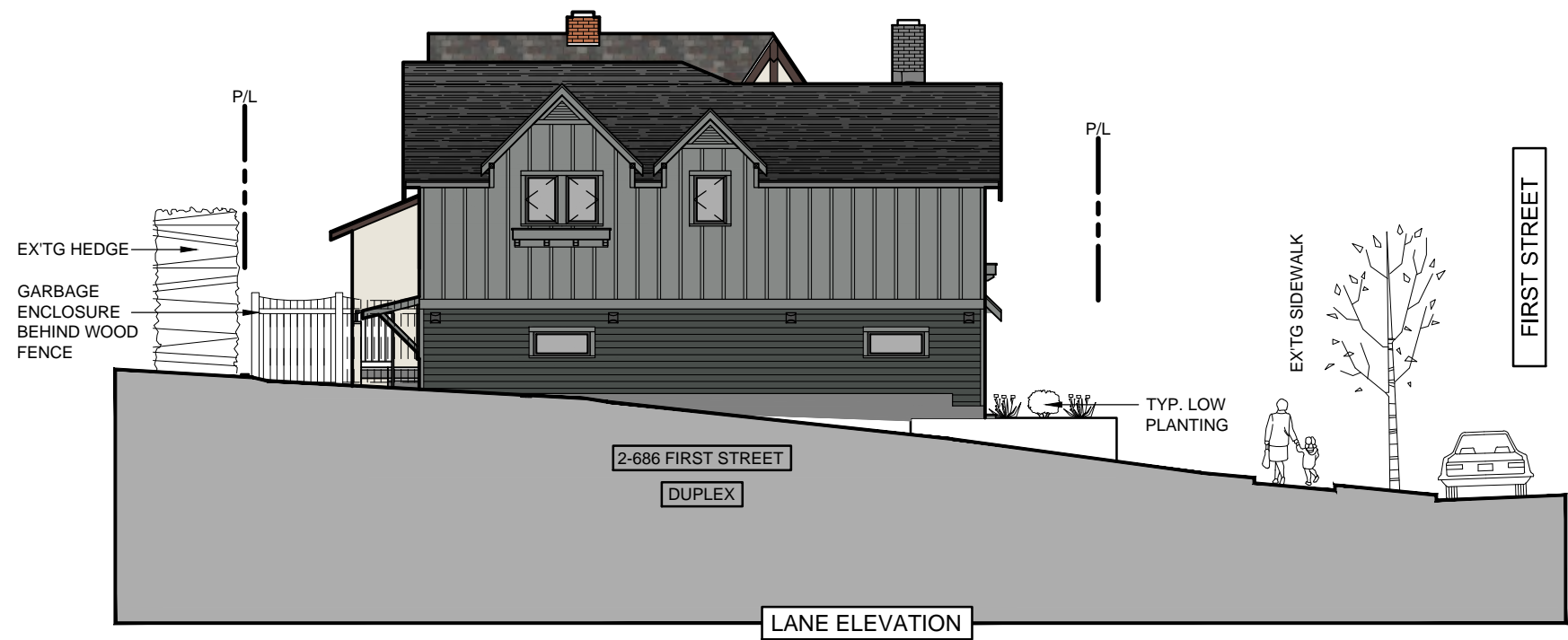
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PROJECT NO.: 19-011

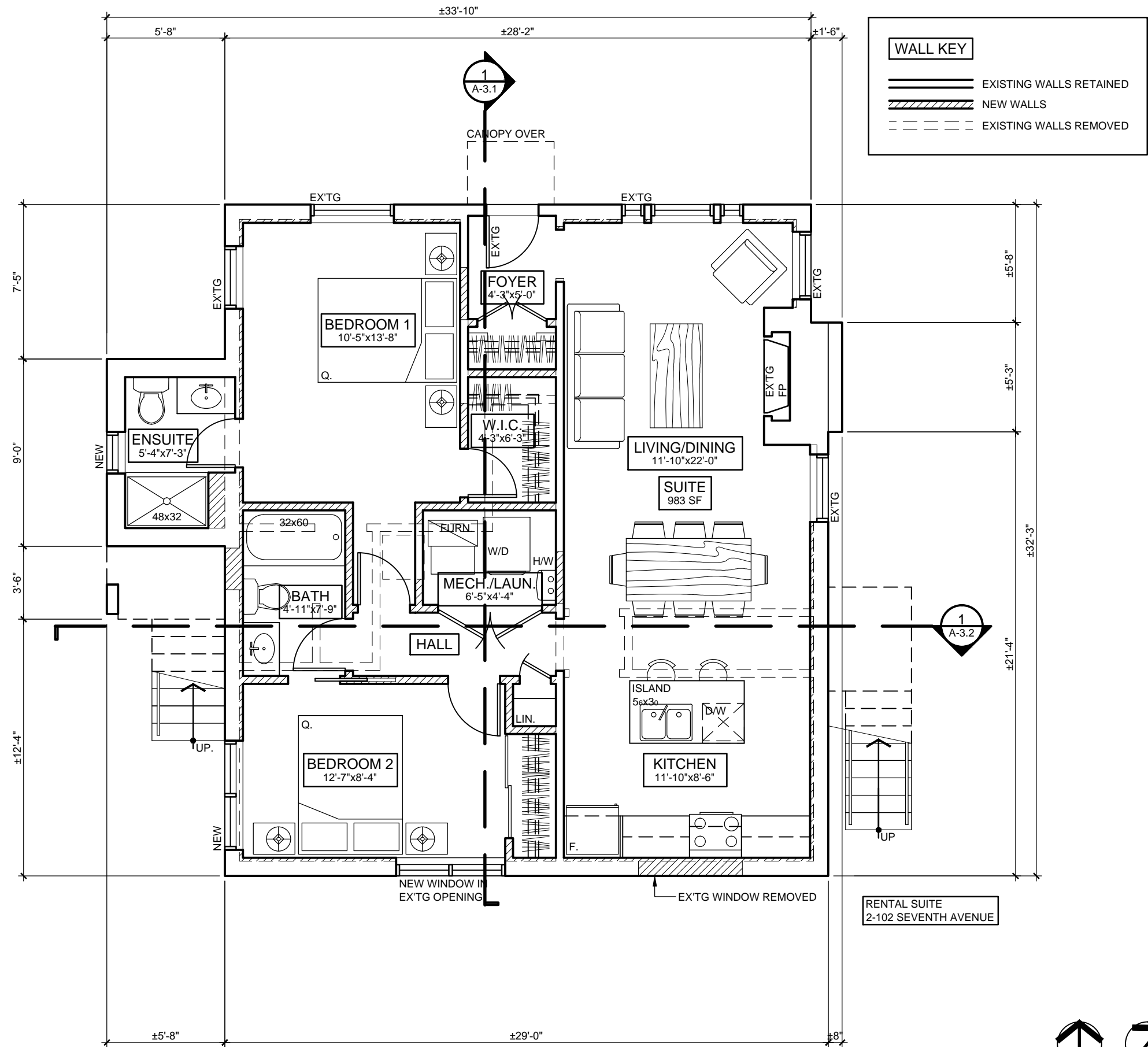
PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
SITE SECTIONS

DWG. START DATE:	JAN 2020
SCALE:	3/32"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-1.5



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22/01/10	RE-ISSUED FOR HRA REZONING
22/01/31	RE-ISSUED FOR HRA REZONING

lodge CRAFT

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New Westminster, BC
V3M 2X9 Canada

778-883-2024
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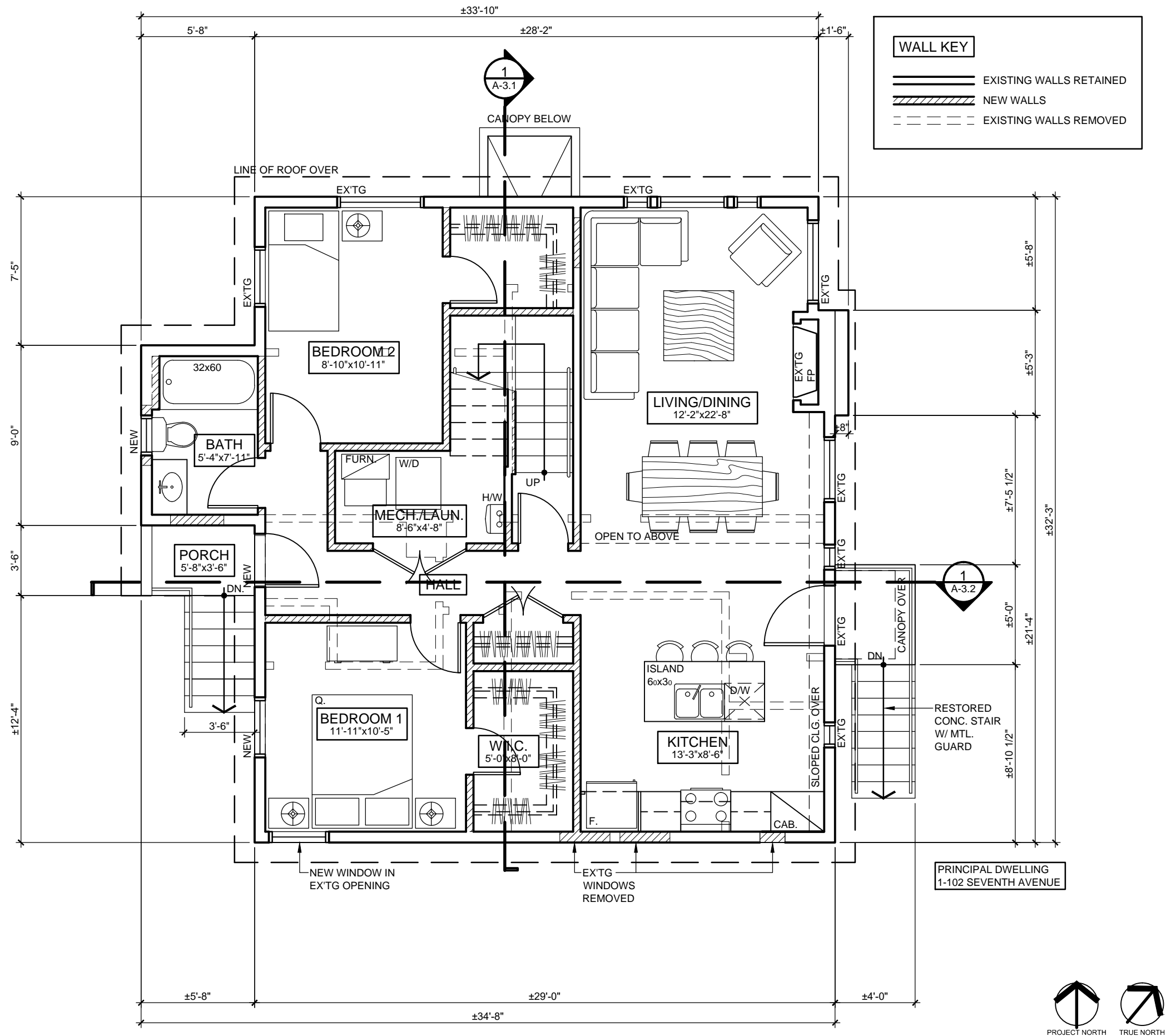
PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
**HERITAGE HOUSE:
LOWER FLOOR PLAN**

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	



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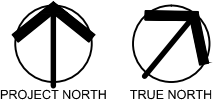
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HRA RESTORATION AND
INFILL

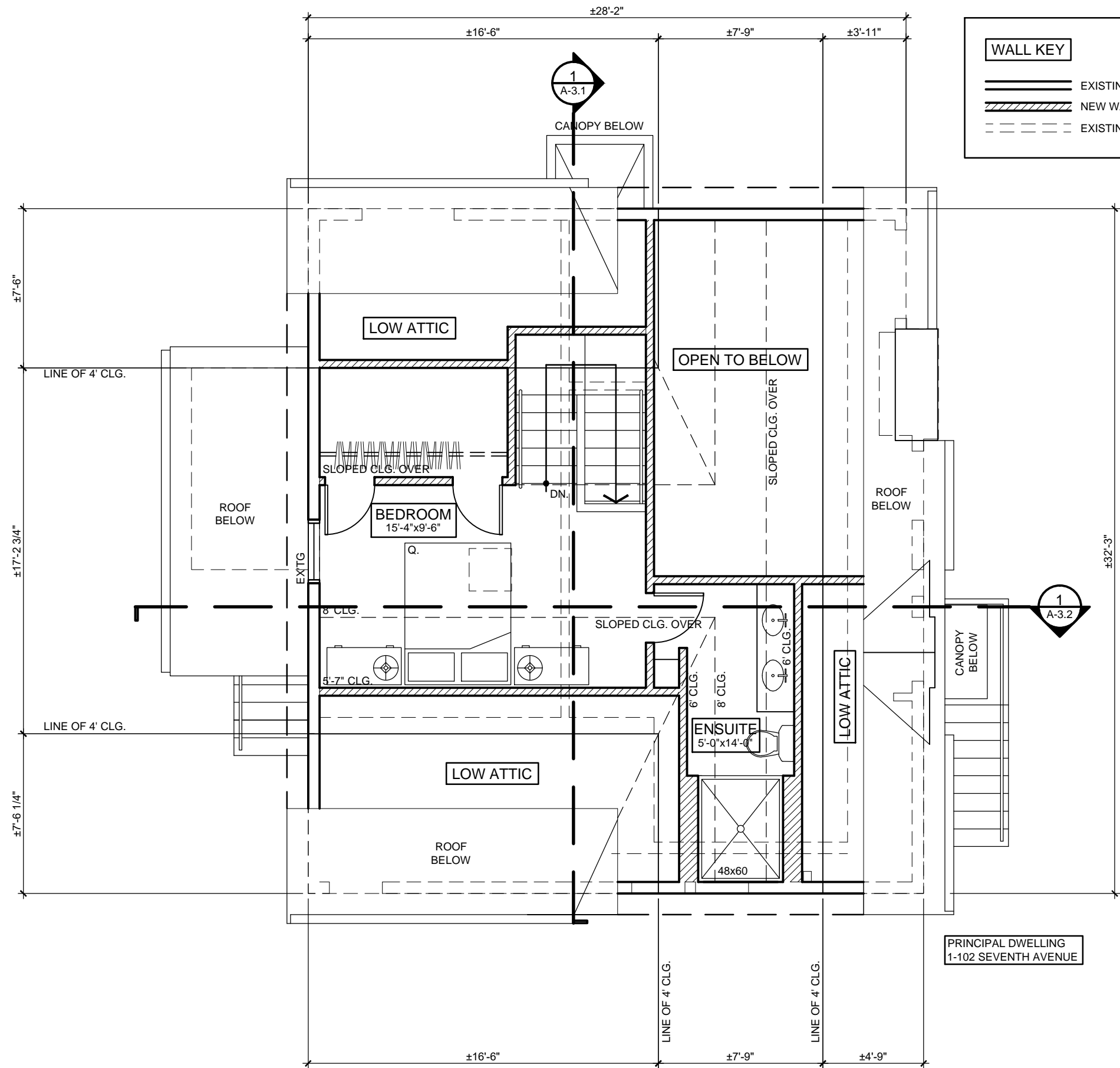
102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
HERITAGE HOUSE:
UPPER FLOOR PLAN

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	

A-2.2





WALL KEY

- EXISTING WALLS RETAINED
- NEW WALLS
- EXISTING WALLS REMOVED

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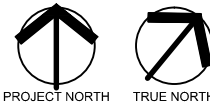
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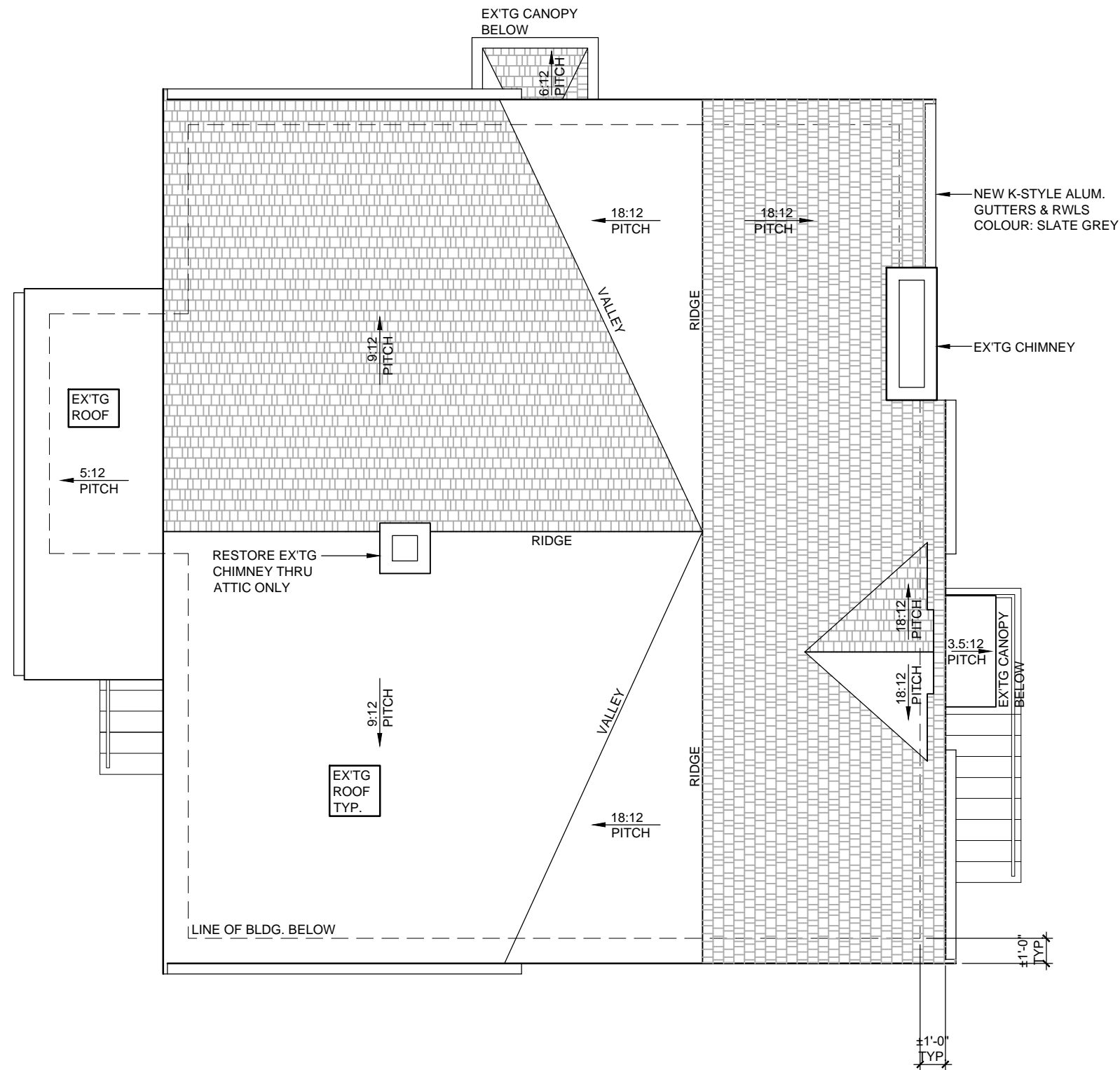
102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
HERITANCE HOUSE:
ATTIC PLAN

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	Δ
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A-2.3





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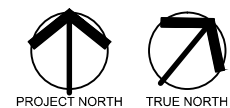
PROJECT TITLE:
HRA RESTORATION AND
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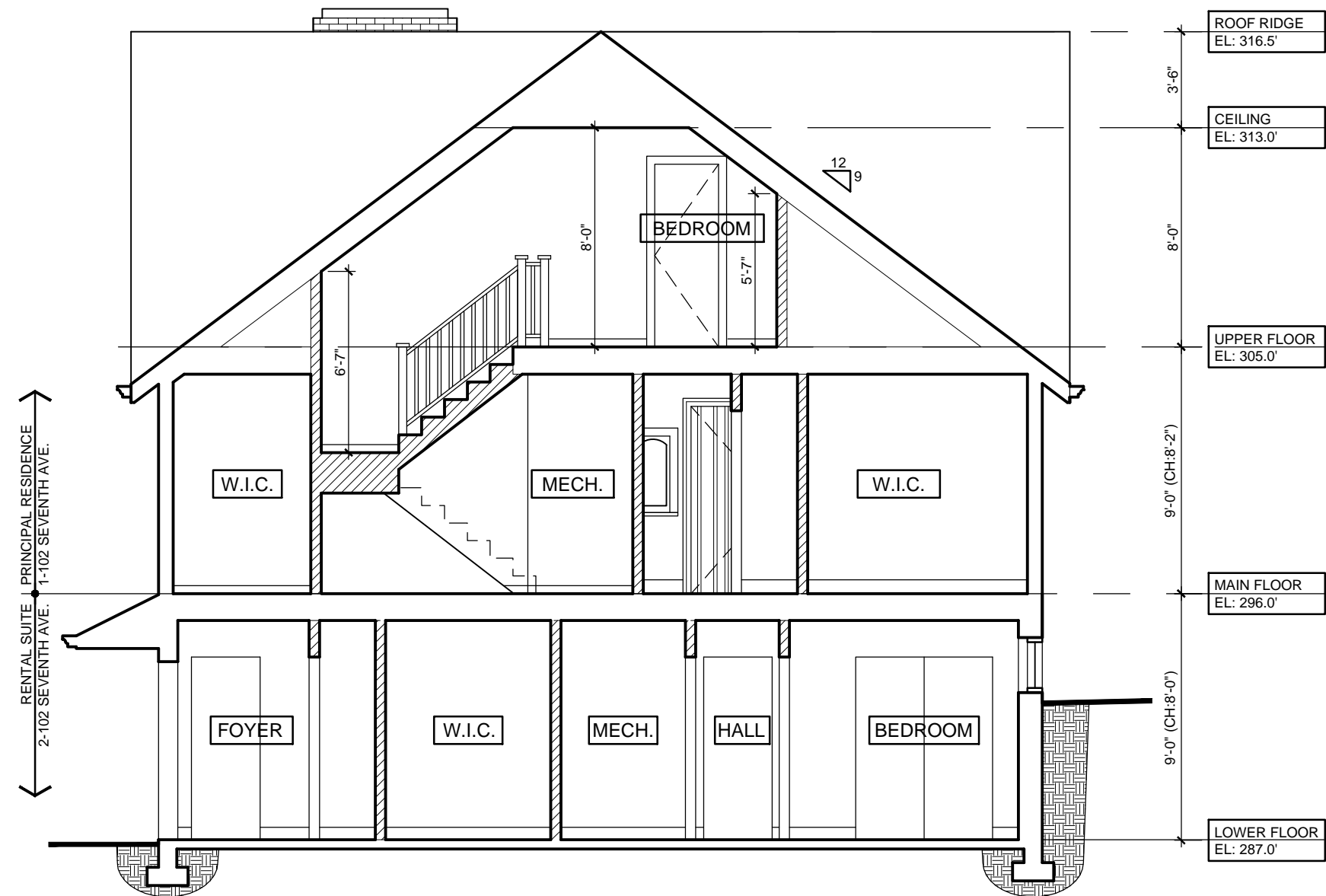
102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
HERITAGE HOUSE:
ROOF PLAN

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
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A-2.4





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102 SEVENTH AVENUE
NEW WESTMINSTER, BC

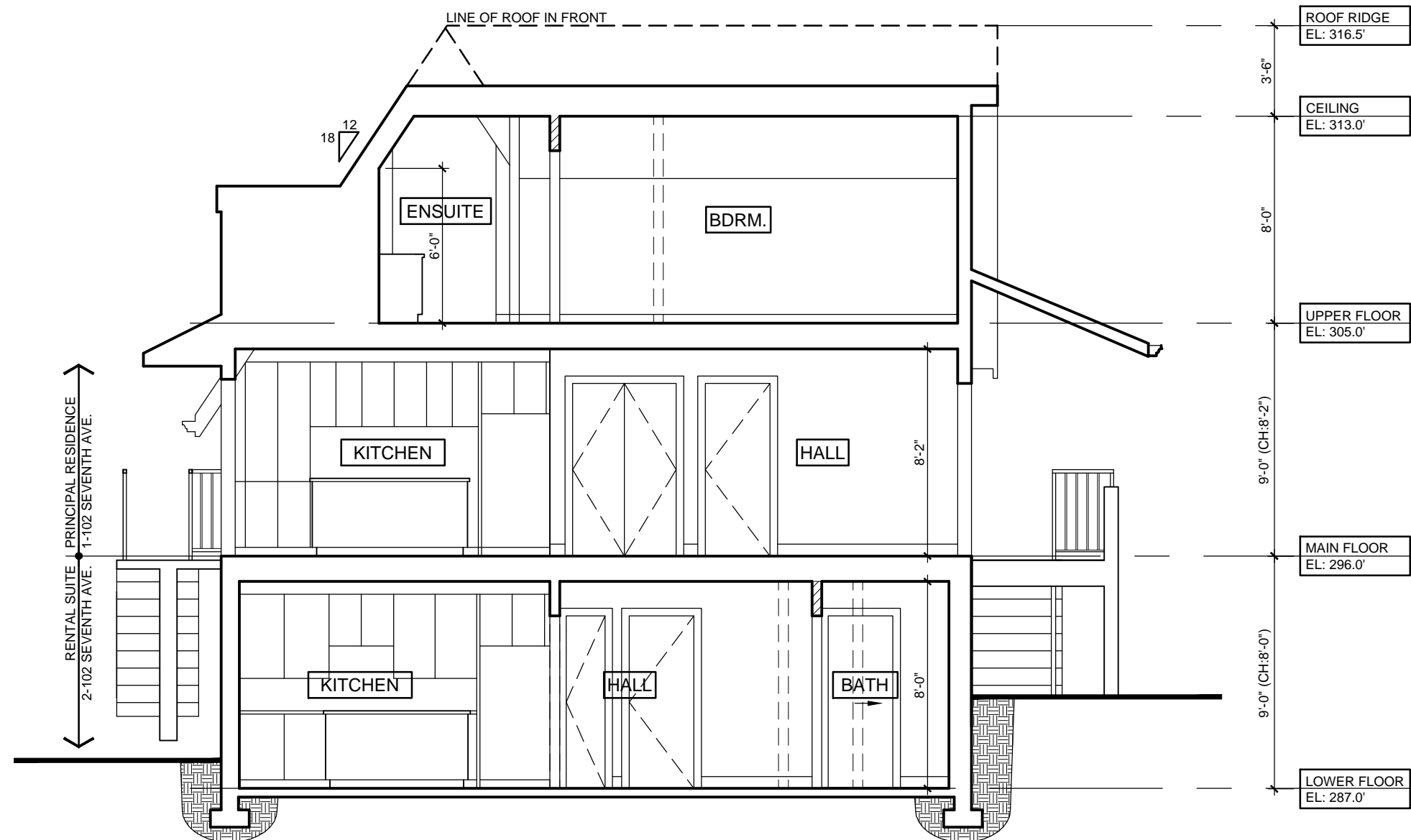
DRAWING TITLE:
HERITAGE HOUSE:
BUILDING SECTION

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-3.1

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PROJECT NO.: 19-011

PROJECT TITLE:
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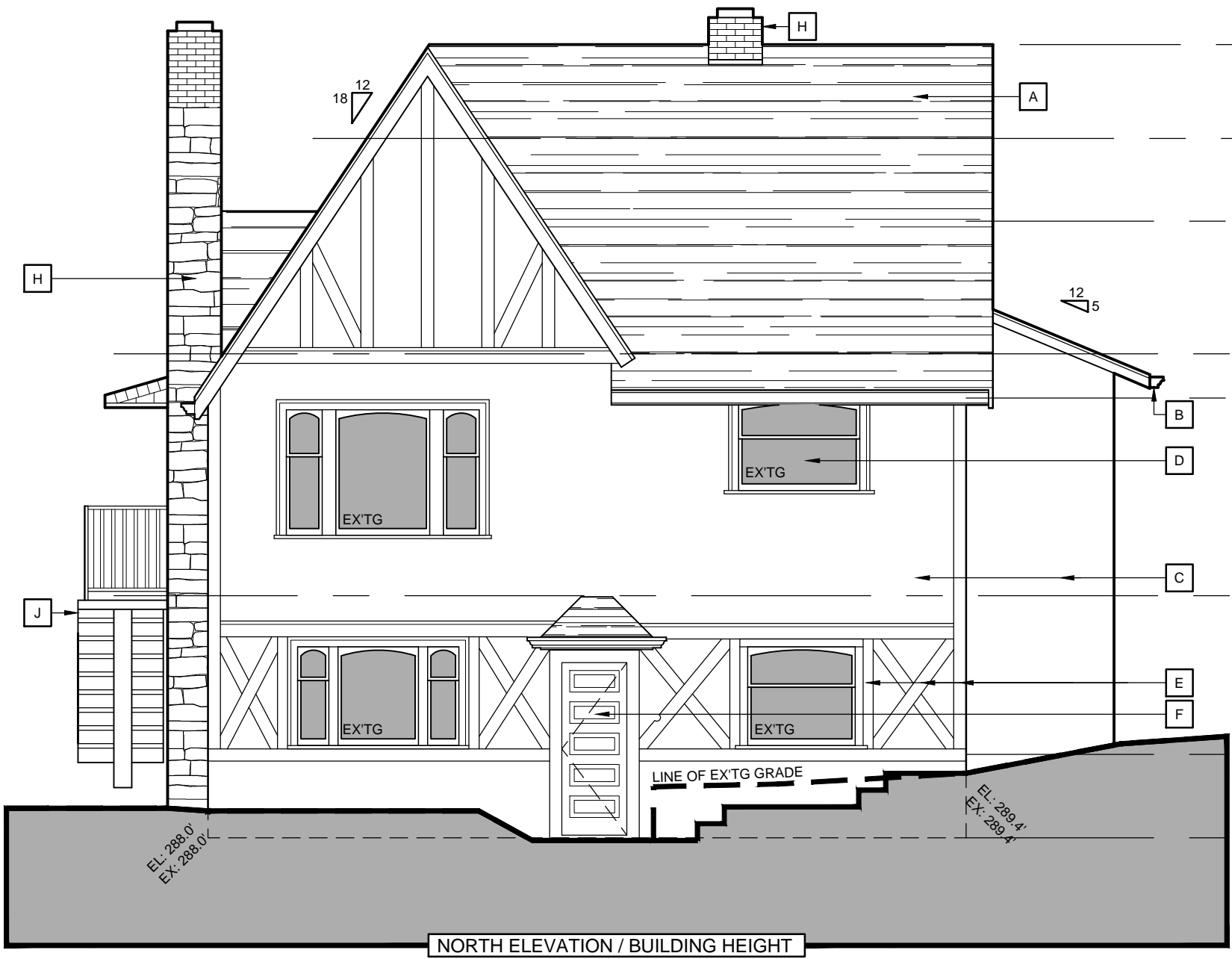
102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:

**HERITAGE HOUSE:
BUILDING SECTION**

DWG. START DATE:	APR. 2020
SCALE:	3/16" = 1'-0"
REVISION NO.:	
DRAWING NO.:	

A-3.2



ROOF RIDGE
EL: 316.5'

CEILING
EL: 313.0'

ROOF HEIGHT
EL: 309.93'

UPPER FLOOR
EL: 305.0'

AVG. FASCIA
EL: 303.35'

MAIN FLOOR
EL: 296.0'

HT. DATUM
EL: 290.1'

LOWER FLOOR
EL: 287.0'

MATERIALS KEY

- A** NEW ASPHALT SHINGLES, IKO CROWNE SLATE, COLOUR: ROYAL GRANITE
- B** NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C** RESTORED EX'TG/NEW STUCCO, TEXTURE T.M.E. COLOUR: BM OC-18 DOVE WING
- D** RESTORED EX'TG/NEW WOOD WINDOWS COLOUR: BM 2114-20 MISSISSIPPI MUD
- E** RESTORED EX'TG/NEW WOOD TRIMS, T.M.E. COLOUR: BM 2114-20 MISSISSIPPI MUD
- F** RESTORED EX'TG WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- G** NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H** EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J** RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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PROJECT NO.: 19-011	
PROJECT TITLE: HRA RESTORATION AND INFILL	
102 SEVENTH AVENUE NEW WESTMINSTER, BC	
DRAWING TITLE: HERITAGE HOUSE: NORTH ELEVATION / BUILDING HEIGHT	
DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.1



MATERIALS KEY

- A** NEW ASPHALT SHINGLES, IKO CROWNE SLATE, COLOUR: ROYAL GRANITE
- B** NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C** RESTORED EX'TG/NEW STUCCO, TEXTURE T.M.E. COLOUR: BM OC-18 DOVE WING
- D** RESTORED EX'TG/NEW WOOD WINDOWS COLOUR: BM 2114-20 MISSISSIPPI MUD
- E** RESTORED EX'TG/NEW WOOD TRIMS, T.M.E. COLOUR: BM 2114-20 MISSISSIPPI MUD
- F** RESTORED EX'TG WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- G** NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H** EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J** RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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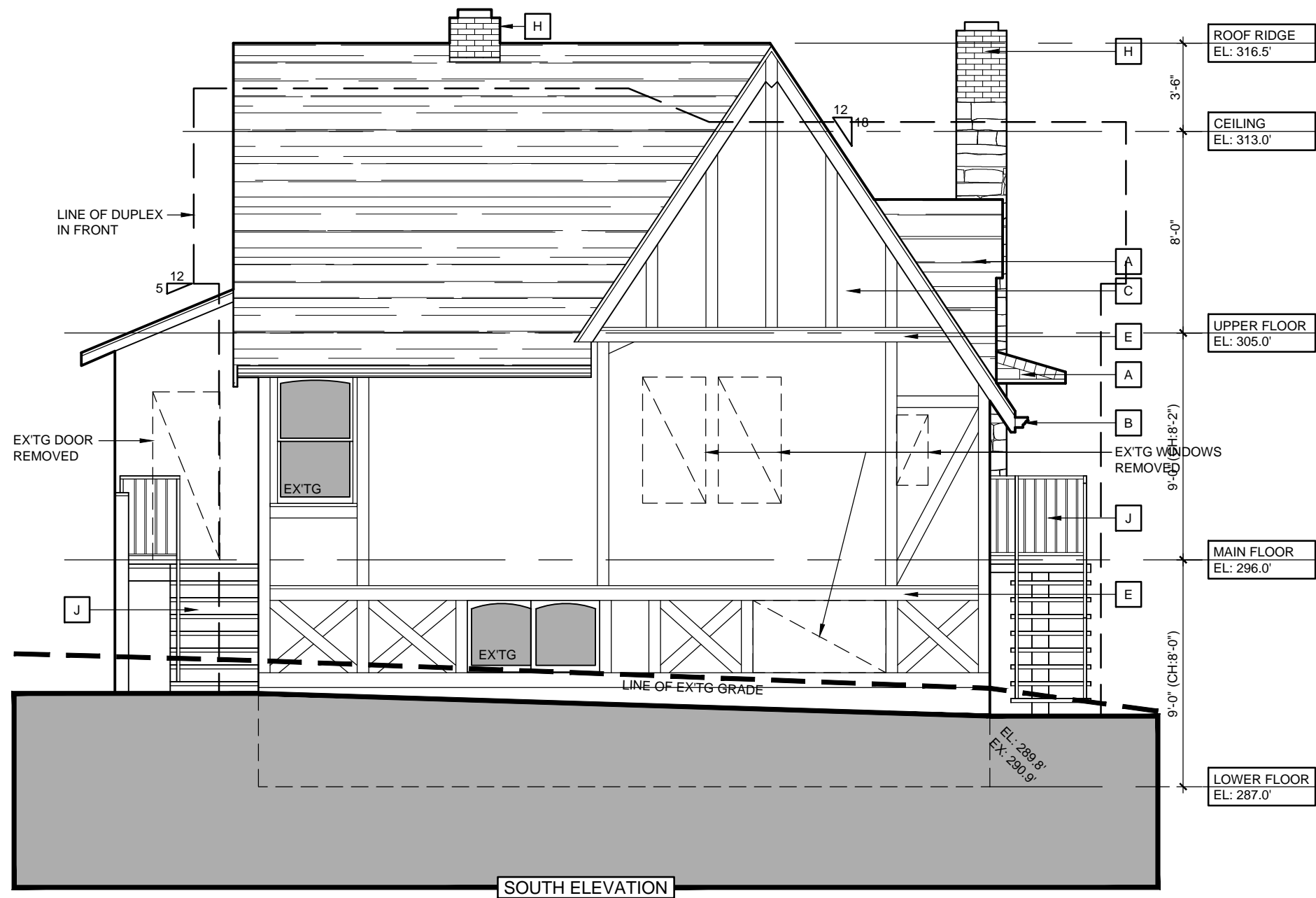
PROJECT TITLE:
HRA RESTORATION AND INFILL

**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
**HERITAGE HOUSE:
EAST ELEVATION**

DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.2



NOTE: WINDOWS THIS ELEVATION
TO BE REVIEWED WITH HERITAGE
AND CODE CONSULTANT

MATERIALS KEY

- A** NEW ASPHALT SHINGLES, IKO CROWNE SLATE, COLOUR: ROYAL GRANITE
- B** NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C** RESTORED EX'TG/NEW STUCCO, TEXTURE T.M.E. COLOUR: BM OC-18 DOVE WING
- D** RESTORED EX'TG/NEW WOOD WINDOWS COLOUR: BM 2114-20 MISSISSIPPI MUD
- E** RESTORED EX'TG/NEW WOOD TRIMS, T.M.E. COLOUR: BM 2114-20 MISSISSIPPI MUD
- F** RESTORED EX'TG WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- G** NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H** EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J** RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
**HERITAGE HOUSE:
SOUTH ELEVATION**

DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.3



MATERIALS KEY

- A NEW ASPHALT SHINGLES, IKO CROWNE SLATE, COLOUR: ROYAL GRANITE
- B NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C RESTORED EX'TG/NEW STUCCO, TEXTURE T.M.E. COLOUR: BM OC-18 DOVE WING
- D RESTORED EX'TG/NEW WOOD WINDOWS COLOUR: BM 2114-20 MISSISSIPPI MUD
- E RESTORED EX'TG/NEW WOOD TRIMS, T.M.E. COLOUR: BM 2114-20 MISSISSIPPI MUD
- F RESTORED EX'TG WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- G NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND
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102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
HERITAGE HOUSE:
WEST ELEVATION

DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.4



ROOF RIDGE
EL: 316.5'

CEILING
EL: 313.0'

ROOF HEIGHT
EL: 309.93'

UPPER FLOOR
EL: 305.0'

AVG. FASCIA
EL: 303.35'

MAIN FLOOR
EL: 296.0'

HT. DATUM
EL: 290.1'

LOWER FLOOR
EL: 287.0'

MATERIALS KEY

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- B NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
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- D RESTORED EX'TG/NEW WOOD WINDOWS COLOUR: BM 2114-20 MISSISSIPPI MUD
- E RESTORED EX'TG/NEW WOOD TRIMS, T.M.E. COLOUR: BM 2114-20 MISSISSIPPI MUD
- F RESTORED EX'TG WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- G NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
HERITAGE HOUSE:
COLOURED
NORTH ELEVATION /
BUILDING HEIGHT

DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.5



MATERIALS KEY

- A** NEW ASPHALT SHINGLES, IKO CROWNE SLATE, COLOUR: ROYAL GRANITE
- B** NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
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- E** RESTORED EX'TG/NEW WOOD TRIMS, T.M.E. COLOUR: BM 2114-20 MISSISSIPPI MUD
- F** RESTORED EX'TG WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- G** NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H** EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J** RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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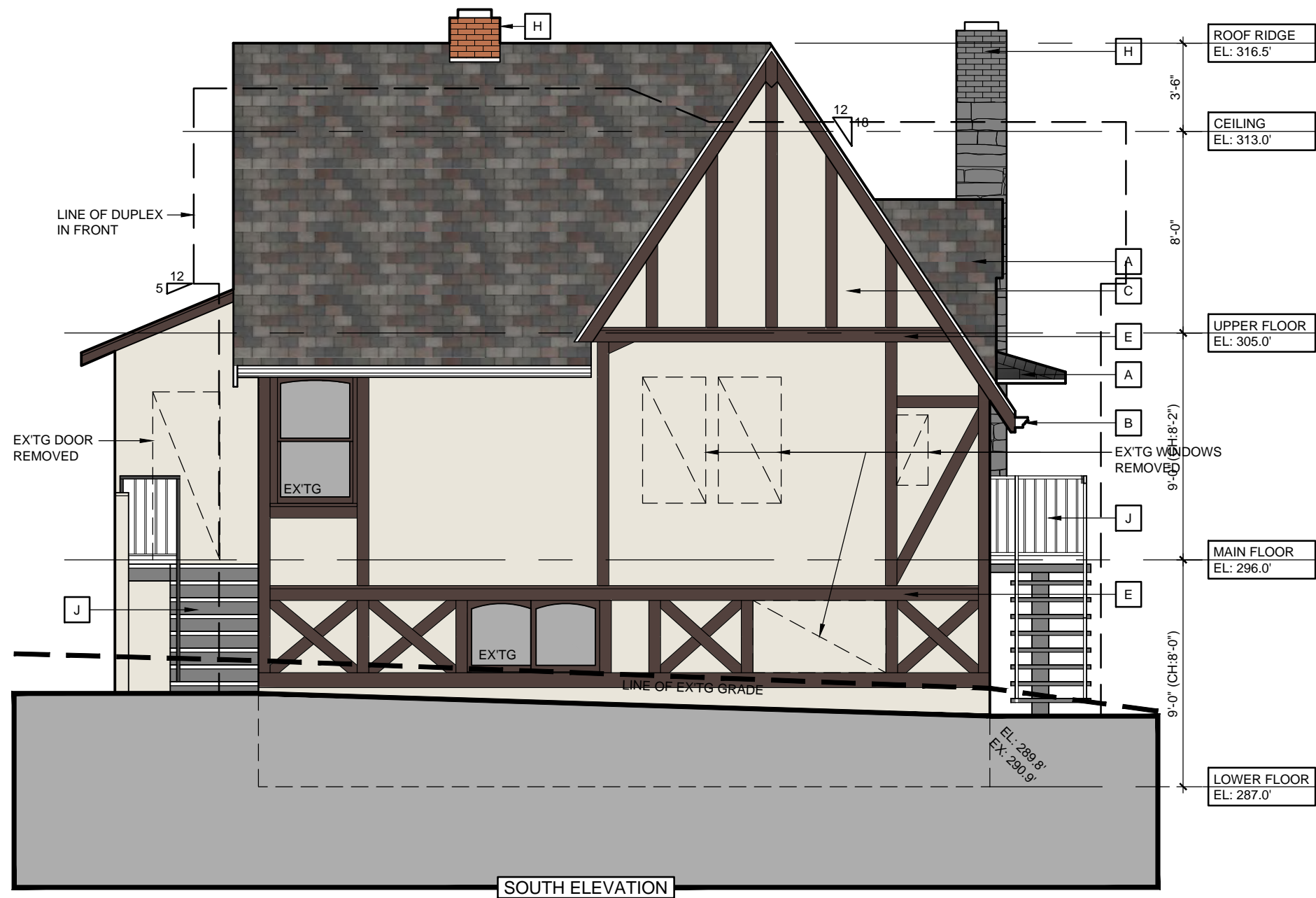
PROJECT TITLE:
HRA RESTORATION AND INFILL

**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
**HERITAGE HOUSE:
COLOURED
EAST ELEVATION**

DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.6



MATERIALS KEY

- A** NEW ASPHALT SHINGLES, IKO CROWNE SLATE, COLOUR: ROYAL GRANITE
- B** NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C** RESTORED EX'TG/NEW STUCCO, TEXTURE T.M.E. COLOUR: BM OC-18 DOVE WING
- D** RESTORED EX'TG/NEW WOOD WINDOWS COLOUR: BM 2114-20 MISSISSIPPI MUD
- E** RESTORED EX'TG/NEW WOOD TRIMS, T.M.E. COLOUR: BM 2114-20 MISSISSIPPI MUD
- F** RESTORED EX'TG WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- G** NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H** EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J** RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
**HERITAGE HOUSE:
COLOURED
SOUTH ELEVATION**

DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.7



MATERIALS KEY

- A** NEW ASPHALT SHINGLES, IKO CROWNE SLATE, COLOUR: ROYAL GRANITE
- B** NEW ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C** RESTORED EX'TG/NEW STUCCO, TEXTURE T.M.E. COLOUR: BM OC-18 DOVE WING
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- G** NEW WOOD DOOR COLOUR: SW7585 SUNDRIED TOMATO
- H** EX'TG RESTORED STONE AND/OR BRICK CHIMNEY
- J** RESTORED STAIR W/ CONC. TREADS & MTL. G/RAIL COLOUR: BLACK

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22/01/10	RE-ISSUED FOR HRA REZONING
22/01/31	RE-ISSUED FOR HRA REZONING



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New Westminster, BC
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778-883-2024
christa@lodgecraft.ca

PROJECT NO.: 19-011

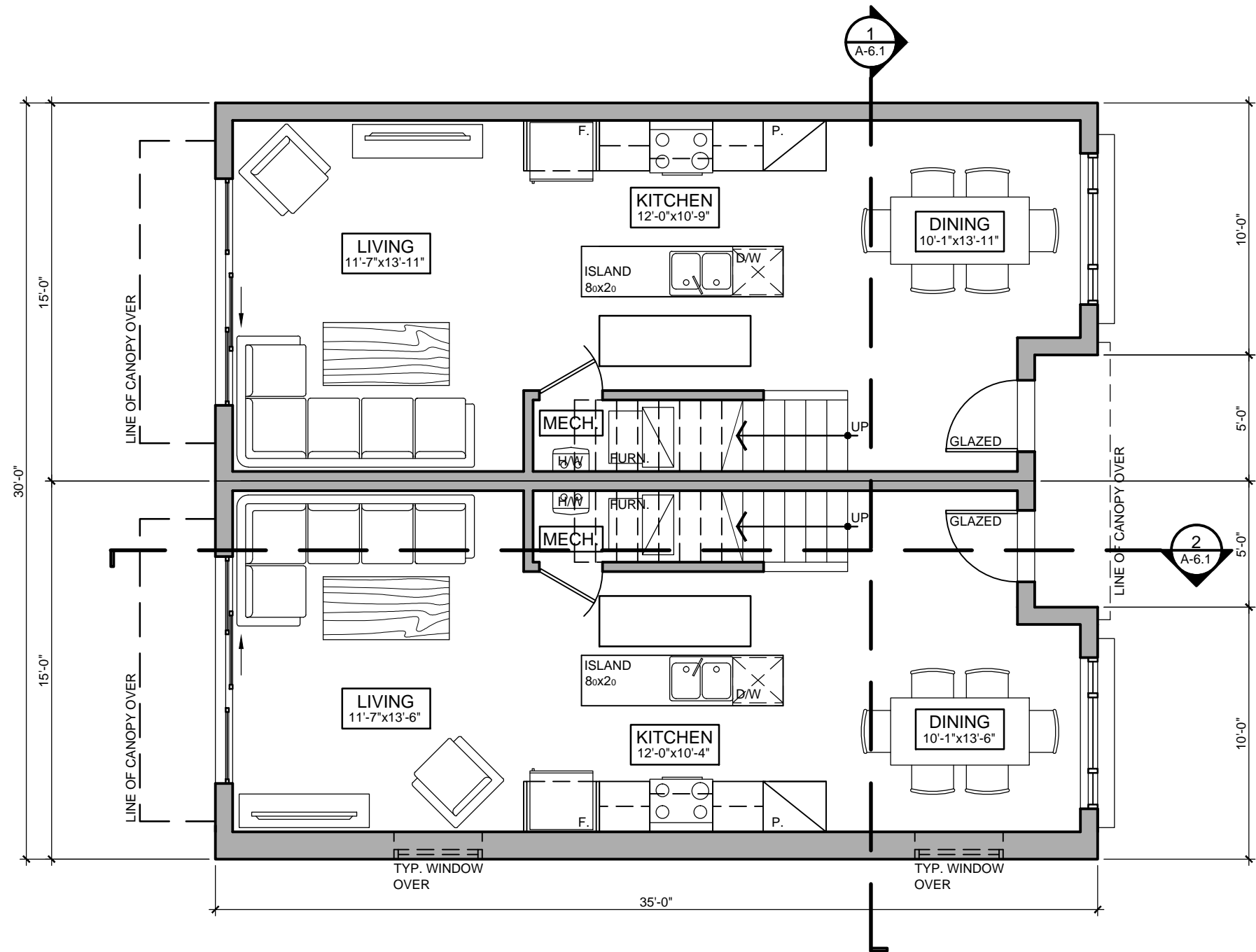
PROJECT TITLE:
HRA RESTORATION AND INFILL

**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
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COLOURED
WEST ELEVATION**

DWG. START DATE:	JAN 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	6
DRAWING NO.:	

A-4.8



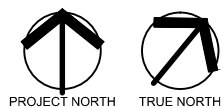
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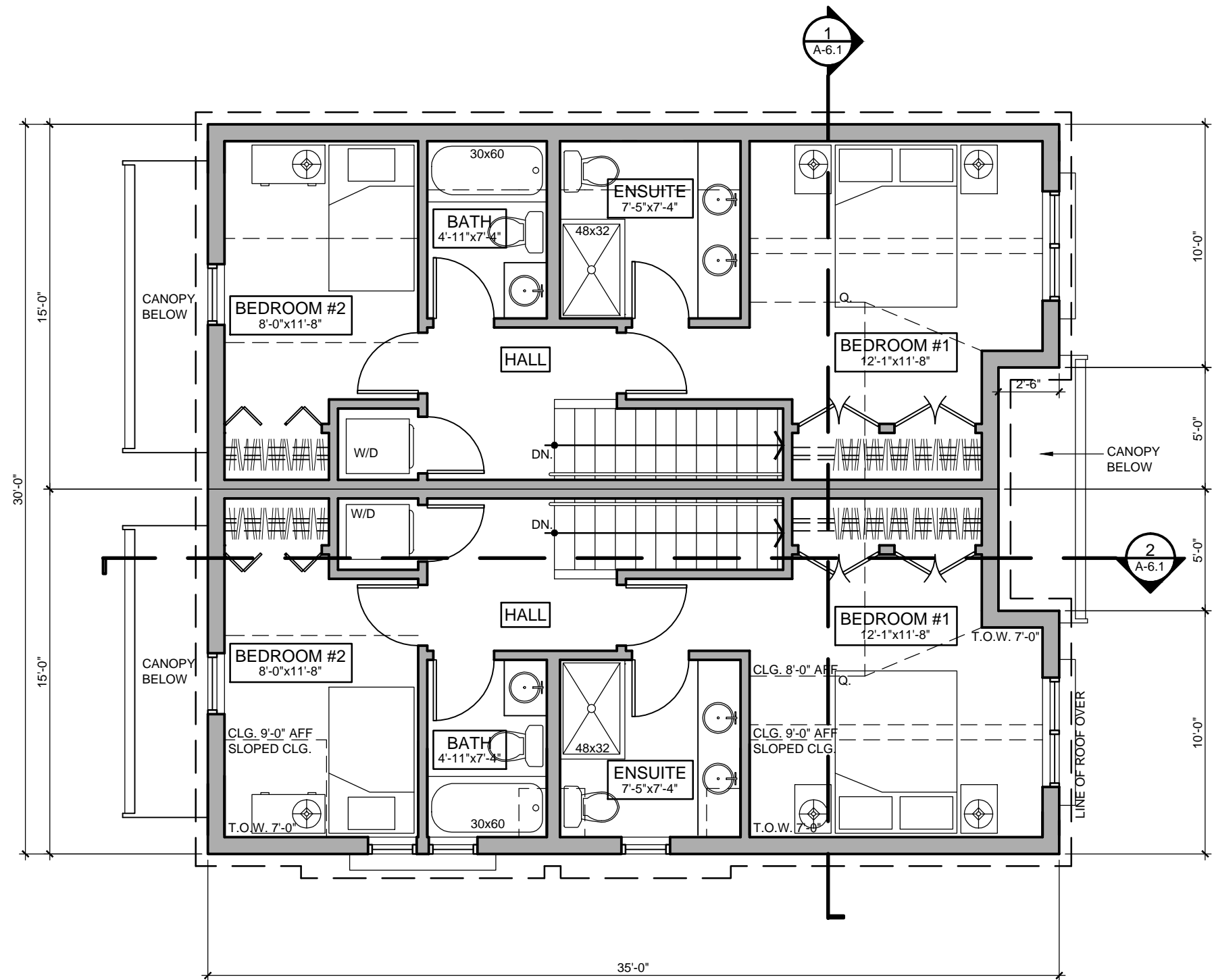


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New Westminster, BC
V3M 2X9 Canada

778-883-2024
christa@lodgecraft.ca

PROJECT NO.: 19-011	
PROJECT TITLE: HRA RESTORATION AND INFILL	
102 SEVENTH AVENUE NEW WESTMINSTER, BC	
DRAWING TITLE: DUPLEX: MAIN FLOOR PLAN	
DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	
A-5.1	





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PROJECT NO.: 19-011

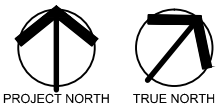
PROJECT TITLE:
HRA RESTORATION AND INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
DUPLEX:
UPPER FLOOR PLAN

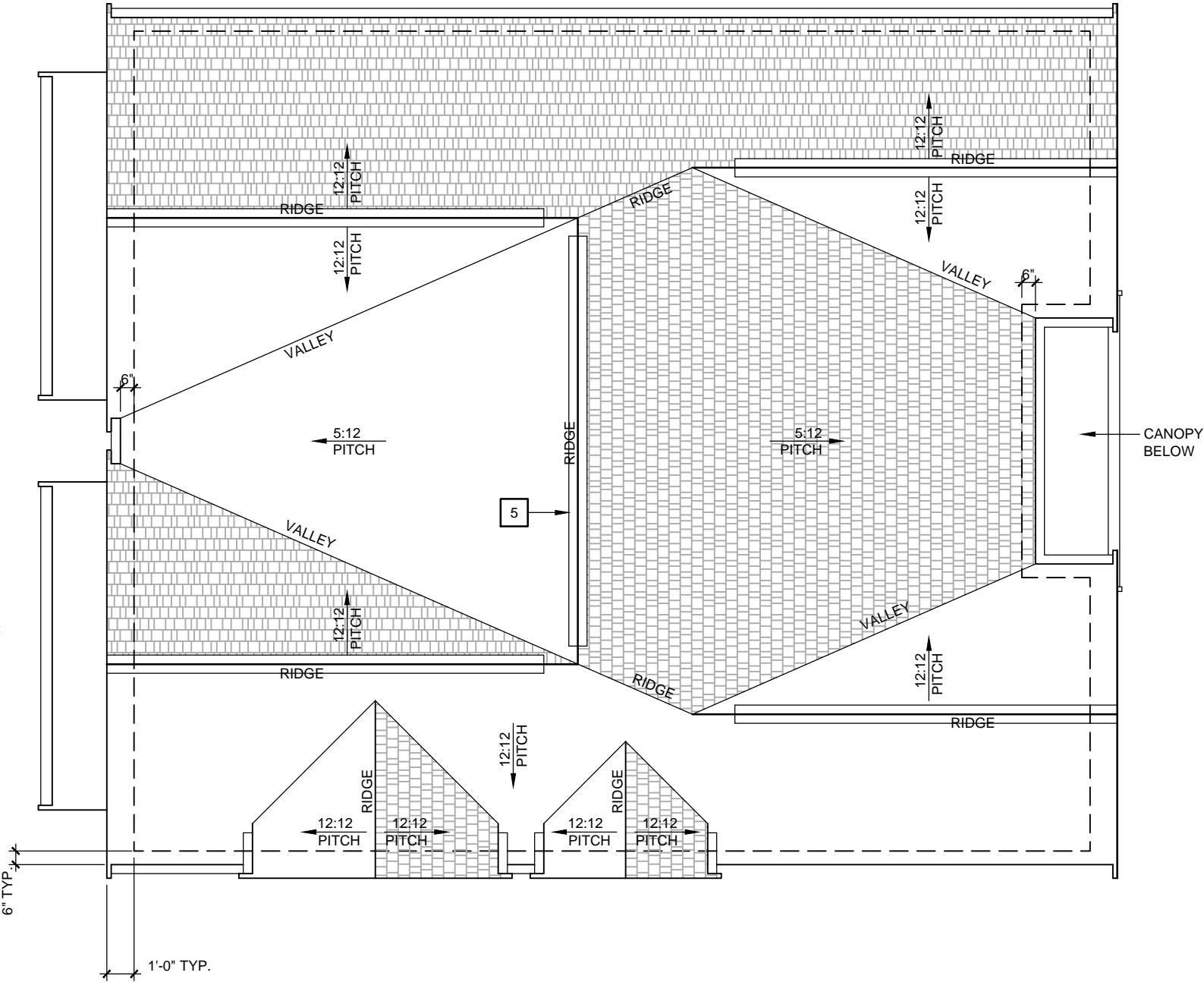
DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	

A-5.2



KEYED ROOF NOTES:

1. TYP. NEW ALUM. GUTTERS C/W RWL: K-STYLE; COLOUR SLATE GRAY
2. PROVIDE TOTAL VENT AREA PER BC BLDG. CODE 9.19.1 (1/300 SLOPED)
3. LOCATE MECH'L & ATTIC VENTS AWAY FROM STREET FACING SLOPES
4. CONT. RIDGE VENT OPEN TO ATTIC
5. NO ROOF VENTS PERMITTED IN THIS SOFFIT AREA
6. TYP. NEW MTL. GUTTER DIVERTER



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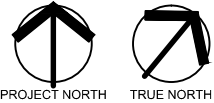
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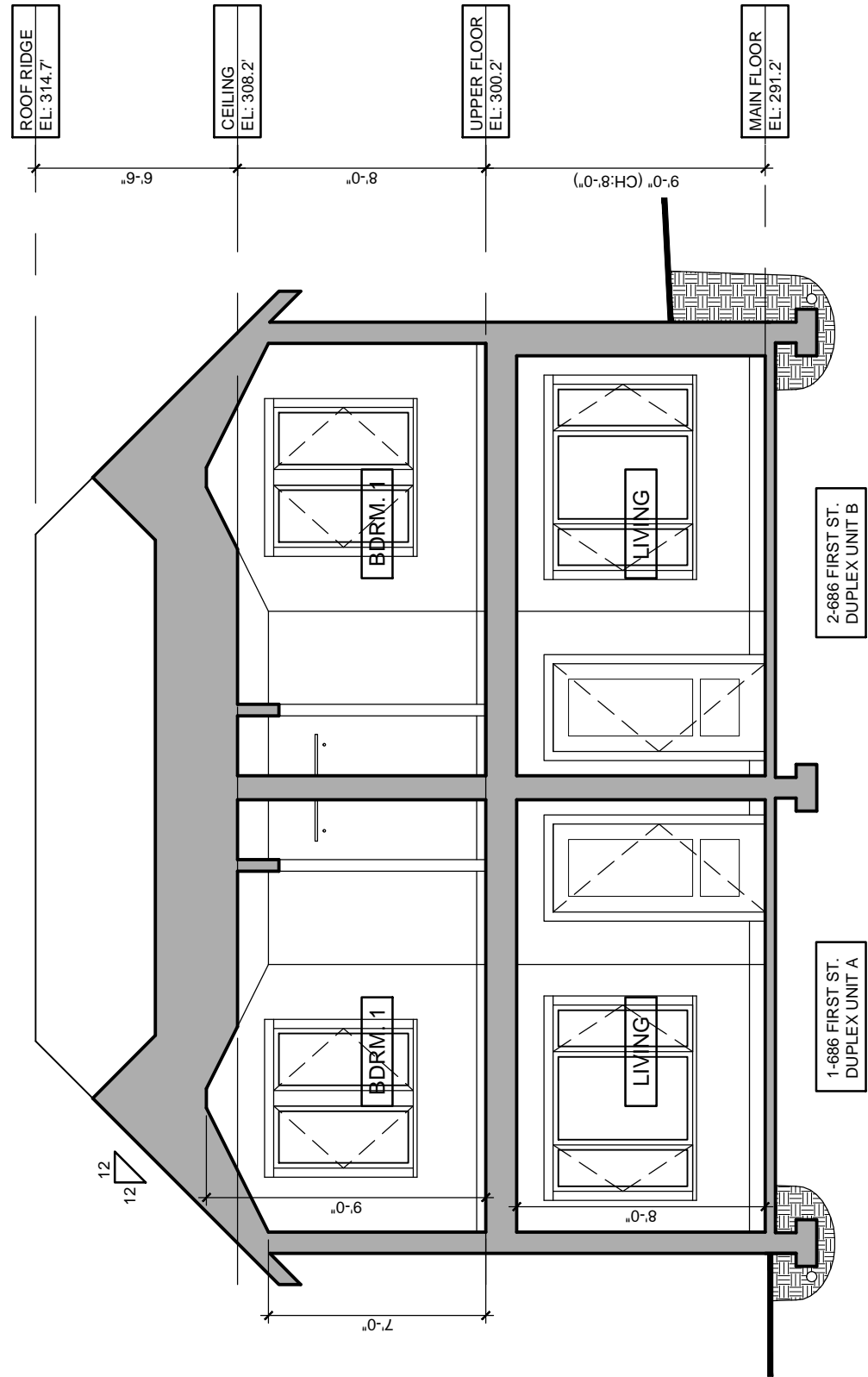
102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
DUPLEX:
ROOF PLAN

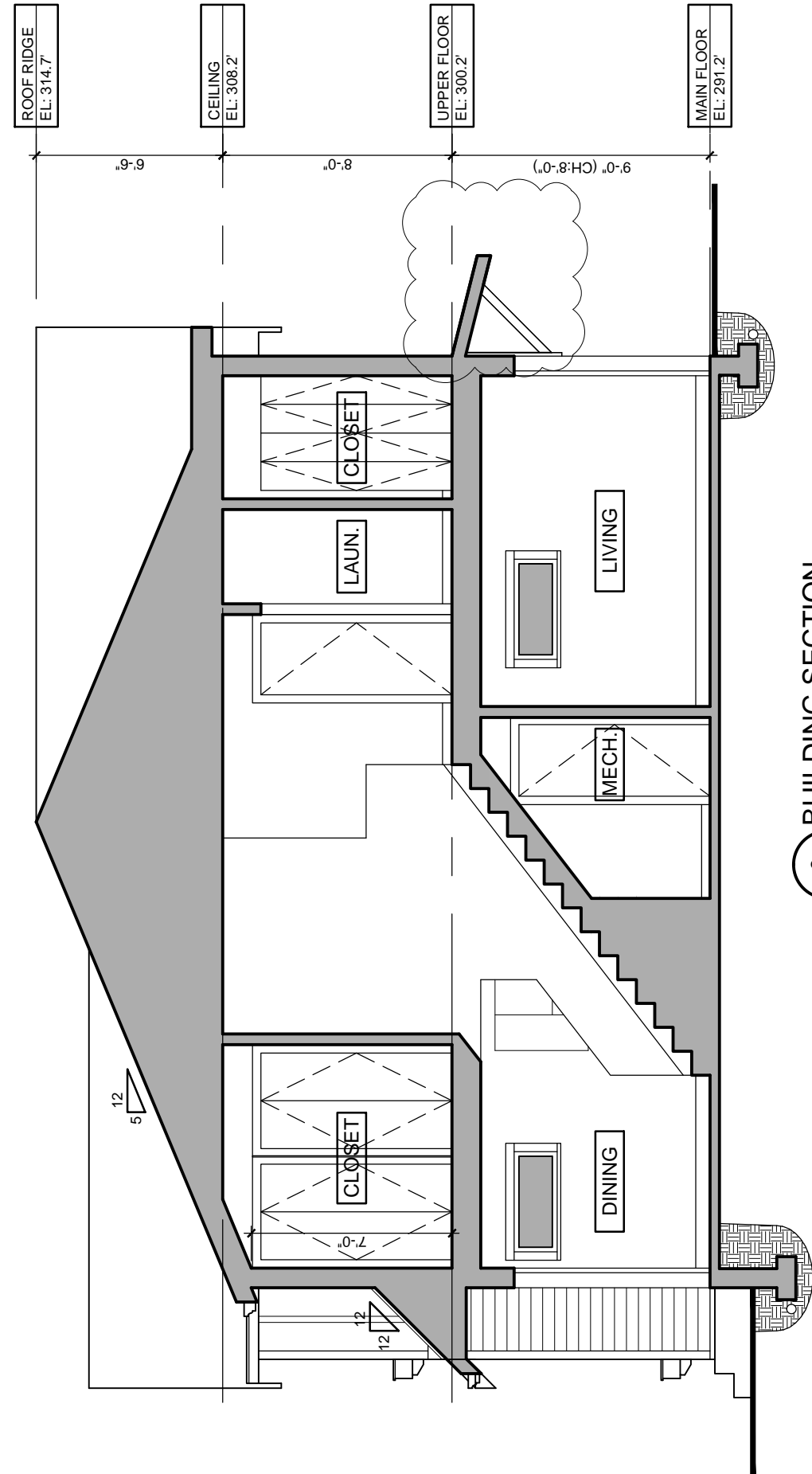
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SCALE:	3/16"=1'-0"
REVISION NO.:	0
DRAWING NO.:	

A-5.3





1 BUILDING SECTION
A-5.1 SCALE: 3/16"=1'-0"



2 BUILDING SECTION
A-5.1 SCALE: 3/16"=1'-0"

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
DUPLEX:
BUILDING SECTIONS

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	

A-6.1

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:

DUPLEX:
EAST ELEVATION /
BUILDING HEIGHT

DWG. START DATE:

APR. 2020

SCALE:

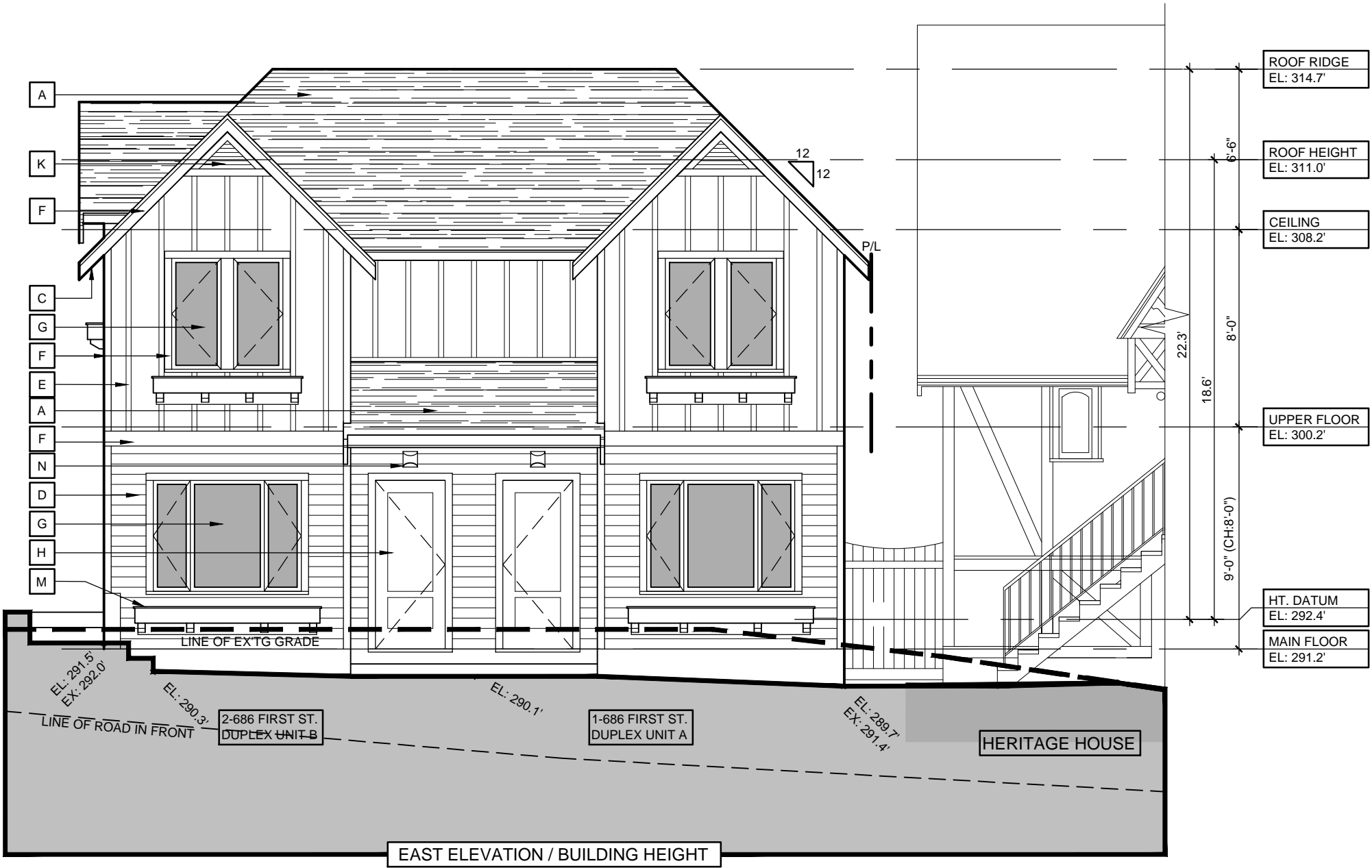
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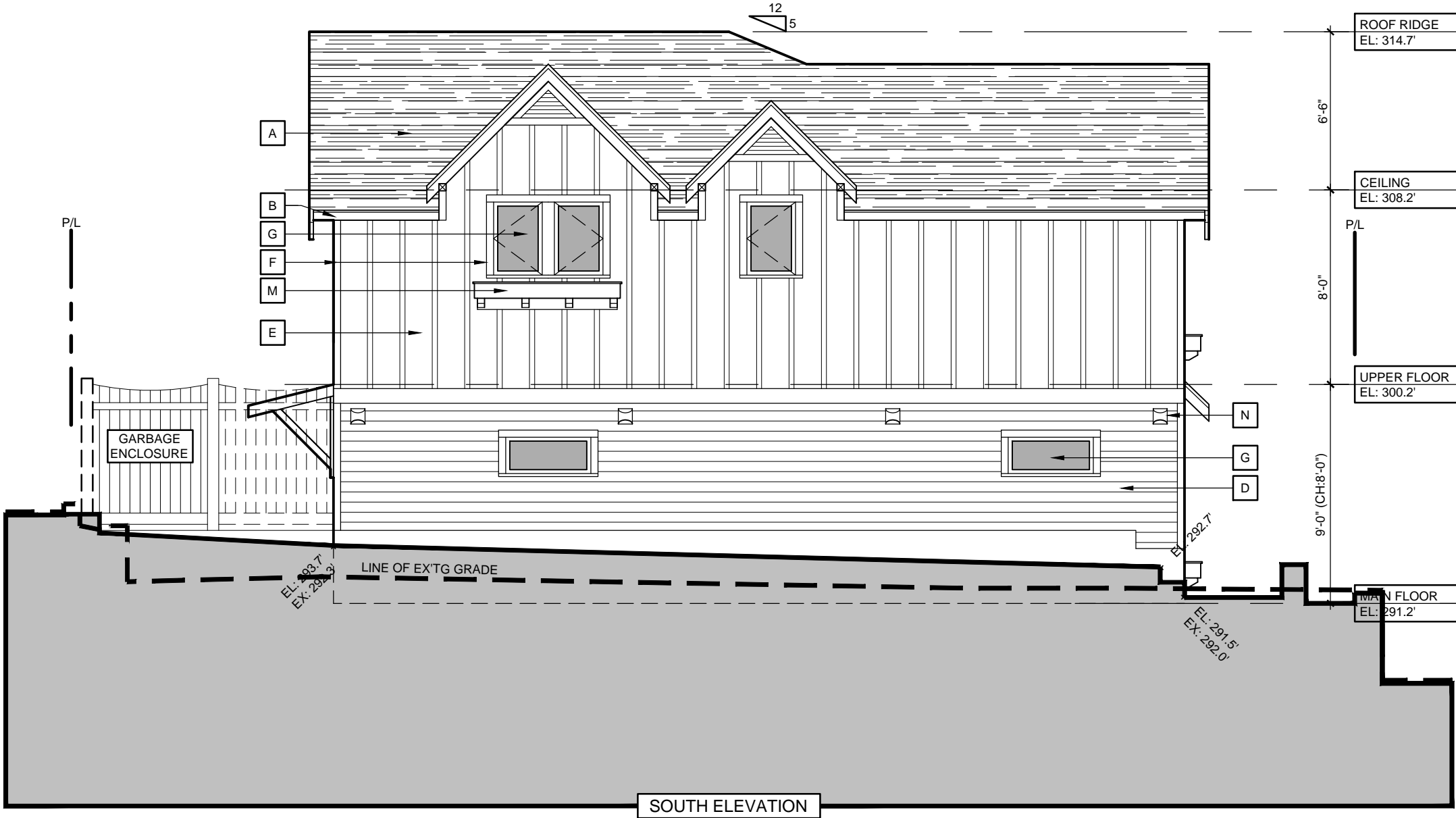
REVISION NO.:

0

DRAWING NO.:

A-7.1





MATERIALS KEY

- A ASPHALT SHINGLES, IKO ROYAL ESTATE, COLOUR: SHADOW SLATE
- B ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C CEMENTITIOUS SOFFITS, COLOUR: JH SLATE GRAY
- D FIBRE-CEMENT HORZ'L SIDING W/ 5" EXP. COLOUR: JH IRON GRAY
- E BOARD & BATTEN CEMENTITIOUS SIDING W/ 2 1/2 " WIDE BATTENS AT 16" O.C. COLOUR: JH SLATE GRAY
- F TYP. CEMENTITIOUS TRIMS COLOUR: JH SLATE GRAY
- G DBL. GLAZED VINYL WINDOW COLOUR: BLACK
- H FIBERGLASS DOOR COLOUR: SW7585 SUNDRIED TOMATO
- J FIBREGLASS SLIDING DOOR COLOUR: BLACK
- K WOOD GABLE VENT COLOUR: JH SLATE GRAY
- L WOOD CANOPY & BRACKETS COLOUR: JH SLATE GRAY
- M WOOD FLOWER BOX COLOUR: JH SLATE GRAY
- N LIGHT - KICHLER, WESLEY 1, 49278BKLED COLOUR: BLACK



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PROJECT NO.: 19-011	
PROJECT TITLE: HRA RESTORATION AND INFILL	
102 SEVENTH AVENUE NEW WESTMINSTER, BC	
DRAWING TITLE: DUPLEX: SOUTH ELEVATION	
DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	0
DRAWING NO.:	

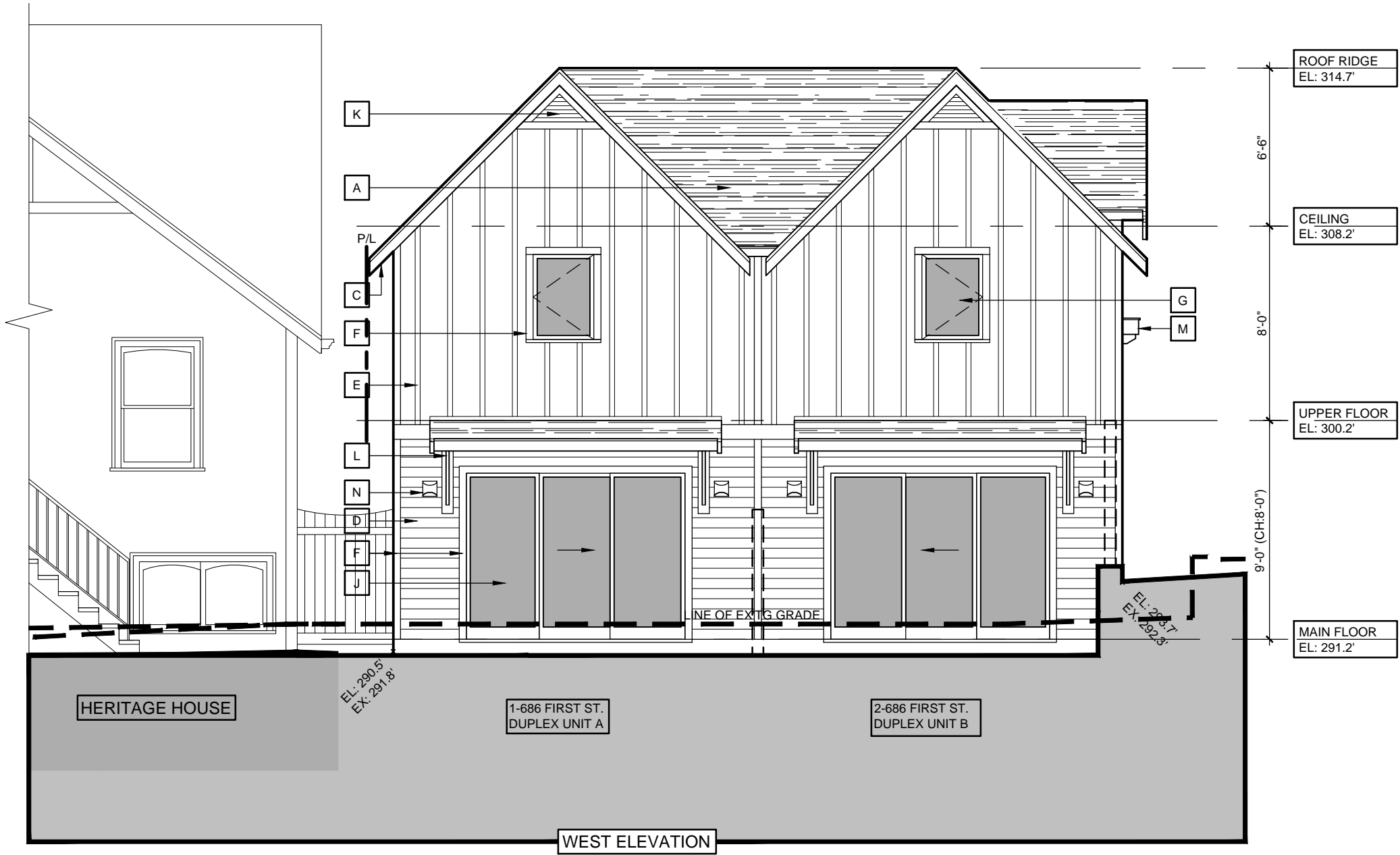
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MATERIALS KEY

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- B** ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
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- J** FIBREGLASS SLIDING DOOR COLOUR: BLACK
- K** WOOD GABLE VENT COLOUR: JH SLATE GRAY
- L** WOOD CANOPY & BRACKETS COLOUR: JH SLATE GRAY
- M** WOOD FLOWER BOX COLOUR: JH SLATE GRAY
- N** LIGHT - KICHLER, WESLEY 1, 49278BKLED COLOUR: BLACK



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PROJECT NO.: 19-011

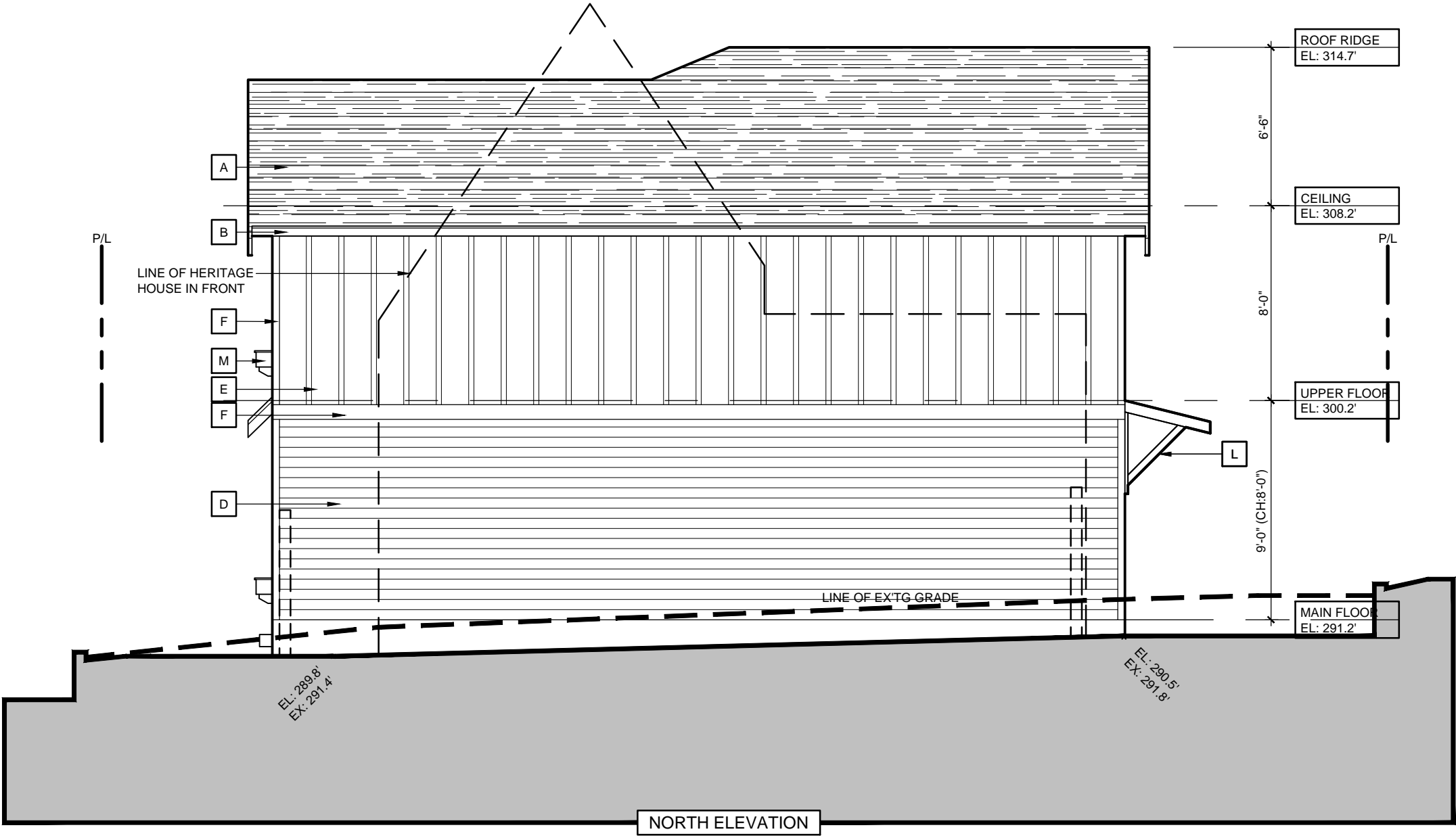
PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
DUPLEX:
WEST ELEVATION

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	

A-7.3



MATERIALS KEY

- A** ASPHALT SHINGLES, IKO ROYAL ESTATE, COLOUR: SHADOW SLATE
- B** ALUM. GUTTERS W/ RWLS, COLOUR: SLATE GREY
- C** CEMENTITIOUS SOFFITS, COLOUR: JH SLATE GRAY
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- L** WOOD CANOPY & BRACKETS COLOUR: JH SLATE GRAY
- M** WOOD FLOWER BOX COLOUR: JH SLATE GRAY
- N** LIGHT - KICHLER, WESLEY 1, 49278BKLED COLOUR: BLACK

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
**DUPLEX:
NORTH ELEVATION**

DWG. START DATE:	APR. 2020
SCALE:	3/16"=1'-0"
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DRAWING NO.:	

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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:

DUPLEX:
COLOURED
EAST ELEVATION /
BUILDING HEIGHT

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22/01/31	RE-ISSUED FOR HRA REZONING



MATERIALS KEY

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COLOUR: SHADOW SLATE
- B** ALUM. GUTTERS W/ RWLS,
COLOUR: SLATE GREY
- C** CEMENTITIOUS SOFFITS,
COLOUR: JH SLATE GRAY
- D** FIBRE-CEMENT HORZ'L SIDING W/ 5" EXP.
COLOUR: JH IRON GRAY
- E** BOARD & BATTEN CEMENTITIOUS SIDING W/
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COLOUR: JH SLATE GRAY
- F** TYP. CEMENTITIOUS TRIMS
COLOUR: JH SLATE GRAY
- G** DBL. GLAZED VINYL WINDOW
COLOUR: BLACK
- H** FIBERGLASS DOOR
COLOUR: SW7585 SUNDRIED TOMATO
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COLOUR: BLACK
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COLOUR: JH SLATE GRAY
- L** WOOD CANOPY & BRACKETS
COLOUR: JH SLATE GRAY
- M** WOOD FLOWER BOX
COLOUR: JH SLATE GRAY
- N** LIGHT - KICHLER, WESLEY 1, 49278BKLED
COLOUR: BLACK



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christa@lodgecraft.ca

PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:

DUPLEX:
COLOURED
SOUTH ELEVATION

DWG. START DATE:

PR. 2020

SCALE:

$$/16''=1'-0''$$

REVISION NO.:

A

DRAWING NO.:

A-7.6



MATERIALS KEY

- A** ASPHALT SHINGLES, IKO ROYAL ESTATE, COLOUR: SHADOW SLATE
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- N** LIGHT - KICHLER, WESLEY 1, 49278BKLED COLOUR: BLACK

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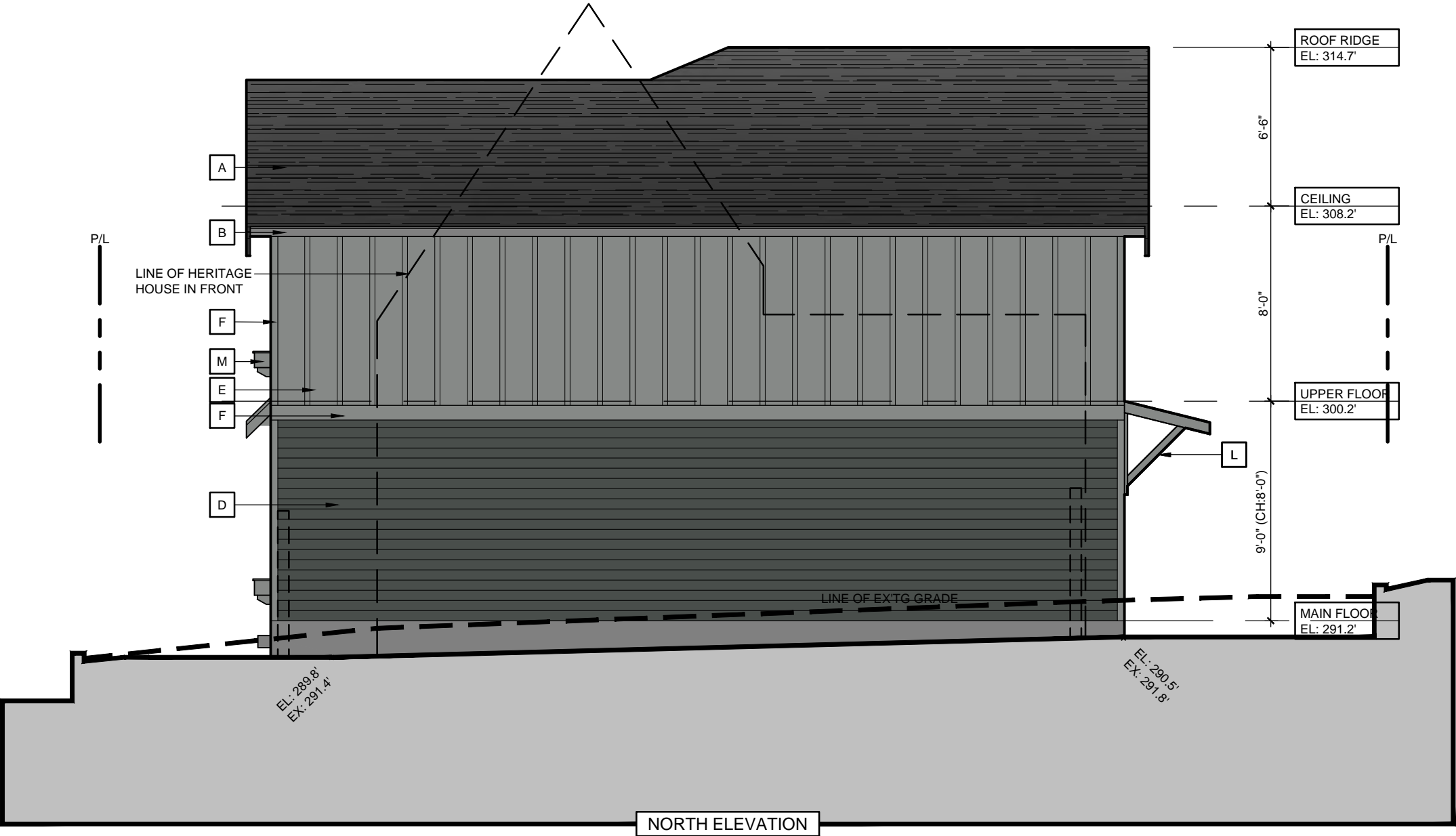
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**HRA RESTORATION AND
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**102 SEVENTH AVENUE
NEW WESTMINSTER, BC**

DRAWING TITLE:
**DUPLEX:
COLOURED
WEST ELEVATION**

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A-7.7



MATERIALS KEY

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- N LIGHT - KICHLER, WESLEY 1, 49278BKLED COLOUR: BLACK

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PROJECT NO.: 19-011

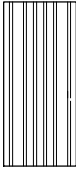

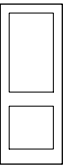

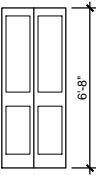
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HRA RESTORATION AND INFILL

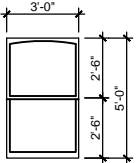
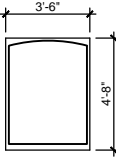
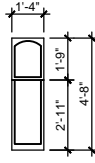
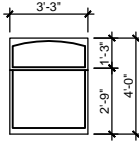
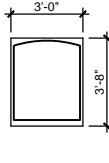
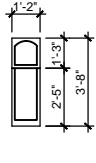
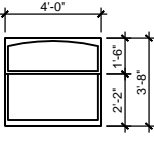
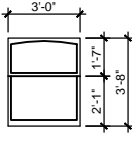
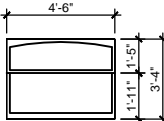
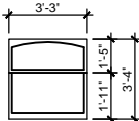
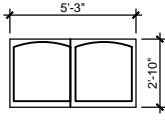
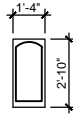
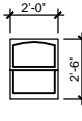
102 SEVENTH AVENUE
NEW WESTMINSTER, BC

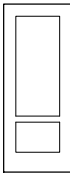
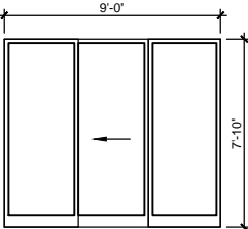

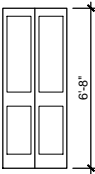
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DUPLEX:
COLOURED
NORTH ELEVATION

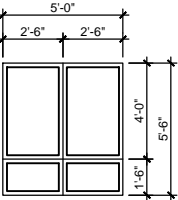
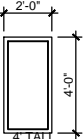
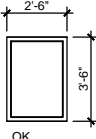
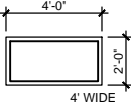
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REVISION NO.:	0
DRAWING NO.:	

A-7.8

HERITAGE HOUSE DOOR TYPE SCHEDULE				
				
A RESTORED EXTG WOOD DOOR - PAINT FINISH - RESTORE EXTG HARDWARE	B RESTORED EXTG WOOD DOOR - PAINT FINISH - RESTORE EXTG HARDWARE	C NEW WOOD DOOR BC DOOR MODEL 416 D. FIR - PAINT GRADE	D TRIMLITE #8402 MDF SHAKER PANEL PAINT GRADE	E TRIMLITE #8402 MDF SHAKER PANEL BIFOLD PAINT GRADE

HERITAGE HOUSE WINDOW SCHEDULE - WOOD FRAMED								
								
1 EGRESS	2	3	4	5	6	7 EGRESS WHERE NOTED	8 EGRESS WHERE NOTED	
								
9 EGRESS	10 EGRESS	11 EGRESS	12	13				

DUPLEX DOOR TYPE SCHEDULE			
			
A TRIMLITE FIBERGLASS DOOR DR529 - PAINT GRADE	B VINYL SLIDING DOOR - 3 PANELS - BLACK	C TRIMLITE #8402 MDF SHAKER PANEL PAINT GRADE	D TRIMLITE #8402 MDF SHAKER PANEL BIFOLD PAINT GRADE

DUPLEX WINDOW SCHEDULE - VINYL FRAMED			
			
1 EGRESS	2	3 OK. BACK BEDROOM	4

DOOR NOTES

- REFER TO DWGS &/OR DOOR SCHED. FOR DOOR SIZES & SWING, ETC.
- SEE OUTLINE SPEC. FOR HARDWARE.
- DOOR & INSTALLATION, HARDWARE & GLAZING TO COMPLY W/ REQ'MTS OF BC BLDG. CODE.
- INSTALL DOOR FRAMES AS PER DETAILS & MANUFACTURER'S WRITTEN INSTRUCTIONS.
- CONFIRM ALL ROUGH OPENINGS ON SITE.
- EXTERIOR DOORS TO BE 6'-10" HIGH, U.O.N.
- INTERIOR DOORS TO BE 6'-8" HIGH, U.O.N.

HERITAGE HOUSE WINDOW RESTORATION NOTES

- REPAIR OR REPLACE T.M.E. DAMAGED OR DETERIORATED WOOD WINDOW COMPONENTS WITH THE MIN. LOSS OF ORIGINAL FABRIC. FOR REPAIR OF LOCALIZED ROT, FULLY DRY ELEMENT TO <19% M.C. APPLY ROT-FIX EPOXY (COAST FIBERTEK 604.294.8116) AS PER MFC. WRITTEN INSTRUCTIONS.
- REMOVE & REINSTALL, OR REPLACE IF BROKEN, SINGLE GLAZING USING GLAZING PUTTY.
- REMOVE ALL PAINT SUFFICIENT FOR PRIMING & FINAL REPAINTING ON-SITE, PROVIDE NECESSARY WOOD PREPARATION FOR A CLEAN SMOOTH FINISH WITHOUT ROUGH AREAS, VOIDS, HOLES & IRREGULAR APPEARANCE.
- REFINISH/REPAIR OR REPLACE WINDOW HARDWARE INCLUDING BRAIDED COTTON COUNTERWEIGHT CORDS, SASH CAM LOCKS, PULLEYS & LIFTS, T.M.E.
- PROVIDE NEW SPRUNG BRONZE WEATHERSTRIP FOR OPENABLE WINDOWS (VINTAGE WOODWORKS 250.386.5354).
- ENSURE FULL OPERATION OF ORIGINALLY VENTING WINDOWS.
- REMOVE WINDOWS FOR INSTALLATION OF NEW SUB-SILL W/P MEMB. REINSTALL WINDOWS PER DETAILS.
- EXISTING WINDOW SIZES NOTED ARE APPROXIMATE. CONFIRM ON SITE.

NEW WINDOW NOTES

- DIMENSIONS INDICATED ARE CUSTOM NOMINAL WINDOW SIZES (WIDTH x HEIGHT), CONFIRM FINAL R/O'S & INSTALLATION REQ'MTS W/ MANUFACTURER BEFORE FRAMING.
- WINDOW SCHEDULE IS VIEWED FROM EXTERIOR, REFER TO ELEVATIONS FOR VENT TYPES.
- GLAZING IN NEW WINDOWS TO MEET CAN/CGSB-12.8-M90: CLEAR, TEMPERED OR ANNEALED, INSULATED DUAL-PANE UNITS W/ ENHANCED LOW-E COATING. PROVIDE MIN. 10YR. SEAL WARRANTY.
- BEDROOM WINDOW VENT OPENINGS TO MEET BC BLDG. CODE MIN. EGRESS SIZE REQUIREMENTS c/w 90° EGRESS HINGES CONFIRM REQD ROUGH OPENINGS BEFORE FRAMING.
- WOOD FRAMED WINDOWS TO BE PAINT-GRADE/PRIMED, U.O.N. HARDWARE: VINYL WINDOWS BLACK OR DARK BROWN; WOOD WINDOWS: ANTIQUE BRONZE OR TO OWNER'S SPEC.
- SUBMIT SHOP DRAWINGS TO CONSULTANT, INDICATING CONFIGURATION OF EACH WINDOW, JAMB/SILL DETAILS, PRODUCT SPECS, ETC., FOR APPROVAL BEFORE FABRICATION.
- SUPPLY WOOD WINDOWS COMPLETE WITH WOOD SILLS WITH HORN EXTENSIONS, SEE DETAILS. EXTERIOR TRIMS/BRICK MOULD TO BE SITE APPLIED.
- FIBERGLASS WINDOWS
- NO BRICK MOULD
- CONFIRM SCREENS W/ OWNER
- HANDLE & INSTALL WINDOWS AS PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- SEE ELEVATIONS FOR WINDOW INSTALLATION HEAD HEIGHTS.
- SEAL WATERPROOF SILL MEMB. JOINTS & GAPS W/ THERMAL-PLASTIC SEALANT OR MASTIC. DO NOT RIP MEMB. WHEN INSTALLING WINDOW; IF RIPPED, REMOVE WINDOW, REPAIR MEMB. & RE-INSTALL.
- WOOD FRAMED WINDOW MANUFACTURERS:
PELLA, LOEWEN, VINTAGE WOODWORKS, LATKO OR APPROVED ALTERNATE
- VINYL FRAMED WINDOW MANUFACTURERS:
STARLINE, OASIS, ALLIED OR APPROVED ALTERNATE COLOUR: SEE ELEVATIONS

Δ = SAFETY GLASS (SEE ALSO PLANS)

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DATE: Y/M/D	ISSUE/REVISION
21/09/01	ISSUED FOR HRA REZONING
22/01/10	RE-ISSUED FOR HRA REZONING
22/01/31	RE-ISSUED FOR HRA REZONING



2119 Edinburgh Street
New Westminster, BC
V3M 2X9 Canada

778-883-2024
christa@lodgecraft.ca

PROJECT NO.: 19-011

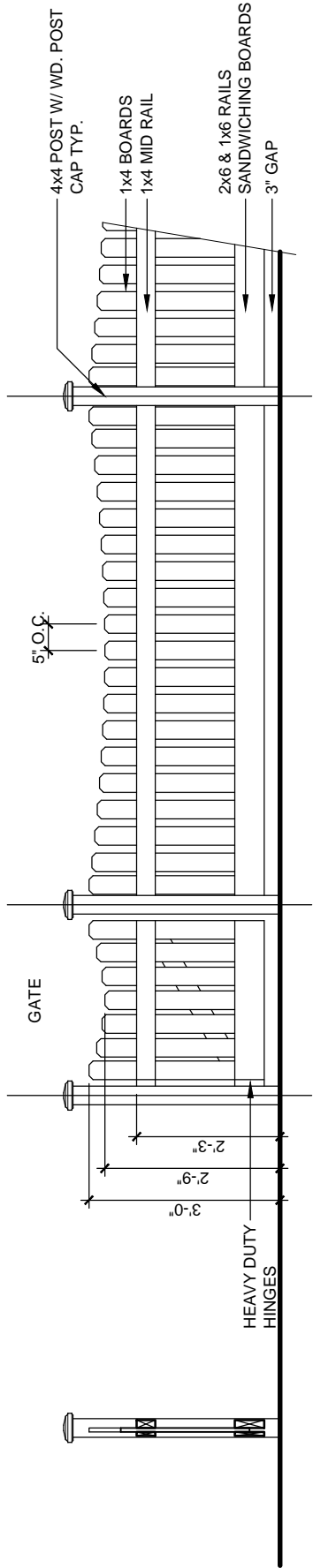
PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

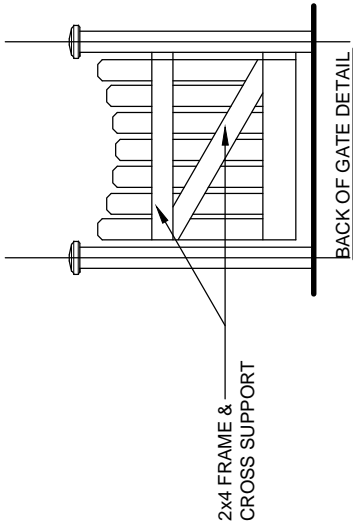
DRAWING TITLE:
DOOR & WINDOW
SCHEDULES

DWG. START DATE:	MARCH 2020
SCALE:	1/8"=1'-0"
REVISION NO.:	Δ
DRAWING NO.:	

A-8.1

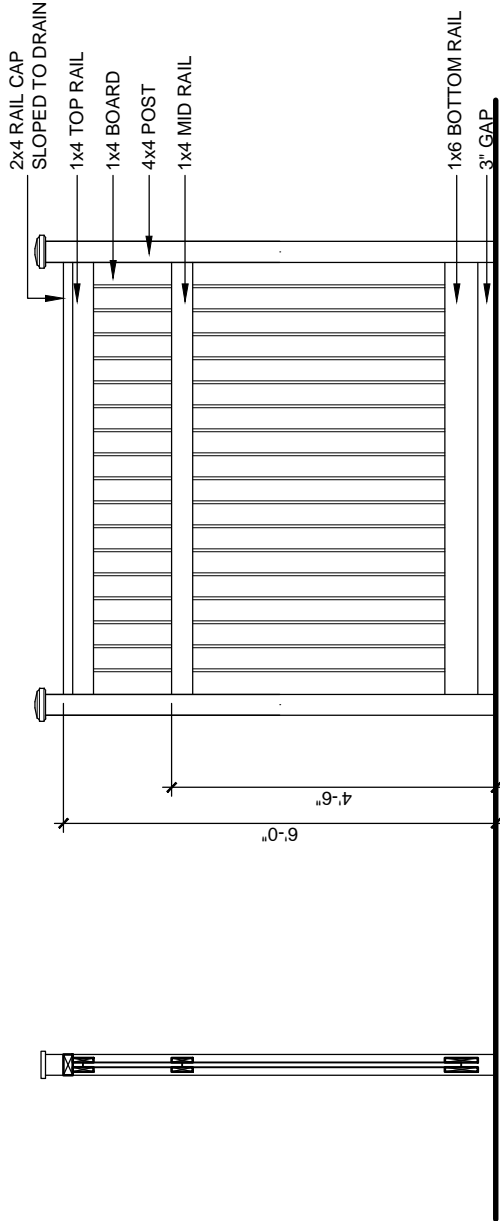


- FENCE NOTES:
1. ALL POSTS PRESSURE TREATED TO CSA STANDARD AND END CUTS TREATED WITH PRESERVATIVE.
 2. ALL OTHER MEMBERS TO BE CEDAR #2 (CONSTRUCTION) GRADE MINIMUM.
 3. ALL HARDWARE HOT DIPPED GALVANIZED.
 4. APPLY 2 COATS EXTERIOR STAIN TO MANUFACTURER'S SPECIFICATION.
 5. FINISH SELECTION AS APPROVED BY PROJECT DESIGNER.
 6. ALL FENCES TO BE LEVEL. CHANGES IN GRADE TO BE IN 12"-18" STEPS (MAX) GAPS TO GRADE TO FOLLOW FINISH GRADE. GAP TO BE 3-6"
 7. POSTS MOUNTED IN GALVANIZED SADDLES FINISHED TO MATCH FENCE.



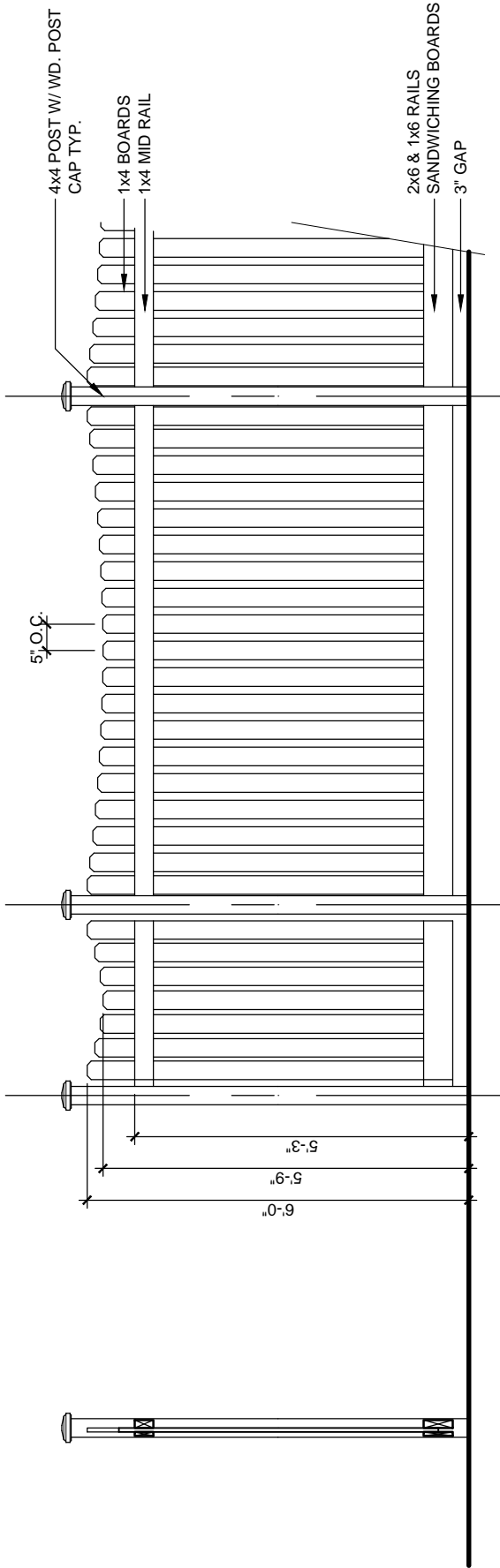
1 3' HIGH WOOD FENCE

SCALE: 3/8"=1'-0"



2 6' HIGH WOOD FENCE

SCALE: 3/8"=1'-0"



3 6' HIGH WOOD FENCE (ALTERNATE)

SCALE: 3/8"=1'-0"

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22/01/31	RE-ISSUED FOR HRA REZONING



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New Westminster, BC
V3M 2X9 Canada

778-883-2024
christa@lodgecraft.ca

PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND
INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
TYPICAL FENCE DETAILS

DWG. START DATE:	JAN 2020
SCALE:	1/16"=1'-0"
REVISION NO.:	0
DRAWING NO.:	

A-8.2



HERITAGE HOUSE FROM LANE



HERITAGE HOUSE FROM LANE



HERITAGE HOUSE FROM SOUTH EAST



HERITAGE HOUSE FROM SEVENTH AVENUE



HERITAGE HOUSE FROM NORTH WEST



HERITAGE HOUSE FROM FIRST STREET



HERITAGE HOUSE FROM NORTH WEST

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22/01/31	RE-ISSUED FOR HRA REZONING



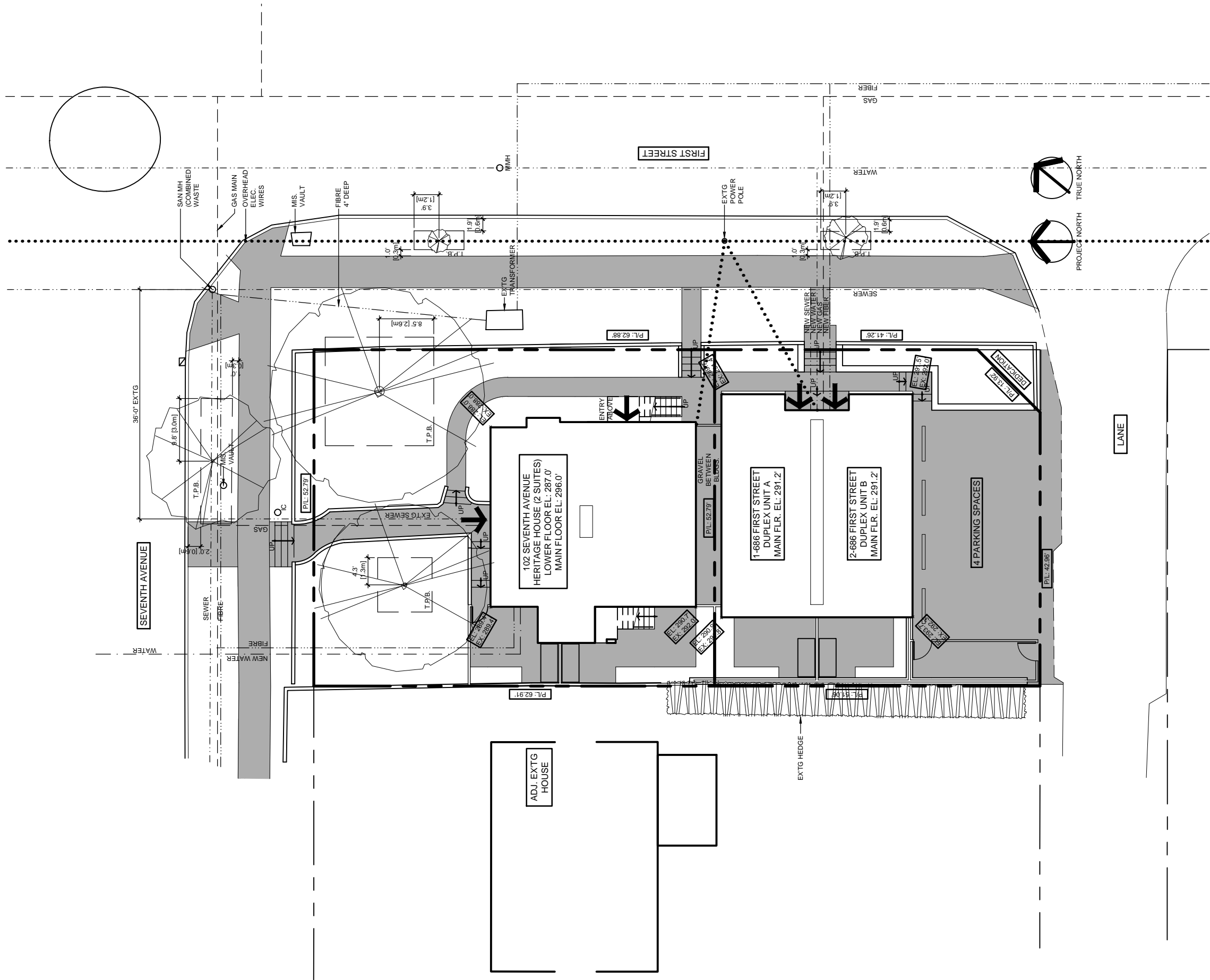
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PROJECT NO.: 19-011	
PROJECT TITLE: HRA RESTORATION AND INFILL	
102 SEVENTH AVENUE NEW WESTMINSTER, BC	
DRAWING TITLE: CONTEXT / HERITAGE HOUSE PHOTOS	
DWG. START DATE:	MARCH 2021
SCALE:	N.T.S.
REVISION NO.:	△
DRAWING NO.:	

A-9.1



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21/09/01	ISSUED FOR HRA REZONING
22/01/10	RE-ISSUED FOR HRA REZONING
22/01/31	RE-ISSUED FOR HRA REZONING

SITE UTILITIES KEY

ELEC.

COM.

G

W

SS

SD



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778-883-2024
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PROJECT NO.: 19-011

PROJECT TITLE:
HRA RESTORATION AND INFILL

102 SEVENTH AVENUE
NEW WESTMINSTER, BC

DRAWING TITLE:
SITE SERVICES PLAN

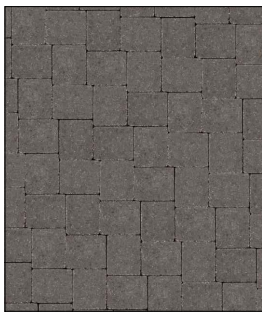
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SCALE:	1/16"=1'-0"
REVISION NO.:	0
DRAWING NO.:	

A-9.2

MATERIAL PALETTE



PAVING TYPE A
SUPPLIER: ABBOTSFORD PAVING
PRODUCT: OLD COUNTRY STONE
COLOUR: NATURAL
PATTERN: OFFSET RUNNER



PAVING TYPE B
SUPPLIER: ABBOTSFORD PAVING
PRODUCT: OLD COUNTRY STONE
COLOUR: CHARCOAL
PATTERN: 90° BASKET WEAVE



PAVING TYPE C
SUPPLIER: ABBOTSFORD PAVING
PRODUCT: OLD COUNTRY STONE
COLOUR: NATURAL
PATTERN: RANDOM RUNNER BOND



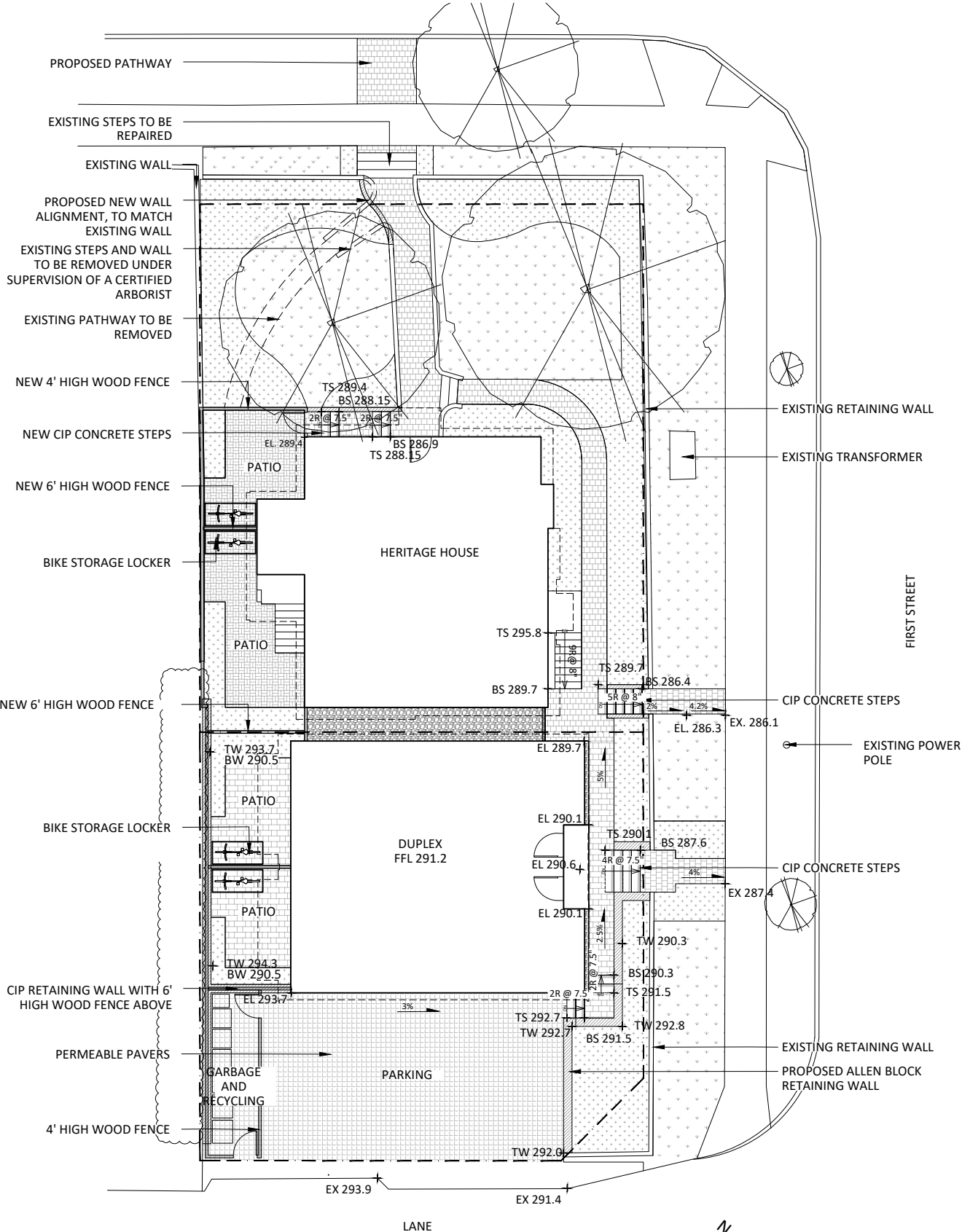
PERMEABLE PAVING
SUPPLIER: BELGARD
PRODUCT: ECODUBLIN
COLOUR: GREY



RIVER ROCK



NEW WALL PRECEDENT



SCALE: 1/16" = 1'0" ON 11X17 SHEET

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Revisions			
No.	Date	Status	By
1	MAY 14, 2021	HRA REZONING	JB
2	OCT 25, 2021	HRA REZONING	JB
3	JAN 28, 2022	ISSUED FOR REVIEW	JB

- LEGEND
- PROPERTY LINE
 - ▨ PAVING TYPE A
 - ▩ PAVING TYPE B
 - ▧ PAVING TYPE C
 - ▤ PERMEABLE PAVING
 - RIVER ROCK
 - LAWN
 - PLANTING AREA
 - ▬ PROPOSED WALL
 - ⊗ EXISTING TREE
 - ⊙ PROPOSED TREE
 - ▭ EXISTING HEDGE

ISSUED FOR REVIEW
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Client
PANATCH GROUP

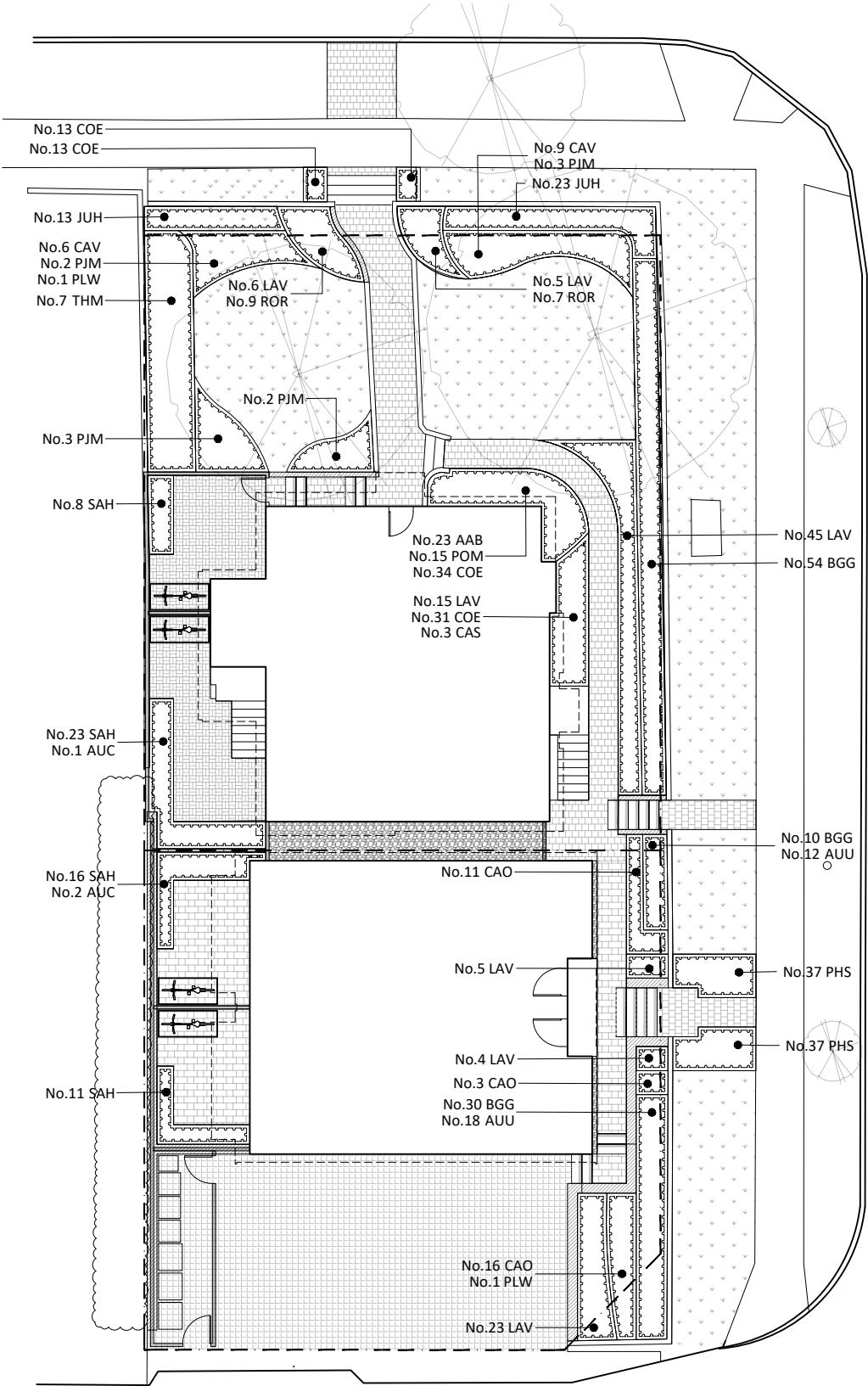
Project
HRA RESTORATION AND INFILL
102 SEVENTH AVENUE NEW WESTMINSTER, BC

Drawing Title
LANDSCAPE SITE PLAN

Date APRIL, 2021	ELAC Project No. 21-612
Scale (On 11 x 17 Inch Sheet) AS SHOWN	Drawing No. L1.0
Drawn By LB	
Checked JK	

102 Seventh Ave, New Westminster Planting List

NO	Key	Botanical Name	Common Name	Size
EVERGREEN SHRUBS				
94	BGG	Buxus x 'Green Gem'	Green Gem Boxwood	#2 pot
15	CAV	Calluna vulgaris	Heather	#2 pot
10	PJM	Rhododendron x PJM	PJM Rhododendron	#2 pot
58	SAH	Sarcococca 'humilis'	Sweetbox	#2 pot
7	THM	Taxus x Media H.M. Eddie	H.M. Eddie Yew	5' - 6' B&B
Total: 184				
DECIDUOUS SHRUBS				
3	AUC	Arbutus unedo 'Compacta'	Dwarf Strawberry Tree	#5 pot
30	AUU	Arctostaphylos uva-ursi	Kinnikinnick	#1 pot
2	PLW	Philadelphus lewisii 'Waterton'	Waterton Mock Orange	#5 pot
16	ROR	Rosa rugosa 'Hansa'	Rugosa Rose	#2 pot
Total: 51				
VINE				
3	CAS	Clematis armandii 'Snowdrift'	Evergreen Clematis	#1 Pot
Total: 3				
PERENNIALS / GROUND COVERS				
23	AAB	Athyrium 'Autumn Brilliance'	Autumn Brilliance Fern	#1 Pot
91	COE	Carex oshimensis 'evergold'	Japanese Sedge	#1 pot
36	JUH	Juniperus horizontalis	Creeping Juniper	#2 pot
103	LAV	Lavandula angustifolia 'Munstead'	English Lavender	#1 pot
15	POM	Polystichum munitium	Western Sword Fern	#1 Pot
74	PHS	Phlox stolonifer	Creeping Phlox	#1 Pot
Total: 342				
ORNAMENTAL GRASSES				
30	CAO	Calamagrostis x acutiflora 'Overdam'	Feather Reed Grass	#2 Pot
Total: 30				



SCALE: 1/16" = 1'0" ON 11X17 SHEET

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- LEGEND
- PROPERTY LINE
 - [Pattern] PAVING TYPE A
 - [Pattern] PAVING TYPE B
 - [Pattern] PAVING TYPE C
 - [Pattern] PERMEABLE PAVING
 - [Pattern] RIVER ROCK
 - [Pattern] LAWN
 - [Pattern] PLANTING AREA
 - [Pattern] PROPOSED WALL
 - [Symbol] EXISTING TREE
 - [Symbol] PROPOSED TREE
 - [Symbol] EXISTING HEDGE

ISSUED FOR REVIEW
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Client
PANATCH GROUP

Project
HRA RESTORATION AND INFILL
102 SEVENTH AVENUE NEW WESTMINSTER, BC

Drawing Title
PLANTING PLAN

Date APRIL, 2021	ELAC Project No. 21-612
Scale (On 11 x 17 Inch Sheet) AS SHOWN	Drawing No. L2.0
Drawn By LB	
Checked JK	

APPENDIX 6

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT – NO SEPARATE SALE OF SUBDIVIDED PARCELS

SECTION 219 COVENANT – NO SEPARATE SALE OF SUBDIVIDED PARCELS

THIS AGREEMENT dated for reference the ____ day of _____, 20__ is

BETWEEN:

RAJVIR SINGH SANDHU, 102 Seventh Avenue, New Westminster, BC

(the "Owner")

AND:

CORPORATION OF THE CITY OF NEW WESTMINSTER, City Hall, 511
Royal Avenue, New Westminster, British Columbia, V3L 1H9

(the "City")

WHEREAS:

- A. The Owners are the registered owners in fee simple of those lands in New Westminster, British Columbia legally described as NO PID, _____ and NO PID, _____ (together, the "Lands");
- B. Pursuant to a Heritage Revitalization Agreement between the City and the Owners, dated for reference January 10, 2022 (the "HRA"), the Owners are required to deposit in the Land Title Office, concurrently with the subdivision plan creating the Lands as separate fee simple parcels, a covenant under s.219 of the *Land Title Act* in favour of the City, by which the Owners covenant and agree not to transfer separately the Lands until the Owners have complied with the requirements of the HRA for the preservation, restoration, and rehabilitation of the Heritage Building (as defined in the HRA);
- C. Section 219 of the *Land Title Act* (British Columbia) provides that there may be registered as a charge against the title to any land a covenant in favour of a municipality in respect of the use of land, the use of a building on or to be erected on land, or that parcels of land designated in the covenant are not to be sold or otherwise transferred separately;

NOW THEREFORE in consideration of the sum of \$10.00 now paid by the City to the Owners and other good and valuable consideration, the receipt and sufficiency of which the Owners hereby acknowledge, the parties covenant and agree pursuant to Section 219 of the *Land Title Act* (British Columbia) as follows:

- 1. **Lands Not to be Separately Sold or Transferred** – The Lands shall not be sold or otherwise transferred separately.

2. **Discharge** – The City shall, at the written request of the Owners, execute and deliver to the Owners a registrable discharge of this Agreement, in its sole and unfettered discretion, to be exercised consistently with the wording and intent of the HRA, that the Owners have completed and complied with all requirements in the HRA for the preservation, restoration, and rehabilitation of the Heritage Building by the deadlines set out therein.
3. **Notice** – All notices and other communications required or permitted to be given under this Agreement must be in writing and must be sent by registered mail or delivered as follows:
 - (a) if to the Owner, to the address shown on the Land Title Office title search to the Lands,
 - (b) if to the City, as follows:

City of New Westminster
511 Royal Avenue
New Westminster, BC, V3L 1H9

Attention: Heritage Planner

Any notice or other communication that is delivered is considered to have been given on the next business day after it is dispatched for delivery. Any notice or other communication that is sent by registered mail is considered to have been given five days after the day on which it is mailed at a Canada Post office. If there is an existing or threatened strike or labour disruption that has caused, or may cause, an interruption in the mail, any notice or other communication must be delivered until ordinary mail services is restored or assured. If a party changes its address it must immediately give notice of its new address to the other party as provided in this section.

4. **Interpretation** – In this Agreement:
 - (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
 - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
 - (c) reference to a particular numbered section or article is a reference to the correspondingly numbered section or article of this Agreement;
 - (d) reference to the “Lands” or to any other parcel of land is a reference also to any parcel into which those lands are subdivided or consolidated by any means

(including the removal of interior parcel boundaries) and to each parcel created by any such subdivision or consolidations;

- (e) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
 - (f) reference to any enactment includes any regulations, orders, permits or directives made or issued under the authority of that enactment;
 - (g) unless otherwise expressly provided, reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced;
 - (h) time is of the essence;
 - (i) all provisions are to be interpreted as always speaking;
 - (j) reference to a “party” is a reference to a party to this Agreement and to their respective heirs, executors, successors (including successors in title), trustees, administrators and receivers;
 - (k) reference to the City is a reference also to its elected and appointed officials, officers, employees and agents;
 - (l) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”; and
 - (m) any act, decision, determination, consideration, opinion, consent or exercise of discretion by a party or person as provided in this Agreement must be performed, made, formed or exercised acting reasonably, except that any act, decision, determination, consideration, consent, opinion or exercise of discretion that is said to be within the “sole discretion” of a party or person may be performed, made, formed or exercised by that party or person in the sole, unfettered and absolute discretion of that party or person.
5. **No Waiver** – No provision or breach of this Agreement, nor any default, is to be considered to have been waived or acquiesced to by a party unless the waiver is express and is in writing by the party. The waiver by a party of any breach by the other party of any provision, or default, is not to be construed as or constituted a waiver of any further or other breach of the same or any other provision or default.
6. **No Effect on Laws or Powers** – This Agreement and the Owners’ contributions, obligations and agreements set out in this Agreement do not:

- (a) affect or limit the discretion, rights, duties or powers of the City or the Approving Officer under any enactment or at common law, including in relation to the use, development, servicing or subdivision of the Lands;
 - (b) impose on the City or the Approving Officer any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
 - (c) affect or limit any enactment relating to the use, development or subdivision of the Lands; or
 - (d) relieve the Owners from complying with any enactment, including in relation to the use, development, servicing, or subdivision of the Lands.
7. **Remedies for Breach** – The Owners agree that, without affecting any other rights or remedies the City may have in respect of any breach of this Agreement, the City is entitled, in light of the public interest in securing strict performance of this Agreement, to seek and obtain from the British Columbia Supreme Court a mandatory or prohibitory injunction, or order for specific performance, in respect of the breach.
 8. **Binding Effect** – This Agreement enures to the benefit of and is binding upon the parties and their respective heirs, executors, administrators, trustees, receivers and successors (including successors in title).
 9. **Covenant Runs With the Lands** – Every provision of this Agreement and every obligation and covenant of the Owners in this Agreement, constitutes a deed and a contractual obligation, and also a covenant granted by the Owners to the City in accordance with section 219 of the *Land Title Act*, and this Agreement burdens the Lands to the extent provided in this Agreement, and runs with them and binds the Owners’ successors in title. This Agreement also burdens and runs with every parcel into which the Lands are consolidated (including by the removal of interior parcel boundaries) or subdivided by any means, including by subdivision under the *Land Title Act* or by strata plan or bare land strata plan under the *Strata Property Act*.
 10. **Further Acts** – The Owners shall do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
 11. **Severance** – If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
 12. **Amendment** – This Agreement may be amended from time to time by agreement between the Owners and the City. Except as otherwise expressly provided in this

Agreement, amendments to this Agreement must be made by an instrument in writing duly executed by the Owners and the City.

13. **Deed and Contract** – By executing and delivering this Agreement each of the parties intends to create both a new contract and a deed of covenant executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part I of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

CONSENT AND PRIORITY AGREEMENT

WHEREAS:

- A. [Name of land owner(s)] (the "Owner") is the registered owner of the land described in Item 2 of Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement (the "Land");
- B. The Owner granted [Name of chargeholder] (the "Prior Chargeholder") a [identify mortgage or other charge] which was registered against the title to the Land in the New Westminster Land Title Office under number [insert registration number] (the "Prior Charge");
- C. The Owner granted to the Corporation of the City of New Westminster (the "Subsequent Chargeholder") a section 219 covenant which is registered against the title to the Land under number one less than this Consent and Priority Agreement (the "Subsequent Charge"); and
- D. Section 207 of the *Land Title Act* permits the Prior Chargeholder to grant priority over a charge to a subsequent chargeholder.

THEREFORE THIS CONSENT AND PRIORITY AGREEMENT WITNESSES THAT IN CONSIDERATION OF \$1.00 AND OTHER GOOD AND VALUABLE CONSIDERATION RECEIVED BY THE PRIOR CHARGEHOLDER FROM THE SUBSEQUENT CHARGEHOLDER (THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED):

- 1. The Prior Chargeholder hereby consents to the granting and registration of the Subsequent Charge and the Prior Chargeholder hereby agrees that the Subsequent Charge shall be binding upon its interest in and to the Land.
- 2. The Prior Chargeholder hereby grants to the Subsequent Chargeholder priority for the Subsequent Charge over the Prior Chargeholder's right, title and interest in and to the Land, and the Prior Chargeholder does hereby postpone the Prior Charge and all of its right, title and interest thereunder to the Subsequent Charge as if the Subsequent Charge had been executed, delivered and registered prior to the execution, delivery and registration of the Prior Charge.

As evidence of its agreement to be bound by the above terms of this Consent and Priority Agreement, the Prior Chargeholder has executed and delivered Part 1 of *Land Title Act* Form C which is attached hereto and forms part of this Agreement.

END OF DOCUMENT

APPENDIX 7

VARIATIONS TO ZONING BYLAW NO. 6680, 2001

	Single Detached Dwelling District (RS-1) Requirement/Allowance	Lot with Heritage Building (102 Seventh Avenue)	Lot with New Duplex (686 First Street)
Minimum Lot Size	6,000 square feet (557 square metres)	3,320 square feet (308.4 square metres)	2,648.6 square feet (246.1 square metres)
Permitted Uses	Single detached dwellings, detached accessory dwelling units, secondary suites	Single detached dwellings, secondary suites	Duplex
Units	One principal unit, one secondary suite, one detached accessory dwelling	One principal unit, one secondary suite	Two duplex dwelling units
Maximum Floor Space Ratio	0.5	0.75	0.77
Site Coverage	35%	-	38%
Minimum Rear Yard Setback (Heritage House)	12.6 feet (3.8 metres)	2.9 feet (0.9 metres)	-
Minimum Front Yard Setback (New Duplex)	10.6 feet (3.2 metres)	-	7 feet (2.1 metres)
Minimum Side Yard Setback (New Duplex)	5 feet (1.5 metres)	-	4 feet (1.2 metres)
Off-Street Parking	2 on-site residential parking spaces	2 residential parking spaces on adjacent site	-

** Should Step Code 3, 4 or 5 of the Energy Step Code be met, the maximum space ratio can be increased as outlined in Section 310.11.1 of Zoning Bylaw No. 6680, 2001*

THE CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8313, 2022

A bylaw of the Corporation of the City of New Westminster to designate the principal building located at 102 Seventh Avenue as protected heritage property.

WHEREAS the *Local Government Act*, RSBC 2015, c.1 provides Council with authority, by bylaw, to designate real property, in whole or in part, as protected heritage property, on terms and conditions it considers appropriate;

AND WHEREAS the registered owner of the land located at 102 Seventh Avenue has entered into a Heritage Revitalization Agreement in relation to the principal building currently located on the land as authorized by Bylaw No. 8312, 2022 (the "Heritage Revitalization Agreement"), which has requested that Council designate that property as protected heritage property, and has released the City from any obligation to compensate the registered owner for the effect of such designation;

AND WHEREAS Council considers that the building located at 102 Seventh Avenue has significant heritage value and character and is a prominent and valued heritage property in the City;

AND WHEREAS Council considers that designation of the building located at 102 Seventh Avenue as protected heritage property under the provisions of the *Local Government Act* is necessary and desirable for its conservation;

NOW THEREFORE City Council of the Corporation of the City of New Westminster enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as "Heritage Designation Bylaw (102 Seventh Avenue) No. 8313, 2022."

INTERPRETATION

2. In this Bylaw, the terms "heritage value", "heritage character" and "alter" have the corresponding meanings given to them in the *Local Government Act*.

DESIGNATION

3. The principal building located on that parcel of land having a civic address of 102 Seventh Avenue, New Westminster, British Columbia, legally described as PID: 002-367-343; LOT "A" OF LOTS 3 AND 4 OF THE NORTH HALF LOT 6 SUBURBAN BLOCK 13 PLAN 6672 and labelled "102 Seventh Avenue Heritage House (2 Suites)" in Schedule A (the "Building"), is hereby designated in its entirety as protected heritage property under section 611 of the *Local Government Act* of British Columbia.

PROHIBITION

4. Except as expressly permitted by Section 5 or as authorized by a heritage alteration permit issued by the City, no person shall undertake any of the following actions, nor cause or permit any of the following actions to be undertaken in relation to the Building:
 - (a) alter the exterior of the Building;
 - (b) make a structural change to the Building including, without limitation, demolition of the Building or any structural change resulting in demolition of the Building;
 - (c) move the Building; or
 - (d) alter, excavate or build on that portion of land upon which the Building is located.

EXEMPTIONS

5. Despite Section 4, the following actions may be undertaken in relation to the Building without first obtaining a heritage alteration permit from the City:
 - (a) non-structural renovations or alterations to the interior of the Building that do not alter the exterior appearance of the Building; and
 - (b) normal repairs and maintenance that do not alter the exterior appearance of the Building.
6. For the purpose of section 5, “normal repairs” means the repair or replacement of non-structural elements, components or finishing materials of the Building with elements, components or finishing materials that are equivalent to those being replaced in terms of heritage character, material composition, colour, dimensions and quality.

MAINTENANCE

7. The Building shall be maintained in good repair in accordance with the City of New Westminster Heritage Property Maintenance Standards Bylaw No. 7971, 2018, as amended or replaced from time to time.

HERITAGE ALTERATION PERMITS

8. Where a heritage alteration permit is required under this Bylaw for a proposed action in relation to the Building, application shall be made to the City of New Westminster Climate Action, Planning and Development, Planning Division in the manner and on the form prescribed, and the applicant shall pay the fee imposed by the City for such permit, if any.

9. City Council, or its authorized delegate, is hereby authorized to:

- (a) issue a heritage alteration permit for situations in which the proposed action would be consistent with the heritage protection provided for the Building under this Bylaw and the Heritage Revitalization Agreement;
- (b) withhold the issue of a heritage alteration permit for an action which would not be consistent with the heritage protection provided for the Building under this Bylaw or the Heritage Revitalization Agreement;
- (c) establish and impose terms, requirements and conditions on the issue of a heritage alteration permit that are considered to be consistent with the purpose of the heritage protection of the Building provided under this Bylaw and the Heritage Revitalization Agreement; and
- (d) determine whether the terms, requirements and conditions of a heritage alteration permit have been met.

RECONSIDERATION BY COUNCIL

10. An applicant or owner whose application for a heritage alteration permit for alteration of the Building has been considered by an authorized delegate may apply for a reconsideration of the matter by Council, and such reconsideration shall be without charge to the applicant or owner.

GIVEN FIRST READING this 7th day of March 2022.

GIVEN SECOND READING this 7th day of March 2022.

PUBLIC HEARING held this _____ day of _____ 2022.

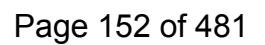
GIVEN THIRD READING this _____ day of _____ 2022.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this _____ day of _____ 2022.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

SKETCH



REPORT

Engineering Services

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Lisa Leblanc
Director of Engineering Services **File:** 09.1750.01
(Doc#2030424v1)

Item #: 2022-214

Subject: 2022 Spring Freshet and Snow Pack Level

RECOMMENDATION

THAT Council receive this report for information.

PURPOSE

This report is to inform Council of the current snowpack conditions as of March 1, 2022 in the Fraser River Basin and related preparation for the annual freshet for 2022.

SUMMARY

The March 1st, 2022 snow basin indices throughout British Columbia is slightly above normal. The average of all snow basin indices across B.C. decreased to 105% in the past month due to drier conditions (February 1st: 109%). The snow basin index for the Fraser River at Hope is above normal at 119%. By early March, nearly 80% of the annual B.C. snow pack has typically accumulated. With about a month left for snow accumulation, the snow pack as well as the flood risk can still change. Staff will continue with ongoing preparations and inventory review of flood protection equipment & materials, as well as monitoring of the river basin conditions. Following the April 1st snowpack measurement, staff in consultation with the Emergency Management Office will make a determination on the freshet flood risk and execute the High Water Response Plan accordingly. At that time, additional financial resources may be required to implement flood mitigation measures depending on further development of freshet conditions.

BACKGROUND

The waterfront portions of the New Westminster mainland as well as all of Queensborough are located within the floodplain of the Fraser River. Only Queensborough has an existing permanent dyke system for protection against flooding from the Fraser River. The Engineering Department has a High Water Response Plan which is invoked annually to ensure that risk of flooding in vulnerable areas in the floodplain is managed by a series of temporary mitigation measures in the event of a significant freshet.

EXISTING POLICY AND PRACTICE

The City has a Freshet Preparation Work Plan that is regularly updated. Key components in the preparation stage include:

1. Review historical information and update the Freshet Preparation Work Plan and High Water Response Plan. *Status: The City has an up to date High Water Response plan and Freshet Preparation Workplan;*
2. Monitor snowpack information to assess risk. *Status: The City's Engineering Department is actively in contact with the Emergency Management Office and closely monitoring the developing risk;*
3. Complete a dike inspection and crest survey to identify potential areas where either permanent or temporary works may be necessary. *Status: Scheduled for early April, 2022;*
4. Start the process to update contact lists of local suppliers and contractors and potential emergency measures. *Status: The City has over 40,000 burlap sandbags with another 12,000 on standby order. The City will also be placing orders for various sizes of sandbags based on the River Forecast Centre modelling forecasts;*
5. Coordinate with adjacent municipalities to develop joint work plans where inter-boundary concerns exist *Status: Ongoing;*
6. Evaluate new flood protection techniques developed since 2020 that could be used for permanent or temporary mitigation measures. *Status: Completed;*
7. Inspect condition of existing City fast-deployment water dams (Aqua-dams) and have supplier complete a refresher training for staff. *Status: Completed on April 27th, 2021.*

The City's freshet monitoring and associated tasks have historically been referenced to the water level at the Mission gauge which is not influenced by tidal effects. Certain tasks of the 2022 Freshet Preparation Plan are activated when the gauge readings reach the levels indicated in the following table:

Tasks / Historical References	Mission Gauge Water Level
CNW Starts Weekly Dyke Patrols	6.0 m

CNW Starts Daily Dyke Patrols	6.5 m
CNW Starts 24hr Continuous Patrol and installs temporary protection measures in certain locations	7.0 m
1948 Flood levels (June 8th)	7.56 m
1894 Flood Levels	7.92 m
Top of Dykes at Mission Gauge	8.53 m

The Work Plan includes additional tasks to be completed later in the spring.

ANALYSIS

The Climate Prediction Center (CPC) shows that El Niño Southern Oscillation (ENSO) demonstrated La Niña conditions during the fall of 2021. This is the second La Niña in a row, with La Niña present during the fall-winter of 2020-21. La Niña occurs when oceanic temperature anomalies along the equatorial Pacific Ocean region are below normal for an extended period. Historically, La Niña conditions create cooler temperatures for British Columbia and wetter weather in the South Coast and Vancouver Island during the winter months.

Forecasts from the CPC indicate a likelihood (77% chance) of continued La Niña conditions (March-May 2022), with a potential transition to neutral conditions (56% likelihood) into summer (May-July 2022). Historically, the April 1st snow pack is often above normal when winter La Niña conditions exist in British Columbia, particularly for the South Coast and Southern Interior. La Niña conditions that persist into the spring can lead to late-season snow accumulation and delayed snowmelt, which increases the risk for freshet flooding.

The Fraser River Snow Basin Index for March 1, 2022 is slightly above normal at 107%, where the Fraser River at Hope Snow Basin Index is at 119%. By early March, nearly 80% of the annual B.C. snow pack has typically accumulated. With a month left for snow accumulation, seasonal snow packs and the flood risk can still change.

Extreme Weather Events

In general, flooding usually occurs due to extreme weather. In 2021, there were two extreme weather events that resulted in catastrophe: the heat dome in late-June and atmospheric rivers in November. Alpine temperatures during the heat dome reached up to 38°C, triggering extraordinary snow melt at high elevation. If such an extreme heat event occurred earlier in the freshet season when there is more snow to melt (May or early-June), it could lead to significant flooding at a provincial scale. Atmospheric rivers tend to affect the province primarily between September and January. However, strong storms can occur as early as August for the North Coast and there are numerous

examples of atmospheric rivers occurring on the South Coast into February and March. It is less likely that these events will occur in May or June, but not impossible.

The most likely cause for major flooding would be a period of persistent cool temperatures and wet weather into the late spring, followed by a sudden heat wave of at least five or more days. There is evidence that 1948 and 1894 floods on the Fraser River were caused by this scenario. Based on current snow stations that had measurements in 1948, the snow conditions for March 1st were considered average, showing the potential impact of spring weather on flooding risk. A secondary risky scenario is a widespread heavy rainfall event that occurs during the high flows from snowmelt.

In general, snowpack factor produces about 20-40% of the flood risk, while weather factors produce about 60-80%. For further context:

- 5-6 days of hot weather (greater than 25 degrees Celsius) during the snowmelt peak period (mid-June) will produce very high flows (but not flood flows), whereas greater than 8 days of hot weather during the snowmelt peak period may produce flows that approach those of the 1948 flood;
- Rainfall of 70+ mm over 48 hours occurring widespread near the time of snowmelt peak can produce very high flows (but not flood flows) in the Fraser River.

The River Forecast Centre continues to monitor snow pack conditions and will provide an updated seasonal flood risk forecast in the April 1, 2022 bulletin, which is scheduled for release on April 9, 2022. Subsequently, Staff will provide the next update on snow pack conditions to Council in mid to late April.

SUSTAINABILITY IMPLICATIONS

Staff continues to consult with the provincial River Forecast Centre in order to understand the impacts of Climate Change such as the recent atmospheric river and heatwave in 2021, and how this translates to the seasonal freshet flood risk now and in the future. Engineering staff is also in the process of updating the City's Floodplain Management Strategy, which will recommend future dike protection measures to adapt to sea level rise and other effects of climate change.

FINANCIAL IMPLICATIONS

There is no expenditure at this time except the allocation of regular staff time to monitor the river basin conditions, assess the developing risk, initiate preparations and inventory review, and to complete the annual dike inspection. There is sufficient budget allocated at this time to respond to the current level of risk. Following the April 1st snowpack measurement, additional financial resources may be required to implement flood mitigation measures depending on the further development of freshet conditions.

INTERDEPARTMENTAL LIAISON

Interdepartmental liaison to date has been limited to coordination between Engineering Operations, the Emergency Management Office and Infrastructure Planning. More interaction with other departments such as Police, Electrical and Finance will be incorporated if the City & the Province activate their respective Emergency Operations Centers.

OPTIONS

The following options are presented for Council's consideration:

1. That Council receive this report for information; or
2. That Council provide alternative direction to staff.

Staff recommends Option 1.

CONCLUSION

The snow basin index for the Fraser River at Hope is above normal at 119%. By early March, nearly 80% of the annual B.C. snow pack has typically accumulated. Snow pack throughout the province ranges from 83% to 129% of normal. With about a month left for snow accumulation, the snow pack as well as the flood risk can still change. The Engineering Department annually executes its High Water Response Plan to ensure that vulnerable areas in the floodplain will be protected by a series of temporary mitigation measures in the event of a significant freshet. Staff will continue ongoing preparations and inventory review of flood protection equipment & materials, as well as monitoring of the river basin conditions.

Following the April 1st snowpack measurement, staff in consultation with the Emergency Management Office will make a determination on the freshet flood risk and execute the High Water Response Plan accordingly. At that time, additional financial resources may be required to implement flood mitigation measures depending on further development of freshet conditions.

ATTACHMENTS

Attachment 1 - Snow Survey & Water Supply Bulletin - March 1, 2022

APPROVALS

This report was prepared by:
George Otieno, P.Eng, PMP, Infrastructure Engineer

This report was reviewed by:

Eugene Wat, P.Eng, PTOE, Manager, Infrastructure Planning

This report was approved by:

Lisa Leblanc, Director of Engineering Services

Lisa Spitale, Chief Administrative Officer

Attachment #1

Snow Survey & Water Supply Bulletin March 1, 2022

Snow Survey and Water Supply Bulletin – March 1st, 2022

The March 1st snow survey is now complete. Data from 123 manual snow courses and 87 automated snow weather stations around the province (collected by the Ministry of Environment and Climate Change Strategy's Snow Survey Program, BC Hydro and partners), and climate data from Environment and Climate Change Canada and the provincial Climate Related Monitoring Program have been used to form the basis of the following report¹.

Executive Summary

The March 1st, 2022 snow pack throughout British Columbia is slightly above normal. The average of all measurements across B.C. decreased to 105% in the past month due to drier conditions (February 1st: 109%). The snow basin index for the Fraser River at Hope is above normal at 119%. By early March, nearly 80% of the annual B.C. snow pack has typically accumulated. Snow pack throughout the province ranges from 83 to 129% of normal. There is a higher risk for snowmelt related flooding during the spring months (freshet). The combination of normal to above normal March 1st snow pack, La Niña conditions forecast to persist through spring, and seasonal weather forecasts that predict cooler conditions for the province means an elevated risk for freshet-related flooding. Snow pack is also only one factor related to freshet flood risk. Weather conditions from April through June determine the timing, magnitude and rate of snow melt, and heavy rainfall events can exacerbate the situation.

Weather

Weather patterns over the past month contrasted significantly between the northern and southern halves of the province. The north experienced generally warmer conditions and greater precipitation than normal, with the warmest and wettest conditions occurring in the most northwesterly sections of B.C. In contrast, southern regions of the province recorded seasonable temperatures and dry conditions. The driest weather relative to normal occurred on Vancouver Island and the South Coast.

The strong storm system at the end of February continued into the first couple days of March, adding additional precipitation. This strong storm system at the very end of the February accounted for most of the monthly precipitation in the south. Relatively dry conditions have persisted since and are expected to continue for the near future. An unsettled weather pattern is forecast to return this weekend (March 11-13) and will likely continue next week.

1. Every effort is made to ensure that data reported on these pages are accurate. However, in order to update the graphs and indices as quickly as possible, some data may have been estimated. Please note that data provided on these pages are preliminary and subject to revision upon review.

Snow Survey and Water Supply Bulletin – March 1st, 2022

Snowpack

Snow basin indices for March 1st, 2022 range from a low of 83% of normal on Vancouver Island to a high of 129% in the Upper Fraser East (Table 1 and Figure 2, 3). Generally, the province has slightly above normal snow pack for March 1st, with the average of all snow measurements across the province at 105%. This has decreased from 109% observed on February 1st. The Okanagan and Vancouver Island are the only basins that are slightly below normal (80-89%) for March 1st. Normal snow packs (90-110%) were measured for the Upper Fraser West Nechako, Lower Fraser, South Thompson, West Kootenay, Boundary, Similkameen, South Coast, Central Coast, Skagit, Peace, and Skeena-Nass. Slightly above normal snow packs (110-120%) exists in the Middle Fraser, East Kootenay and Stikine. Snow basin indices that are above normal (120-130%) include the Upper Fraser East, North Thompson, Upper Columbia, Liard and Northwest.

The average of all snow measurements for the entire Fraser River basin (e.g., upstream of the Lower Mainland and inclusive of Upper Fraser West, Upper Fraser East, Nechako, Middle Fraser, Lower Fraser, North Thompson and South Thompson) is 107%, decreasing slightly from 108% on February 1st. The River Forecast Centre calculates an additional Snow Basin Index for the Fraser River at Hope based on each basin's contribution to the total annual flow of the river. For example, the Upper Fraser East contributes approximately 30% of the total flow for the Fraser River at Hope, the North Thompson about 16%, the South Thompson about 11% and the Quesnel approximately 9%. The Fraser River at Hope Snow Basin Index is 119%, which is 11th highest since 1970, due primarily to the high snow pack in the Upper Fraser East, North Thompson and Quesnel. The current year's March 1st value is the 5th highest in the last 30 years (1999: 140%, 2007: 128%, 2012: 121%, 1997:120%).

As the Middle Fraser encompasses a large and geographically diverse area, we divide it into sub-basins to analyze snow conditions and potential flood risks in localised areas. The Bridge region measures 105% of normal, the Quesnel area 125%, the Lower Thompson 99% and the Chilcotin sub-basin is at 163%. Beginning March 1st, a Nicola Snow Basin Index, comprised of stations in the Lower Thompson that are within the Nicola and Okanagan sites that border the Nicola, is calculated at 89% of normal. Please review the full summary data tables at the end of this report for further interpretation.

Table 1 - BC Snow Basin Indices – March 1, 2022

Basin	% of Normal (Feb 1 st value)	Basin	% of Normal (Feb 1 st value)
Upper Fraser West	103 (117)	Okanagan	86 (89)
Upper Fraser East	129 (119)	Boundary	91 (88)
Nechako	95 (97)	Similkameen	100 (95)

1. Every effort is made to ensure that data reported on these pages are accurate. However, in order to update the graphs and indices as quickly as possible, some data may have been estimated. Please note that data provided on these pages are preliminary and subject to revision upon review.

Snow Survey and Water Supply Bulletin – March 1st, 2022

Middle Fraser	111 (115)	South Coast	94 (102)
Lower Thompson*	99 (86)	Vancouver Island	83 (102)
Bridge*	105 (117)	Central Coast	101 (128)
Chilcotin*	163 (170)	Skagit	98 (126)
Quesnel*	125 (109)	Peace	99 (101)
Lower Fraser	95 (103)	Skeena-Nass	109 (108)
North Thompson	124 (118)	Stikine	110 (96)
South Thompson	102 (102)	Liard	123 (143)
Upper Columbia	123 (130)	Northwest	123 (N/A)
West Kootenay	108 (116)	Fraser	107 (108)
East Kootenay	111 (117)	Fraser River at Hope	119 (N/A)
Nicola**	89 (N/A)	British Columbia	105 (109)

* sub-basin of Middle Fraser

** sub-basin of Lower Thompson – includes representative stations within Okanagan

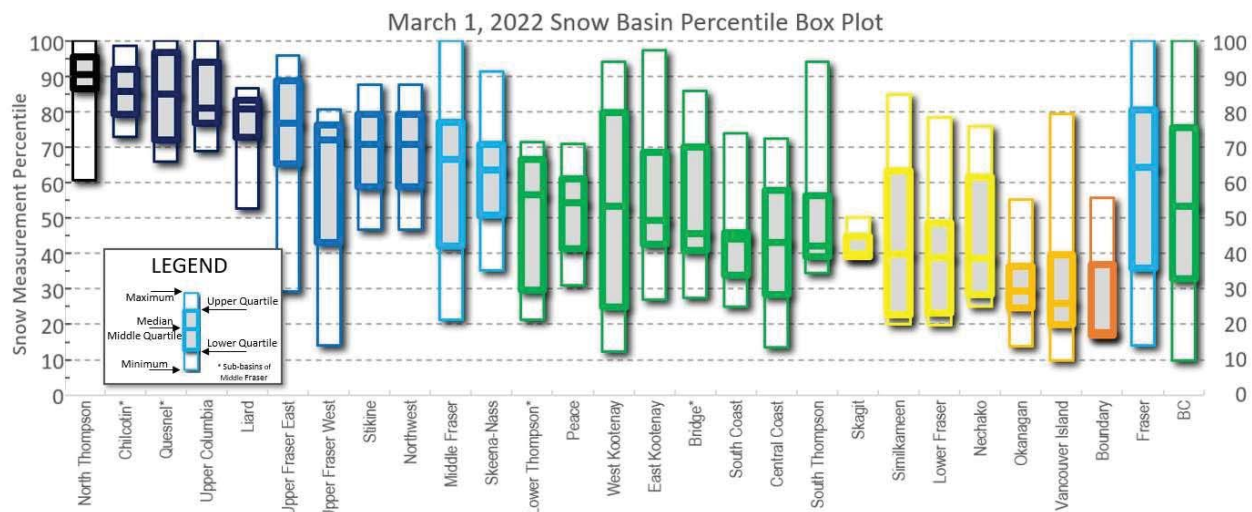
There are three snow stations with period of record highs for March 1st; however, the stations have relatively short periods of record:

- 1C33A Granite Mountain: 246 mm SWE (141% of normal) – period of record 16 years (QUESNEL – MIDDLE FRASER)
- 1E14P Cook Creek: 790 mm SWE (161% of normal) – period of record 12 years (NORTH THOMPSON)
- 2A30P Colpitti Creek: 906 mm SWE – period of record 12 years (UPPER COLUMBIA)

The River Forecast Centre began including percentiles in addition to using percent of normal to analyze snow pack in the 2020 bulletin. Percentiles offer a more accurate interpretation of variance, especially in regions when the percent of normal can be extremely high or low. The region with the highest average percentile is the North Thompson (87th percentile); the region with lowest is the Boundary (30th). A box plot displaying the percentile variance ordered from highest to lowest median, including sub-basins, is provided below in Figure 1.

Snow Survey and Water Supply Bulletin – March 1st, 2022

Figure 1. Snow Basin Percentile Box Plot – March 1st, 2022



Outlook

The Climate Prediction Center (CPC) shows that El Niño Southern Oscillation (ENSO) demonstrated La Niña conditions during the fall of 2021. This is the second La Niña in a row, with La Niña present during the fall-winter of 2020-21. La Niña occurs when oceanic temperature anomalies along the equatorial Pacific Ocean region are below normal for an extended period. Historically, La Niña conditions create cooler temperatures for British Columbia and wetter weather in the South Coast and Vancouver Island during the winter months.

Forecasts from the CPC indicate a likelihood (77% chance) of continued La Niña conditions (March-May 2022), with a potential transition to neutral conditions (56% likelihood) into summer (May-July 2022). Historically, the April 1st snow pack is often above normal when winter La Niña conditions exist in British Columbia, particularly for the South Coast and Southern Interior. La Niña conditions that persist into the spring can lead to late-season snow accumulation and delayed snowmelt, which increases the risk for freshet flooding.

Seasonal weather forecasts from late February by Environment and Climate Change Canada indicate an increased likelihood of colder than normal temperatures from March through May for the entire province. There is an increased likelihood of greater than normal precipitation in the Upper Fraser East and East Kootenay for March to May, whereas there is no climatological trend forecast for precipitation over the rest of the province. Seasonal precipitation forecast tend to have lower forecast skill in comparison to seasonal temperature forecasts.

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Seasonal volume runoff forecasts (see below) are near-normal (90-110%) for the Quesnel, Thompson, Bulkley and Skeena. Slightly above normal (110-120%) flows are forecast for the Upper Fraser and Cowichan River. Runoff in the Similkameen is forecast to be well above normal (>130%), likely a reflection of extremely high antecedent conditions caused by extreme rainfall last November. In 2021, an updated model was developed for Nicola Lake, Nicola River, Okanagan Lake and Kalamalka-Wood Lake (further details can be found in the February 1st 2021 Snow Bulletin). There is significant variability between the new and old seasonal volume forecasts for Nicola Lake, Nicola River, Okanagan Lake and Kalamalka-Wood Lake. Several predictor variables were outside the historic range for which the newer modeling was developed, resulting in increased uncertainty for the upcoming forecast. In addition, the newer model calculated inconclusive results for the Nicola River at Spences Bridge. Any interpretation of seasonal volume runoff forecasts must include this critical fact. Slightly below normal snow pack on Vancouver Island and the South Coast indicates an average year of spring runoff for other watersheds within the regions.

Spring Flood Risk (Freshet)

Flooding is a provincial risk every spring due to a combination of snowmelt and/or rainfall (also known as freshet). Every region is at risk for flooding, even if the snow pack is slightly below normal. The weather conditions during spring play a critical role in the rate at which the snow melts. For example, a gradual warming under dry conditions is ideal to lessen the flood risk. A lengthy cold period with high amounts of precipitation followed by a sudden extreme heat wave could lead to catastrophic conditions, especially if additional rain follows. Spring weather is impossible to predict with accuracy in advance, and so communities and residents vulnerable to flooding should prepare accordingly; information for [*Be Prepared for Floods*](#) is available from Emergency Management BC.

Typically, regions with above normal snow pack have a higher risk for flooding. As of March 1st, 2022, these areas include:

- The Upper Columbia measures 123% of normal, the highest index since 1996. Communities (e.g., Golden) in the Upper Columbia will be at risk for flooding through the freshet and may remain at risk into late June or even July due to significant high elevation snow pack.
- The North Thompson measures 124% of normal, which is the highest index since 1999, the 2nd highest since 1977.
- The Quesnel region (within the Middle Fraser) is 125% of normal and is the highest since 1999.
- The South Thompson is near normal at 102%. However, there are only four sites reporting across the entire basin that calculate the snow basin index. Since the South Thompson borders the North Thompson and Upper Columbia (which have significantly higher snow basin indices), it is possible that the snow pack is higher than the snow basin index suggests.
- The Upper Fraser East is high at 129% of normal. Although well above normal, this year's index is still slightly below recent years (like 2007, 2012 and 2014).

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- The Chilcotin Region is well above normal at 163% of normal (the highest index since 1996). There are only two measurements within this region; these measurements are made at lower elevation and represent typical shallower snow packs leading to potentially high or low percentages of normal from small snow water equivalent differences. The average percentile across sites is the 86th percentile, indicating significantly above normal but not necessarily record high conditions.
- The Liard River and Northwest are at 123% of normal.

In addition to the above, other regions contain a significant number of anomalously high snow pack observations, either as a % of normal measure or as described by percentiles. These include the Upper Fraser West, Skeena-Nass, Stikine, Northwest, West Kootenay and East Kootenay.

The combination of high snow pack in the Upper Fraser East, Quesnel and North Thompson indicates a heightened concern for flooding for Prince George, Kamloops, and the overall Fraser River. Based solely on the contributions to the Fraser River from the Upper Fraser East, Quesnel and North Thompson, this year ranks as the 8th highest snow pack since 1970 and 3rd highest in the last 30 years.

November 2021 Atmospheric River Floods

The unprecedented and catastrophic flooding that occurred in November 2021 has made many rivers more vulnerable to freshet high flows. Fortunately, the March 1st snow pack in the Nicola, Similkameen and Lower Fraser is not above normal. However, due to the significant erosion and possible changes in river channel morphology that occurred within many areas (including but not limited to the Coldwater River, Nicola River, Tulameen River, Coquihalla River and lower Fraser River), rivers may be at increased vulnerability to flooding at lower levels than previous freshet seasons. The freshet season differentiates from the fall flooding season as flows tend to be sustained for longer periods of time during snowmelt compared to shorter duration rainfall events.

The risk for flooding in the Sumas Prairie will be based on potential for flooding of the Nooksack River and stability of the dikes along the Nooksack River. Flooding of the Sumas Prairie from Canadian contributions could occur from flooding of the Fraser River if extreme water levels exceeded flood protection infrastructure, such as occurred in 1894 and 1948.

2021 Wildfire Season

The 2021 Wildfire season was very active in the province with many watersheds sustaining significant burns. Based on a study conducted by the RFC in Spring 2018 and briefly summarized in the April 1st, 2018 Snow Bulletin, disturbances such as fire affect the hydrologic response of streams, rivers and lakes relevant to potential flooding. Specifically,

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flows from snowmelt dominated watersheds impacted by fires tend to be greater and peak earlier as compared to undisturbed areas, even under normal weather conditions. Areas that experienced burns are at greater risk for higher peak flows.

Extreme Weather Events

In general, flooding usually occurs due to extreme weather. In 2021, there were two extreme weather events that resulted in catastrophe: the heat dome in late-June and atmospheric rivers in November. Alpine temperatures during the heat dome reached up to 38°C, triggered extraordinary snow melt rates (80-100 mm SWE / day) at high elevation automated snow weather stations with snow remaining. If such an extreme heat event occurred earlier in the freshet season when there is more snow to melt (May or early-June), it could lead to significant flooding at a provincial scale.

Atmospheric rivers tend to affect the province primarily between September through January. However, strong storms can occur as early as August for the North Coast and there are numerous examples of atmospheric rivers occurring on the South Coast into February and March. It is less likely that these events will occur in May or June, but not impossible.

Although not as extreme as the previous examples, the most likely cause for major flooding would be a period of persistent cool temperatures and wet weather into the late spring, followed by a sudden heat wave of at least five or more days. There is evidence that 1948 and 1894 floods on the Fraser River were caused by this scenario. Based on current snow stations that had measurements in 1948, the snow conditions for March 1st were considered average, showing the importance of spring weather to flooding. A secondary risky scenario is a widespread heavy rainfall event that occurs during the high flows from snowmelt.

Wrap-around low pressure, or cold low, systems pose an additional risk of primarily rain-driven flooding. The risk of these events occurring increases in June and typically extends into July. These systems can deliver extreme rainfall which wraps around the province and typically leads to upslope precipitation enhancement to eastern slope mountainous regions. These can be augmented or enhanced by snowmelt and high antecedent streamflow conditions. Flood events from this phenomena have occurred in the Peace Region in 2012 and 2016, Fernie (and Calgary/Alberta) in 2013, and in the Chilcotin in 2019.

Gaps in Snow Monitoring

Regions in the province that lack physical snow monitoring (manual or automated) include:

- Cache Creek and Bonaparte River. There were no March 1st measurements at 1C32 Deadman River or 1C42 Caverhill Lake New. The Bonaparte River watershed borders the Quesnel and North Thompson, so there are risks that the snow level is relatively high.

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- The Nazko and West Road River regions no longer has snow monitoring. This region experienced intense flooding in 2018 and sustained high flows in 2020.
- The Chilako River (just north of the West Road River).
- Salmon River near Prince George.

Remote sensing is supporting areal-based assessment of snow coverage in these regions; however, it is difficult to accurately determine seasonal flood risks in these areas due to the lack of on-the-ground measurements. These regions typically are the first rivers in the season to experience significant increases in flow from snowmelt due to their lower elevation.

La Niña Conditions

Under La Niña conditions, the snow pack can accumulate into late spring. Areas in the South Interior (including the Okanagan, Boundary and Kootenay) can receive significant additional precipitation in March and April which could push Snow Basin Indices above normal for April 1st or May 1st.

Typically, freshet (snowmelt) flood risk is limited on Vancouver Island and the South Coast as precipitation from Atmospheric Rivers in the Fall/Winter period overshadows the effect of snowmelt during spring.

Summary

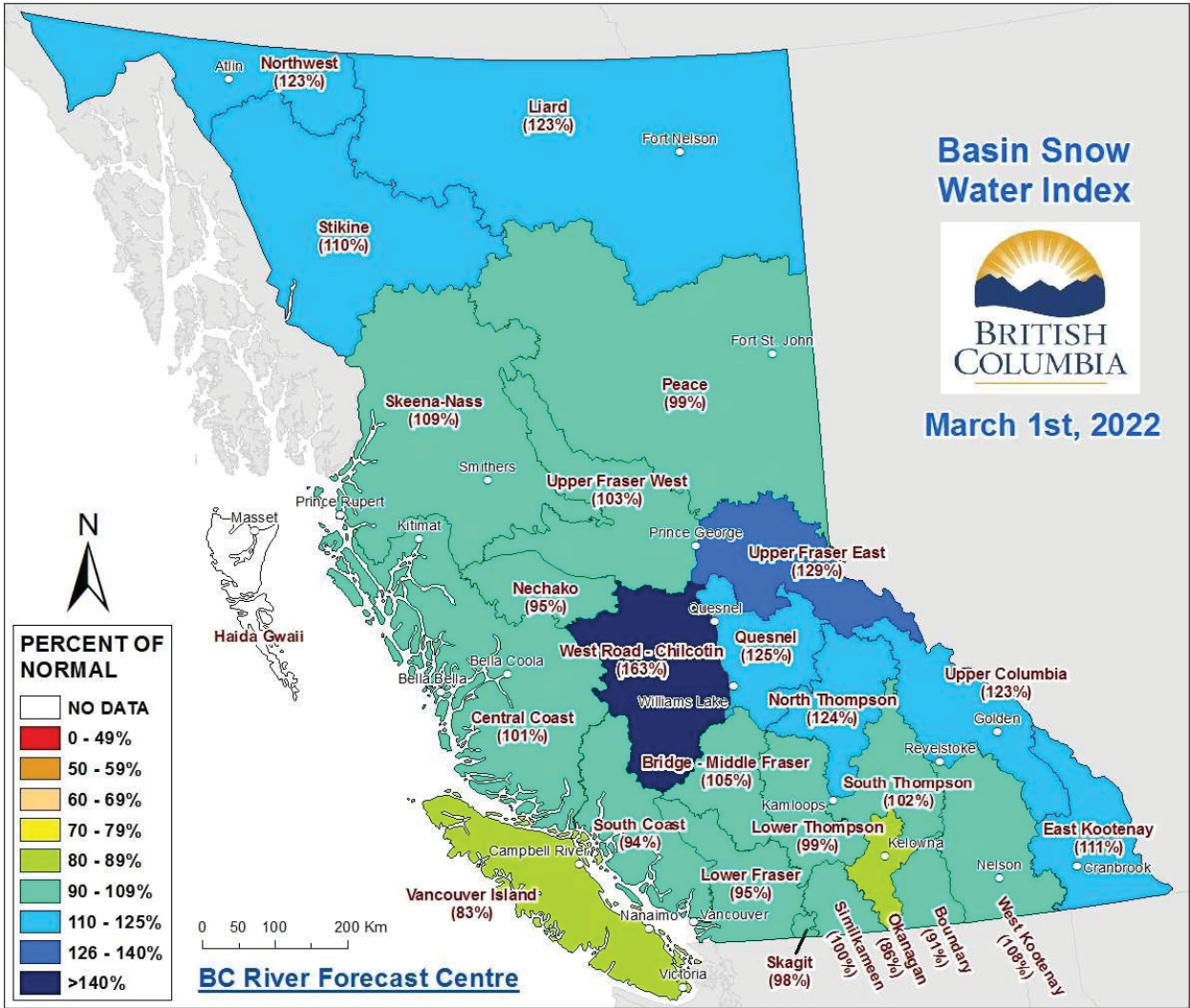
By early March, nearly 80% of the annual B.C. snow pack has typically accumulated. Snow pack throughout the province ranges from 83 to 129% of normal. The provincial average for all snow measurements across the province is 105% of normal, and the Fraser River at Hope is 119%. This indicates a higher risk for snowmelt related flooding during the spring months (freshet). The combination of normal to above normal March 1st snow pack, La Niña conditions forecast to persist through spring, and seasonal weather forecasts that predict cooler conditions for the province means an elevated risk for freshet-related flooding. Snow pack is also only one factor related to freshet flood risk. Weather conditions from April through June determine the timing, magnitude and rate of snow melt, and heavy rainfall events can exacerbate the situation. Flooding is possible in years with normal or even below-normal, snow pack. Conversely, high snow pack does not typically lead to flooding without significant contributing weather during the snow melt season.

The River Forecast Centre will continue to monitor snow pack conditions and will provide an updated seasonal flood risk forecast in the April 1st, 2022 bulletin, which is scheduled for release on April 8th.

BC River Forecast Centre
March 9, 2022

Snow Survey and Water Supply Bulletin – March 1st, 2022

Figure 2: Basin Snow Water Index – March 1st, 2022



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REPORT

Engineering Services

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Lisa Leblanc **File:** 05.1035.10
Director of Engineering Services (Doc# 2015152)

Item #: 2022-185

**Subject: Amendment to the Water Shortage Response Bylaw No. 6948, 2004 -
Revision of Lawn Sprinkling Regulations**

RECOMMENDATION

THAT the Water Shortage Response Bylaw Amendment Bylaw No. 8314, 2022, which amends Water Shortage Response Bylaw No. 6948, 2004, be granted three readings.

PURPOSE

To introduce an amendment to the Water Shortage Response Bylaw No. 6948, 2004 for Council's consideration (Attachment 1).

BACKGROUND

Metro Vancouver's Drinking Water Conservation Plan (DWCP) is a regional policy developed with local governments in the GVWD and other stakeholders to manage the use of drinking water during periods of high demand, mostly during late spring to early fall, and during periods of water shortages and emergencies. The DWCP helps ensure our collective needs for drinking water are met affordably and sustainably now, and in the future. The DWCP is enacted by each member municipality by implementation of a municipal bylaw, which enables municipal staff to enforce the water restrictions.

The record-breaking heatwave observed during the summer of 2021 resulted in unprecedented sustained high water use. The long-range climate projections show that our region can expect longer summer dry spells and decreased winter snowpack, limiting summer water availability. In October 29, 2021 the Greater Vancouver Water District Board approved revisions to the DWCP to reflect the recent climate events experienced by the region. The revisions include reduction of lawn watering from two days per week

to one day per week for residential and non-residential addresses during Stage 1, with a complete ban on lawn watering in Stage 2. Furthermore, the revisions include changes to the allowable time window to water trees, shrubs, and flowers during Stage 1 and 2.

EXISTING POLICY/PRACTICE

The existing City's policy/practice is based on the Water Shortage Response Bylaw No. 6948, 2004 (last amended in 2018) that sets Stage 1 through Stage 4 restrictions for watering residential, non-residential and government/schools/parks lawns, trees, shrubs, and flowers. The City's bylaw follows the recommendations of the DWCP and Stage 1 is effective annually between May 1st and October 15th.

The GVWD Commissioner provides management and oversight of the activities of the GVWD as authorized by the GVWD Board and has the authority to make a decision to activate, extend, or deactivate stages within the DWCP at any time. Recommendations to activate, extend, or deactivate a different stage of the DWCP are made by Metro Vancouver (MV) staff to the GVWD Commissioner and if required the GVWD Commissioner may consult with the GVWD Board Chair and standing committee Chair, on the recommendations.

Each stage of the DWCP is designed to reduce demand for drinking water:

- Stage 1 reduces demand in the summer months by promoting water conservation and efficient watering practices;
- Stages 2 and 3 describe further restrictions to limit water use and are likely to be activated during unusually hot and dry conditions to maximize conservation through to early fall with the return of seasonal rainfall or until the risk of water shortage is over;
- Stage 4 is an emergency stage that limits both indoor and outdoor water uses to ensure an adequate supply of drinking water for human consumption and essential uses such as firefighting.

A number of factors guide the GVWD Commissioner's decision to activate the more restrictive stages of the DWCP. Activation of Stages 2, 3, and 4 of the DWCP is based on measured facts, reasoned predictions, historical patterns and modelling, with a goal of ensuring the sufficient supply of drinking water until the events that caused the more restrictive stages are over. As climate change is resulting in warmer and drier summers, the DWCP supports climate adaptation by reducing the region's demand on and conserve the water supply during the critical summer months.

ANALYSIS

The record-breaking heatwave that our region experienced last summer (2021) resulted in unprecedented sustained high water use, which reached a regional daily water consumption of 1.79 billion liters on June 27, 2021, just shy of the 2 billion liters all-time high set in 2009. The region also experienced sustained high water use above 1.5 billion

liters per day, for 40 days, compared to the average of only 15 days during a typical summer. The region is expected to grow by 35,000 people per year for the next few decades, while the City of New Westminster's population is expected to grow from approximately 70,000 people in 2015 to 102,000 people in 2041. Population growth will place demands not only on water supply, but also on water infrastructure if not carefully planned.

The proposed bylaw amendment No. 8314, 2022 updates the current lawn sprinkling regulations for Stage 1 and Stage 2 restrictions with the following changes:

- Reduction of lawn watering from two days per week to one day per week during Stage 1;
- A complete ban on lawn watering in Stage 2; and
- Reduction of the allowable time window for watering trees, shrubs, and flowers during Stage 1 and Stage 2 from '1AM – 9AM' to '4AM – 9AM'.

This bylaw amendment, combined with a strong education and enforcement program, will help reduce seasonal water demand and offer a number of regional benefits, including financial savings, potential deferral of major infrastructure projects, greenhouse gas reductions and operational flexibility. No changes are required to the City's Bylaw Notice Enforcement Bylaw and the Municipal Ticket Information Bylaw.

Communication

Metro Vancouver will be promoting this change with a robust communication plan to ensure widespread public notification of the changes to be implemented as of May 1, 2022. As a first step, the DWCP webpage and communication materials (e.g. DWCP summary document) have been updated on the Metro Vancouver webpage. Subsequently, the City will update its website to reflect changes to the DWCP following adoption of the proposed bylaw amendment.

Furthermore, Metro Vancouver will deliver education and communication campaigns for the region through the following methods:

- Promote changes through a digital campaign running to encourage good water habits. The campaign will focus on changes to lawn watering regulations, including steps residents can take in the fall and winter to prepare their lawns for spring;
- Email landscape, irrigation, and turf farm industry groups to notify them of the changes and offer to meet to answer any questions;
- Update education/enforcement communication materials to share with municipalities staff to ensure consistent messaging;
- Metro Vancouver will be deploying a summer student door knocking educational program as part of the region's outreach campaign.

FINANCIAL IMPACT

Potential reduction in water consumption as a result of the lawn sprinkling regulations may reduce city costs for water purchases from the GVWD.

INTERDEPARTMENTAL LIAISON

Staff from the following departments have been involved in the development of the Bylaw:

- Climate Action Planning and Development (Licensing & Integrated Services).

OPTIONS

The following options are presented for Council's Consideration:

1. That the Water Shortage Response Bylaw Amendment Bylaw No. 8314, 2022, which amends Water Shortage Response Bylaw No. 6948, 2004, be granted three readings.
2. Defer the proposed Water Shortage Response Amendment Bylaw No. 8314, 2022, and request Metro Vancouver to provide further information.

Staff recommend Option 1.

CONCLUSION

The Drinking Water Conservation Plan (DWCP) is intended to conserve water by managing discretionary uses in a manner which minimizes the impact on residents and does not impose unnecessary economic hardships on businesses. The proposed bylaw amendment updates the City's Water Shortage Response Bylaw No. 6948, 2004 to include revised lawn sprinkling regulations that were approved by the GVWD Board on October 29, 2021 in response to recent and anticipated future climate events.

ATTACHMENTS

Attachment 1 - Proposed Water Shortage Response Bylaw Amendment Bylaw No. 8314, 2022

Attachment 2 - Water Shortage Response Bylaw No. 6948, 2004

This report was prepared by:

Priscila Cavalcante Lopes, EIT, Engineering Assistant, Infrastructure Planning

This report was reviewed by:

George Otieno, P.Eng.,PMP, Infrastructure Engineer

Eugene Wat, P.Eng. PTOE, Manager, Infrastructure Planning

This report was approved by:
Lisa Leblanc, Director of Engineering Services
Lisa Spitale, Chief Administrative Officer

Attachment #1

Proposed Water Shortage Response Bylaw Amendment Bylaw No. 8314, 2022

**CORPORATION OF THE CITY OF NEW WESTMINSTER
BYLAW NO. 8314, 2022**

A Bylaw to Amend WATER SHORTAGE RESPONSE BYLAW NO. 6948, 2004

The Council of The Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

Citation

1. This Bylaw may be cited for all purposes as “Water Shortage Response Amendment Bylaw No. 8314, 2022”.

Amendments

2. Water Shortage Response Bylaw 6948, 2004 is amended as follows:

A. PART 2: DEFINITIONS AND INTERPRETATION

- I. By adding the following definitions to section 2.1 in alphabetical order, and renumbering the list as needed:

Automatic Watering - means applying water using an automated water delivery system that requires only minimal human intervention or supervision and typically employs mechanical, electronic, or other components and devices, including but not limited to timers, sensors, computers, or mechanical appliances.

Manual Watering - means applying water using a device or tool that is manually held or operated by a human being, without automatic watering.

B. PART 5: PERMITS is hereby amended as follows:

- I. By replacing sections 5.3, 5.4, 5.5 and 5.6 in their entirety with:

5.3 The Director of Engineering Services or representative, upon being satisfied that an applicant qualifies under section 5.1, shall issue a Permit to the applicant upon payment of a fee in the amount set out in the Engineering Fees and Rates Bylaw No. 7553, 2013.

5.4 A Permit issued under section 5.3 shall expire and be of no force or effect 21 days after the date of its issue,

unless the Person has been issued an extension under section 5.5.

- 5.5 Before or after the expiration of a Permit issued under section 5.2, a Person may apply for one extension of the Permit on the same terms and conditions as may be imposed under section 5.2. Such an extension shall end on or before 42 days from the date of the issue of the Permit under section 5.3.

C. SCHEDULE 1: RESTRICTION STAGES is hereby amended as follows:

- I. By removing the wording “Part 1”, “Part 2”, “Part 3” and “Part 4” before each “STAGE” and “Part 5” before “Exemptions”.

D. SCHEDULE 1: RESTRICTION STAGES
STAGE 1 RESTRICTIONS is hereby amended as follows:

- I. By replacing section 1.1 a) in its entirety with:

a) Residential Addresses shall not:

1.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Saturdays from 5 – 7 AM if using automatic watering and from 6 – 9 AM if using manual watering;
- (ii) at premises with odd numbered civic addresses on Sundays from 5 – 7 AM if using automatic watering and from 6 – 9 AM if using manual watering.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 5 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

- II. By replacing sections 1.1 b) 1.1.1 and 1.1 b) 1.1.2 in their entirety with:

b) Non-Residential Addresses shall not:

1.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Mondays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

III. By replacing sections 1.1 c) 1.1.1 and 1.1 c) 1.1.2 in their entirety with:

c) Governments/Schools/Parks shall not:

1.1.1 Water lawns and grass boulevards, except:

- (i) at premises with even numbered civic addresses on Mondays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;

- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

E. SCHEDULE 1: RESTRICTION STAGES

STAGE 2 RESTRICTIONS is hereby amended as follows:

- I. By replacing sections 2.1.a) 2.1.1 and 2.1 a) 2.1.2 in their entirety with:

- a) Residential Addresses shall not:

- 2.1.1 Water lawns:

- 2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 5 – 9 AM if using a sprinkler;

- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

- II. By replacing sections 2.1 b) 2.1.1 and 2.1 b) 2.1.2 in their entirety with:

- b) Non-residential Addresses shall not:

- 2.1.1 Water lawns.

- 2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;

- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

- III. By replacing sections 2.1 c) 2.1.1 and 2.1 c) 2.1.2 in their entirety with:

- c) Government / Schools / Parks shall not:

- 2.1.1 Water lawns and grass boulevards.

2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

F. Schedule 6 is deleted.

3. These amendments shall come into effect on May 1, 2022.

GIVEN FIRST READING THIS _____ day of _____ 2022.

GIVEN SECOND READING THIS _____ day of _____ 2022.

GIVEN THIRD READING THIS _____ day of _____ 2022.

ADOPTED THIS _____ day of _____ 2022.

Mayor Jonathan X. Cote

Jacque Killawee, City Clerk

Attachment #2

Water Shortage Response Bylaw No. 6948, 2004

CORPORATION OF THE CITY OF NEW WESTMINSTER



WATER SHORTAGE RESPONSE BYLAW NO. 6948, 2004

EFFECTIVE DATE: September 27, 2004

CONSOLIDATED FOR CONVENIENCE ONLY
(December 12, 2019)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
7124	September 25, 2006
7475	October 24, 2011
7845	May 16, 2016
7988	April 9, 2018
8170	January 1, 2020

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 6948. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the City Clerk's Office

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 6948, 2004

A BYLAW TO REGULATE WATER SHORTAGE RESPONSE

THE COUNCIL OF THE CITY OF NEW WESTMINSTER, in open meeting assembled, enacts as follows:

PART 1 : CITATION

- 1.1 This Bylaw may be cited as the "Water Shortage Response Bylaw No. 6948, 2004".

PART 2 : DEFINITIONS AND INTERPRETATION

BYLAW 7988, 2018

- 2.1 In this Bylaw:

- a) **Aesthetic cleaning** – means the use of water for cleaning when it is not for a health or safety reason.
- b) **Aesthetic water feature** – means a fountain, pond, or other water feature that primarily serves an aesthetic purpose. It does not include ponds that contain fish.
- c) **Automatic shut-off device** – means a device attached to a water hose that shuts off the supply of water automatically unless hand pressure is applied to operate the device.
- d) **Automatic vehicle wash system** – includes:
 - i. **Conveyor vehicle wash** – a commercial vehicle washing facility where the customer's vehicle moves through an enclosed conveyance mechanism during the wash.
 - ii. **In-bay vehicle wash** – a commercial vehicle washing facility where the customer parks the vehicle inside a bay, and the vehicle remains stationary while a spray mechanism moves over the vehicle to clean it.
- e) **Basic wash and rinse cycle** – means a process sequence in an automatic vehicle wash system that consists of a single wash stage followed by a single rinse stage and no additional processes or optional

stages; typically this is the minimum level of service that a customer can select, where total water usage is less than 200 litres per vehicle.

- f) **Commercial cleaning operation** – means a company, partnership, or person that offers commercial cleaning services, including pressure washing, window cleaning, and other similar building cleaning services, to the public for a fee.
- g) **Commercial vehicle washing** – means commercial vehicle washing services offered to the public for a fee, but excludes car dealerships, fleet vehicle washing facilities, and charity car washes.
- h) **Commissioner** – means the commissioner of the Greater Vancouver Water District
- i) **Drip Irrigation** – means an irrigation system that delivers water directly to the root zone of the plant at a low flow rate through individual emission points (emitters) using droplets of water and excludes sprinkler irrigation systems, micro-spray systems, misting systems, and soaker hoses.
- j) **Edible plant** – means a plant grown for the purpose of human consumption.
- k) **European Chafer Beetle** – means an invasive insect pest whose larvae feed on the roots of grasses, causing serious damage to lawns. The Chafer Beetle larvae can be treated naturally using nematodes, which typically require a moist lawn for a period of 2 to 3 weeks from the day of application.
- l) **Flush water main** – discharging water from a water main for routine maintenance such as water quality management and measurement of firefighting flow capacity.
- m) **Golf course** – means the greens, tee areas, and fairways that are designed and maintained as playing surfaces for golf, but does not include rough areas or lawns that are not maintained as playing surfaces.
- n) **Governments/Schools/Parks** – includes property zoned for local government, provincial, or federal uses including road rights of way, and school, college, and university uses.
- o) **Hand wash and self-service facility** – a commercial vehicle washing facility where the facility's staff washes the customer's vehicle, or the customer wash their own vehicles with spray wands and brushes.
- p) **Health and safety reason** – means a precaution necessary to protect health and safety, including the removal of contaminants, bodily fluids, slip and fall hazards, controlling pests, and suppressing and controlling dust.

- q) **Impermeable surface** – means a material added to the surface of the ground, or on the exterior of a building or structure that is impermeable to water, including but not limited to glass, wood, concrete, asphalt, paving stones, and other similar materials.
- r) **Lawn** – means a cultivated area surrounding or adjacent to a building that is covered by grass, turf, or a ground cover plant such as clover, including areas such as boulevards, parks, school yards and cemeteries, but excluding golf courses, soil-based playing fields, and sand-based playing fields.
- s) **Local government** – means the local government members of the GVWD.
- t) **New lawn** – means a lawn that is newly established either by seeding or the laying of new sod or turf.
- u) **Non-residential** – includes properties zoned for a permitted use other than a residential use, including commercial, industrial, and institutional uses, and including a property zoned for mixed residential and non-residential uses, but excluding governments/schools/parks.
- v) **Non-residential pool and hot tub** – means a pool or hot tub permitted to be operated in accordance with health authorities having jurisdiction over pool and hot tub regulation, including pools and hot tubs operated by government agencies, hotels, multi-family strata corporations, and private clubs.
- w) **Odd-numbered civic address or Even-numbered civic address** – means the numerical portion of the street address of a property, and in the case of multi-unit commercial or residential complex such as townhouses, condominiums or other strata-titled properties, means the numerical portion of the street address that is assigned to the entire complex, and not the individual unit number.
- x) **Over-seeded** – means the application of grass seed on existing turf, typically in early fall or spring and may also include associated processes such as aeration, weeding, dethatching and fertilization, for the purpose of mitigating against grass thinning.
- y) **Permit** – means a permit issued under Part 5.
- z) **Person** – does not include a municipality, a regional district, the provincial government, but does not include any body appointed or created under an enactment of Canada or British Columbia.

- aa) **Public Announcement** – means one or more advertisements or public service announcements in any one of:
- (i) a television or radio broadcast from a station that broadcasts to the Corporation of the City of New Westminster.
 - (ii) a newspaper or other publication intended for general circulation, including one that is distributed without charge to the reader, that contains news and advertising, and is distributed within the Corporation of the City of New Westminster at least once per week.
- bb) **Residential** – means a property zoned for single-family or multi-family residential use.
- cc) **Residential pool and hot tub** – means a residential pool or hot tub installed for the use of the occupants and guests of one single family dwelling or duplex and does not require a permit in accordance with health authorities having jurisdiction over pool and hot tub regulation.
- dd) **Restriction Stage** – means Stage 1 Restrictions, Stage 2 Restrictions, Stage 3 Restrictions, or Stage 4 Restrictions.
- ee) **Sand-based playing field** – means a playing field that is constructed with a highly permeable sand-based root zone typically 30 to 40 centimeters deep over a drainage system with drain pipes bedded in gravel, and is designed and maintained to be playable year-round.
- ff) **Soaker hose** – means a garden hose or pipe with small holes that allow water to seep into the ground, to the roots of plants, discharging water through the entire length of its porous surface.
- gg) **Soil-based playing field** – means a playing field that is covered with grass, sod or turf that is designed and maintained to be played upon, or that is used for sporting or other community events and activities, but does not include lawns, golf courses, or sand-based playing fields.
- hh) **Stage 1 Restrictions** – means the restrictions on Water use described in sections 1.1, 1.2 and 1.3 of Schedule 1.
- ii) **Stage 2 Restrictions** – means the restrictions on Water use described in sections 2.1, 2.2 and 2.3 of Schedule 1.
- jj) **Stage 3 Restrictions** – means the restrictions on Water use described in sections 3.1, 3.2 and 3.3 of Schedule 1.
- kk) **Stage 4 Restrictions** – means the restrictions on Water use described in sections 4.1, 4.2 and 4.3 of Schedule 1.
- ll) **Vehicle** – means a device in, on or by which a person or item is or may be transported or drawn on a highway or other roadway.

- mm) **Water used as a noun** – means water supplied directly or indirectly by Greater Vancouver Water District or the Corporation of the City of New Westminster, whether or not mixed with rain water, gray water or recycled water.
- nn) **Water used as a verb, and “Watering”** – means the application or distribution of Water (used as a noun) to lands or plants but does not include the method known as “drip irrigation”;
- oo) **Water management plan** – means a plan proposed by the owner or operator of a golf course, soil-based playing field, and sand-based playing field operators and approved by the local government having jurisdiction. The plan sets out terms such as water use targets during the different stages of the DWCP, restrictions to reduce water use, and reporting requirements for the owner or operator.
- pp) **Water play park** – means a recreational facility that is primarily outdoors, including spray pools and wading pools, spray parks, splash pads, and water slides.
- qq) **Watering lawn** – means applying water to a lawn with any device or tool including but not limited to a sprinkler, hose, mister, or drip irrigation.
- rr) **Water Restriction Announcement** – means a Stage 1 Announcement, Stage 2 Announcement, a Stage 3 Announcement or a Stage 4 Announcement.
- ss) **Water Use Plan** – means a Water Use Plan approved by the Director of Engineering Services or representative for a business operation under Part 4.

2.2 The schedules to this Bylaw are integral parts of this Bylaw.

2.3 The Director of Engineering Services or representative may delegate some or all of his or her powers and duties under this Bylaw.

PART 3 : DECLARATION AND ANNOUNCEMENT OF RESTRICTION STAGES

- 3.1 (a) The Commissioner may, by letter to the City Clerk or representative, declare that the Greater Vancouver Water District has activated a Restriction Stage.
- (b) If the Commissioner makes a declaration under subsection (a), the Restriction Stage described in the declaration comes into force in Corporation of the City of New Westminster seventy-two hours

after the Commissioner or the City Clerk or representative makes a Public Announcement of the declaration.

- (c) When a Restriction Stage comes into force under this section, a Restriction Stage that had been in force, if any, ceases to be in force.

BYLAW NO. 7845, 2016, 7988, 2018

- 3.2 If no Restriction Stage is in force on May 1 of any year, Stage 1 Restrictions come into force on that date without prior declaration of the Commissioner or announcement under section 3.3.

BYLAW NO. 7845, 2016

- 3.3 If the Commissioner declares that the Greater Vancouver Water District has activated either Stage 1, 2, 3 or 4 restrictions, a Public Announcement by the City Clerk or representative of the Commissioner is sufficient for the purposes of paragraph 3.1 (b) if it contains substantially the information set out in Schedule 1.

BYLAW NO. 7845, 2016; 7988, 2018

- 3.4 (a) Stage 1 Restrictions shall not remain in force after October 15th of any year, unless the Commissioner makes a declaration under this section.

BYLAW NO. 7988, 2018

- (b) At any time before or after October 15th of any year the Commissioner may, by letter to the City Clerk or representative declare that notwithstanding subsection (a), Stage 1 Restrictions will remain in force or come into force after October 15th.

BYLAW NO. 7988, 2018

- (c) Subsections 3.1(b), 3.1(c) and section 3.3 apply to a declaration made under this section, with such changes as are necessary, except that a Public Announcement of a declaration under this section shall state that Stage 1 Restrictions in force after October 15th, or Stage 2, 3 or 4 Restrictions at any time, will remain in force until further declaration of the Commissioner.
- (d) The Commissioner may make one or more declarations under this section.

PART 4 : BUSINESS WATER USE PLANS

- 4.1 A business operator may apply in writing to the Director of Engineering Services or representative for approval of a Water Use Plan stipulating:

BYLAW NO. 7845, 2016; 7988, 2018

- (a) the volume of Water historically consumed by the business operation from the 1st day of May to the 15th day of October of each year;

BYLAW NO. 7845, 2016; 7988, 2018

- (b) the volume of Water to be consumed by the business operation from the 1st day of May to the 15th day of October of each year;
 - (c) the measures to be followed by the business operation to conserve Water and to reduce the use of Water;
 - (d) the schedule for Watering specified areas within the grounds for each of Restrictions Stages 1-3;
 - (e) that the business will report its actual water use to the Director of Engineering Services or representative not less than once per month when Stage 1 Restrictions or Stage 2 Restrictions are in force, and not less than once every two weeks when Stage 3 Restrictions are in force;
 - (f) such other information or commitments, conditions or restrictions as the Director of Engineering Services or representative may require.
- 4.2 The Director of Engineering Services or representative may approve a proposed Water Use Plan in whole or in part, and may amend the proposed Water Use Plan, or add such other or further commitments, conditions and restrictions as the Director of Engineering Services considers advisable.
- 4.3 If the business operator consents to adopt a Water Use Plan approved by the Director of Engineering Services or representative, it shall signify such consent in writing, specifying the date on which the business operator will adopt the Water Use Plan, in which case the Water Use Plan shall come into force for that business on the later of the date specified in the notice of consent, or the date on which the Director of Engineering Services or representative or other official receives the written notice of consent.
- 4.4 If the business operator does not consent to adopt the Water Use Plan approved by the Director of Engineering Services or representative, the Water Use Plan shall be of no force or effect.
- 4.5 If a Water Use Plan is in force for a business operation, the business operator shall comply with all conditions and restrictions set out in the Water Use Plan.

- 4.6 The Director of Engineering Services or representative may terminate or suspend a Water Use Plan by notifying the business operator in writing at least seven days before the termination date.
- 4.7 A business operator may terminate a Water Use Plan by notifying the Director of Engineering Services or representative in writing, in which case the Water Use Plan is terminated on the later of the date specified in the notice, or the date on which the Director of Engineering Services or representative receives the notice.

PART 5 : PERMITS

BYLAW 7988, 2018

Permits

- 5.1 A Person who has installed a new lawn, either by placing sod or turf or by seeding, or who has installed new landscaping on a substantial part of the outdoor portion of a premises may apply to the Director of Engineering Services or representative for a Permit authorizing the Person to water the new lawn, new landscaping when Stage 1 Restrictions or Stage 2 Restrictions are in force for a 21 day period during the hours of 4 – 9 AM, at the premises described in the Permit. A Permit exempts the holder from Stage 1, 2 & 3 Restrictions, and does not exempt the holder from Stage 4 Restrictions.
- 5.2 A Person who wishes to treat their lawn with nematodes in order to control the European Chafer Beetle may apply to the Director of Engineering Services or representative for a Permit authorizing the Person to water the nematode treated lawn when Stage 1 Restrictions or Stage 2 Restrictions are in force for a 21 day period during the hours of 4 – 9 AM, at the premises described in the Permit. A Permit exempts the holder from Stage 1, 2 & 3 Restrictions, and does not exempt the holder from Stage 4 Restrictions.

BYLAW 8170, 2019

- 5.3 The Director of Engineering Services or representative, upon being satisfied that an applicant qualifies under section 5.1, shall issue a Permit in the form set out in Schedule 6 to the applicant upon payment of a fee in the amount set out in the Engineering Fees and Rates Bylaw No. 7553, 2013.
- 5.4 A Permit issued under section 5.3 shall be visibly displayed on the premises facing the street.
- 5.5 A Permit issued under section 5.3 shall expire and be of no force or effect 21 days after the date of its issue, unless the Person has been issued an extension under section 5.6.

- 5.6 Before or after the expiration of a Permit issued under section 5.2, a Person may apply for one extension of the Permit on the same terms and conditions as may be imposed under section 5.2. Such an extension shall end on or before 42 days from the date of the issue of the Permit under section 5.3.

PART 6 : OFFENCES AND PENALTIES

- 6.1 Every Person who violates or contravenes any of the provisions of this Bylaw, or suffers or allows to be done any act or thing that violates or contravenes this Bylaw, commits an offence.
- 6.2 A prosecution under this Bylaw may be commenced by:
- (a) proceedings under Division 3 of Part 8, of the *Community Charter*, or
 - (b) prosecution of the offence in accordance with the *Offence Act*.
- 6.3 If a prosecution is commenced pursuant to paragraph 6.2(a), upon conviction the offender shall be liable to a fine of:
- (a) \$100 if the offence is committed when Stage 1 Restrictions are in force;
 - (b) \$200 if the offence is committed when Stage 2 Restrictions are in force;
 - (c) \$500 if the offence is committed when Stage 3 Restrictions are in force; or
 - (d) \$1000 if the offence is committed when Stage 4 Restrictions are in force.
- 6.4 Subject to section 6.5, if a prosecution is commenced pursuant to section 6.2(b), upon conviction the offender shall be liable to pay a fine:
- (a) for a first conviction for an offence, of not more than \$10,000. and not less than \$3,000.;
 - (b) for a second or subsequent conviction for an offence, of not more than \$10,000. and not less than \$5,000. for each offence.
- 6.5 Where a prosecution is commenced against a commercial entity pursuant to section 6.2(b) for an offence committed while Stage 4 restrictions are in effect, whether or not a Water Use Plan is in effect for the offender, upon conviction that Person shall be liable to pay a fine of not less than \$5,000.

- 6.6 Section 6.4(b) applies whether or not a second or subsequent conviction is for conduct that preceded the conduct that is the subject matter of the prosecution then before the court.
- 6.7 If an offence under this Bylaw continues for more than one day, separate fines each not exceeding the maximum fine for that offence may be imposed for each day or part thereof in respect of which the offence occurs or continues.
- 6.8 In a prosecution under this Bylaw the onus of establishing an exemption under subsections 1.2, 2.2, or 3.2 of Schedule 1 lies on the Person claiming the exemption.

PART 7 : DATE OF COMING INTO FORCE

- 7.1 This Bylaw comes into force and takes effect on the date of its passing.

PART 8: REPEAL OF BYLAW

- 8.1 Bylaw No. 6112, 1993 is hereby repealed.

SCHEDULE 1: RESTRICTION STAGES

BYLAW NO. 7988, 2018

PART 1 STAGE 1 RESTRICTIONS

1.1 Subject to section 1.2 of this Schedule, when Stage 1 Restrictions are in force:

a) Residential Addresses shall not:

1.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Wednesdays and Saturdays from 4 – 9 AM;
- (ii) at premises with odd numbered civic addresses on Thursdays and Sundays from 4 – 9 AM;

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

b) Non-Residential Addresses shall not:

1.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Mondays from 1 AM - 6 AM and Fridays from 4 – 9 AM;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 1 AM – 6 AM and Fridays from 4 – 9 AM.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 1 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

c) Governments/Schools/Parks shall not:

1.1.1 Water lawns and grass boulevards, except:

- (i) at premises with even numbered civic addresses on Mondays from 1 AM - 6 AM and Fridays from 4 – 9 AM;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 1 AM – 6 AM and Fridays from 4 – 9 AM.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 1 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

1.1.3 Water soil-based or sand-based playing fields, except:

- (i) on any day from 7 PM – 9 AM;
- (ii) if operating under an approved local government water management plan.

1.1.4 Flush water mains.

1.2 Section 1.1 of this Schedule does not apply to a person who waters new lawns or lawns being treated for European Chafer Beetle at premises described in a valid and subsisting Permit, provided the Person is and has been at all times in compliance with the Permit.

1.3 Notwithstanding Sections 1.1 and 1.2, when Stage 1 Restrictions are in force:

- a) all hoses shall have an automatic shut-off device;
- b) water shall not unnecessarily run off on impermeable surfaces such as driveways, curbs, pathways, or gutters when watering lawns and plants;
- c) artificial playing turf and outdoor tracks shall not be watered except for a health or safety reason;
- d) Hoses and taps must not run unnecessarily;
- e) irrigation systems shall not be faulty, leaking, or misdirected.

PART 2 STAGE 2 RESTRICTIONS

2.1 Subject to Section 2.2 of this Schedule, when Stage 2 Restrictions are in force:

- a) Residential Addresses shall not:

2.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Wednesdays from 4 – 9 AM;
- (ii) at premises with odd numbered civic addresses on Thursdays from 4 – 9 AM.

2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

2.1.3 Wash impermeable surfaces, except if:

- (i) for a health or safety reason;
- (ii) preparing a surface for painting or similar treatment;
- (iii) aesthetic cleaning by a commercial cleaning operation.

2.1.4 Top up or fill aesthetic water features.

b) Non-Residential Addresses shall not:

2.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Mondays from 1 – 6 AM;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 1 – 6 AM.

2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 1 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

2.1.3 Water golf course, except:

- (i) at any time on any one day in a 7-day period;

- (ii) if operating under an approved local government water management plan.

2.1.4 Wash impermeable surfaces, except if:

- (i) for a health or safety reason;
- (ii) preparing a surface for painting or similar treatment;
- (iii) aesthetic cleaning by a commercial cleaning operation;

2.1.5 Top up or fill aesthetic water features.

c) Governments/Schools/Parks shall not:

2.1.1 Water lawns and grass boulevards, except:

- (i) at premises with even numbered civic addresses on Mondays from 1 – 6 AM;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 1 – 6 AM.

2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 1 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

2.1.3 Water soil-based playing fields, except:

- (i) on less than 4 days in a 7-day period from 7 PM – 9 AM;
- (ii) if operating under an approved local government water management plan.

2.1.4 Water sand-based playing fields, except:

- (i) on any day from 7 PM – 9 AM;
- (ii) if operating under an approved local government water management plan.

2.1.5 Flush water mains.

2.1.6 Operate water play parks and pools, except water play parks with user-activated switches.

2.1.7 Top up or fill aesthetic water features.

- 2.2 Section 2.1 of this Schedule does not apply to a person who waters new lawns or lawns being treated for European Chafer Beetle at premises described in a valid and subsisting Permit, provided the Person is and has been at all times in compliance with the Permit.
- 2.3 Notwithstanding Sections 2.1 and 2.2, when Stage 2 Restrictions are in force:
- a) all hoses shall have an automatic shut-off device;
 - b) water shall not unnecessarily run off on impermeable surfaces such as driveways, curbs, pathways, or gutters when watering lawns and plants;
 - c) artificial playing turf and outdoor tracks shall not be watered except for a health or safety reason;
 - d) Hoses and taps must not run unnecessarily;
 - e) irrigation systems shall not be faulty, leaking, or misdirected.

PART 3 STAGE 3 RESTRICTIONS

- 3.1 Subject to Section 3.2 of this Schedule, when Stage 3 Restrictions are in force:
- a) Residential Addresses shall not:
 - 3.1.1 Water lawns.
 - 3.1.2 Water trees, shrubs, and flowers excluding edible plants:
 - (i) if using a sprinkler or soaker hose;
 - (ii) except on any day at any time if using a handheld hose, water container, or drip irrigation.
 - 3.1.3 Wash impermeable surfaces, except if:
 - (i) for a health or safety reason;
 - (ii) preparing a surface for painting or similar treatment by a commercial cleaning operation.
 - 3.1.4 Top up or fill aesthetic water features.
 - 3.1.5 Top up or fill pools and hot tubs.

3.1.6 Wash vehicles and boats, except to clean windows, lights, mirrors, licence plates, and boat engines for safety.

b) Non-Residential Addresses shall not:

3.1.1 Water lawns.

3.1.2 Water trees, shrubs, and flowers excluding edible plants:

- (i) if using a sprinkler or soaker hose;
- (ii) except on any day at any time if using a handheld hose, water container, or drip irrigation.

3.1.3 Water golf course except if operating under an approved local government water management plan.

3.1.4 Wash impermeable surfaces, except if:

- (i) for a health or safety reason;
- (ii) preparing a surface for painting or similar treatment by a commercial cleaning operation.

3.1.5 Top up or fill aesthetic water features.

3.1.6 Top up or fill pools and hot tubes, except for pools and hot tubs with a permit to operate in accordance with health authorities having jurisdiction over pool and hot tub regulation.

3.1.7 Wash vehicles and boats, except to clean windows, lights, mirrors, licence plates, and boat engines for safety.

3.1.8 Operate commercial vehicle washing, except if:

- (i) a facility that installed an automatic vehicle wash system before November 1, 2017, is operating on a basic wash and rinse cycle only;
- (ii) a facility that installed an automatic vehicle wash system before November 1, 2017, is operating using a water recycling system that achieves a minimum 60% water recovery rate over the full wash cycle;
- (iii) a hand wash and self-service facility, is operating using high-pressure wands or brushes that achieve a maximum flow rate of 11.4 litres per minute.

c) Governments/Schools/Parks shall not:

- 3.1.1 Water lawns and grass boulevards.
- 3.1.2 Water trees, shrubs, and flowers:
 - (i) if using a sprinkler or soaker hose;
 - (ii) except on any day at any time if using a handheld hose, water container, or drip irrigation.
- 3.1.3 Water soil-based playing fields no more than 3 days in a 7-day period from 7 PM – 9 AM, except if operating under an approved local government water management plan.
- 3.1.4 Water sand-based playing fields no more than 5 days in a 7-day period from 7 PM – 9 AM except if operating under an approved local government water management plan.
- 3.1.5 Flush water mains.
- 3.1.6 Operate water play parks.
- 3.1.7 Top up or fill aesthetic water features.
- 3.1.8 Top up or fill pools and hot tubs, except for pools and hot tubs with a permit to operate in accordance with health authorities having jurisdiction over pool and hot tub regulation.
- 3.1.9 Wash vehicles and boats, except to clean windows, lights, mirrors, licence plates, and boat engines for safety.
- 3.2 Section 3.1 of this Schedule does not apply to a person who waters new lawns or lawns being treated for European Chafer Beetle at premises described in a valid and subsisting Permit, provided the Person is and has been at all times in compliance with the Permit.
- 3.3 Notwithstanding Sections 3.1 and 3.2, when Stage 3 Restrictions are in force:
 - a) all hoses shall have an automatic shut-off device;
 - b) water shall not unnecessarily run off on impermeable surfaces such as driveways, curbs, pathways, or gutters when watering lawns and plants;
 - c) artificial playing turf and outdoor tracks shall not be watered except for a health or safety reason;
 - d) Hoses and taps must not run unnecessarily;
 - e) irrigation systems shall not be faulty, leaking, or misdirected.

PART 4 STAGE 4 RESTRICTIONS

4.1 Subject to Section 4.2 of this Schedule, when Stage 4 Restrictions are in force:

a) Residential Addresses shall not:

4.1.1 Water lawns.

4.1.2 Water trees, shrubs, flowers, and edible plants.

4.1.3 Top up or fill aesthetic water features.

4.1.4 Top up or fill pools and hot tubs.

4.1.5 Wash impermeable surfaces except if ordered by a regulatory authority having jurisdiction for a health or safety reason.

4.1.6 Wash vehicles and boats, except to clean windows, lights, mirrors, licence plates, and boat engines for safety.

b) Non-Residential Addresses shall not:

4.1.1 Water lawns.

4.1.2 Water trees, shrubs, flowers and edible plants.

4.1.3 Water golf courses.

4.1.4 Wash impermeable surfaces, except if ordered by a regulatory authority having jurisdiction for health or safety reason.

4.1.5 Top up or fill aesthetic water features.

4.1.6 Top up or fill pools and hot tubs.

4.1.7 Wash vehicles and boats, except to clean windows, lights, mirrors, licence plates, and boat engines for safety.

4.1.8 Operate commercial vehicle washing.

c) Governments/Schools/Parks shall not:

4.1.1 Water lawns and grass boulevards.

4.1.2 Water trees, shrubs, flowers and edible plants.

4.1.3 Water soil-based playing fields.

4.1.4 Water sand-based playing fields.

- 4.1.5 Flush water mains.
- 4.1.6 Operate water play parks.
- 4.1.7 Top up or fill aesthetic water features.
- 4.1.8 Top up or fill pools and hot tubs.
- 4.1.9 Wash vehicles and boats, except to clean windows, lights, mirrors, licence plates, and boat engines for safety.
- 4.2 Notwithstanding Sections 4.1 and 4.2, when Stage 4 Restrictions are in force:
 - a) all hoses shall have an automatic shut-off device;
 - b) water shall not unnecessarily run off on impermeable surfaces such as driveways, curbs, pathways, or gutters when watering lawns and plants;
 - c) artificial playing turf and outdoor tracks shall not be watered except for a health or safety reason;
 - d) Hoses and taps must not run unnecessarily;
 - e) irrigation systems shall not be faulty, leaking, or misdirected.

PART 5 EXEMPTIONS

- 5.1 The restrictions set out in Parts 1-3 of this Schedule do not apply to a Person operating under a valid and subsisting Water Use Plan issued under Part 4 of this Bylaw, provided that the Person is in compliance with the Water Use Plan.
- 5.2 Notwithstanding the activation of any stage of water restrictions, the Corporation of the City of New Westminster may use water and is exempt from the water restrictions applicable to that stage, where use of water is needed to carry out activities needed for the purpose of protecting public health and safety.

BYLAW 7845, 2016

SCHEDULE 2 DELETED

BYLAW 7845, 2016

SCHEDULE 3 DELETED

BYLAW 7845, 2016

SCHEDULE 4 DELETED

BYLAW 7845, 2016

SCHEDULE 5 DELETED

SCHEDULE 6

FORM FIN24 (REV. 09/08)

CORPORATION OF THE CITY OF NEW WESTMINSTER

CASHIER'S RECEIPT

Finance Department

Amount: \$

Date:

RECEIVED from:

address:

in payment of:

the sum of:

G/L account

Amount

EXP. dollars

1.2050 GST

This receipt is valid only when
stamped "PAID" by Cashier's Register

G.S.T. Registration No. R119439503

**SPRINKLING
PERMIT**

REPORT

Parks and Recreation Department

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Dean Gibson **File:** 2050028
Director of Parks & Recreation

Item #: 2022-216

Subject: Arts Council of New Westminster License Agreement Renewal

RECOMMENDATION

THAT the Mayor and Corporate Office be authorized to execute the Arts Council License Agreement for the use of a portion of Centennial Lodge (as per Attachment “A”), subject to required public notification.

PURPOSE

The purpose of this report is to seek authorization to renew the license agreement with the Arts Council of New Westminster for the use of a portion of Centennial Lodge.

BACKGROUND

Centennial Lodge has been the home for the Arts Council of New Westminster since 1985. The existing agreement with the Arts Council includes space that is exclusively available to the Arts Council, and its members, for their operations as well as shared use of the main hall and kitchen. The current license agreement with the Arts Council has lapsed and a new draft agreement has been developed (see Attachment “A”).

EXISTING POLICY

The City holds numerous leases for the use of City facilities with a variety of community organizations such as the Vagabond Players and the New Westminster Tennis Club. In each case a unique license agreement is developed to meet the respective needs of the City and the organization.

The *Community Charter* permits the City to enter into an exclusive lease agreement with the non-profit community organizations without making the opportunity available to other

potential interested parties. In such cases public notification of the City's intention to enter into such an agreement is required.

As the cumulative value of the draft License Agreement with the Arts Council, over its full Term, exceeds \$5,000, Council authorization to execute the agreement is required.

ANALYSIS

The draft license agreement for the use of a portion of Centennial Lodge, included as Attachment "A", has been developed in consultation with the Arts Council and is based on the terms of the most recent license agreement. Key aspects of the agreement include:

- **Purpose** – to promote arts and cultural services directly through the Arts Council, and indirectly, through the Arts Council membership and community;
- **License Area** – includes dedicated Arts Council gallery and meeting space in Centennial Lodge with access to the Main Hall and kitchen during designated days and times;
- **Term** – a five year term is proposed commencing November 1, 2022;
- **Fees** – the Arts Council will continue to pay a monthly rental fee set at a rate to recover a proportionate share of the Lodge's utility charges. The monthly rental fee of \$365 is below commercial market rates and will increase 3% annually to off-set inflationary utility cost increases; and
- **Arts Council Income** – the Arts Council is permitted to rent parts of the license Area to its members on a short-term, hourly basis.

FINANCIAL IMPACT

Although the Arts Council is charged a monthly rental fee, this fee is solely designed to recover their portion of utility charges for water, sewer, solid waste, electricity, garbage, etc.). The 2022 annual utility charges are \$4,380, however, the Arts Council has the ability to sublet the Centennial Lodge main hall to its membership, which generates approximate \$7,000 annually, meaning the license agreement enables net revenue generation for the Arts Council to support its ongoing operations and services.

OPTIONS

Option 1 – Authorize the Mayor and Corporate Office to execute the Arts Council License Agreement for the use of a portion of Centennial Lodge (as per Attachment "A"), subject to required public notification; or

Option 2 - Provide other direction to staff.

Staff recommend Option 1.

ATTACHMENTS

Attachment A – Arts Council of New Westminster License Agreement

APPROVALS

This report was prepared by:
Jason Haight, Manager of Business Operations

This report was approved by:
Dean Gibson, Director of Parks & Recreation
Lisa Spitale, Chief Administrative Officer

Attachment "A"

Arts Council of New Westminster License Agreement

SCHEDULE “A”

ARTS COUNCIL OF NEW WESTMINSTER LICENCE AGREEMENT

THIS AGREEMENT dated for reference the 1st day of November 1, 2022, is

BETWEEN:

CORPORATION OF THE CITY OF NEW WESTMINSTER, a
municipal corporation having an address of 511 Royal Avenue, New
Westminster, British Columbia, V3L 1H9

(the "City")

AND:

THE ARTS COUNCIL OF NEW WESTMINSTER (Society No. S-
0008244) a society duly incorporated under the *Society Act* (British
Columbia) having an address of P.O. Box 16003, New Westminster,
British Columbia, V3M 6W6

(the "Licensee")

WHEREAS:

- A. By way of the *New Westminster Parks Act*, S.B.C. 1908, c.38, the Province granted to the City those lands in the City of New Westminster bounded by McBride Street, 6th Avenue, 1st Street, Vancouver Street, Granville Street, and Royal Avenue, and known as “Queen’s Park” (the “Land”), upon trust to maintain and use the Land for the recreation and enjoyment of the public as a public park;
- B. Situated upon the Land is a building known as the Centennial Lodge (the “Lodge”);
- C. The Licensee is a not for profit society;
- D. The City agrees to grant to the Licensee a contractual licence to use and occupy the following areas of the Lodge, which are outlined in bold on the sketch plan attached as Attachment “A”: the two storey portion of the Lodge constructed in 1985 (the “Arts Section”), the kitchen located on the main floor of the Lodge (the “Main Kitchen”), the patio located on the main floor of the Lodge and adjacent to the Arts Section (the “Patio”) and the hall located on the main floor of the Lodge including the main foyer (the “Upper Main Hall”) (the Arts Section, the Main Kitchen, the Patio, and the Upper Main Hall are collectively referred to herein as the “Licence Area”) on the terms and subject to the conditions set in this Agreement.

THIS AGREEMENT is evidence that in consideration of the preceding recitals, the mutual promises contained in this Agreement and the payment as outlined in section 5 by the Licensee to the City (the receipt and sufficiency of which the City acknowledges), the parties agree as follows:

1. **Grant** – The City hereby grants to the Licensee a contractual licence to enter upon, use,

and occupy the Licence Area for the Term, on the terms and conditions set out in this Agreement and for the purposes set out in this Agreement. The licence granted hereby includes a licence to enter upon and cross over the Land and through the Building as may be reasonably necessary for the purpose of accessing the Licence Area through the Arts Section.

2. **Purpose** – The Licensee shall only use the Licence Area for the following purposes:
 - (a) meetings of the Licensee and its bona fide members;
 - (b) art programs, workshops, performances, shows, displays, rehearsals and events by the Licensee and its bona fide members; and
 - (c) promoting arts and cultural services offering public access and public benefits.
3. **Term** – The term of this Agreement is five years (the “Term”) commencing on November 1, 2022 and expiring on October 31, 2027. If the Licensee wishes to renew this Agreement, the Licensee may, by providing notice to the City no less than ninety (90) days before the Expiry Date, request a renewal of this Agreement. If, upon receiving such request, the City wishes, in its sole discretion, to grant the requested renewal of this Agreement, the City shall provide notice of renewal to the Licensee and upon giving such notice this Agreement shall be renewed, on the same terms and conditions (including this renewal provision), for a further term of five (5) years (the “Renewal Term”).
4. **Termination** – The City and Licensee may terminate this Agreement without cause on ninety (90) days’ written notice.
5. **Licence Fee** – Throughout the Term, and subject to sections 6 and 7 below, the Licensee shall pay to the City a monthly licence fee of \$356 per month (the “Licence Fee”), which Licence Fee is payable in advance on the first day of each month of the Term and is subject to increase outlined in section #7. The Licensee acknowledges and agrees that the Licence Fee amount does not include GST or PST (as applicable) and the Licensee shall pay applicable taxes in addition to the Licence Fee. Licence Fees cover a portion of utility, gas and electrical costs for the License Area apportioned to the Licensee.
6. **Additional Fees** – The Licensee shall pay an additional fee, separate and distinct from and in addition to the Licence Fee, for use of the Upper Main Hall on a Friday, Saturday or Sunday during the Term, which additional fee shall be calculated in accordance with the City’s Parks and Recreation Fees and Charges Bylaw.
7. **Licence Fee Increases** – The Licence Fee will increase by 3% for each year of the agreement:
 - (a) Effective November 1, 2022
 - (b) Effective November 1, 2023
 - (c) Effective November 1, 2024

- (d) Effective November 1, 2025
- (e) Effective November 1, 2026

8. **Licensee Covenants** – The Licensee shall:

- (a) promptly pay, when due, the Licence Fee and any other amounts required to be paid by it under this Agreement;
- (b) not do, suffer or permit anything in, on or from the Licence Area that may be or become a nuisance or annoyance to the owners, occupiers or users of land or premises adjacent to or near the Licence Area or to the public, including the accumulation of rubbish or unused personal property of any kind;
- (c) during its use of the Licence Area keep the Licence Area in a clean, safe and sanitary condition at all times;
- (d) not make improvements, extensions, installations, alterations, construction to, in or about the Licence Area, or alter the state of the Licence Area in any way except in accordance with the terms of this Agreement;
- (e) not commit or allow any wilful or voluntary waste or destruction of the Licence Area;
- (f) attain permission from the Manager of Queen's Park Facilities to display any sign or notice on or in the Licence Area;
- (g) not permit the consumption of liquor, as defined in the *Liquor Control and Licensing Act* (British Columbia) on or in the Licence Area or any portion of Centennial Lodge or any non-designated alcohol zone within Queen's Park, unless it has obtained a valid licence to do so or from the appropriate authorizing authority and approval from the City by means of the Manager of Queen's Park Facilities;
- (h) use the License Area only for the purposes set out in section 2 of this Agreement;
- (i) remove all personal belongings from the Licence Area upon termination of this Agreement;
- (j) provide the City with a up-to-date list of the Licensee's bona fide members upon execution of this Agreement and annually thereafter, list available in Attachment "B";
- (k) pay all costs and expenses of any kind whatsoever associated with and payable in respect of the Licence Area and any activity or operation conducted on or from the Licence Area, including without limitation, all taxes (including GST and property tax, as may be applicable), levies, charges and assessments, permit and license fees, repair and maintenance costs, administration and service fees, and payments for work and materials;

- (l) at all times during the Term of this Agreement, use the Licence Area in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws relating to environmental matters, including all the rules, regulations, policies, guidelines, criteria or the like made under or pursuant to any such laws, as well as the City's policies restricting smoking and animals on the Licence Area;
 - (m) Comply with all City, Provincial, Public Health Officer, WorkSafe and any other regulators that set policy, rules and regulations pertaining to public safety (i.e. COVID-19); and
 - (n) cooperate with the City in the shared use of the Upper Main Hall, lobby, and washrooms resulting in restricted Licensee access per sections 11 – 13.
9. **Sponsorship Recognition** – During the Term the Licensee shall not display any form of sponsorship recognition in the Licence Area, except for in the Arts Section. The Licensee is prohibited from soliciting users of the Lodge or Queen's Park at any time.
 10. **Liaison** – The Licensee shall appoint a liaison to work with the City's Parks and Recreation Department and the Licensee shall notify the City of the name of its liaison upon execution of this Agreement.
 11. **Arts Section** – The Licensee may use the designated Arts spaces identified in Attachment "A" at all times throughout the Term. For clarity, the Licensee is not required to make scheduling requests through the City's Parks and Recreation Department to use designated Arts spaces. Use of the Upper Main Hall is subject to the restrictions outlined in section 13. Under no circumstances shall Licensee staff or guests access any part of the Upper Main Hall when the City has bookings in the Main Hall.
 12. **Patio** – The Licensee may only use the Patio in conjunction with its use of the Upper Main Hall in accordance with the restrictions outlined in section 13. If the Licensee wishes to use the Patio outside of the Upper Main Hall use hours allocated in section 13, the Licensee must book such additional use through Queen's Park Arena. Such requests will only be approved if the Lodge is not booked to other groups. In using the Patio, the Licensee may also use the Upper Main Hall lobby and washrooms.
 13. **Upper Main Hall** – Throughout the Term, the Licensee may book the Upper Main Hall and adjoining foyer and washrooms, the Patio, and the kitchen, for the purposes outlined in Section 2. The Licensee may book Upper Main Hall spaces through the City's Queen's Park Arena with a minimum of 15 days advance notice to a maximum of 90 days notice (seasonal arts booking, with consent of the Manager of Queen's Park Facilities is permitted). To confirm the booking, the Licensee will be required to identify the use, user and estimated number of participants. Licensee bookable times, without additional charges per Section 6, are:
 - (a) Mondays, Tuesdays & Wednesdays, from 9:00 am to 11:00 pm; and

(b) Thursdays, from 9:00 am to 4:30 pm.

Any use of the Upper Main Hall or the Patio by the Licensee outside of the dates and times listed above will be subject to all City bylaws, fees, policies, and booking agreement requirements.

Further to Section 2, any Upper Main Hall booking, prohibits the use of soils, glue, glitter, confetti or any good or material that creates undue custodial, maintenance or repair needs. Related questions on what materials are permitted or not permitted, can be directed to staff at Queen's Park Arena.

14. **Temporary Rentals** – The Licensee may rent parts of the Licence Area to its bona fide members on a short-term basis (i.e. hourly) in accordance with sections 11 to 13. The Licensee shall provide the City's Parks and Recreation Department with copies of its short-term rental policies and procedures upon execution of this Agreement. Set up requirements must be submitted to Queen's Park Arena seven days prior to the booking in order for the City to complete setup needs. For certainty, nothing herein allows use of the Licence Area for any purpose other than those permitted pursuant to section 2 of this Agreement.
15. **Security** – The City, through its Parks and Recreation Department, shall provide the Licensee with keys to access the Arts Section upon full execution of this Agreement by both parties. The Licensee shall be responsible for ensuring that the Arts Section is secured at all times. The Licensee is required to provide Queen's Park Arena with the security codes for arming and de-arming the security system.
16. **Furnishings and Equipment** – The Licensee agrees that any furnishings or equipment it uses in the Arts Section will be of the same standard of quality or greater of furnishings and equipment used in the Lodge or other City-owned facilities.
17. Subject to section 18, the Licensee may use existing furnishings and equipment (including tables and chairs) within the Upper Main Hall only and the Main Kitchen free of charge during its scheduled uses of these areas.
18. **Communication Services** – The Licensee shall be responsible for all costs, good, materials and needs associated to any and all communication mediums including phone, internet, Wi-Fi, etc. in the Arts Section.
19. **Maintenance** – The Licensee shall be responsible for all routine maintenance associated with the Arts Section to a standard equal or better than that associated with the Upper Main Hall or other City-owned facilities. Any maintenance improvements above \$1,000 will require a written submission to the City outlining the scope of work, purpose, timelines, funding sources and detailed budget. The City, if satisfied with the request will provide written confirmation approving the work. The Licensee is responsible for all work and costs associated with custodial needs for the Arts Section. The Licensee is responsible for all costs and expenses of any kind whatsoever associated with and payable in respect of maintaining and securing personal property brought onto the Licence Area. The City is responsible for providing custodial and maintenance services to all building areas excluding the Arts Section. Further, the City is responsible to maintain all building areas

related to mechanical equipment and building envelope.

20. **Licensee's Belongings** – Within twenty-one (21) days of termination or expiration of this Agreement, the Licensee shall remove its belongings, including all furnishings, equipment, etc., from the Licence Area. Any belongings not removed by the Licensee within the time limit provided, shall be absolutely forfeited to and become the property of the City and the City may, at its sole option, retain the belongings or it may remove and dispose of them. The cost of removal and disposal of any belongings shall be charged to the Licensee, and shall be paid by the Licensee to the City forthwith.
21. **Assignment** – The Licensee shall not assign this Agreement in whole or in part.
22. **Release** – The Licensee hereby releases the City and its elected and appointed officials, employees, contractors and agents from and against all demands and claims, which the Licensee may have, now or in the future, in relation to this Agreement, the Licence Area or the Licensee's use of the Licence Area.
23. **Indemnity** – The Licensee will indemnify and save harmless the City, and its elected and appointed officials, employees, contractors and agents from and against any and all losses, claims, costs, expenses, damages and liabilities, causes of action, actions, claims, suits and judgments including all costs of defending or denying the same, and all costs of investigation, monitoring, remedial response, removal, restoration or permit acquisition and including all solicitor's fees and disbursements in connection therewith which at any time may be paid or incurred by or claimed against the City, arising, directly or indirectly, out of:
 - (a) any breach of any obligation set forth in this Agreement to be observed or performed by the Licensee;
 - (b) any act, omission, or negligence of the Licensee, its members, volunteers, employees, agents, contractors or others for whom it is responsible;
 - (c) any personal injury, bodily injury, death or property damage occurring or happening on or off the Licence Area by virtue of the Licensee's entry on or use of the Licence Area; or
 - (d) the granting of this Agreement;and the amount of all such losses, claims, costs, expenses, damages and liabilities will be payable to the City immediately upon demand.
24. The release and the indemnity in sections 23 and 24 shall survive any termination of this Agreement.
25. **Insurance** – The Licensee shall obtain and keep in force throughout the existence of this Agreement, at its own expense, commercial general liability insurance covering without limitation, premises and operations liability, tenants legal liability, public liability, injury to participants, and property damage. The limits of liability for personal injury and property damage combined on an occurrence basis shall be for not less than FIVE MILLION

(\$5,000,000.00) DOLLARS. The City shall be added as an additional insured under the policies of comprehensive general liability insurance. A cross liability clause shall be made part of the policies of comprehensive general liability insurance. All policies shall provide that they shall not expire, be cancelled or be materially changed without at least thirty (30) days prior written notice to the City by registered mail. At the time of execution of this Agreement, the Licensee shall provide the City with proof of insurance satisfactory to the City. The Licensee shall deliver to the City upon execution of this Agreement and thereafter on an annual basis a copy of the said insurance coverage.

26. The Licensee shall obtain and keep in force throughout the existence of this Agreement, at its own expense, insurance in an amount sufficient to cover the replacement cost of all equipment and chattels owned or leased by the Licensee and contained within the Licence Area. The Licensee shall deliver to the City upon execution of this Agreement and thereafter on an annual basis a copy of the said insurance coverage.
27. **Limitation on Liability** – The Licensee accepts the Licence Area on an as-is basis and agrees that it will use the Licence Area at its own risk.
28. **Acknowledgement of Licensee** – The Licensee acknowledges and agrees that the City has given no representations or warranties with respect to the Licence Area.
29. **Licence Only** – The Licensee’s use of the Licence Area will under all circumstances be viewed as a licence only and will not create nor be deemed to create any property interest in favour of the Licensee in the Licence Area.
30. **Licensee’s Representations and Warranties** – The Licensee represents and warrants to the City that the Licensee:
 - (a) is a not for profit society validly incorporated and in good standing under the laws of British Columbia and does not conduct its activities with a view to obtaining, and does not distribute, profit or financial gain for its members;
 - (b) has the power and capacity to enter into and carry out the obligations under this Agreement; and
 - (c) has completed all necessary resolutions and other preconditions to the validity of this Agreement.
31. **No Restriction** – The covenants herein shall not in any way restrict the right of the City at any time from altering the Lands, the Lodge, or the Licence Area in any way. Nothing in this Agreement affects the right of the City to exercise its powers within its jurisdiction.
32. **Entire Agreement** – This Agreement is the entire agreement between the parties regarding its subject matter. This Agreement may not be modified or amended except by an instrument in writing signed by both parties.
33. **Notices** – Any notice given pursuant to this Agreement will be sufficiently given if it is in writing and delivered personally or mailed by prepaid mail to the intended party at its address set out on the first page of this Agreement. A notice will be deemed to be received

on the day it is delivered, if delivered personally, or 4 business days after the date it was mailed.

34. **Governing Law** – This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.
35. **Time of the Essence** – Time is of the essence of this Agreement.
36. **Binding on Successors** – This Agreement shall enure to the benefit of and be binding on the parties notwithstanding any rule of law or equity to the contrary.
37. **Waiver or Non-Action** – Waiver by the City of any breach of any term, covenant or condition of this Agreement by the Licensee must not be deemed to be a waiver of any subsequent default by the Licensee. Failure by the City to take any action with respect to any breach of any term, covenant or condition of this Agreement by the Licensee must not be deemed to be a waiver of such term, covenant or condition.
38. **Interpretation** –
- (a) Wherever the singular or masculine are used throughout this Agreement, the same shall be construed as meaning the plural or the feminine or body corporate or politic, where the context or the parties hereto so require.
 - (b) Every reference to each party is deemed to include the heirs, executors, administrators, successors, directors, employees, members, servants, agents, officers, and invitees of such party where the context so permits or requires.

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the dates written below.

DATED the _____ day of _____, 2022.

The Corporate Seal of CORPORATION OF)
THE CITY OF NEW WESTMINSTER was)
hereunto affixed in the presence of:)
) C/S
_____)
Mayor)
)
_____)
Corporate Officer)

DATED the _____ day of _____, 2022.

The Common Seal of **THE ARTS COUNCIL**)
OF NEW WESTMINSTER was hereunto)
affixed in the presence of:)

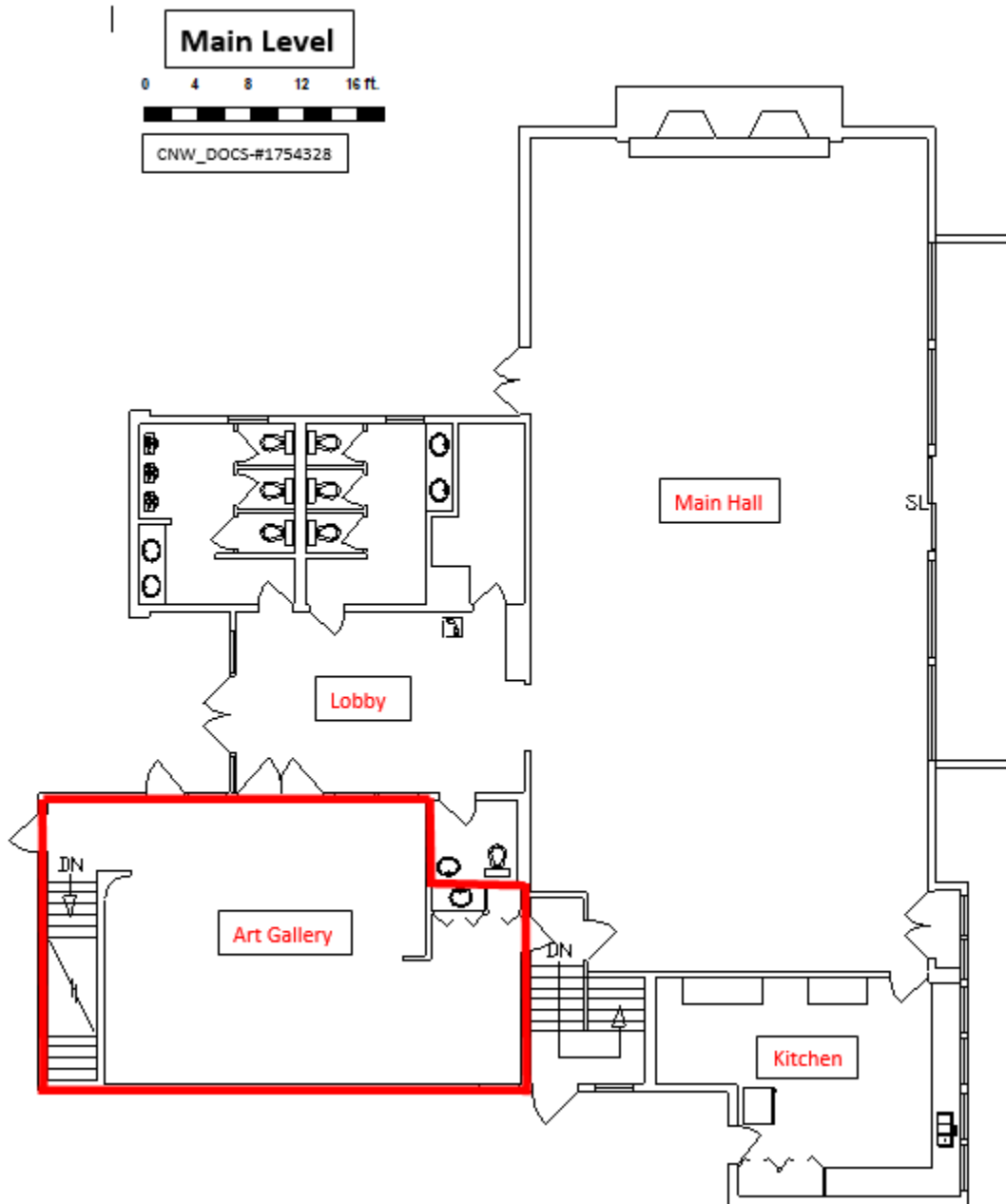
_____) C/S
Name:)
_____)
Name:)

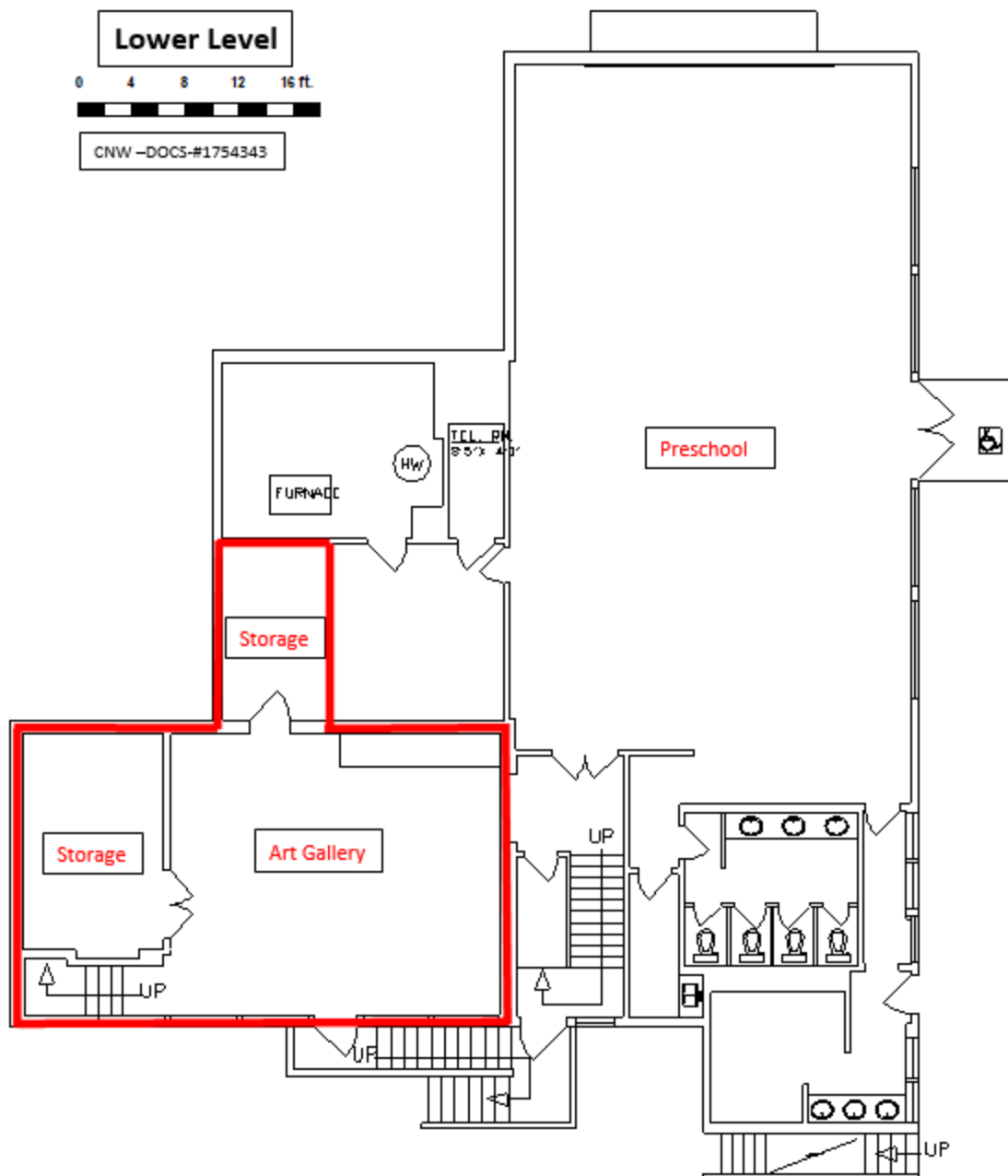
ATTACHMENT “A”

Licensee Spaces are indicated with a Red Boarder

Centennial Lodge Arts Gallery Spaces

Centennial Lodge Upper Main Hall & Kitchen





1

ATTACHMENT “B”

List of Licensee Bonafied Members & Bonafied Member Eligibility Definition



ARTS COUNCIL OF NEW WESTMINSTER
PO Box 16003, New Westminster, BC V3M 6V6
info@acnw.ca | acnw.ca | 604-525-3244

Except from the Bylaws of The Arts Council of New Westminster (page 9)
Certified November 24, 2019

Article 10 MEMBERSHIP

10.3 The members of the Society shall be divided into the following classes:

- (a) *Individual Member* Any person who subscribes to the Constitution and ByLaws and who pays the prescribed annual membership dues. This includes the two subclasses of *Individual* and *Seniors/Youth*. An *Individual Member* is entitled to one vote.
- (b) *Group Member* An association or club which participates in the Society's activities. A *Group Member* is entitled to one vote.
- (c) *Corporate Member* A business or organization which is registered as a *Corporate Member* and which supports the Society. Each *Corporate Member* is entitled to one vote.
- (d) *Honorary Life Member* Any person recommended by the Board of Directors who has been approved at an Annual General Meeting of the Society by unanimous vote. An *Honorary Life Member* shall be exempt from payment of any dues or assessments but shall be eligible to vote and to hold office.

**Arts Council of New Westminster Membership Roll
Jan 2020 – Jan 2021**

Corporate Members

100 Braid Street Studios
Fifth Chord Studios
Gabor Gasztonyi Studio
Kids in Motion
McLaren Trefanenko Inc
Michael Dunn Concert Productions
Music Box New West
Nina Wilder
Polka Dot Fine Arts
Quayside Voices
Renaissance Books Inc
Rover Music School
The Stage New West
Van Dop & Associates
Vantechnica Research & Design Vantechnica Research & Design
Working Silver

Non Profit Members

Amabilis Singers	NW Heritage Preservation Society
Amelia Douglas Gallery	New Westminster Symphony Society
Artists in the Boro	NW Youth Ambassador Society
City Stage New West	New West Writers
Community Living Society	Patrick Street Productions
Culture Chats BC	Queensborough Special Programs Committee
Dance with me Darlings	Quicksteppers
Federation of Canadian Artists	Royal Canadian Theatre Company
Fraser River Discovery Centre	Royal City GoGos
Geekenders	Royal City Literary Arts Society
GROWcery Food Network Society	Royal City Musical Theatre
The Maple Leaf Singers	Royal City Swing
Massey Theatre Society	Royal City Youth Ballet
My Artists Corner	RusArt Fine Arts Co
Music at Queen's	Savage Society
New Media Gallery	Union Gospel Mission
New West Artists	Vagabond Players
New West Film Society	YVR Dungeon Master Society
New Westminster Photography Club	

**Arts Council of New Westminster Membership Roll
Jan 2020 – Jan 2021**

Individual Members

Abhisek Mukherjee	Clarissa Banos	Jim Dobbs
Account Name	Cordelia Bonnycastle	Jim Walsh
Adele Yu	Damarys Purgas	Jon Jennings
Aglika Ivantcheva	Dave Kell	Jordan Hocking
Alexa Gerry	David Boettcher	Joy E. St. John
Alisa Yao	David J Vivian	Judith Copland
Alisha Sian	David Vandenberg	Judith Dale
Allie Lee	David Xicluna	Judy Villett
Amara Charters	Debbie Baldrey	Julia Heinonen
Andee Jasper	Debby Lee	Julia Schoennagel
Andrea Hooge	Diego Kohl	Kait DeWolff
Andrea Rodgers	Dorothy Doherty	Karen Luk
Andrew Chesham	Edit Albert	Kasumi Kanaya
Andrew Koltek	Erin Sparrow	Katerina Tsangarakis
Angela James	Farzad Rahnamoon	Katherine Webb
Angelica Kim	Franci W Louann	Kathleen Gail Rodney
Anita Groundwater	Francine Mbuyi Gindo	Kathleen Somerville
Anna Bjarnason	Gail G. Van Dyck	Kathryn Harms
Anne Bourque	Gary Chan	Katrina Lowther
Anne Uebbing	Geoff Nilson	Keli Monkman
Anthea Darychuk	Gordon Smithers	Kelly Goebel
Arnielle Boado	Grace Magnaye	Ken Westdorp
Ashley RAM-Ozechowski	Grace Sadowski	Kerry Shepherd
Barb Webb	Graciella Quinones	Kristian Lobb
Beth Snow	Gregory Kero	Kristina Maria Mameli
Betty Siu	Hannah Bennett	Kyla Sabatino
Billy Hebb	Helen Duckworth	Laurie Anne Linklater
Bob Crockett	Henna Madar	Leah Chang
Boushra Ghesen	Holly Nickerson	Leni Petrov
Brandi Williams	Howard Dai	Leslie Ellett
Brandon Pham	Iona Bonamis	Linda Canderle
Britt Frost	Ira Grunwell	Linda D. Chow
Caitlind Meeks	Jacky Hosford	Linda Makaza (Adimora)
Candace Malish	James Dailey	Lisa Teskey
Carly Fryer	Jane DePaoli	Lisa-Scarlett Cruji
Cathleen Jamieson	Janet Kvammen	Lois Brassart
Cathy Crockett	Janice Bannister	Lori Pappajohn
Cecile Lam	Janine Agnes Reid	M R. Edge
Chelsea McKenzie	Jeff Neufeld	Mardell Rampton
Chelsey Hawkings	Jen Arbo	Marg Gorrie
Christina Anderson	Jennifer Faltakas	Mariana Aramburu
Christopher Dabrowski	Jennifer Thompson	Mary Eaglesham
Cindy Chu	Jerry Stochansky	Marzena Skowronski

Megan Bukta	Susanne Christopher
Megum Vatera	Suzan Marczak
Melanie Gervais	Suzanne Rivard
Melanie L Walker	Tami Serandos
Melissa Roth	Tana Lynn Moldovanos
Merri Tan	Tanya Boucher
Midori Ueno	Terry Aske
Mirjana Vujkov	Tetsuomi Anzai
Mona Ungar	Timur Kalyuzhnyy
Natalia Chichkine	Tow teh Lim
Natasha Gulati	Trynka Longva
Nazli Azimikor	Valentina Pinzon
Nicola Quan	Veronique Boulanger
Nur Diyanah Kamis	Victoria Klassen
Olivia Bidzinski	Victoria Mitchell
Olivia Mbabazi	Wendy Schmidt
Patricia M Ocampo	William Chernoff
Paul Alberts	Yen Lin
Paula Godden	Yoko Beriault
Penny Mcivor	Zabrina Metheral
Petra Bachron	
Rachel Elves	
Ramandeep Mand	
Random Random	
Rena Farrend	
Robert Ascroft	
Rose Anza-Burgess	
Roxanne Gagnon	
Roxsane Tieman	
Ruby Campbell	
Samantha Bloomfield	
Samuel Adimora	
Sara Giron	
Sarah Brown	
Sasha Van De Keere	
Sepi Adelkhou	
Shelagh Penty	
Shemin Virani	
Sherida Charles	
Sherry Park	
Simrit Kainth	
Sophie Salmon	
Sophie Usherwood	
Stephen Hamm	
Steven Elford	
Sue Cosh	
Susan Purton	

ATTACHMENT “C”

List of Licensee Board of Directors & Contact information

2021 Arts Council of New Westminster - Board of Directors

Rosie Anza-Burgess 604-838-8698
Academic Advisor, Capilano University
Director at Large Nov 2019
2256 E 6th Avenue
Vancouver BC, V5N 1R1
r.anzaburgess@gmail.com
www.ranzaburgess.art

Ruby Campbell 778 773 2956
 778 881 3249
Director of Advancement, Faculty of Arts and
Social Sciences, Simon Fraser University
Vice-President Nov 2019
423 Alberta Street
New Westminster, BC V3L 3J6
rubycampbell@shaw.ca

Leah Chang 604-715-4354
Instructional Designer and Learning
Technologist (Self-Employed)
Director at Large Nov 2020
954 London Place
New Westminster, BC V3M 4Z6
mmeleahchang@gmail.com
<https://leahchang.ca>

Bob Crockett 604-777-0676
Instructor, Kwantlen Polytechnic University
President May 2018
109 – 12 K de K Court
New Westminster, BC V3M 6C5
bob.crockett@telus.net

Simrit Kainth 778-251-0482
Office Administrator, Global Relay-
Technology sector
Director At Large Nov. 2016
1006 Dublin Street
New Westminster BC, V3M 2Y8
simritkainth@hotmail.com

Andrew Koltek 778-867-0706
Accounting & Financial Analyst; Neptune
Bulk Terminals
Treasurer Nov 2019
1408-280 Ross Drive
New Westminster, BC V3L 0C2
aswkoltek@gmail.com

George Leontowicz 604 441 8430
Student, BCIT Operations Management
Director at Large Nov 2020
PH8 - 711 5th Ave
New Westminster, V3M 1X6
george@vantechnica.com

David Vivian 905.341.2580 (h)
 905.341.2580 (c)
Brock University, Instructor
Secretary Nov 2018
1407 – 14 Begbie Street
New Westminster, B.C. V3M 0C4
dvivian@brocku.ca david.sceno@gmail.com

City Council Representative:
Mary Trentadue 604-715-7072
1103 Hamilton St
New Westminster, BC - V3M 2M8
mtrentadue@newwestcity.ca

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Jackie Teed, Acting Director,
Climate Action, Planning and
Development **File:** 05.1020.20

Item #: 2022-207

Subject: Construction Noise Bylaw Exemption Request: 330 E. Columbia Street
(Royal Columbian Hospital Development)

RECOMMENDATION

THAT Council grant an exemption to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 on Friday April 22, 2022 from 6:00 AM to 11:00 PM to enable a concrete pour for a building construction; and

THAT Council grant an exemption to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 for one day from 6:00 AM to 11:00 PM, within an eight (8) day period until Saturday April 30th 2022 excluding Sunday, to enable a concrete pour for a building construction if unfavorable weather conditions or construction delays prohibit the work from occurring on the Friday April 22, 2022.

PURPOSE

To seek Council's approval for an exemption from Construction Noise Bylaw No. 6063, 1992 to enable EllisDon Design Build to conduct a concrete pour for a building construction at Royal Columbian Hospital located at 330 E. Columbia Street.

BACKGROUND

The redevelopment of the Royal Columbian Hospital (RCH) is one of the largest provincial government funded capital health care projects in the history of British Columbia. The project has an estimated \$1.35 billion contribution from the Province and a substantial multi-million dollar commitment from the Royal Columbian Hospital Foundation.

Milestone events include:

2012 - Provincial Government approval was given for Phase One.
2016 - Construction of Phase One began.
2017 - Phases Two and Three received government approval.
2020 - The new Mental Health and Substance Use Centre opened.
2021 - Phase Two construction began. Completion estimated in 2025.
2023 - Phase Three projected to start. Completion estimated in 2026.

The project is currently in Phase Two which involves construction of a new tower with a new main hospital entrance and a rooftop. The result will include:

- A new acute care tower with more beds for intensive care, cardiac intensive care, medicine and surgical patients, all in single-patient private rooms;
- A new, larger Emergency with a satellite medical imaging unit;
- A large interventional and surgical “super floor” in the existing Health Care Centre that has three more operating rooms, three more interventional suites for cardiology, two more interventional suites for diagnostic radiology, and one more MRI;
- More maternity beds and a maternity operating room;
- A 350+ stall underground parkade, a new main entrance and a new rooftop helipad;
- New advanced medical equipment and technologies, building services (e.g mechanical and electrical) and energy centre equipment; and
- Replacement of the aging Sherbrooke Centre, old power plant, main entrance and laundry/maintenance buildings with site enhancements.

A map of the redevelopment project is attached as Appendix A.

DISCUSSION

EllisDon Design Build requests an exemption for a four hour period from 6 AM to 11:00 PM on Friday 22nd April 2022 to facilitate a concrete pour for a building construction. The pour would facilitate construction of the Acute Care Tower third level elevator core, supporting completion of the RCH redevelopment in a timely fashion for the benefit of the community.

During the pour there will be a concrete pump truck located near the Acute Care Tower of the work site. Concrete will be supplied by approximately 7 concrete trucks per hour for a total load of 56 trucks during the duration of the entire concrete pour. Estimated concrete load is 500 cubic meters for this concrete pour.

EllisDon Design Build would like to begin the pour on Friday April 22, 2022 starting at 6:00 AM (one hour earlier than permitted hours) and continue around the clock to 11:00 PM on the same day (three hours past the end of permitted hours). The length of the

proposed pour will allow one continuous pour and will provide a buffer for any unforeseen delays such as weather conditions, supply of concrete materials, and settling of concrete poured at site.

If the concrete pour is delayed from Friday April 22, 2022 EllisDon Design Build requests an exemption to enable them to pour for a similar extended period at some point over the next subsequent eight (8) day period ending Saturday April 30th, 2022. If the concrete pour happens on a Saturday from 6:00 AM to 11:00 PM, the noise exemption will be for eight hours with three hours (6:00AM to 9:00 AM) in the morning and five hours (6:00 PM to 11:00 PM) in the evening. No construction work will occur on Sunday.

EllisDon Design Build has given assurances that they understand the potential impact an exemption to the bylaw would have on nearby residents. They have stated they are committed to following “good neighbour” protocol. EllisDon representatives have discussed the request for construction noise exemption with the representatives of the Sapperton Residents Association (SRA).

Transportation Impact

Although the variance to extend the available hours for the concrete pour may increase the possibility of noise in the early morning and late evening, the need for a continuous concrete pour is critical. Given the scope and duration of work, the ability to maintain walking and biking connections, limited impacts to transit, and vehicle volumes during the exemption periods being similar or lower than normal construction hours, City staff consider the requested exemption to be reasonable. EllisDon Design Build has a valid Street and Occupancy permit until June 13, 2022.

Noise and Light Impact

Pump truck set up and concrete supply trucks arriving on site will create construction noise. The work will include coordination between a pump truck and approximately 7 concrete supply trucks per hour bringing concrete supplies to the site. Noise will also occur from back-up beepers as vehicles position themselves on site for the duration of the pour. Noise may also result from the use of hand tools by construction workers.

EllisDon Design Build has committed to the following noise mitigation measures:

- ensuring all equipment is in good operating order;
- operating equipment at minimum engine speeds consistent with effective operation;
- educating and supervising construction personnel to ensure potential noises are minimized;
- avoiding unnecessary idling, revving, use of airbrakes and banging of tail gates;
- turning off equipment when not in use; and
- having a contact person available to respond to any calls from affected residents and businesses.

During the evening time of the concrete pour the RCH site will be lit with flood lights for construction workers' safety and for crews to be able to perform their tasks in relation to the concrete pour. While a direct intrusive light into neighbouring residences and businesses is not anticipated, there may be some reflections of light towards the nearby properties. EllisDon Design Build will do their best to keep any light reflection to a minimum.

Notification

If the exemption is granted, Fraser Health Authority will send notification to all affected businesses and residents (including the SRA) informing them about the exemption for the Friday concrete pour work and providing them with contact information should they have questions or concerns. A notification map can be found in Appendix B and a sample notification letter can be found in Appendix C.

Residents living in the vicinity of the Royal Columbian Hospital have been aware of the construction project at the hospital since it was announced by the Provincial government a few years ago. Fraser Health Authority Public Affairs staff have responded to fourteen inquiries and/or some complaints about construction in a timely way in the past year ranging from crane noise to dump trucks idling.

City Staff have carefully considered this request and how the construction objectives can be met in the manner most conducive to local residents' ability to rest, reviewed the traffic impact study, and present to Council the following options with their recommendation.

OPTIONS

The following options are presented for Council's consideration:

1. That Council grant an exemption to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 on Friday April 22, 2022 from 6:00 AM to 11:00 PM to enable a concrete pour for a building construction; and

That Council grant an exemption to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 for one day from 6:00 AM to 11:00 PM, within an eight (8) days period until Saturday April 30th 2022 excluding Sunday, to enable a concrete pour for a building construction if unfavorable weather conditions or construction delays prohibit the work from occurring on the Friday April 22, 2022.

2. That Council provide different direction to staff.

Staff recommends Option 1.

ATTACHMENTS

Appendix A: Map of the Royal Columbian Hospital redevelopment project

Appendix B: Map of Construction Notification

Appendix C: Sample of Notification Letter

APPROVALS

This report was prepared by:

Nav Dhanoya, Construction Impacts Coordinator

This report was reviewed by:

Serena Trachta, Acting Manager of Licensing and Integrated Services

This report was approved by:

Jackie Teed, Acting Director, Climate Action Planning and Development

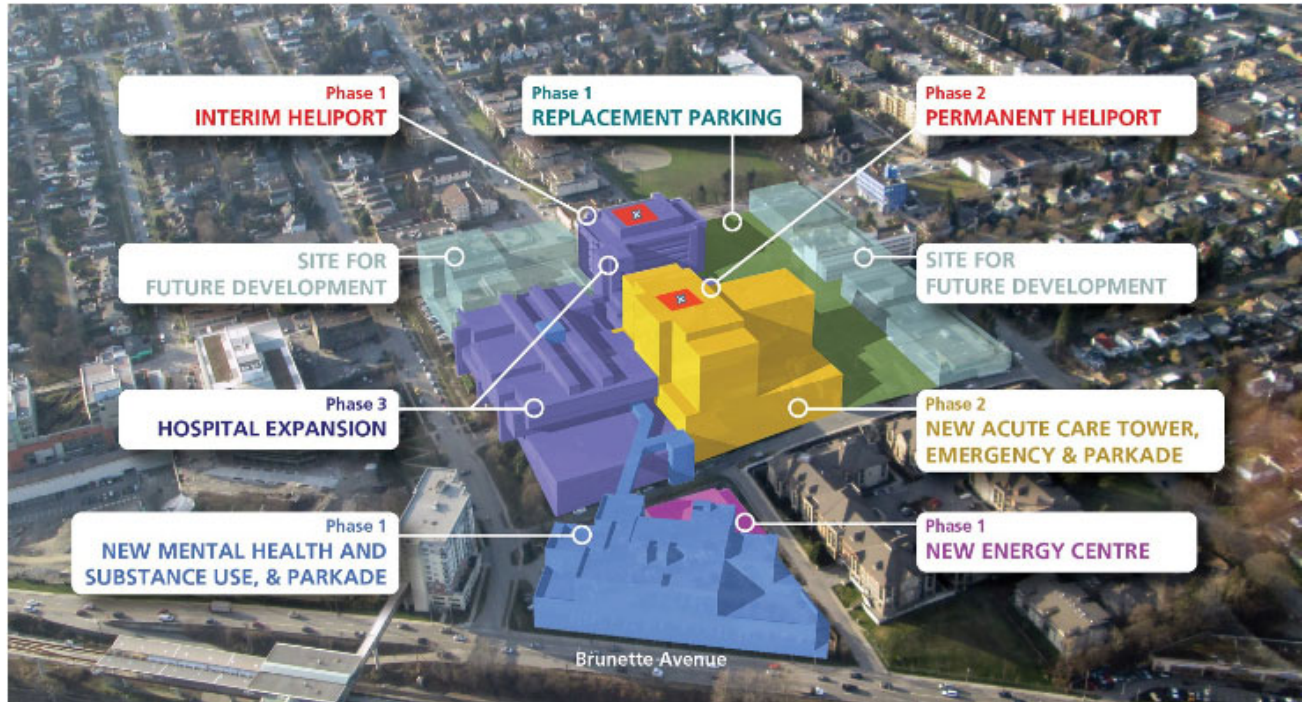
Lisa Spitale, Chief Administrative Officer

Appendix A

Map of the Royal Columbian Hospital Redevelopment Project

Appendix A

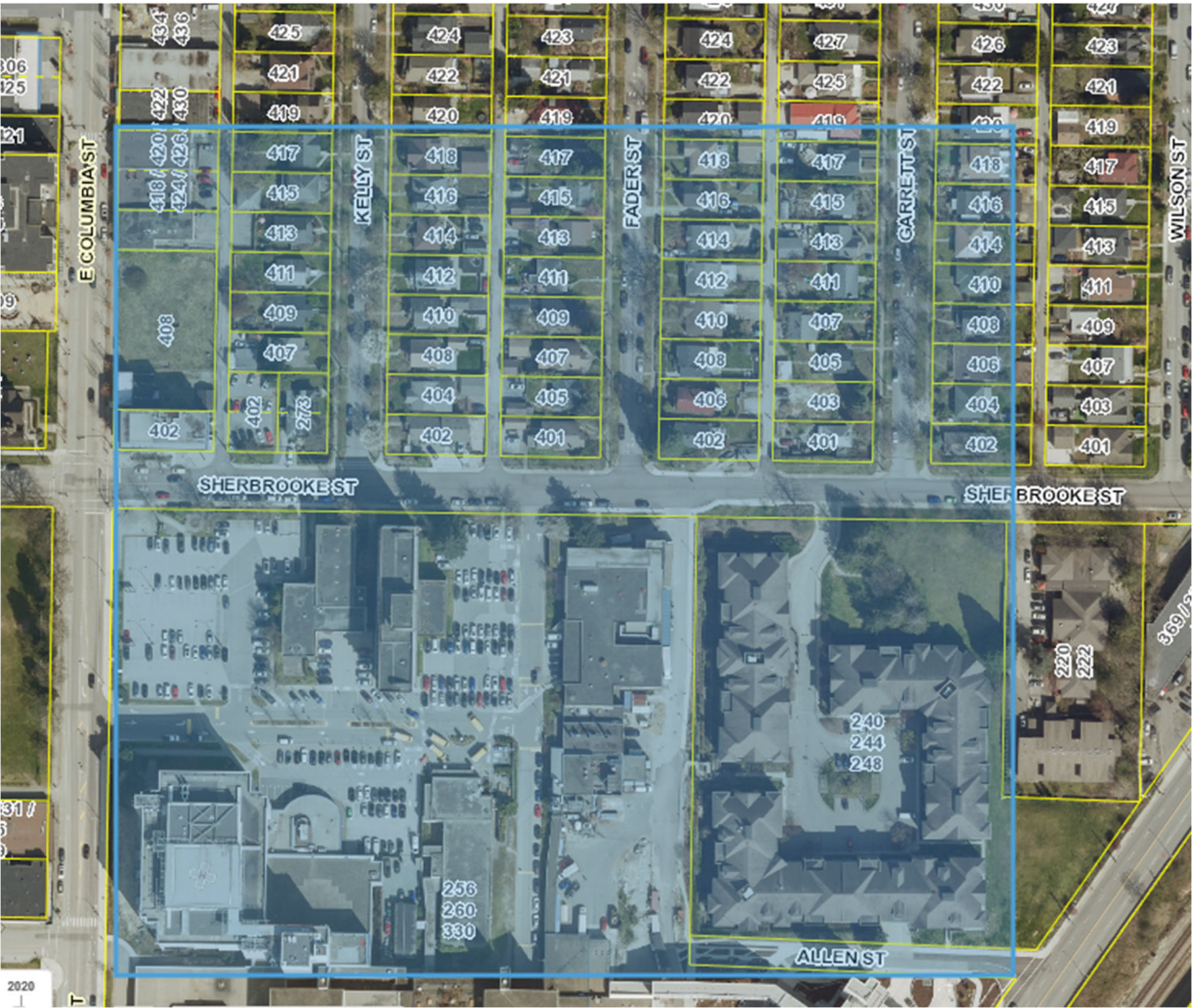
Map of the Royal Columbian Hospital redevelopment project
(Acute Care Tower is in yellow.)



Appendix B

Map of Construction Notification

Appendix B
Map of Construction Notification



Appendix C

Sample of Notification Letter

Appendix C

Sample of Notification Letter



Construction Notice for Neighbours

February 17, 2021

Noise Bylaw Exemption

Dear Neighbours,

We have received approval from the City of New Westminster for a Noise By-Law Exemption to extend our hours of construction activities on Saturdays. With this approval from the City, we will start our construction activities on Saturdays at 7am.

We apologize for any inconvenience this may cause. We will endeavor to schedule noisy work after 9am on Saturdays whenever feasible. We will arrange to have noisy work done as far away from the neighbours as possible.

Thank you for your patience and understanding as we work on this important hospital redevelopment.

EllisDon & Royal Columbian Hospital Redevelopment

Questions? Contact us at RCHRedevelopment@FraserHealth.ca or 604 418-5326. Visit www.fraserhealth.ca/royalcolumbian to learn more.

REPORT

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Lisa Spitale
Chief Administrative Officer

Item #: 2022-193

Subject: Designation of an Acting Chief Licence Inspector

RECOMMENDATION

That Council designate the Manager of Communications and Economic Development, Blair Fryer as Acting Chief Licence Inspector.

PURPOSE

To provide for the efficient operation of the City by designating Manager of Communications and Economic Development, Blair Fryer as the Acting Chief Licence Inspector, with the power, duty and responsibility to carry out the functions prescribed to this position.

BACKGROUND

The Chief Licence Inspector is provided specific powers in the Officers Establishment and Indemnity Bylaw No. 7175, 2007, Business Licence Bylaw No. 5640, 1986, and Business Regulations and Licensing (Rental Units) Bylaw No. 6926, 2004 (located in attachment 1 for reference). There are no provisions in the enactments for other senior City staff positions to act in the Chief Licence Inspector's stead. With the recent retirement of the Manager of Licensing and Integrated Services, there is a need to formally appoint another senior staff person to this role on an "Acting" basis.

ANALYSIS

Without the provision of this delegation the City is unable to issue business licenses, suspend, or cancel business licenses. At present, the City's economic development division has temporarily assumed oversight over the business licensing function and staff team. The appointment of the Manager of Communications and Economic

Development to Acting Chief Licence Inspector would ensure business licensing function continuity.

OPTIONS

1. That Council designate Manager of Communications and Economic Development Blair Fryer to be the Acting Chief Licence Inspector;
2. That Council provide alternate direction.

CONCLUSION

In approving this report's resolution Council will be supporting the smooth administration of the City.

ATTACHMENTS

Attachment 1: Powers Provided to the Chief Licensing Officer

APPROVALS

This report was prepared by:
Gillian Day
Agenda Secretary

This report was reviewed by:
Jacque Killawee
City Clerk

This report was approved by:
Lisa Spitale
Chief Administrative Officer

Attachment 1

Powers Provided to the Chief Licence Inspector *Extracts from Bylaws*

**POWERS PROVIDED TO THE CHIEF LICENCE INSPECTOR
EXTRACTS FROM BYLAWS**

1. OFFICERS ESTABLISHMENT AND INDEMNITY BYLAW NO. 7175, 2007

2. The following positions are established as Officers of the City of New Westminster, and assigned the functions and duties set out:

(g) **Licence Inspector:**

The power, duty and responsibility to carry out the functions prescribed to this position by applicable legislation, and other related power, duties and functions assigned by the Council and the City Administrator.

2. BUSINESS LICENCE BYLAW NO. 5640, 1986

GRANTING AND ISSUING OF LICENSES

6. Power is hereby delegated to the Licence Inspector to:

- (1) grant a business license; and
- (2) suspend, for reasonable cause, any licence for such period as he may determine.

3. BUSINESS REGULATIONS AND LICENSING (RENTAL UNITS) BYLAW NO. 6926, 2004

PART 2 - ADMINISTRATION AND ENFORCEMENT

4. Administration

The *Inspector* is authorized to administer and enforce this bylaw and to perform any other duties and exercise any other powers that may be delegated by *Council*.

5. Right of Entry

For the purposes of ensuring compliance with this bylaw or any order made under this bylaw, the *Inspector and Building Inspector* are authorized to enter, at all reasonable times, on *residential property* that is subject to this bylaw to ascertain whether the requirements of this bylaw are met. Where entering *residential*

property, the *Building Inspector* or *Inspector* shall show proper identification and shall notify the *owner* or occupant of the purpose of the entry.

6. Compliance Orders

- (a) If, in the opinion of the *Inspector*, there is a contravention of this bylaw or an order made under this bylaw or, in the opinion of the *Inspector*, a *rental unit* or *residential property* does not conform to the minimum maintenance standards prescribed by this bylaw, the *Inspector* may issue an order requiring that the *owner* bring the *residential property* or *rental unit* into compliance with the provisions of this bylaw within the time specified in the notice.
- (b) Service of the order referred to in paragraph 6(1) will be sufficient if the notice:
 - I.in the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the *owner* shown on the then current year's real property assessment roll for the *residential property* for which the order is issued;
 - II.in the case of service on a corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by registered mail to the registered office of the corporation.

16. Granting, Refusal and Suspension of Licence

The *Inspector* is authorized to:

- (a) grant or refuse a business licence under this bylaw; and
- (b) suspend a business licence issued under this bylaw for reasonable cause, for such period as the *Inspector* may determine.

18. Conditions of Licence

For the purposes of preventing or abating *nuisances* and ensuring the safety, quiet, peace, enjoyment, comfort and convenience of tenants of *rental units* and persons in the vicinity of *rental units*, the *Inspector* may impose terms and conditions upon the granting, renewal or suspension of a business licence issued under this bylaw in the nature of pro-active property management through the implementation of those property management practices recommended by the New Westminster Police Service Crime Free Multi-Housing Program ("CFMH"), including but not limited to:

(a) proper tenant screening by:

- use of posted written applicant criteria
- obtaining and recording two pieces of identification from applicants (at least one of which must be picture identification)
- obtaining and verifying *tenant* references
- use of a detailed application form to be completed in person
- performing credit checks on applicants
- use of standard rental agreements and other BC Residential Tenancy Office forms;

(b) ongoing competent property management by:

- monitoring conduct of tenants and guests to prevent or abate nuisance behaviour
- documenting all infractions of tenancy agreements
- swiftly addressing breaches of tenancy agreements
- maintaining the physical condition of residential property including the building exterior and interior, lighting, landscaping all in accordance with New Westminster Police Service Crime Prevention Through Environmental Design (CPTED) Report recommendations and City bylaws.

REPORT

Parks and Recreation Department

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Dean Gibson **File:** 2047922
Director of Parks and Recreation

Item #: 2022-215

Subject: European Chafer Management Program Update

RECOMMENDATION

THAT the European Chafer Management Subsidy Program be temporarily suspended, and

THAT staff be directed to monitor the impacts of the suspension for the next two years.

PURPOSE

The purpose of this report is to provide an update on the City's European Chafer Management Subsidy Program and propose changes to the program for 2022.

SUMMARY

Subscription to the City's European Chafer Management Subsidy Program is declining at the same time as residents have increased access to effective alternate control products. Permissible non-pesticide defenses against the spread of the insect are increasingly available to home owners at retail outlets at a lower cost than the nematodes historically made available through the City's subsidy program.

The European Chafer, *Rhizotrogus majalis*, is a serious turf pest that first appeared in New Westminster lawns and boulevards in 2001. The European Chafer, in its grub stage, is very destructive to turf and lawns. The grubs feed on the roots of grasses during the summer and through to the spring. Considerable damage to turf can also occur in the fall and winter from animals, especially skunks and birds, digging up the grass to feed on the larger grubs.

In 2008 to assist New Westminster residents' efforts to combat the European Chafer and encourage safe and effective biological management approaches, City Council endorsed

a program to subsidize residents' purchases of nematodes with access to watering permits to support the product application. Utilization of the subsidy program trended towards a decline in utilization between 2010 and 2014, and again between 2019 and 2021 as outlined in the chart below:

Nematode Subsidy Program Statistics

YEAR	COUPONS AVAILABLE	COUPONS REDEEMED	% REDEEMED VS AVAILABLE
2008	250	200	80%
2009	250	150	60%
2010	250	171	68%
2011	250	98	39%
2012	250	94	38%
2013	250	48	19%
2014	250	67	27%
2015	250	196	78%
2016	250	200	80%
2017	250	244	98%
2018	250	247	99%
2019	250	197	79%
2020	250	109	44%
2021	250	70	28%
Average	250	149	60%

POLICY / PAST PRACTICE

The City of New Westminster provided a 50% discount on the purchase of the biological control (nematodes) to a maximum purchase of two packages per New Westminster home owner, on a first-come, first-served basis.

In 2017, an agreement was developed with Garden Works Burnaby locations to inventory nematodes for New Westminster residents and oversee the administration of the subsidy program.

The Program has been promoted seasonally on an annual basis through the City Page in the local newspaper, the City's website, and social media channels.

DISCUSSION

Since 2019, a microbial product that can be used to manage European chafer beetle was approved and is now available in Canada and readily available at most garden centers. The active ingredient is *Bacillus thuringiensis galleriae* (also called Btg), which kills larvae or beetles after they have ingested it. The cost of Bacillus-containing products are lower than the cost of nematodes (for example, “Grub B Gon” \$.25/square meter compared to nematodes \$.45/square meter). The use of these newer products is permitted within the City’s Pesticide Bylaw.

The best non-pesticide defense against the European Chafer available to homeowners is to follow industry best practice measures to maintain a healthy lawn as resilient turf appears to better withstand the effects of this pest. Alternative ground covers that are resistant to the Chafer are also appropriate in some instances. Resources to help residents take preventive measures and manage the spread of the European Chafer remain available on the City’s website. The use of preventative, biological and cultural practices are all identified as best practices as referenced in [Metro Vancouver’s “Best Management Practices for European Chafer Beetle \(August 2021\)”](#)

Given the trending decline in subscription to the nematode subsidy program, and the increasing availability of effective, lower cost alternate products, it is recommended that the nematode subsidy program temporarily be suspended.

FINANCIAL ANALYSIS

The Parks and Recreation Department annual operating budget includes \$10,000 in funding to subsidize local residents’ purchase of nematodes each year. Any “savings” resulting from the temporary suspension of the subsidy program would be directed towards the department’s activities related to supporting climate resiliency efforts within the City’s parks and open spaces.

CONCLUSION

The European Chafer is likely to remain an ongoing issue in the region, and implementing the City’s European Chafer Management Program as required will help control damage and minimize the spread of the insect.

Given the current downward trend in the subsidy utilization rate, fewer damaged lawns observed throughout the City, and readily available new products containing Bacillus which prove to be effective at a lower cost to homeowners, a suspension to the program is timely and can be reviewed annually as required.

Furthermore, the City of New Westminster does not use any grub control products on City owned and maintained properties. Supportive informational brochures on [healthy residential lawn care](#) remain available on the City [website](#) and at City facilities.

INTERDEPARTMENTAL LIASON

In 2007 the City's Engineering Department introduced a watering permit specific for the City's European Chafer Management Program. The permit allows the homeowner to water their lawns after applying the nematodes within the first three stages of the water restriction period. The Parks and Recreation Department continues to liaise with the Engineering Department to update them on the City's European Chafer Management Program.

OPTIONS

Options for Council's consideration include:

1. Temporarily suspend the European Chafer Management Subsidy Program
2. Monitor the impacts of the suspension for the next two years
3. Provide staff with alternate direction.

Options #1 and #2 are recommended.

ATTACHMENTS

Attachment "A" – Smart Gardening & Lawn Care Brochure

APPROVALS

This report was prepared by:
Sloane Elphinstone, Coordinator – Park Services

This report was reviewed by:
James Doan, Manager Parks Operations and Services

This report was approved by:
Dean Gibson, Director of Parks and Recreation
Lisa Spitale, Chief Administrative Officer

Attachment A:

Smart Gardening and Lawn Care Brochure

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Jackie Teed, Acting Director, Climate Action, Planning and Development **File:** 01.0110.20-13

Item #: 2022-195

Subject: Local Government Act Updates (Bill 26) and Proposed Delegation of Small Development Variance Permits

RECOMMENDATION

THAT Council direct staff to bring forward the necessary bylaw changes required to implement delegation of minor variances, as outlined in Attachment 1 of this report.

PURPOSE

The purpose of this report is to update Council on changes to the Local Government Act (LGA), and to request Council endorsement of next steps to delegate small development variance permits to staff, as now permitted in the LGA.

BACKGROUND

Summary of LGA Changes (Bill 26)

Provincial Bill 26 received Royal Assent on November 25, 2021. Bill 26 updated the Local Government Act (LGA), including the provisions for Public Hearings and Development Variance Permits, as follows:

Public Hearings

The LGA no longer requires issuance of a waiver when Council decides not to hold a Public Hearing for rezoning applications consistent with the Official Community Plan. If no Public Hearing is to be held, public notice must be given prior to first reading of the bylaw, consistent with LGA notice requirements.

A discussion with Council regarding the role of public hearings, as part of a larger discussion on public engagement, is anticipated to take place in the coming weeks. The

change to the public hearing waiver process made by Bill 26 is imminently implementable within the City's development review process, which currently includes Council consideration of whether or not to hold a public hearing for eligible applications.

Development Variance Permits

The LGA now gives authority for Council to delegate minor variances related to siting, size, and dimensions of buildings, structures and other permitted uses; off street parking and loading; signs; landscaping to screen or for natural environmental benefits. Authority must be delegated by Council in a bylaw that provides evaluation criteria for (a) determining if minor and (b) use in consideration of issuance; and may also include terms and conditions. The decision of the delegate can be reconsidered by Council on request of the applicant. No notification is required for delegated decisions.

Current Development Variance Permit Process

Most rezoning applications in the city use comprehensive development (CD) districts (i.e. spot rezoning), which incorporate variances to the Zoning Bylaw directly into the CD zone. Many variances can also be addressed through the Development Permit process, which Council has delegated to the Director of Climate Action, Planning and Development. This limits the number of stand-alone Development Variance Permit (DVP) applications the City receives. However, some of the stand-alone DVP applications being processed for Council approval do include very minor variance requests (for example, signage variances).

The City's current approach to processing stand-alone Development Variance Permits is to forward a report to Council recommending issuance of notice for written comment. Public notification is issued consistent with the LGA, and Council is provided all public comments for their consideration prior to issuance.

ANALYSIS

Summary of Development Variance Permit (DVP) Applications

Between 2017 and 2021 inclusive, a total of 20 stand-alone non-signage DVP applications were processed, with an average four/year, 25% of which included multiple variances. This included variances for: vehicle parking (11 total – space number, space type, space location), building height (7), side/rear yard setback (5), frontage (4), projection into setback (3), loading spaces (3), bike parking (2), site coverage (2), vehicle access (1), retaining wall location (1), offsite works (1).

A total of 10 sign DVP applications were processed since the new Sign Bylaw was approved (July 10, 2017), at a rate of about two/year, 50% of which included multiple variances. This included variances for: size (9 total), number (5), height (3), placement (1), coverage (1), landscape requirements (1).

All but one of these variances (i.e. for offsite works) would now qualify under the current legislation to be delegated by Council. Taking the past five years for example, this would equate to an average of six fewer staff reports and Council considerations per year, and could also decrease processing timelines for DVP applications.

Other Municipalities

Staff surveyed 20 other regional municipalities regarding their approach to the DVP delegation authority added through Bill 26. No municipalities had amended their bylaws to date, but seven municipalities (35%) were currently exploring or working on amendments to bring forward in the near future and seven (35%) were or were potentially interested in exploring at a future date. The City of Vancouver already had authority to delegate DVPs through the Vancouver Charter. Five municipalities (24%) were not interested in changing how they process DVPs, and one provided no comment. A full list of surveyed municipalities is included in Attachment 2.

DISCUSSION

Recommendation for Minor Development Variance Permits (DVPs)

Staff recommends delegating to the Director of Climate Action, Planning and Development most minor stand-alone DVPs that could otherwise be accommodated through a Development Permit applications (i.e. siting, size, dimensions of buildings, structures and other permitted uses; off street parking and loading; landscaping to screen or for natural environmental benefits). This would allow these types of variances to be processed more efficiently even when a Development Permit application is not required. The exception would be where the zoning regulations in question would affect land use or density, which the LGA does not permit to be delegated (e.g. industrial zones where density is regulated through building dimensions instead of floor space).

Staff also recommends delegation for minor DVPs for signs. With the update to the Sign Bylaw, these types of variances have been virtually eliminated, but delegation would streamline the process for the remaining few.

A list of the variances proposed for delegation; the proposed required evaluation criteria for determining when a variance is minor, and for evaluating applications; and the proposed terms and conditions, are included in Attachment 1.

NEXT STEPS

Should Council approve the recommendations in this report, staff would bring forward the required bylaws for Council's consideration.

FINANCIAL IMPLICATIONS

The Development Services Fees and Rates Bylaw includes a fee for stand-alone development variance permit applications of all scales, which would continue to be applied to all applications.

INTERDEPARTMENTAL LIAISON

This report was reviewed by Legislative Services. Engineering provided feedback regarding parking variances.

OPTIONS

The options before Council are:

1. That Council direct staff to bring forward the necessary bylaw changes required to implement delegation of minor variances, as outlined in Attachment 1 of this report.
2. That Council receive this report for information and direct staff to take no further steps on this matter at this time.
3. That Council provide other direction.

Staff recommend options 1.

ATTACHMENTS

Attachment 1 – Provisions of Proposed Delegation of Minor Variances

Attachment 2 – Summary of Municipal Survey

APPROVALS

This report was prepared by:

Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:

Jackie Teed, Acting Director, Climate Action Planning and Development

Lisa Spitale, Chief Administrative Officer

Attachment 1

Provisions of Delegation of Minor Variances

Provisions of Delegation of Minor Variances

Criteria for Determining When a Variance is Minor

Minor variances in the following categories may be considered by the Director: 1) siting, size, and dimensions of buildings, structures and other permitted uses; 2) off street parking and loading for projects that include five or fewer units; 3) signs; 4) landscaping to screen or for natural environmental benefits. No variance may result in a change to the density or permitted use of the site.

A variance is considered to be minor where it is comparatively unimportant in size, or degree. The determination of degree must be done with regard to the particular circumstances involved. A minor variance may result in a significant change from a provision of the bylaw where that provision is determined to be comparatively unimportant under the particular circumstances.

A variance is minor if, given the provision of sufficient evidence, and the particular circumstances of the application, it can be determined that the variance would:

1. Be small enough to be relatively unnoticeable by the average user of the site, adjacent sites, and the surrounding public realm; or,
2. Be of a comparatively unimportant degree, as defined by the variance resulting in:
 - Construction that is consistent with the neighbourhood context;
 - Construction that is appropriate to existing buildings on the site;
 - Construction that maintains functionality (e.g. access and connectivity, accessibility, screening, fire access, weather protection) and/or livability (e.g. adequate outdoor space) of the subject site;
 - No more than minor adverse impacts to the functionality (e.g. loading, garbage collection, vehicle access location) and/or livability (e.g. views, shadowing, light, air, indoor or outdoor privacy) of neighbouring properties, including for any buildings that could be built on those properties under existing zoning;
 - No more than minor adverse impacts to the public realm (e.g. streetscape, lane, adjacent public open space), and/or other public assets (e.g. trees);
 - No more than minor adverse impacts to the future expansion or operation of existing permitted uses in the vicinity;
 - Adequate safety for those using, accessing and/or traveling past the subject site and surrounding sites on foot, rolling or by vehicle; and,
 - No loss of protected trees, except in circumstances where the Director determines the variance would support other priorities of Council or the City.

Application Evaluation Criteria

The Director shall evaluate minor Development Variance Permit applications using the following considerations, which are consistent with the City of New Westminster's Policy Approach to Considering Requests for Development Variances (2008), as updated from time to time:

- There should be a valid reason why the bylaw requirements cannot be met. It is not sufficient that a variance would be convenient to an owner in order to justify its approval; nor is it required that a variance be justified due to hardship; however, requests for variances on new buildings will generally not be supported unless there is a hardship related to the site (such as slope and topography issues), or it would support a Council priority (e.g. affordable rental, retention of protected trees, etc.)
- The applicant can demonstrate they have explored all reasonable alternative solutions and determined that none is available, to the satisfaction of the Director.
- The applicant can demonstrate the possible mitigations to issues related to the variance have been identified and incorporated into the proposal, to the satisfaction of the Director.
- The variance would result in a nonconformity that is satisfactory and acceptable from a planning standpoint, e.g. continues to meet the intent of the bylaw, fulfills related planning objectives, etc. This includes that the description or definition of the permitted use must be considered, to help frame what is the intent of the Zoning Bylaw and Official Community Plan and how the new use strays outside or continues to meet that intent.
- The variance would result a nonconformity that is consistent with other related City policy that would otherwise support the limitations of the provision of the regulation being sought to vary;
- The variance would result a nonconformity that maintains sufficient vehicle vision clearance (i.e. at street and lane corners, driveways), and/or required vehicle access to the site.

Terms and Conditions

The following terms and conditions will apply to development variance permits approved through this process:

1. A Development Variance Permit shall apply to, and only to, those lands within the City described by the Permit, and any or all buildings, structures and other development thereon.

2. The provisions of Zoning Bylaw 6680, 2001, as updated and/or replaced from time-to-time, shall be varied or supplemented only as described by the Development Variance Permit.
3. The development shall be carried out within 24 months of the date of issuance of a Development Variance Permit.
4. As a condition of the issuance of a Development Variance Permit, the City may hold Security in the amount set out by the Permit to ensure that related landscaping is carried out in accordance with the terms of the permit and that any unsafe condition that may occur as a result of contravention of the Permit is corrected. The City may undertake and complete the works required to satisfy the landscaping condition or carry out any construction required to correct the unsafe condition, or both, at the cost of the Owner and may apply the Security in payment of the cost of the works, with any excess to be returned to the Owner. Interest earned on the Security provided shall accrue to the Owner and be paid to them immediately on return of the Security or, in default, become part of the amount of the Security.
5. The land described by the Development Variance Permit shall be developed strictly in accordance with the terms and provisions of the Permit which shall form a part of the Permit.
6. If the Owner does not substantially commence the development permitted by a Development Variance Permit within 24 months of the date of the Permit, the Permit shall lapse.
7. All plans and specifications included in a Development Variance Permit are subject to any charges required by the Building Inspector or other officials of the City where such plans and specifications do not comply with any duly enacted law or bylaw, and such non-compliance is not specifically permitted by the Permit. Minor variations which do not substantially alter the work referred to in the plans and specifications may be permitted if approved in writing by the Director.

Attachment 2

Summary of Municipal Survey

Summary of Municipal Survey

Municipality	DVP Delegation Proposed	Comments
Village of Anmore	Interested	Future work
Village of Belcarra	No	Too few applications
Bowen Island	Interested	Future work
City of Burnaby	Exploring	
City of Coquitlam	Exploring	Work under way
City of Delta	Interested	Future work
City of Langley	No	May consider in future
Township of Langley	Interested	
Village of Lions Bay	No	Too few applications
City of Maple Ridge	Exploring	
City of North Vancouver	Exploring	Work under way
District of North Vancouver	No	
City of Pitt Meadows	No	May consider in future
City of Port Coquitlam	No	
City of Port Moody	Interested	Future work
City of Richmond	--	Did not comment
City of Surrey	Yes	January 17 th Council approved proceeding with delegation; scope to define “small” and considerations for evaluation still pending
City of Vancouver	Yes	Previously authorized through Vancouver Charter
District of West Vancouver	Exploring	
City of White Rock	Yes	

REPORT

Land Use and Planning Committee

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Land Use and Planning Committee **File:** REZ00205

Item #: 2022-206

Subject: Rezoning and Development Permit Applications for a 15-unit Rental Project: 1321 Cariboo Street – For Information

RECOMMENDATION

THAT Council receive this report for information.

PURPOSE

This report is intended to provide Council with preliminary information on the proposed rezoning and Development Permit of the property at 1321 Cariboo Street, including initial Land Use and Planning Committee discussion.

EXECUTIVE SUMMARY

The City has received an application for Rezoning and Development Permit to allow for the construction of a 15 unit secured market rental building, with a floor space ratio of 1.59, on a vacant site at 1321 Cariboo Street. Staff are generally supportive of the application, and are working with the applicant to address issues related to parking, density, massing, livability, and design guideline consistency, prior to the application going to public consultation.

COMMENTS AND ANALYSIS

At its meeting held on January 31, 2022, the Land Use and Planning Committee (LUPC) considered the staff report included as Attachment 1. The Committee provided the following comments to staff (see minutes from the meeting as Attachment 2):

- Rigid guidelines should not inhibit the city's ultimate goal of providing rental housing;

- The development site is kitty corner from Riverside Park which residents could use as outdoor space; however, a rooftop greenspace would be ideal;
- Losing three or four parking spots is not concerning as housing, not cars, is the City's first priority;
- The number of New Westminster residents who own cars is decreasing; therefore, housing should not be lost to accommodate cars;
- Provision of safe pedestrian space on both sides is appreciated and supported;
- Implementing a parking minimum is resulting in the loss of greenspace, which is needed in this community;
- The rental housing aspect is the most important part of the project;
- If reducing parking is going to result in additional issues with the project design and a significant delay in the process, then the existing balance that the developer has found is acceptable; and,
- Parking should be reduced if that will allow for the provision of outdoor amenities space on site and not significantly alter the project timeline.

The LUPC passed the following motions regarding the project:

THAT the Land Use and Planning Committee supports the reduction in parking requirements for the proposed project at 1321 Cariboo Street to eight spaces if that can be provided.

THAT the Land Use and Planning Committee supports staff in getting the project proposal for 1321 Cariboo Street to approval as quickly as possible in consideration of the concerns raised today.

APPLICATION REVIEW PROCESS AND NEXT STEPS

As noted in the report to the LUCP, the anticipated review steps for this application are:

1. Internal Circulation, Review and Applicant Revisions (on-going);
2. Preliminary Report to LUPC (January 31, 2022);
3. Preliminary Report to Council from LUPC (March 28, 2022); **(we are here)**
4. Applicant Complete Submission including revisions responding to LUPC feedback;
5. Applicant-led public consultation, including dissemination of information through the local Residents Association;
6. Presentation to the New Westminster Design Panel;
7. City-led public consultation, including the creation of a Be Heard New West webpage and survey;
8. Council consideration of First and Second Readings of Rezoning and Housing Agreement Bylaws;
9. Public Hearing (if Council does not waive);

10. Council's consideration of Third Reading and Adoption of the Rezoning Bylaw and Housing Agreement Bylaw;
11. Applicant Addresses Adoption Requirements;
12. Adoption of Zoning Amendment Bylaw;
13. Consideration of issuance of Development Permit by Director of Development Services.

OPTIONS

The following options are available for Council's consideration:

1. That this report be received for information.
2. That Council provide staff with alternative direction.

Staff recommends Option #1.

ATTACHMENTS

Attachment 1: Report to LUPC dated January 31, 2022

Attachment 2: Excerpt of DRAFT LUPC Meeting Minutes dated January 31, 2022

APPROVALS

This report was prepared by:

Athena von Hausen, Development Planner

This report was reviewed by:

Mike Watson, Acting Supervisor of Development Planning

Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was submitted on behalf of the Land Use and Planning Committee and approved by:

Jackie Teed, Acting Director, Climate Action, Planning and Development

Lisa Spitale, Chief Administrative Officer

Attachment 1

Report to LUPC dated January 31, 2022

REPORT

Climate Action, Planning and Development

To: Land Use and Planning Committee **Date:** January 31, 2022

From: Emilie K. Adin, MCIP **File:** REZ00205
Director, Climate Action, Planning and
Development

Item #: 2022-61

Subject: **Preliminary Report: Rezoning and Development Permit 1321 Cariboo Street**

RECOMMENDATION

THAT the Land Use and Planning Committee recommend staff process the Rezoning and Development Permit Applications as per the recommendations summarized in this report.

THAT the Land Use and Planning Committee recommend staff work with the applicant in addressing the outstanding items noted in the discussion section of this report prior to the application proceeding to public consultation.

EXECUTIVE SUMMARY

The City has received an application for Rezoning and Development Permit to allow for the construction of a 15 unit secured market rental building, with a floor area ratio of 1.59, on a vacant site at 1321 Cariboo Street. Staff are generally supportive of the application, and are working with the applicant to address issues related to parking, density, massing, livability, and design guideline consistency, prior to the application going to public consultation, including:

- Building stepping and façade articulation;
- Street-level activation and connection;
- Provision of outdoor space;
- Proposed parking variance; and
- Site access.

1. PURPOSE

The purpose of this report is to request that the LUPC recommend staff proceed with processing the applications and work with the applicant in addressing the outstanding items noted in the discussion section of this report prior to the application proceeding to public consultation.

2. POLICY AND REGULATIONS

The application is consistent with the Official Community Plan (OCP) land use designation for the subject property, which is (RM) Residential Multiple Unit Buildings and allows for a mix of small to moderate sized multi-unit residential buildings. Only in circumstances where the Development Permit Area guidelines can be met, a compelling case can be made, and appropriate amenities are provided will a five or six storey low rise building be considered.

The subject site is located within the Multiple Unit Residential Development Permit Area (DPA). The intent of this DPA designation is to “integrate multi-unit housing forms into the city’s single detached dwelling and ground oriented housing neighbourhoods.”

The subject site is zoned RM-2 Apartment Low Rise. A rezoning would be required as the proposal exceeds the maximum density of the zone and required setbacks of the bonus density regulations.

A summary of relevant City policies and regulations is included as Attachment 1.

3. BACKGROUND

3.1 Site Characteristics

The subject site is located at the corner of Fourteenth Street and Cariboo Street in the Brow of the Hill neighbourhood. The site is currently vacant as the previous building was damaged by a fire. Both streets are steeply graded. Stewardson Way is located one block south of the development site and Riverside Park is located one block west. The subject site is surrounded by several other low-rise apartment buildings, as well as some single family homes to the southwest. A more recently developed 4-6 storey, 1.96 FSR building is located at the corner of Fifth Street and Thirteenth Street. This building transitions from six storeys at the southwest corner of the site down to four storeys along Thirteenth Street. The property to the south of 1321 Cariboo is 1.2 FSR with an overall height of three storeys. The two developments located directly adjacent to the development site are 1314 Fifth Avenue (east) and 1320 Fifth Avenue (north) built in 1959 and 1963. The buildings have an FSR of 1.51 and 1.37.



3.2 Proximity to Transit

The property is within walking distance to three bus routes with service to 22nd Street, Edmonds, and New Westminster SkyTrain Stations:

Transit Route:	Project Distance	Bus Routes
Sixth Avenue	Approximately 250 m	#101 and #155, frequency 20 min (peak) to 60 min
Twelfth Street	Approximately 330 m	#112, Frequency 11-14 min (peak) to 30 min

4. ANALYSIS

4.1 Project Proposal

The applicant has submitted a Rezoning and Development Permit application in order to rezone and develop 15 secured market rental units in a five storey building, with three ground-oriented units, one having access onto Fourteenth Street (please see Attachment 3). The entrance of the building would be off of Cariboo Street. Ten surface

vehicle parking spaces (resident and visitor), including one accessible space and one car share space with a vehicle, and 22 long term and three short term bicycle parking spaces would be provided. Two vehicular accesses to the site are proposed.

Please refer to Attachment 2 for a complete project statistics table.

5. DISCUSSION

5.1 Overall Evaluation

This development would provide the important benefit of additional secured market rental units (including ground-oriented units) for the community, as well as streetscape improvements in the Brow of the Hill neighbourhood. Staff have been working with the applicant to refine the originally submitted proposal, and would continue to work with the them to resolve the remaining issues, relating to overall building massing and transition, livability and outdoor space, and site access, as detailed below.

The applicant previously submitted a proposal with 19 units in a six-storey building, which has been reduced in the current proposal to help address key issues:

- *Building Massing and Transition* – the applicant proposes to build over four storeys on a site that is very constrained due to its limited size, slope and adjacency to existing buildings. This makes façade articulation and stepping back at upper storeys key to transitioning the building into the surrounding context.
- *Parking and Access* – the applicant proposes only surface parking, which greatly limits the ability to provide required parking, even at reduced standards for rental units.
- *Livability and Outdoor Space* – A rooftop amenity area originally proposed has been removed, and there is no other open space currently proposed.

5.2 Density

The subject site is very constrained given its limited size, slope and adjacency to existing buildings. The current proposal of 15 units equates to a density of approximately 75 units per acre (about 1.6 FSR) whereas the RM-2 zone, a common four storey multiple unit residential apartment building district within the City's Zoning Bylaw, allows up to a density of 60 units per acre (about 1.2 FSR). Given this is a secured market rental project, staff considers that the additional density is reasonable, provided that the livability issues related to building this density on the constrained site can be addressed, as detailed in the following sections.

5.3 Five-Storey Height Considerations

The current application is generally consistent with the design guideline considerations for when five- to six-storey buildings may be considered, except in regard to appropriate transition to adjacent uses, and provision of open space, as follows:

- Consideration 1 – There are two-storey three bedroom ground-oriented units.
Two two-level units have been provided along Fourteenth Street (one two-bedroom, one three bedroom).
- Consideration 2 – Exceed the requirements of the family friendly housing policy.
The current proposal exceeds the family friendly housing requirements by providing 40% two-bedroom units and 20% three bedroom units.
- Consideration 3 – Materials change above the third storey.
Materiality has been revised above the third storey. Staff will continue to work with the applicant on revisions to the façade and will refer the question of materiality to the New Westminster Design Panel.
- Consideration 4 – Limited overshadowing of adjacent buildings.
The proposal will provide some limited shadowing to adjacent buildings as it is on the south side of the block.
- Consideration 5 – Provision of publicly accessible green space.
This has not been addressed with the current proposal, which staff considers to be reasonable as this is a requirement more suited to larger scale projects.
- Consideration 6 – The design guidelines state that ‘buildings of four to six storeys should be set back at the fourth storey and higher by 3m (9’10”) on all sides’.
The current proposal incorporates a 1.0 m (3.5 ft) step on level four and a 2.8 m (9.2 ft) step on level five form along the Fourteenth Street building face. Staff would continue to work with the applicant to add stepping on all sides that is substantively consistent with the design guidelines.

Does the LUPC support staff working with the applicant on refining the building massing, including stepping and façade articulation, so that the proposal better responds to the existing sloping conditions of the site and the City’s design guideline expectations for 5-6 storey buildings?

5.3 Site Planning and Livability

As per the City’s design guidelines, street level activation, livability of units, and access to open space are important principles to the design of a project. The applicant has located ground oriented units along Cariboo Street and Fourteenth Street in order to help activate the street. Staff would continue working with the applicant to address connectivity through the design of the outdoor space and unit entries.

Due to the site constraints, site design and ground-level parking, there is a lack of access to open space which decreases the overall livability of the units. Unless the parking is relocated underground, which the applicant has identified would be financially unfeasible, the parking configuration cannot change. In their previously submitted proposal, the applicant included a rooftop amenity, which has been removed. Appropriate outdoor space, either at grade or rooftop, would need to be provided for the application to be consistent with livability expectations.

Does the LUPC support staff working with the applicant to provide better connectivity between the ground-oriented units and the street by the design of the outdoor space and unit entries?

Does the LUPC support staff working with the applicant to provide outdoor space either at the ground level or rooftop?

5.4 Off Street Vehicle and Bicycle Parking

The current proposal exceeds short-term and long-term bicycle parking requirements by providing three additional long-term spaces and three short-term spaces. The proposal would provide ten surface parking spaces, including one accessible parking space and one space dedicated to a car share vehicle. To meet residential and visitor parking space requirements as per the Zoning Bylaw, 13 spaces would be required (total 17 with a reduction of four for the car share). A variance is requested for the remaining three vehicle spaces (one residential parking, two visitor parking), an 18% reduction. A letter from a car share provider is required prior to proceeding to Council for first and second reading, which confirms the provider's commitment to operating a car share vehicle and space at this location. As an alternative, the applicant would need to provide other Transportation Demand Management (TDM) measures to address the parking shortage, to the satisfaction of the Director of Engineering.

Staff consider the current proposal reasonable given it would have a smaller variance than the previously submitted proposal (which had four more units), the proximity of the site to transit and cycling routes, and provisions of additional bicycle parking spaces and car share, or other approved TDM measures.

Does the LUPC support staff working with the applicant to confirm the inclusion of a car share vehicle and space or other Transportation Demand Management measures, in support of the proposed parking variance?

5.5 Site Access

Primary site access to the surface parking is located off of Cariboo Street. The current proposal includes also includes a separate access for a solid waste storage facility area. Only one site access is permitted, to reduce sidewalk crossings for pedestrian comfort and safety. Staff will work with the applicant to achieve this revision.

Does the LUPC support staff in working with the applicant to reduce the number of site accesses consistent with the City's practice around promoting a better streetscape by reducing the number of driveways?

5.6 Rental Housing

The applicant is proposing market rental housing. All 15 rental units would be secured for 60 years or the life of the building, whichever is longer. As previously noted, these units would be family-friendly with 40% two-bedroom units and 20% three bedroom units.

6. RECOMMENDATIONS

Staff are seeking general feedback from the LUPC on the proposed development. In addition, staff seeks LUPC endorsement of the following recommendations:

1. That the LUPC support staff working with the applicant on refining the building massing, including stepping and façade articulation, so that the proposal better responds to the existing sloping conditions of the site and the City's design guideline expectations for 5-6 storey buildings.
2. That the LUPC support staff working with the applicant to provide better connectivity between the ground-oriented units and the street by the design of the outdoor space and unit entries.
3. That the LUPC support staff working with the applicant to provide outdoor space either at the ground level or rooftop.
4. That the LUPC support staff working with the applicant to confirm the inclusion of a car share vehicle and space or other Transportation Demand Management measures, in support of the proposed parking variance.
5. That the LUPC support staff in working with the applicant to reduce the number of site accesses consistent with the City's practice around promoting a better streetscape by reducing the number of driveways.

7. CONSULTATION

The applicant will be required to undertake public engagement as per the City's process for Rezoning and Development Permit applications including an applicant-led Open House (minimum one meeting) and a presentation to the Board of the Hill Residents Association. Review by the New Westminster Design Panel would also be required.

8. NEXT STEPS

The City has formalized the interim development review process. As per this process, the anticipated review steps for this application are:

1. Internal Circulation, Review and Applicant Revisions;
2. Preliminary Report to LUPC (January 31, 2022) (**we are here**);

3. Applicant Revisions responding to LUPC feedback;
4. Applicant-led public consultation, including dissemination of information through the local Residents Association;
5. Presentation to the New Westminster Design Panel;
6. City-led public consultation, including the creation of a Be Heard New West webpage and survey;
7. Council consideration of First and Second Readings of the project's Bylaws including Housing Agreement and issue notice of waiving Public Hearing (if applicable);
8. A Public Hearing (if Council does not waive) followed by Council's consideration of Third Reading and Adoption of the Rezoning Bylaw and Housing Agreement Bylaw.
9. Applicant Addresses Adoption Requirements;
10. Adoption of Zoning Amendment Bylaw;
11. Consideration of issuance of Development Permit by Director of Development Services.

9. INTERDEPARTMENTAL LIAISON

The City uses a project-based team approach for reviewing development applications which includes staff from Engineering Services, Parks and Recreation, Electrical, Fire, Climate Action, and Planning.

10. OPTIONS

The following options are offered for consideration of the LUPC:

1. That the Land Use and Planning Committee recommend staff process the Rezoning and Development Permit Applications as per the recommendations summarized in this report.
2. That the Land Use and Planning Committee recommend staff work with the applicant in addressing the outstanding items noted in the discussion section of this report prior to the application proceeding to public consultation.
3. That the Land Use and Planning Committee provide staff with alternative feedback.

Staff recommends Option 1 and 2.

ATTACHMENTS

Attachment 1: Policy and Regulations Summary

Attachment 2: Project Statistics

Attachment 3: Architectural Drawings

APPROVALS

This report was prepared by:
Athena von Hausen, Development Planner

This report was reviewed by:
Rupinder Basi, Supervisor of Development Planning
Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:
Emilie Adin, Director, Climate Action, Planning and Development

Attachment 1

Policy and Regulations Summary

POLICY AND REGULATIONS

OCP

The subject site is designated (RM) Residential Multiple Unit Buildings which allows for a mix of small to moderate sized multi-unit residential buildings. Principle building forms supported by this designation include: townhouses, rowhouses, stacked townhouses and low rises.

Only in circumstances where the Development Permit Area guidelines can be met, a compelling case can be made, and appropriate amenities are provided will a five or six storey low rise building be considered.

Development Permit Area

The subject site is located within the 1.4 Multiple Unit Residential Development Permit Area (DPA). The intent of this DPA designation is to “integrate multi-unit housing forms into the city’s single detached dwelling and ground oriented housing neighbourhoods.”

This area is designated with the following purposes:

- Establishment of objectives for the form and character of multi-family residential development,
- Protection of the natural environment, its ecosystems and biological diversity, and;
- Establishment of objectives to promote energy conservation.

As part of the formal Development Permit application review, this proposal is being reviewed and evaluated against the 1.4 Multiple Unit Residential DPA guidelines, with future input from the New Westminster Design Panel.

Zoning

The subject site is zoned RM-2 Apartment Low Rise. The intent of this zone is to allow low-rise apartment development with an opportunity for increased density upon amenity provision conditions being met. A rezoning would be required as the proposal exceeds the maximum density of the zone and required setbacks of the bonus density regulations.

Family Friendly Housing

The proposal would be required to provide a minimum 25% two and three bedroom units, of which a minimum 5% of the overall number of units would need to contain three bedrooms or more.

Secured Market Rental Housing Policy

As part of the City's priority for new secured rental housing, incentives include parking reductions and waiving density bonus payments. This project proposes all units as rental under the Secured Market Rental Housing Policy. The units would be secured for 60 years or the life of the building through a Housing Agreement.

Density Bonus Policy

The City's Density Bonus Policy would not apply to the project as the building is proposed as 100% rental.

Attachment 2

Project Statistics

PROJECT STATISTICS

The following table outlines key project statistics. Please note that a total of three parking spaces are requested to be varied with the successful provision of a car share vehicle and space.

Attributes	Permitted/ Required	Proposed	Variance Req
Lot Area:	--	809.72 m ² (8716 ft ²)	--
Site Coverage:	40%	21.7%	--
Density (FSR):	1.8 FSR (max 60 UPA)	1.59 FSR total	--
Number of Residential Units:	60 UPA (12 units)	75 UPA (15 units)	--
Building Height:	45 ft	44.83 ft	--
Unit Breakdown:	Family-Friendly Housing – min. 25% 2 and 3 bdrm units, of which 5% 3 bdrm or more	Studios – 1 (7%) 1 Bed – 5 (33%) 2 Bed– 6 (40%) 3 + Bed– 3 (20%)	--
Setbacks:			--
Front (Cariboo St):	20 ft (6.1 m)	2.43 m (8 ft)	
Rear (North):	20 ft (6.1 m)	6.1 m (20 ft)	
Side (Fourteenth):	20 ft (6.1 m)	4.57 m (15 ft)	
Side (east):	20 ft (6.1 m)	6.1 m (20 ft)	
Off-Street Parking:	TOTAL: 17 15 spaces @ 1	TOTAL: 10	TOTAL: 3

Residential:	space per unit	9 spaces	1 Residential space
Visitor:	2 space @ 0.1 space per unit	0 spaces 1 car share (see below)	2 Visitor spaces (4 space variance reduction due to car share vehicle and space provision)
Accessible parking	1 space per 15 spaces	1 space, included in the 9 spaces provided for residential	--
Off-Street Loading:	N/A	N/A	--
Bicycle Parking:	Long-Term: 19 spaces @ 1.25 space per unit Short-Term: 0	Long-Term: 22 Short-Term: 3	--
Applicable Reductions As Per Zoning Bylaw Standards			
Car Share (4 spaces for each car-share vehicle and space, up to 10% reduction)	1 space and car, for net reduction of 4 spaces	1 space	4 spaces through available reductions

Attachment 3

Architectural Drawings

[illegible]

RESIDENTIAL (FLOOR) BREAKDOWN					
FLOOR	AREA	GROSS AREA (SQ. FT.)	GROSS AREA (SQ. M.)	# OF BEDROOMS	ADJUSTABLE UNITS
1	T1+1	334.21	31.10		
	T1+2	463.29	39.47		
	DWELLING UNIT			1	
	UNIT TOTAL	797.50	73.57	1	
	FLOOR TOTAL	1177.41	109.34	1	0
2	T1+1	347.53	32.21		
	T1+2	556.98	51.74	1	
	DWELLING UNIT			1	
	UNIT TOTAL	904.51	83.95	2	
	FLOOR TOTAL	1314.36	124.45	2	0
3	T1+1	347.53	32.21		
	T1+2	556.98	51.74	1	
	DWELLING UNIT			1	
	UNIT TOTAL	904.51	83.95	2	
	FLOOR TOTAL	1314.36	124.45	2	0
4	T1+1	347.53	32.21		
	T1+2	556.98	51.74	1	
	DWELLING UNIT			1	
	UNIT TOTAL	904.51	83.95	2	
	FLOOR TOTAL	1314.36	124.45	2	0
5	T1+1	347.53	32.21		
	T1+2	556.98	51.74	1	
	DWELLING UNIT			1	
	UNIT TOTAL	904.51	83.95	2	
	FLOOR TOTAL	1314.36	124.45	2	0



Attachment 2

*Excerpt of Draft LUPC Meeting Minutes
dated January 31, 2022*

Excerpt of Draft LUPC Meeting Minutes dated January 31, 2022

ITEMS REMOVED FROM THE CONSENT AGENDA

6.1 Preliminary Report: Rezoning and Development Permit 1321 Cariboo Street

Athena von Hausen, reviewed the January 31, 2022 staff report and provided a PowerPoint presentation during which she reviewed the Rezoning and Development Permit application to allow for the construction of a 15 unit secured market housing rental building at 1321 Cariboo Street.

In response to questions from the Committee, Ms. von Hausen provided the following comments:

- Additional amenities space provided on the rooftop may reduce the number of residential units; however, staff continue to work with the applicants to get closer to city guidelines while providing outdoor space which will be beneficial to the residents;
- The site coverage is low due to the fact that the driveway at the rear of the building, on the floorplate of the building, is a lot smaller on the first level, and the parking is being provided at grade whereas typically it would be underground;
- If the parking were to be reduced by two spaces, the Transportation Department would be consulted with respect to the parking variance that would be required and in consideration of the appropriate transportation demand management measures;
- The applicant will need to do some additional design work to in order to provide staff with a complete submission for review;
- Currently, parking is planned to be provided for 10 to 15 units; however, if parking were to be provided for eight units, a much better ground area could be provided, including additional bike storage, planters, and a seating area; and,
- Once a complete application is received, the proposal would go to the New Westminster Design Panel, to public consultation, and lastly to Council for a final decision.

Robert Billiard, Billiard Architecture, provided the following comments:

- Work on this proposal, for a modest building to be built on an empty site, is going on two years;
- The site is very small and residential units were lost as the issue with massing was addressed;
- Effort was made to align the setback with the recent development at 1306 5th Avenue;
- On site garbage collection will not change; someone will still have to roll the bin out for collection. There is no intention for the truck to go over the curb; and,
- It is hoped that the project will go to Council for consideration in the spring.

Discussion ensued, and the Committee provided the following comments:

- Rigid guidelines should not inhibit the city's ultimate goal of providing rental housing;
- The development site is kitty corner from Riverside Park which residents could use as outdoor space; however, a rooftop greenspace would be ideal;
- Losing three or four parking spots is not concerning as housing, not cars, is the city's first priority;
- The number of New Westminster residents who own cars is decreasing; therefore, housing should not be lost to accommodate cars;
- Provision of safe pedestrian space on both sides is appreciated and supported;
- Implementing a parking minimum is resulting in the loss of greenspace, which is needed in this community;
- The rental housing aspect is the most important part of the project;
- If reducing parking is going to result in additional issues with the project design and a significant delay in the process, then the existing balance that the developer has found is acceptable; and,
- Parking should be reduced if that will allow for the provision of outdoor amenities space on site and not significantly alter the project timeline.

MOVED and SECONDED

THAT the Land Use and Planning Committee supports the reduction in parking requirements for the proposed project at 1321 Cariboo Street to eight spaces if that can be provided.

Carried.

All members of the Committee present voted in favour of the motion.

MOVED and SECONDED

THAT the Land Use and Planning Committee supports staff in getting the project proposal for 1321 Cariboo Street to approval as quickly as possible in consideration of the concerns raised today.

Carried.

All members of the Committee present voted in favour of the motion.

DRAFT

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Jackie Teed, Acting Director, Climate **File:** REZ00155
Action, Planning and Development SDP00206

Item #: 2022-204

Subject: Rezoning and Special Development Permit (815 – 821 Victoria Street and
810 Agnes Street) – Project Update

RECOMMENDATION

THAT Council direct staff to process the Rezoning and Special Development Permit applications at 815 – 821 Victoria Street and 810 Agnes Street, as outlined in the “Application Review Process and Next Steps” Section of this report.

PURPOSE

This report provides Council with preliminary information on the revised development proposal for 815-821 Victoria Street and 810 Agnes Street, and outlines the application review process for endorsement.

EXECUTIVE SUMMARY

Ownership of the subject applications has been transferred to Brookfield Properties. The new applicant proposes a revised building in which all units would be secured market rental units while maintaining amenities as previously proposed - including design and construction adjacent community park space co-located with interior community use space to be owned by the City, and enhanced streetscape and pedestrian treatment on Victoria Street.

The applicant has provided preliminary drawings which indicate that while the general site plan remains the same as previously proposed, some revisions are included to accommodate secured market housing. These changes include: an increase in height from 29 to 32 storeys (increase of three storeys), an increase in density from 7.2 FSR to

8.78 FSR (increase of 1.58 FSR), increase in the number of units from 222 to 327 (increase of 105 units) and increase in tower floorplate from 617.8 square metres (6,650 sq. feet) to 706 square metres (7,600 sq. ft.) (increase of 89 square metres / 958 sq. ft.).

BACKGROUND

Previous Proposal

Jago Development submitted applications for Rezoning and Special Development Permit in January 2018 for 222 residential units, a density of 7.20 FSR and a height of 29 storeys / 89.7 metres (294.3 feet). All of the residential units were proposed to be fully stratified market ownership. The application was made prior to the City's development of the Inclusionary Housing Policy.

The application proposed, in exchange for additional density on this site:

- 1) funding a collaborative design process for a master plan for the adjacent park space;
- 2) constructing the park space in conjunction with the master plan;
- 3) providing to the City 370 square metres (4,000 sq. ft.) of publically accessible community amenity space on site within the building adjacent to the park area; and,
- 4) a cash contribution towards amenities following costing of the park space and financial analysis.

Adjacent City Owned Site (824 Agnes Street)

The site at 824 Agnes Street (also known as 825 Victoria Street), which was formerly owned by the Chinese Benevolent Association (CBA), was a focal point for the Chinese community in New Westminster. It was gifted to the City by the CBA in 1979. The site has been included on a list of the top ten most endangered sites by the New Westminster Heritage Preservation Society and considered for Provincial recognition as a Chinese Canadian Historic Place by Heritage BC.

In 2009, as part of a Downtown Nuisance Abatement Strategy, this site was converted into a temporary off leash dog area. Through the Chinese Reconciliation Process, a consultation and visioning exercise was undertaken. City advisory committees, associations representing the Chinese community, and the public identified the space should be used for a park commemorating Chinese history and contributions, which would also provide a green space and refuge in the densely populated Downtown neighbourhood.

A master plan for the proposed commemorative park and adjacent interior community amenity space has been developed in parallel with the applications on the adjacent subject sites. The preferred design concept for the park was endorsed by Council on

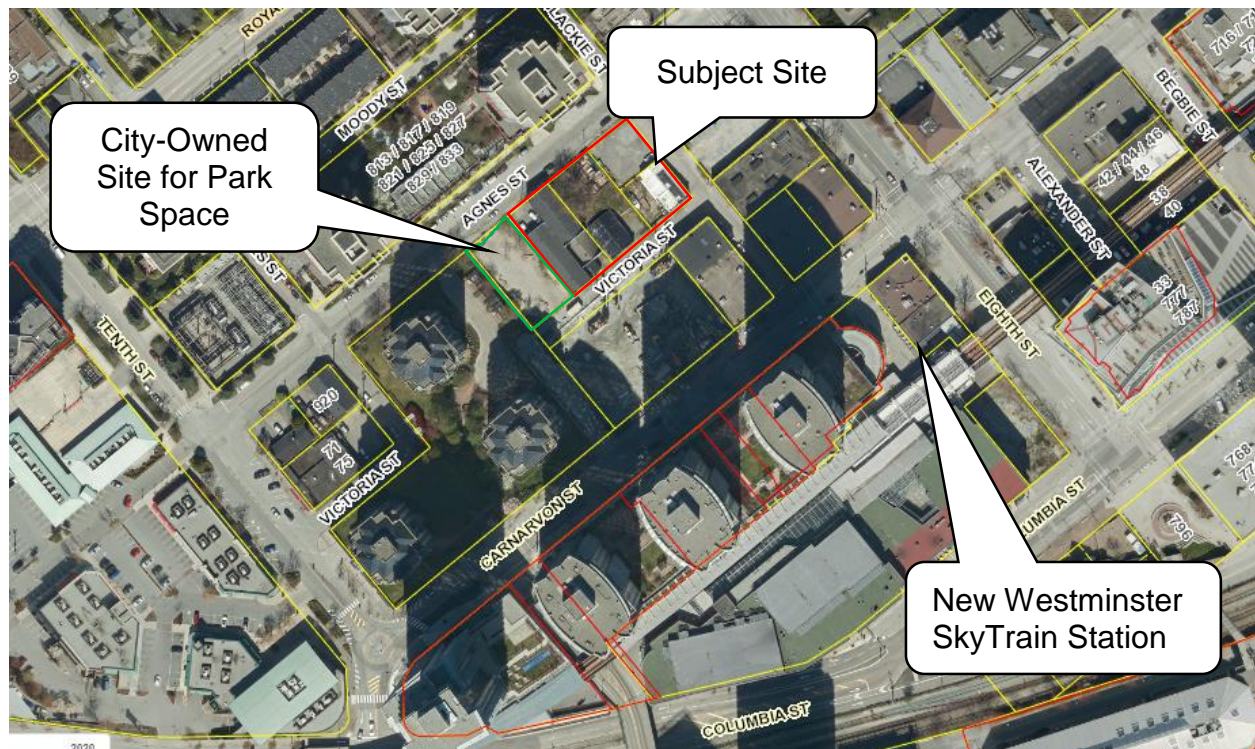
August 31, 2020. An image of the concept endorsed by Council is included below and a copy of the August 31, 2020 staff report is included in Attachment 1.



824 Agnes St Council Endorsed Design Concept

Site Characteristics and Context

The subject sites are located in the Downtown neighbourhood and are adjacent to Agnes, Victoria and Blackie Streets. The subject sites are located 75 metres (246 feet) from the New Westminster SkyTrain Station.



More site characteristic and context is provided in [Attachment 3](#).

POLICY AND REGULATIONS

The application is consistent with the Official Community Plan (OCP) land use designation for the subject property, which is Residential High Density and with other key City policies including, Family Friendly Housing Policy and the Secured Market Rental Housing Policy. [Attachment 2](#) provides more information on policy and regulation context.

CURRENT PROPOSAL

Ownership of the subject applications has been transferred to Brookfield Properties. The new applicant's current proposal is for a 32 storey building with 327 secured market housing units, including five townhouse units along Agnes Street, an overall density of 8.78 FSR, and a floor plate of 7,600 sq. ft. The current proposal still includes design and construction of the commemorative park at 824 Agnes Street, pedestrian street improvements of Victoria Street and provision of a ~325 sq. metre (~3,500 sq. ft.) interior amenity space to be provided to the City for future programming. The revisions to the proposal are summarized in the table below.

	Proposed	Previous
Units	327 Rental Units	222 Stratified Units
Density	8.78 FSR	7.20 FSR
Height	32 storeys	29 storeys
Floorplate	706 square meters (7,600 sq. ft.)	617 square metres (6,650 sq. feet)

Preliminary drawings are included in Attachment 4. The current proposal is preliminary in nature and would be refined and revised over the coming months.

DISCUSSION

Current Density and Height

The Density Bonus Phase 2 Policy anticipates a density of 5.2 FSR and a building height of 240 feet (approximately 24 storeys) on the subject sites. The current proposal exceeds the anticipated density (by 3.58 FSR) and height (by approximately 8 storeys). The Density Bonus Phase 2 Policy allows consideration of applications which exceed anticipated height and density in the case of unique and exceptional circumstance, including the provision of amenities addressing City strategic priorities.

Under the previous proposal which also exceeded Density Bonus Phase 2 expectations, but to a lesser degree, the consideration of additional density and height was generally considered reasonable given the development would achieve a strategic City priority in regards to parks and open space in Downtown and efforts towards reconciliation with the Chinese community. The site being located within 75 metres (246 feet) of the New Westminster SkyTrain Station also supported the increases.

The current proposal would continue to address the above note City strategic priorities and would now also address affordable housing priorities, through the development of 327 secured market rental units, which again is particularly supportable as they would be located in heart of Downtown New Westminster in close proximity to transit. The proposed density and height would also be consistent with approved development across Victoria Street to the south at 813 Carnarvon Street (32 storeys/8.53 FSR.) As such staff considered the increase height and density generally supportable for further consideration.

As the current proposal includes secured market rental housing it would be exempt from the provision of bonus density payments as per the Secured Market Rental Housing Policy and exempt from the provision of Inclusionary Housing as per the Inclusionary Housing Policy.

Current Tower Floorplate

The tower floorplate size has increased from the previous proposal and, at 706 square metres (7,600 sq. ft.), is slightly above the maximum allowed under the Downtown Building and Public Realm Design Guidelines and Master Plan (700 sq. metres / 7,534 sq. ft.). Through the application review process, staff would work with the applicant to mitigate impacts to views from and impacts of shadows to key public spaces.

Transportation Considerations

A comprehensive transportation review including bicycle and vehicle parking, transportation demand management measures and loading configuration and functionality is required with the complete application from the applicant. Consideration of walking proximity to transit, cycling routes, services and amenities would be taken into account through this review.

INTERDEPARTMENTAL LIAISON

Preliminary drawings have been circulated interdepartmentally for information. Further review and would be required with receipt of a more detailed submission package.

APPLICATION REVIEW PROCESS AND NEXT STEPS

Under the previous application, the application had already completed some engagement with residents and presented to the New Westminster Design Panel. Given the length of time and revisions to the proposal it is recommended that these steps be redone, focusing on the project revisions. The anticipated next steps for review of this project are outlined below:

1. Preliminary Report to Land Use and Planning Committee (January 8, 2018);
2. Preliminary Report to Council (January 29, 2018);
3. First Public Open House (Park Space & Development) (January 31, 2018);
4. Second Public Open House (Park Space & Development) (April, 2018);
5. Presentation to New Westminster Design Panel (July 24, 2018);
6. Update report to Council (**WE ARE HERE**);
7. Applicant-led public information / consultation on current proposal;
8. New Westminster Design Panel Review of current proposal;
9. City-led public consultation, including the creation of a Be Heard New West webpage and survey;
10. Council consideration of First and Second Readings of Rezoning and Housing Agreement Bylaws and issue notice of waiving Public Hearing;
11. Public Hearing (if Council does not waive);
12. Council consideration of Third Reading and Adoption Rezoning and Housing Agreement Bylaws;
13. Adoption of Zoning Amendment Bylaw;
14. Issuance of Special Development Permit by Director of Development Services.

OPTIONS

The following options are available for Council's consideration:

1. That Council direct staff to process the Rezoning and Special Development Permit applications at 815 – 821 Victoria Street and 810 Agnes Street, as outlined in the "Application Review Process and Next Steps" Section of this report.
2. That Council provide staff with alternative direction.

Staff recommend Option 1.

ATTACHMENTS

Attachment 1 - August 31, 2020 staff report on 824 Agnes St Commemorative Park
Attachment 2 - Policy and Regulation Context
Attachment 3 - Site and Character Context
Attachment 4 – Applicant Submission Materials

APPROVALS

This report was prepared by:
Michael Watson, Acting Supervisor of Development Planning

This report was reviewed by:
Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:
Jackie Teed, Acting Director, Climate Action, Planning and Development
Lisa Spitale, Chief Administrative Officer

Attachment #1

*August 31, 2020 staff report on 824 Agnes St
Commemorative Park*



Corporation of the City of
NEW WESTMINSTER

REPORT

Parks & Recreation

To: Mayor Côté and Members of Council **Date:** 8/31/2020

From: Dean Gibson **File:** 1656082
Director of Parks and Recreation

Item #: 298/2020

Subject: **824 Agnes Street Commemorative Park Design - Preferred Design Concept**

RECOMMENDATION

***THAT** Council endorse the preferred design concept for a new commemorative park located at 824 Agnes Street and direct staff to undertake the next steps as outlined in this report.*

ORIGIN/PURPOSE

The purpose of this report is to:

1. Present the feedback received from the extensive engagement process for the preferred design concept for a new commemorative park at 824 Agnes Street formerly owned by the Chinese Benevolent Association (CBA); and
2. Seek endorsement by Council for the preferred design concept and direct staff to proceed with next steps as outlined in this report.

SUMMARY

This report summarizes the park visioning process, community engagement results and the preferred design for the proposed park at 824 Agnes Street (the “Park”). As described in this report, the park is envisaged to commemorate Chinese history and cultural contributions to New Westminster.

BACKGROUND

Proposed Development (810 Agnes Street)

In January 2018, Jago Development submitted applications for Rezoning and Special Development Permit at 810 Agnes Street for 222 residential units, a density of 7.20 FSR and a height of 29 storeys / 89.7 metres (294.3 feet). The development is adjacent to the City-owned property at 824 Agnes Street which is intended to be developed as a park. 824 Agnes Street is currently used as a dog off leash area. The applicant has proposed, in exchange for additional density on this site:

- (1) funding a collaborative design process for a master plan for the adjacent park space;
- (2) developing the park space in conjunction with the master plan; and
- (3) providing to the City the publically accessible community amenity space located on the development site adjacent to the park area. This includes approximately 582 square metres (6,300 square feet) of private indoor amenity spaces as well as private outdoor amenity spaces.

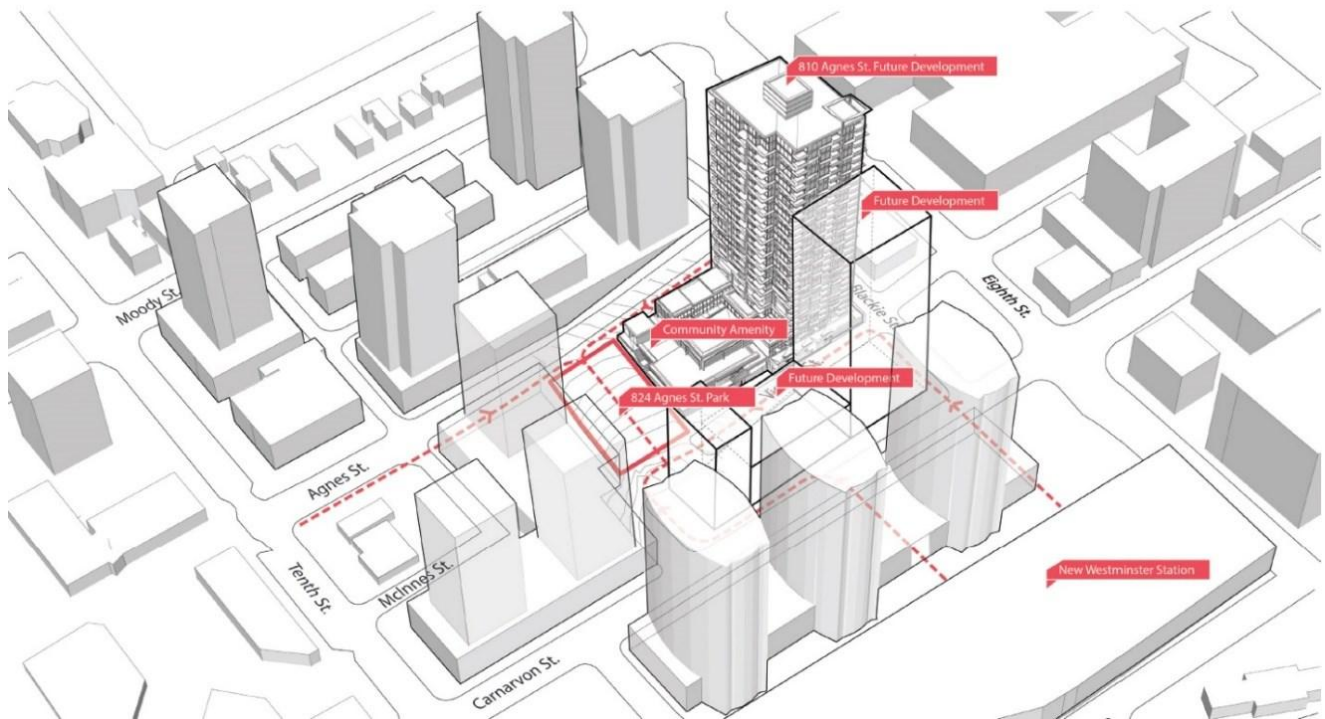


Figure 1. Context Map

History of Adjacent Park Site (824 Agnes Street)

The site at 824 Agnes Street (also known as 825 Victoria Street) was formerly owned by the Chinese Benevolent Association (CBA). This site was the focal point of the Chinese

community in New Westminster and was the location of the Chinese ‘Old Man’s Home’, built in 1905. The site and building served for generations as an informal civic centre for the Chinese community in New Westminster and was used as a school, a hospital, a residential care facility for the elderly, and was also the home of the CBA. In 1979, immediately prior to the CBA being disbanded, the site and the building were transferred as a gift to the City. Due to disrepair and vandalism, the building was subsequently demolished.

In 2009, as part of a Downtown Nuisance Abatement Strategy, this site was converted into a temporary off-leash dog area. As part of the Chinese Reconciliation Process, there was support for exploring a more appropriate and respectful use of the CBA site. A consultation and visioning exercise for this park space was undertaken with various City Advisory Committees, Associations representing the Chinese community, and the public. Based on the consultation, there was overwhelming support for a park which would commemorate Chinese history, and contributions, and provide a park amenity to the Downtown neighbourhood. A [report](#) was taken to Council on June 13, 2016 summarizing the visioning process for the park site. At this meeting, the following recommendations were moved and seconded:

THAT Council endorse the use of 824 Agnes Street as a park which would commemorate Chinese history and contributions to New Westminster, and provide an important amenity to the Downtown neighbourhood;

THAT Council endorse the retention of a landscape architect to develop a concept and design for the park based on the general themes which emerged from the visioning sessions and that this work commence in 2017; and

THAT Council direct staff to explore additional sources of funding for park development, including applying for grants related to diversity, heritage and infrastructure.

The site has been included on a list of the top ten most endangered sites by the New Westminster Heritage Preservation Society (NWHPS) and considered for Provincial recognition as Chinese Canadian Historic Place by Heritage BC. The NWHPS noted that “heritage is not just about structures but about history and some sites should be preserved because they are rich in history.” The NWHPS also noted that “little has been done to recognize the contributions of a part of the city’s pioneer community, that of the Chinese.”

In 2017, the landscape architectural firm Hapa Collaborative was retained to build upon the guiding principles developed in previous consultation and to undertake the next stage of engagement to create a conceptual design for the Park. Although the Park construction is intended to coincide with the 810 Agnes Street development project, it was recognized that early coordination was required to successfully design the park, specifically as it relates to

the adjacent tower developments, indoor amenity area and accessibility from both Agnes and Victoria Street.

DISCUSSION

Given the comprehensive visioning process that had been summarized and presented to Council in 2016, the subsequent public and stakeholder engagement for the proposed Park was conducted in two phases, each included a public open house with presentation boards and a survey (Refer to Attachment 1 of this report for Open House 1 and 2 Presentation Boards) that was also posted on the City's website for five weeks after the event. The information presented at the Open Houses was also used to engage the public at pop-up events at the River Market. The specific dates of engagement events were as follows:

- Stakeholder Workshop #1: September 26, 2017
- Public Open House #1: January 31, 2018
- Stakeholder Workshop #2: April 10, 2018
- Parks & Recreation Committee Presentation: April 18, 2018
- Multiculturalism Committee Presentation: April 25, 2018
- Accessibility Committee Presentation: April 26, 2018
- Downtown Resident's Association: May 1, 2018
- Public Art Advisory Committee: May 3, 2018
- Public Open House #2: May 16, 2018
- Pop-Up Event: May 31, 2018
- MTF on Riverfront and Public Realm: December 3, 2018

It should be noted that timeline for the consultation and planning for this project substantially pre-dated the current priority areas established in Council's 2019-2022 Strategic Plan. While the engagement processes were open and inclusive to all, with special emphasis on the Chinese community, the work to date has not specifically concentrated on reconciliation with other members of our community.

Stakeholder Workshop #1 (September 26, 2017):

The first stakeholder workshop included a diverse range of invitees from Canadians for Reconciliation Society, Chinese Benevolent Association of Vancouver, New Westminster Chinese Society, Multiculturalism Advisory Committee, Downtown Resident's Association, Parks and Recreation Committee, New Westminster Heritage Preservation Society and Community Heritage Commission. Amongst the stakeholders, there was shared support for a park which would commemorate Chinese history, and contributions, and provide a green space and refuge in the densely populated Downtown neighbourhood. There were also a number of design principles which emerged, including:

1) Tell the story of the site

- Integrate text and images creatively to tell the story of the sites history as the location of the CBA meeting hall, and its importance to the Chinese community in New Westminster.
- Reference this history through the design itself using principles of Chinese garden design and culture.

2) Make the story universal

- Integrate elements that are multicultural in significance.
- Employ metaphor to connect the site's history to the universal struggles of discrimination and reconciliation.

3) Create a rich 'sense of place'

- Use tangible and high quality materials and planting to have subtle references to the site's cultural history.
- Develop memorable features to distinguish the park from any other parks in the City.

4) Make the site accessible to all

- Use the interior access through the public amenity building elevator to make the central space of the park accessible.
- Design an accessible route from Victoria Street to the central space of the park.

5) Design the park so it can be both 'open' or 'closed'

- Use special screens (visually permeable walls and edges) and gates to open and close access points.
- Emphasize various through routes for the neighbourhood.
- Enable the park to close for special events or at night time, as required.

Public Open House #1 (January 31, 2018):

The first open house was held downtown at the Holy Trinity Cathedral (514 Carnarvon Street). The weeknight open house was held as a drop-in event from 6:00pm to 8:00pm.

The event focused on presenting three design concepts informed by input from the stakeholder workshop, the known history of the site and present day site analysis (i.e. an 800 sq meter site, the size of a standard tennis court, with a 7 meter grade change surrounded by high rise towers). While all three unique concepts remembers the former CBA building and metaphorically tells it's story across the site, each option expresses it differently while fulfilling the community's aspirations and design functions. One of the options placed more emphasis on the traditional Chinese garden principles while the others focused on patterns of circulation, activities and events. Each concept included ideas for character and materials, as well as potential program and activities.



Figure 2. Design Concepts

A hard-copy questionnaire was available for participants as well as an online questionnaire which was live for 5-weeks after the event. The online response was low, with 8 respondents; refer to Attachment 2 of this report for summary of survey results. Of this feedback, Concept B “The garden path” was the preferred option. Respondents indicated that the curved path provides an interesting circulation and a feeling of relaxation and serenity compared to the other two schemes. Respondents also identified a preference for specific design elements in each scheme:

- Concept A – “The Porch”: Preference for more frequent flights with fewer steps; screens with interpretive elements.
- Concept B – “The Garden Path”: Preference for a water feature; bamboo and wooden screens; overhead lighting above the central space; the “tea room”; longer community table.
- Concept C – “Lifted Veils”: Preferred central gathering space; theatre seating for events and daily activities.

In terms of the programs at the adjacent community amenity space at 810 Agnes Street, respondents expressed interests on creative/artistic oriented and cultural diversity services oriented programs.

The key ingredients that were preferred from each option, as well as some of the main themes from Concept A, informed the preferred concept that was created and shared at the Stakeholder Workshop and Open House #2.



Figure 3. Preferred Design Concept

Stakeholder Workshop #2 (April 10, 2018):

The second stakeholder workshop included the same list of invitees as the first. The objectives of this workshop were to share the comments from Open House #1, present the preferred design option and obtain feedback on refining a preferred design. The workshop was an effective way to listen to the various perspectives on the preferred design option with a good understanding of the physical constraints of this small, historically significant site.

Workshop participants were supportive of the preferred design option for the park, and further suggested that as the site was a gift from the Chinese Canadian community in New Westminster, the park design should add layers of meanings through the names, elements, spaces, and programs to tell a comprehensive story. With that in mind, the stakeholders agreed that the park design should also:

- Convey the key historic messages that show the bigger picture of the site and the history;
- Consider showing the original footprint of the CBA building in a contemporary design language;

- Integrate public art to tell the story;
- Raise visitors' curiosity, so that they will go back to find the information of the history by themselves;
- Include programmable spaces that are versatile to be able to accommodate daily uses and events;
- Provide education opportunities, for example, tours, outdoor classroom, crafts workshop, to recall the history of the CBA and the journey of Chinese Canadians in New Westminster;
- Include the indoor amenity space as part of an education program;
- Integrate Chinese cuisine (i.e. steamed buns) as memory and authenticity by providing spaces for people to cook, eat and gather;
- Provide various play opportunities for children; and
- Include comfortable gathering space for seniors.

In terms of naming the park, stakeholders generally agreed that the name should be unique to New Westminster. For example, the park name 'Yi Fao' (New Westminster was named Yi Fao, which stands for 'Second Port') could help to tell the story of the Chinese Canadian in New Westminster, as well as park spaces named 'Ah Gee' and 'Gim Shan' (translates to 'Gold Mountain' and refers to the process of Chinese workers emigrating to New Westminster during the Gold Rush in Canada).

Committee Meetings (April/ May 2018):

Throughout April and May of 2018, staff collaborated with the design consultant to present the preferred design option the Parks & Recreation Committee, Multiculturalism Committee, Accessibility Committee, Public Art Advisory Committee and the Downtown Resident's Association. The feedback from all five presentations was summarized as follows:

- The park should tell the story of the site in a meaningful way;
- Spaces within the park should be inclusive, safe and comfortable;
- Connect the park into the urban fabric as a key pedestrian route;
- Public washrooms should be included within the indoor community amenity space;
- Screens at the egress points need to draw people in, the park must feel very public and inviting;
- A rainwater activated water feature is a great idea;
- Symbolism is very important- the elements should be symbolic and representative of Chinese Culture;
- History of Chinese community is not all rosy, there was discrimination and xenophobia. Be thoughtful and honest in the telling the story;
- Consider closing the space to the public at 10pm to keep noise levels down for residents in surrounding towers;
- Consider engaging multiple artists that work with various mediums; and

- Use the amenity space as a community asset to help activate the park.

Open House #2 (May 16, 2018):

The second and final open house serves as an opportunity to share the stakeholder workshop results and the preferred design with the broader community. The event was again held at downtown at the Holy Trinity Cathedral (514 Carnarvon Street). The weeknight drop-in event took place from 6:00pm to 8:00pm.

A hard-copy questionnaire was available for participants and an online questionnaire was live for 5-weeks after the event. The online questionnaire response was low, similar to the first open house, with 7 respondents. Refer to Attachment 2 of this report for a summary of survey results.

Throughout each stage of the engagement process, the design has evolved towards what the team believes to be the best solution for the new park to both commemorate Chinese culture, and its contribution to New Westminster, as well as the function of the park in today's urban context. In response to the low number of respondents at Open House #2, a pop-up event was hosted outdoors, along the Esplanade (adjacent to the River Market), to engage residents in answering specific questions related to proposed new park. The questions specifically addressed accessibility, design inspiration from traditional Chinese garden design, opportunities to tell stories and commemorate the history of the Chinese community in New Westminster and if the park design provides an inviting, urban oasis for diverse range of activities. Feedback from this event was conversational and indicated support for the preferred design concept.

An overview of the engagement process and the preferred design concept (Refer to Attachment 3 of this report for the Preferred Design Concept) was presented to the Mayor's Task Force on Riverfront and Public Realm on December 3, 2018 where it was supported in principle. This design concept is now coming forward to Council for final consideration and approval.

NEXT STEPS

As there is an adjacent development application at 810 Agnes Street, there is an opportunity to fund and implement this design option, if endorsed by Council, through this development application. Through that development application, the next steps would include:

- Continued design development as well as identification of public art opportunities and a process for commissioning the public art;
- City staff will continue to explore a series of programming options, to layer into the park design the celebration of Chinese cultural and social histories/ programs with the Chinese community;

- Coordination of lighting, servicing and the technical requirements related to the park; and
- A cost estimate will be developed for the Preferred Park Design Concept.

Should the application not be able to proceed, the City would need to explore additional sources of funding to implement the preferred design concept, including applying for grants related to diversity, heritage and infrastructure.

EXISTING POLICY/PRACTICE

The process for this project is consistent with similar planning and community engagement processes facilitated by the Parks and Recreation Department. For this park design process, it was also important to engage invited stakeholders to better understand the history of the site and how best to commemorate that story in a contemporary park context.

SUSTAINABILITY IMPLICATIONS

Financial Impact

The developer of 824 Agnes Street has proposed, in exchange for additional density on this site, to develop the park space in conjunction with the tower development and to include a publically accessible community amenity space located on the development site adjacent to the park area.

Social Impact

The cultural diversity of Downtown New Westminster, both past and present, contributes to its vitality and unique sense of place. As the Downtown neighbourhood continues to densify, opportunities to tell stories of the past and connect people to the heritage of their surroundings will contribute the visual, cultural, social and environmental qualities of Downtown. As such, the proposed park has been designed to be welcoming to all, with a diversity of flexible spaces, programs, activities and seating. Through its programming, character and materiality, the experience of the park intends to serve as a refuge for residents of Downtown while recalling the important history and contribution of the Chinese community in New Westminster.

Environmental Impact

At a minimum, design solutions must meet the City standard energy and water saving requirements in lighting, irrigation and water features. The use of recycled or locally produced materials should be used when appropriate, as well as adaptive planting for water savings and decreased maintenance.

OPTIONS

The options presented are:

1. That Council endorse the preferred design concept for a new commemorative park located at 824 Agnes Street (formerly owned by the Chinese Benevolent Association), and direct staff to undertake the next steps as outlined in this report.
2. That Council provide staff with alternative direction.

Option #1 is recommended.

INTERDEPARTMENTAL LIAISON

Staff from Parks & Recreation, Development Services and Office of the CAO have been consulted in the preparation of this report.

CONCLUSION

Chinatowns continue to serve an important social function as gateways and homes to new immigrants, as guardians of art, history and heritage, and as a refuge from discrimination. Although there is no trace of Chinatown in New Westminster, it is the rituals of everyday life and focus on telling stories of the CBA site that will help to continue to reconcile the historical relationship with the Chinese community. The engagement process for a new park at 824 Agnes Street is one step towards integrating the visibility of Chinese culture in New Westminster through an expression that is place-based, reflective of the site's rich history and supportive of an evolving relationship.

ATTACHMENTS

Attachment 1- Open House 1 and 2- Presentation Boards

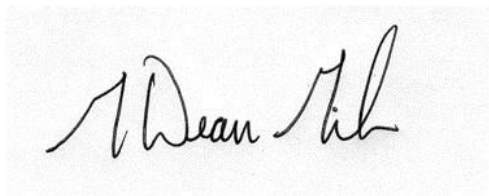
Attachment 2- Open House 1 and 2- Summary of Survey Results

Attachment 3- Preferred Design Concept

Report prepared by Erika Mashig, Manager Parks & Open Space Planning, Design & Construction

This report was reviewed by:

Approved for Presentation to Council

A handwritten signature in black ink, appearing to read "Dean Gibson", written on a light gray background.

Dean Gibson
Director of Parks and Recreation

A handwritten signature in black ink, appearing to read "Lisa Spitale", written on a light gray background.

Lisa Spitale
Chief Administrative Officer



Attachment 1:
Open House 1 and 2
Presentation Boards

1 PROJECT BACKGROUND

WELCOME TO OPEN HOUSE #1 FOR A NEW PARK AT 824 AGNES STREET

BACKGROUND

The site at 824 Agnes Street (also known as 825 Victoria Street) was formerly owned by the **Chinese Benevolent Association (CBA)**. This site was the focal point of the Chinese community in New Westminster and was the location of the **Chinese 'Old Man's Home'**, built in 1905. The site and building served for generations as an informal civic centre for the Chinese community in New Westminster and was used as a school, a hospital, a residential care facility for the elderly, and was also the home of the CBA. In 1979, immediately prior to the CBA being disbanded, the site and the building were transferred as a gift to the City. Due to disrepair and vandalism, the building was subsequently demolished. In 2009, as part of a Downtown Nuisance Abatement Strategy, this site was converted into a **temporary off-leash dog area**.

As part of the Chinese Reconciliation Process, there was support for exploring a more appropriate and respectful use of the CBA site. A **consultation and visioning exercise** for this park space was undertaken with City advisory committees, associations representing the Chinese community, and the public. Based on the consultation, there was overwhelming support for a park which would **commemorate Chinese history and contributions** and **provide a green space and refuge** in the densely populated Downtown neighbourhood. A report was taken to Council regarding the visioning process on June 13, 2016, which shared the results of the visioning process for the site.

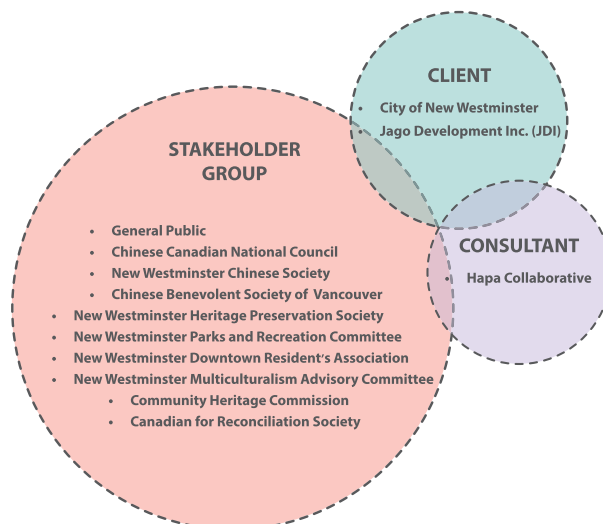
The site has been included on a list of the top ten **most endangered sites** by the New Westminster Heritage Preservation Society and considered for Provincial recognition as Chinese Canadian Historic Place by Heritage BC.

DESIGN TEAM

The applicant, **Jago Development**, has retained a design consultant team, including landscape architect, **Hapa Collaborative Landscape Architecture and Urban Design** to work with **City staff** for full services from conceptual design to construction administration for the adjacent park site. The park consultation process will continue to be highly collaborative and engaging, and will be led by City staff in both the Parks & Recreation and Development Services Departments.

THE CONSULTATION PROCESS

The stakeholder engagement process includes representatives from various associations, committees and groups. This public Open House is an opportunity to collect input/feedback from the general public and other key stakeholders in Downtown on the park design. As the site is currently designated as a temporary off-leash dog area, the City is also seeking input on the selection of a new site for the off-leash area.



WHAT WE HEARD

VISIONING PROCESS

City staff implemented a consultation process starting in 2013. This process included a series of visioning sessions with Advisory Committees to Council, associations representing the Chinese Community and the public. The purpose of the consultation was to develop general themes to inform a vision, concept and design for a park which would commemorate Chinese history and contributions.

WHAT WE HOPE TO LEARN

Based on community feedback Hapa will prepare a preferred park vision as part of a final park design document. Part of the design process will be to identify priorities for park improvements. Moving forward, the priorities of the community will guide decision making on the final design of the park.

Thank you for attending this Open House!

WHAT'S NEXT

We want your input! Please take some time to review the materials included here, and discuss any comments or questions you may have with City staff. Your ideas for 824 Agnes Street Park will contribute to the final park design and will be used to help prioritizing programming for the future park.

We also invite you to fill out the questionnaire tonight or online at: <http://bit.ly/AgnesParkSurvey>.



Stakeholder Workshop in September, 2017



Stakeholder Workshop in September, 2017



Stakeholder Workshop in September, 2017



Stakeholder Workshop in September, 2017

PROJECT TIMELINE



2 WHAT WE KNOW

CHINESE IMMIGRANTS IN NEW WESTMINSTER



Chinese metalworkers in the production line at the Cleve Canning Company, 1902. (Credit: New Westminster Public Library)



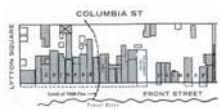
Chinese workers unload Fraser River salmon from a barge onto the dock, 1905. (Credit: S. J. Thompson)



Chinese houseboys serving tea on the lawn of their employers' home, 1905. (Credit: Irving House Photo)



The 1898 Great Fire devastated Chinatown, 1898. (Credit: F. Chapman Photograph)



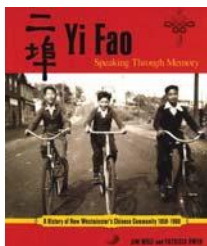
1885 plan of the buildings of the old front street in Chinatown. (Courtesy of Jim Wolf)



The swamplands reclaimed by Chinatown, 1890s. (Credit: S. J. Thompson Photograph)



Chinese Immigration Certificate, Chinese had to pay \$50-500 to come to Canada between 1885-1923. (Credit: Government of Canada)



1858

YI FAO 二埠 - 'SECOND PORT'

Chinese workers, mainly from Guangdong province, emigrate to New Westminster from California and China to chase the Gold Rush in Canada, nicknamed "Gold Mountain" (Gim Shan 金山). New Westminster is named Yi Fao, which stands for 'Second Port': Victoria, BC being the first.

1870s

CHINESE IMMIGRATION

Post Gold Rush and CPR building, Chinese workers (referred to pejoratively as 'Coolies' meaning labourer (Ku li 苦力)) find work in various industries around New Westminster in order to make money to send home to their families in China. Some businesses flourished, but many workers suffered from very low incomes and widespread racial discrimination and were unable to reunite with their families

1880s

TWO CHINATOWNS

After the Great Fire of 1898, the original Chinatown established by the local Chinese merchants and workers at Front Street is rebuilt on the swamp lands at Carnarvon, Blackie.

1900s-1920s

ERA OF DISCRIMINATION

Municipal bylaws ban Chinese, Japanese and Indian Canadians from coting in the NW Municipal Elections (1908) and employing Chinese Laborers (1913). At a federal level, racist policies imposed a head tax on all new Chinese immigrants, who were eventually outlawed outright with the Chinese Immigration Act in 1923. Much of Chinatown was demolished in the 1920's.

2000s

ERA OF RECONCILIATION

In 2006 Prime Minister Stephen Harper Formally Apologized for Imposing a Head Tax on Chinese Immigrants Imposed by the Federal Government, which is met with mixed reviews.

New Westminster follows suit by becoming the first Canadian municipality to apologize for discriminatory practices against Chinese Canadian people.

2008

YI FAO

The Publication of Yi Fao by historians Jim Wolf and Patricia Owen presents a comprehensive historical account of Chinese in New Westminster to preserve and celebrate the voices and personalities of Chinese immigrants.

THE CHINESE BENEVOLENT ASSOCIATION (CBA) OF NEW WESTMINSTER



The first class of Children at the Chinese Benevolent Association in New Westminster, 1942. (Courtesy Gwen Wong)



The Chinese Benevolent Society drill team (year unknown, Courtesy of New Westminster Archives)



824 Agnes Street Address plate, (Courtesy of New Westminster Museum)

1884

THE NEW WESTMINSTER CHINESE BENEVOLENT ASSOCIATION (CBA)

The first Canada-Wide Chinese Benevolent Association (CBA) was established in Victoria. New Westminster local CBA was established shortly after. The Association held many community events and reinforced ties to political events happening back in China.

1904

THE "OLD MAN'S HOME"

CBA "Old Man's Home" is built in 1904, and functioned both as a senior's home for aging Chinese men, as well as a central gathering place for the Chinese Community for decades.

1979

DONATION OF THE CBA SITE

The Chinese Benevolent Association in New Westminster dissolves and joins the much larger CBA in Vancouver. They donate their property to the City of New Westminster "as a Gesture of Thanks for Having Given the Property Tax-Free Status for Many Years". The building is demolished shortly after the donation.



South Elevation of former Chinese Benevolent Association building (Courtesy New Westminster Archives)



1957 Fire Insurance Map (Courtesy Westminster Archives)

2009

TEMPORARY OFF-LEASH DOG PARK

Off-Leash Dog Park Ever Since 2009, as Part of Downtown Nuisance Abatement Strategy.

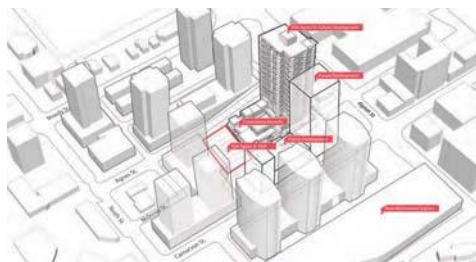
2017

824 AGNES STREET PARK

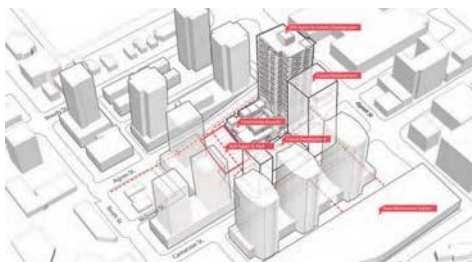
Council Endorsed the Use of 824 Agnes Street as a Park "Which Would Commemorate Chinese History and Contributions to NW" and to Retain a Landscape Architect to Develop Designs for the Park in 2017.

3 WHAT WE KNOW

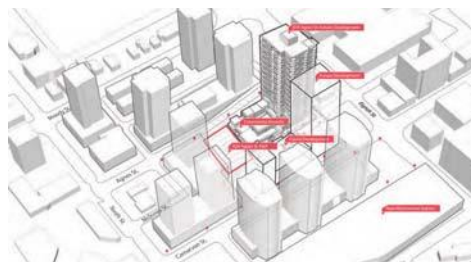
CONTEXT AND SITE ANALYSIS



The site is surrounded by high-rise residential towers and adjacent to New Westminster Skytrain station.

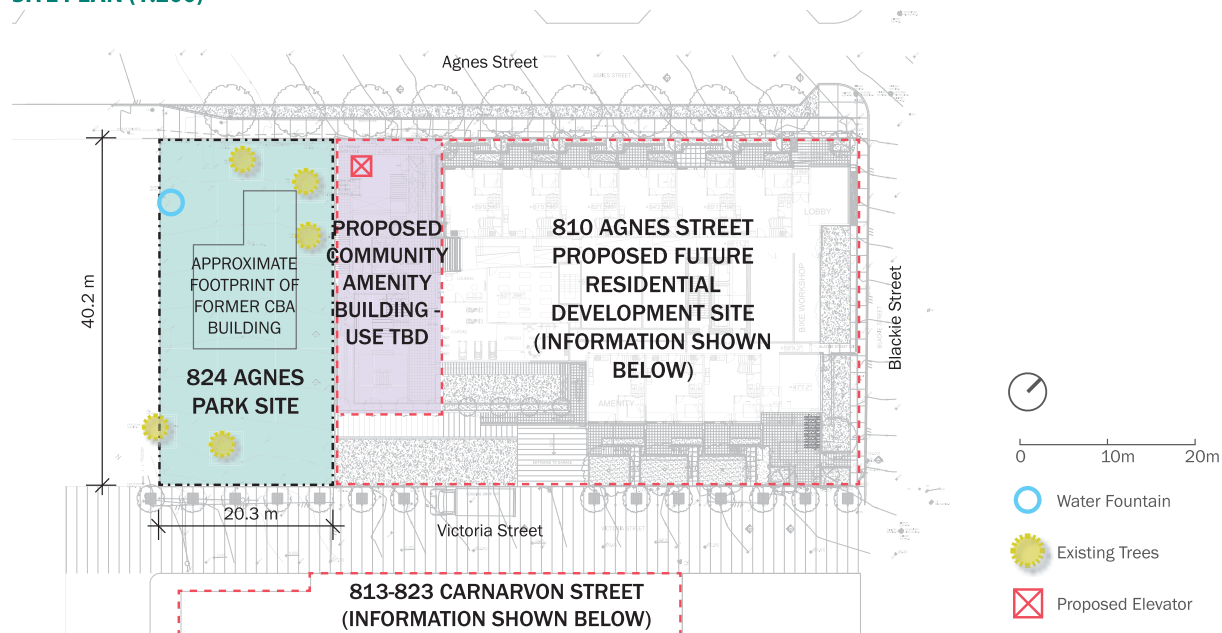


The park serves as a mid-block pedestrian connection between the surrounding residential buildings and New Westminster Skytrain Station.



The park's small footprint can be expanded through the use of 'bread crumbs': furnishings, features, or materials that create a district throughout Agnes, Victoria, Blackie, and Carnarvon Streets.

SITE PLAN (1:200)



PROPOSED FUTURE DEVELOPMENTS ADJACENT TO THE PARK SITE

810 AGNES STREET



Jago Development has submitted Rezoning and Special Development Permit applications for the sites located at 821 and 815 Victoria Street and 810 Agnes Street which would allow the development of a 29 storey (89.7 metres) residential tower on the subject site with a proposed Floor Space Ratio (FSR) of 7.2 and 222 residential units. The application also entails the design and construction of an adjacent park space at 824 Agnes Street, which is currently used for a temporary off-leash dog area, and 312 square metres (3,350 square feet) of publicly accessible indoor community space adjacent to the space to be owned by the City.

813-823 CARNARVON STREET

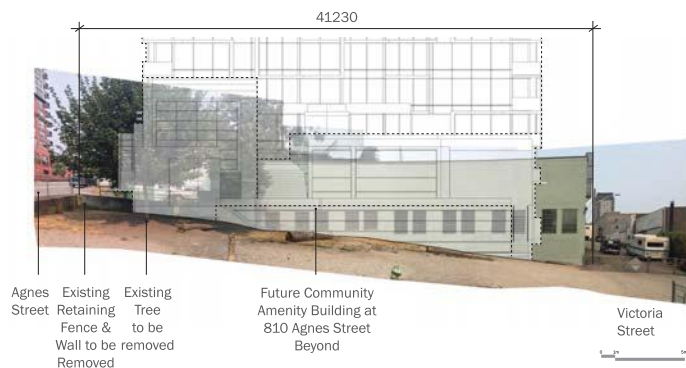


Applications for the site 813-823 Carnarvon Street have been received which propose a 32 storey residential building with a height of 92 metres (302 feet) as well as a nine storey residential building which would include non-market housing units. This proposal would have a total of 204 market residential units, 66 secured non-market residential units and a FSR of 8.53. The design team will coordinate with the 824 Agnes Street Park design team to have a comprehensive streetscape design strategy.

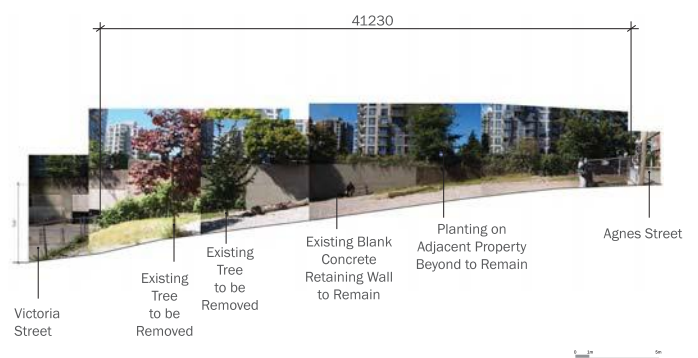
4 WHAT WE KNOW

EXISTING SITE CONDITIONS

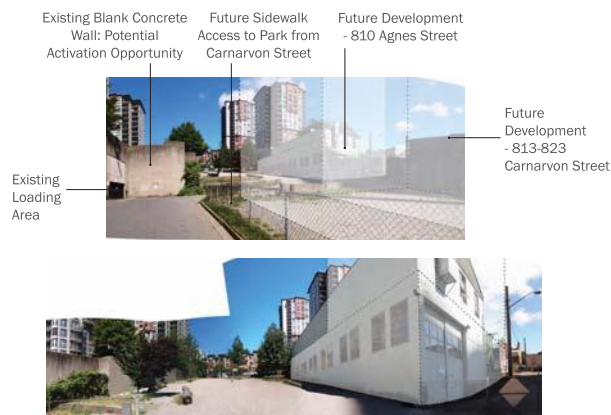
SECTION FACING EAST



SECTION FACING WEST



VIEWS APPROACHING SITE FROM SOUTH (CARNARVON AND VICTORIA STREETS)

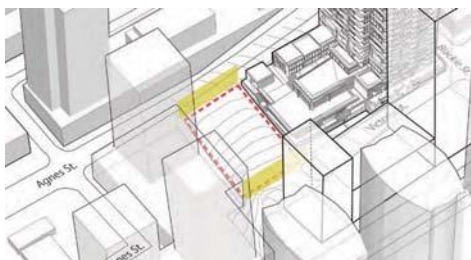


VIEWS APPROACHING SITE FROM NORTH (AGNES STREET)

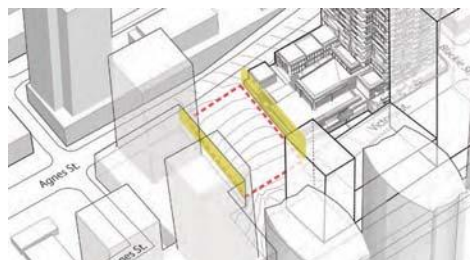


SITE ANALYSIS AND DESIGN IDEAS

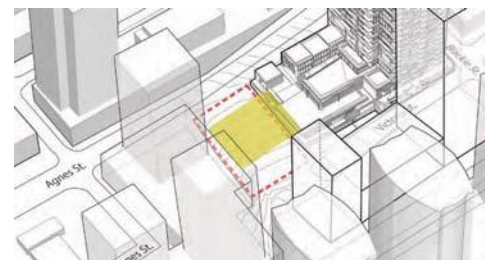
EDGE TREATMENTS



1. The park will have two prominent outside facing edges/threshold.

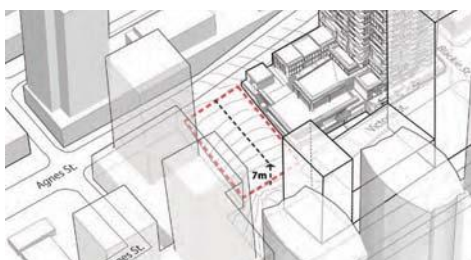


2. And two inside facing edges.

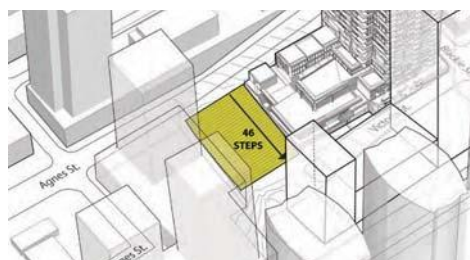


3. Along with overhang opportunities above.

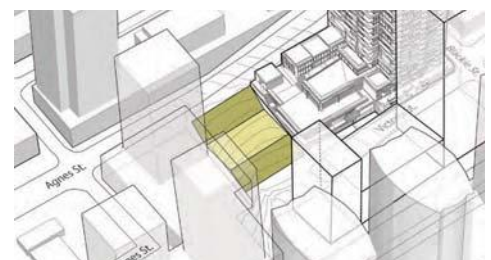
GRADING



1. The park takes up 7m of grade change from bottom to top.



2. Grade change of 7m on site equals to approximately 46 steps.



3. If we bunch the slope at the top and bottom of the site, we can get a flat space in front of the community amenity building.

5 WHAT WE KNOW

SIZE COMPARISON OF URBAN PARKS IN A SIMILAR SCALE: THIS PARK IS APPROXIMATELY THE SIZE OF A STANDARD TENNIS COURT.

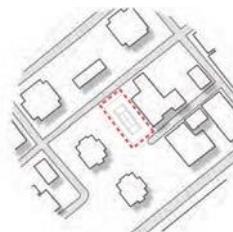
All parks drawn to same scale.

824 Agnes Street Park

800 m²
New Westminster, BC



Tennis Court



668 m²
Standard Tennis Court Layout

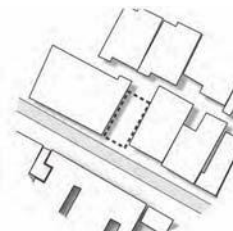


Paley Park

390 m²
New York, NY



Greenacre Park



510 m²
New York, NY



Mint Plaza

1400 m²
San Francisco, CA



Pak Tsz Lane Park



1868 m²
Hong Kong



SUN STUDY

Park site will be surrounded by high-rise residential buildings on all sides. In recognition of proposed tower developments to the east and south of the site, sun exposure will be considered in the park design process. From this sun/shade analysis, we can anticipate that the site will receive partial sunlight throughout the day in Spring and Fall. The site will be shaded in the winter months and exposed to full sun throughout the Summer.

March/September 21 (spring/fall equinox)



10:00am
The site is partially shaded in mornings in Spring and Fall.



12:00pm
The site is partially shaded at noon in Spring and Fall.



14:00pm
The site is heavily shaded in the afternoon in Spring and Fall.

June 21 (summer solstice)



10:00am
The site receives full sun in the mornings in summer months.



12:00pm
The site receives full sun at noon in summer months.



14:00pm
The site is partially shaded in the afternoon of summer months.

December 21 (winter solstice)



10:00am
The site is partially shaded in the mornings of Winter.



12:00pm
The site is heavily shaded at noon in winter months.



14:00pm
The site doesn't receive sun light in winter afternoons.

6 WHAT WE KNOW

THE CHINESE BENEVOLENT ASSOCIATION (CBA) OF NEW WESTMINSTER

THE CBA SITE

The site at 824 Agnes Street (also known as 825 Victoria Street) was formerly owned by the **Chinese Benevolent Association (CBA)**. This site was the focal point of the Chinese community in New Westminster and was the location of the **Chinese 'Old Man's Home'**, built in 1905.

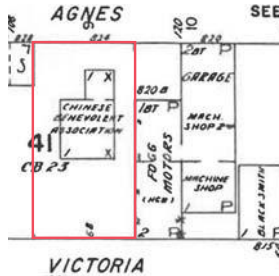
The site and building served for generations as an informal civic centre for the Chinese community in New Westminster and was used as a school, a hospital, a residential care facility for the elderly, and was also the home of the CBA.



South Elevation of former Chinese Benevolent Association building (Courtesy New Westminster Archives)



1957 Fire Insurance Map (Courtesy Westminster Archives)



The first class of Children at the Chinese Benevolent Association in New Westminster, 1942. (Courtesy Gwen Wong)



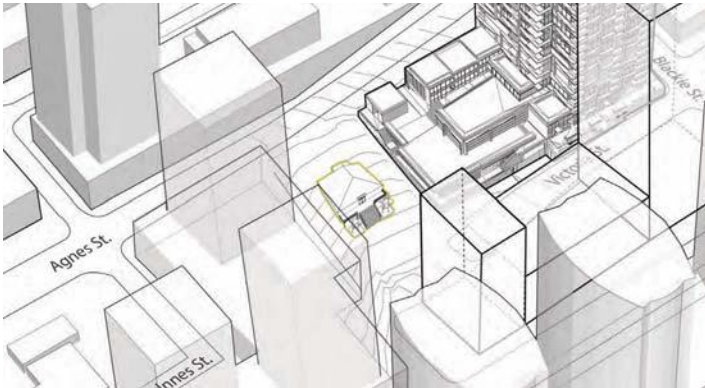
The Chinese Benevolent Society drill team (year unknown, Courtesy of New Westminster Archives)



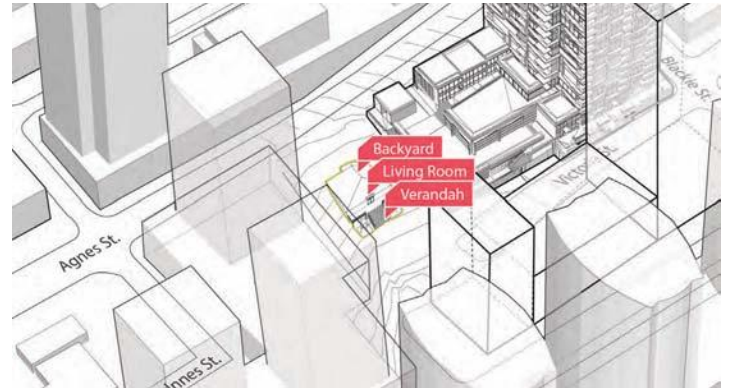
824 Agnes Street Address plate, (Courtesy of New Westminster Museum)

PROGRAMS

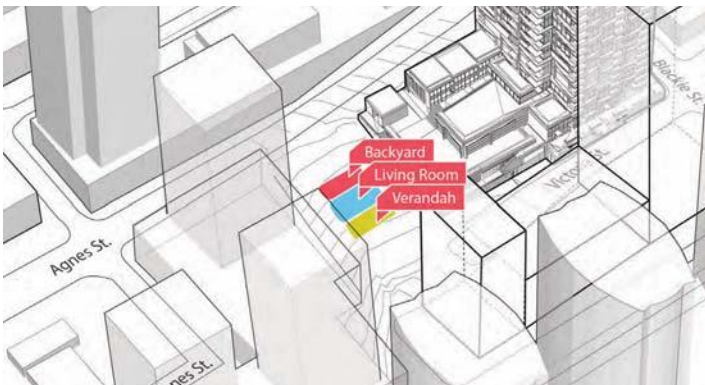
1. The old CBA 'Old Man's Home' used to occupy the centre of the park site. It functioned as a community gathering space for decades.



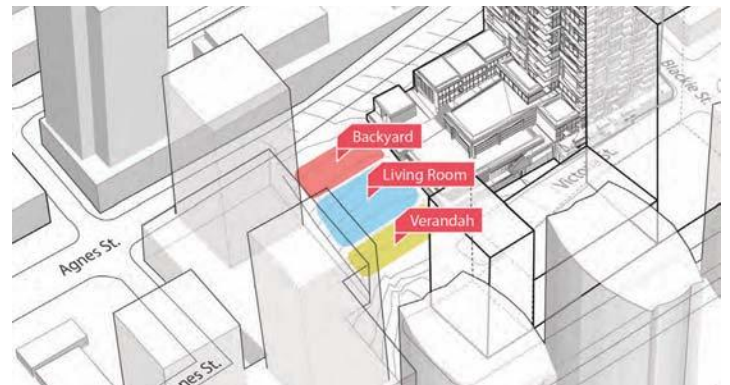
2. The site was used as a school, a hospital, a residential care facility for the elderly, and was also the home of the CBA. It served as an extremely important part for the Chinese community.



3. The park design will maintain the program that used to happen in the old CBA building



4. And expand the program of the old CBA building and metaphorically across the site to tell the story of the old CBA site and the history of Chinese community in New Westminster.



7 WHAT WE KNOW

CLASSICAL CHINESE GARDEN DESIGN PRINCIPLES



CREATING CONTRASTS

- Frequent **transitions** between opening and shrinking in space, bright and dim in light, and large and small in size;
- **White walls** in classical Chinese garden functions as a good background to other elements such as bamboos, flowers, and rocks.

FRAMING/BORROWING

- **Borrowing views** from the larger landscape setting and frame them with windows and gates to extend the feeling of space;
- **Moon-gates** and **lattice windows** on a corridor-wall in various shapes are designed for the purpose.

SEQUENCING VIEWS

- **Partitioning the space** into smaller segments, each of which holds an relatively independent scenic views so that the visitors cannot see the garden at a single glance;
- A magnificent view is often **partly concealed** and suddenly unfolds as the visitor moves.

PLANTING AS SYMBOLISM

- Plants in Chinese garden are not only for physical beauty but also for **historic, literary and symbolic motifs**. For instance, pine tree, bamboo and winter plums are associated with the theme as the 'three friends of winter' (岁寒三友).

FENG SHUI (风水)

- The ancient Chinese believed that everything in the universe was composed of **five elements**: Metal (金), Wood (木), Water (水), Fire (火), and Earth (土). Balance of the five elements can create abundance of **beneficial energies (Chi 气)**.



8 WHAT WE HEARD

VISIONING PROCESS FINDINGS

Based on the consultation, there was overwhelming support for a park which would commemorate Chinese history and contributions and provide a green space and refuge in the densely populated Downtown neighbourhood. There were also a number of general themes which emerged, including:

- Ensure that the interpretation is authentic or real – i.e., 'the Chinese pioneers were practical people';
- Ensure that the interpretation tells the story of the Chinese pioneers, including their struggles and the injustices that they endured;
- Recreate a portion of the former CBA building – e.g., the staircase and veranda were very prominent features;
- Use interpretative signage, listening posts and murals to help park users and visitors visualize the CBA building and former 'Westside' Chinatown;

- Capitalize on the sloped topography of the site by incorporating viewpoints, water courses and winding pathways;
- Create a reflective and relaxing green space in the 'heart' of the city;
- Ensure access through the site, as it is frequented by SkyTrain users;
- Ensure the park is usable (not just commemorative) and employ a creative design (both function and form);
- Incorporate landscape features and plantings that reference traditional Chinese gardens, including bamboo, pine and willow trees;
- Partner with Lijiang, New Westminster's sister city, which could provide expertise in the design of the park and strengthen socio-economic ties; and
- Resolve issues related to the dog off leash enclosure by developing an alternative site or sites.



STAKEHOLDER WORKING GROUP FINDINGS

① CONTEMPORARY AND CLASSIC CREATE BALANCE BETWEEN CLASSICAL CHINESE GARDEN DESIGN AND CONTEMPORARY DESIGN

- Reflect and celebrate the Chinese pioneers rather than re-create a traditional Chinese garden.
- Use a contemporary design aesthetic to suit the surrounding architecture, balanced with interpretive Chinese motifs through murals, sculpture, or interactive art.
- Deploy water as a design element.

② EVENT AND EVERYDAY DESIGN FOR EVENT AND EVERYDAY

- Activate and integrate the edge with the community amenity indoor/outdoor space.
- Use lighting to make the everyday feel safe and create special illumination for events.
- The park is an opportunity for a green and colourful oasis in the middle of the city for refuge and reflection.

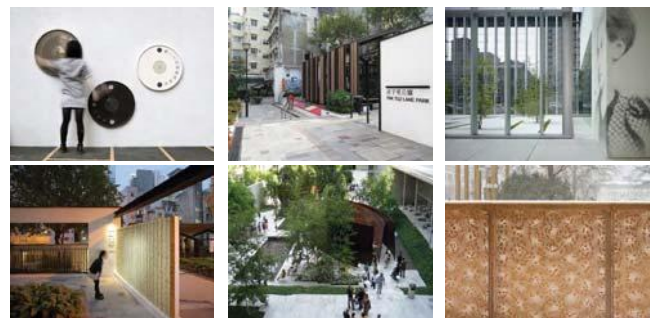


③ SLOPE AND ACCESSIBILITY CONSOLIDATE SLOPE AND MAXIMIZE ACCESSIBILITY

- Integrate vistas and focal points at the top and bottom of the park;
- Provide accessible (elevator) access in the building interior;
- Activate and integrate the edge with the community amenity space;
- Provide ramp from lane to amenity space.

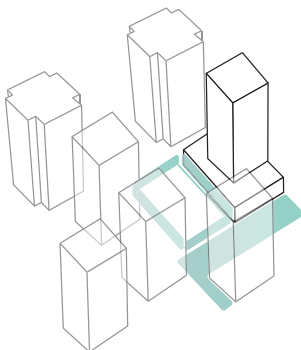
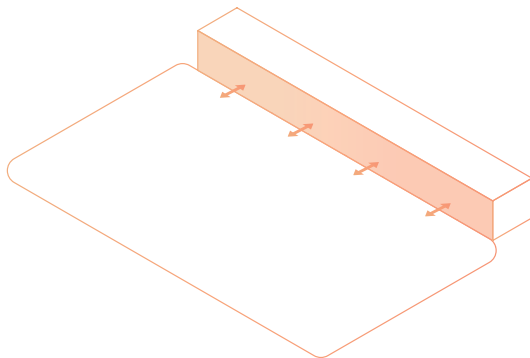
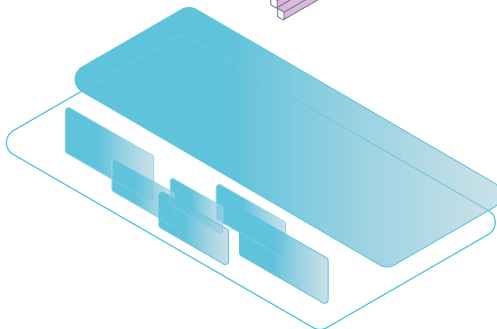
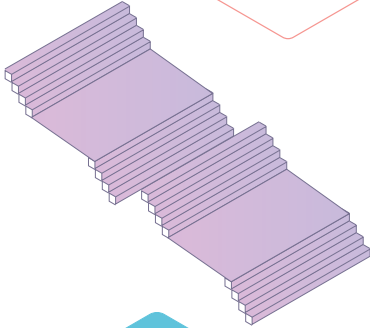
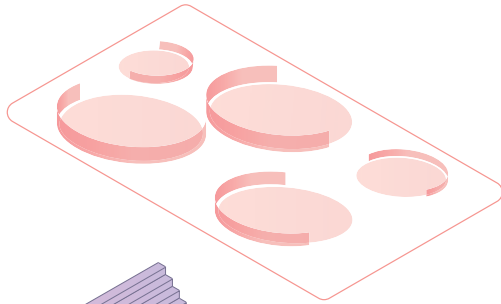
④ EDGE AND ENCLOSURE CAPITALIZE ON EDGES

- Gates can signify invitation and sense of entry, and transparent structures can help open the space visually and physically;
- Super-sized graphics, screening, and lighting can activate blank walls around the site.



9 WHAT WE THINK

PHYSICAL DESIGN PRINCIPLES



MAXIMIZE USE OF SPACE

- Create **smaller, distinct** outdoor rooms;
- Provide a **hierarchy** of spaces;
- **Sequence** the experience of outdoor rooms;
- Design the park to **reveal views** as the one **moves through** the park.

MAXIMIZE USE OF SPACE

- Design steps to **double** as inhabitable space (i.e. seating);
- Create a **large central space** that is flexible and adaptable for everyday use as well as events.

DEFINE THE SPACE

- Implement **vertical screens** (visually permeable structures) as a design feature to screen or reveal views and to create an inward focus;
- Use overhead lighting and/ or trees to create a **"ceiling"** and help define outdoor rooms.

CREATE A STRONG INDOOR/ OUTDOOR CONNECTION

- Create a **strong indoor/ outdoor relationship** between the park and public community building.

REACH OUT TO THE SURROUNDING PUBLIC REALM

- **Activate** the surrounding existing and proposed **walls** adjacent to the site, to feel as part of the park.

10 WHAT WE THINK

CONCEPTUAL DESIGN PRINCIPLES



TELL THE STORY OF THE SITE

- Creatively **integrate text and images** to tell the story of the **sites history** as the location of the CBA meeting hall, and its importance to the Chinese community in New Westminster;
- Reference this history through the design itself using **principles of Chinese garden design and culture**.

MAKE THE STORY UNIVERSAL

- Integrate elements that are **multi-cultural** in significance;
- Employ **metaphor** to connect the site's history to the universal struggles of discrimination and reconciliation;

CREATE A RICH 'SENSE OF PLACE'

- Use **tangible** and **high quality** materials and **plantings** which have **subtle references** to the site's cultural history;
- Develop **memorable features** to distinguish the park from any other parks in the city.

MAKE THE SITE ACCESSIBLE TO ALL

- Use the **interior access** through the public amenity building **elevator** to make the central space of the park **accessible**;
- Create an accessible route from **Victoria Street** to the central space of the park.

DESIGN THE PARK SO THAT IT CAN BE BOTH 'OPEN' OR 'CLOSED'

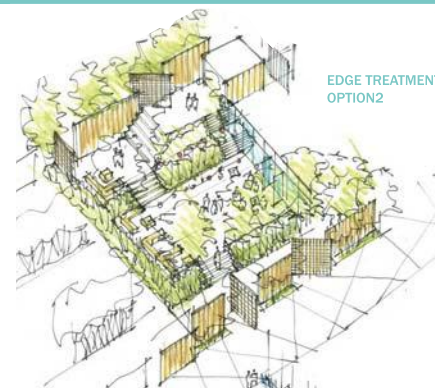
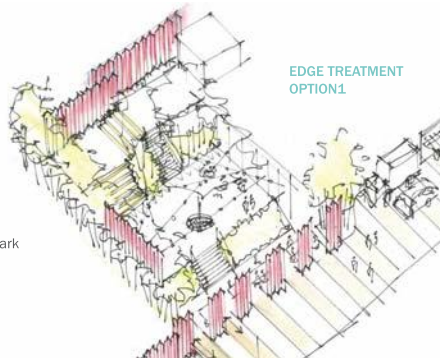
- Use specially designed **screens** (usually permeable walls/edges) and **gates** to open and close access points;
- The park should emphasize **permeability** and **openness** to allow for **various pass-through** routes for neighbors;
- The park should **be able to be closed** for events or at night time, as needed.

11 CONCEPTS: THE PORCH

門廊

FEATURES

- Movable interpretive 'accordion' screens
- Seat step areas for gathering
- Central flexible open space with feature weeping willow
- Runnel runs through the space to connect the three terraces
- Rectangular forms hide and reveal special moments within park
- Shared community table to provide interactive opportunities

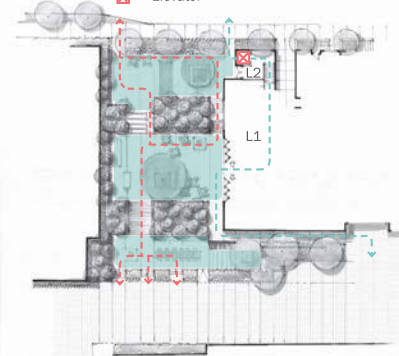


PLAN (1:100)



ACCESSIBILITY DIAGRAM

- Accessible Area
- Accessible Circulation
- Stair Circulation
- Elevator



LOCATION OF INTERPRETIVE SCREENS

- Feature Screen/Wall with Interpretive Elements Integrated



PRECEDENT IMAGES



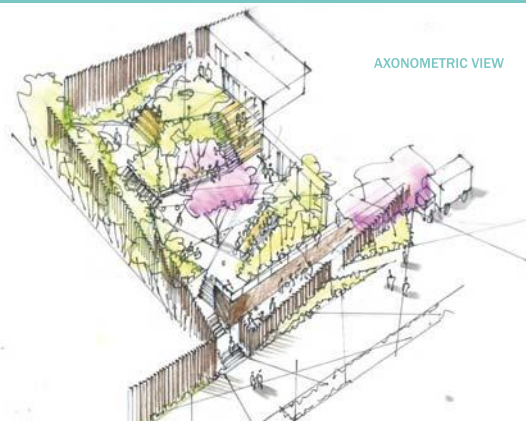
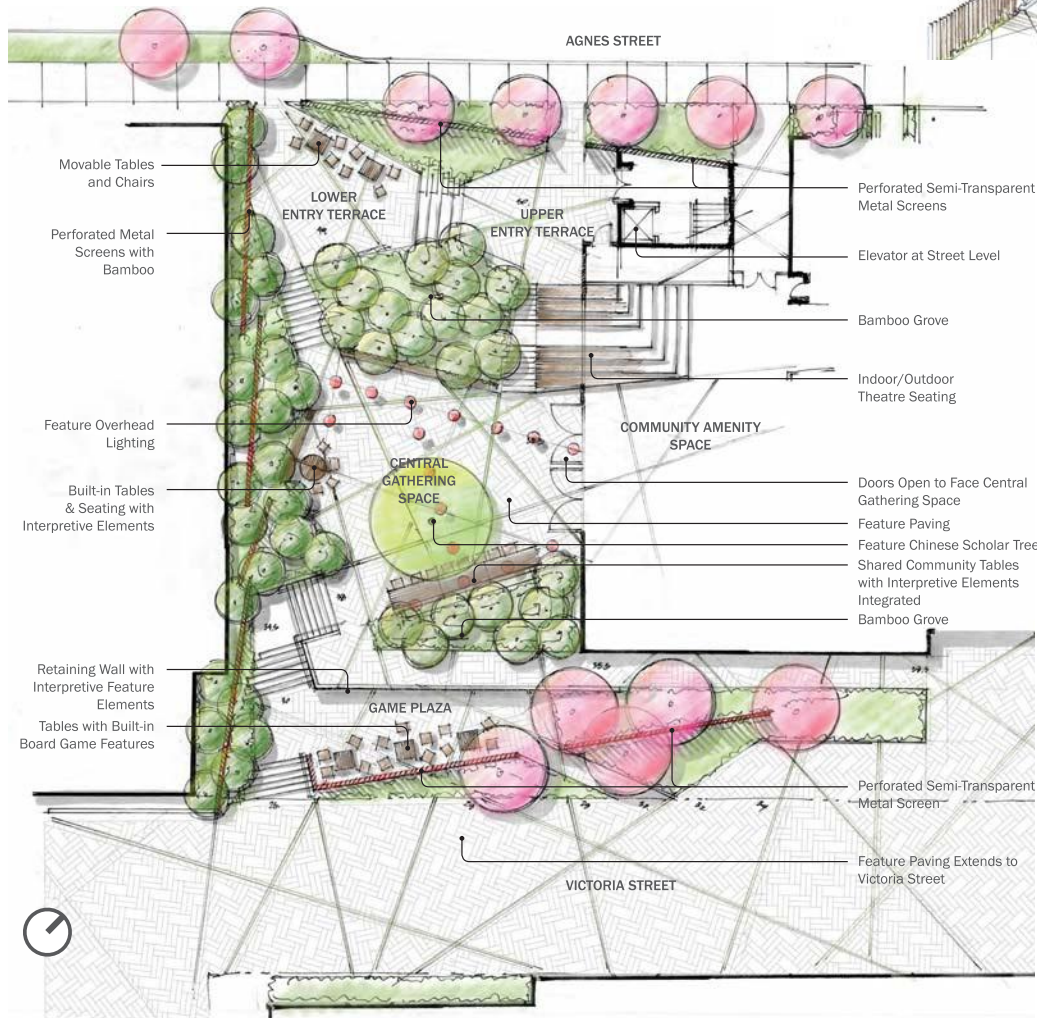
12 CONCEPTS: LIFTED VEILS

面纱

FEATURES

- Movable interpretive screens that are transparent/perforated to hide and reveal views into different parts of park
- Indoor/Outdoor seat step areas for gathering
- Central flexible open space with feature lighting and tree
- Games plaza at edge of park where it meets Victoria Street
- Angular forms hide and reveal special moments within park

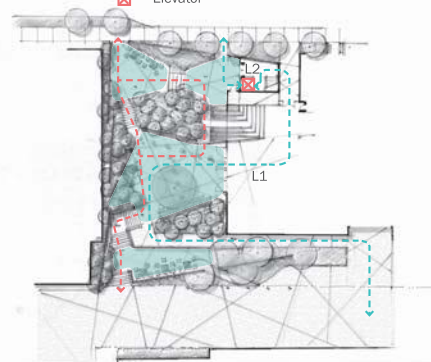
PLAN (1:100)



AXONOMETRIC VIEW

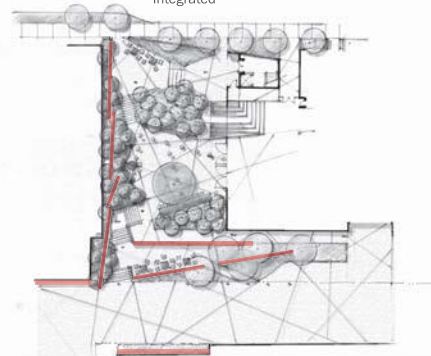
ACCESSIBILITY DIAGRAM

- Accessible Area
- Accessible Circulation
- Stair Circulation
- Elevator



LOCATION OF INTERPRETIVE SCREENS

- Feature Screen/Wall with Interpretive Elements Integrated



PRECEDENT IMAGES



13 CONCEPTS: THE GARDEN PATH

园径

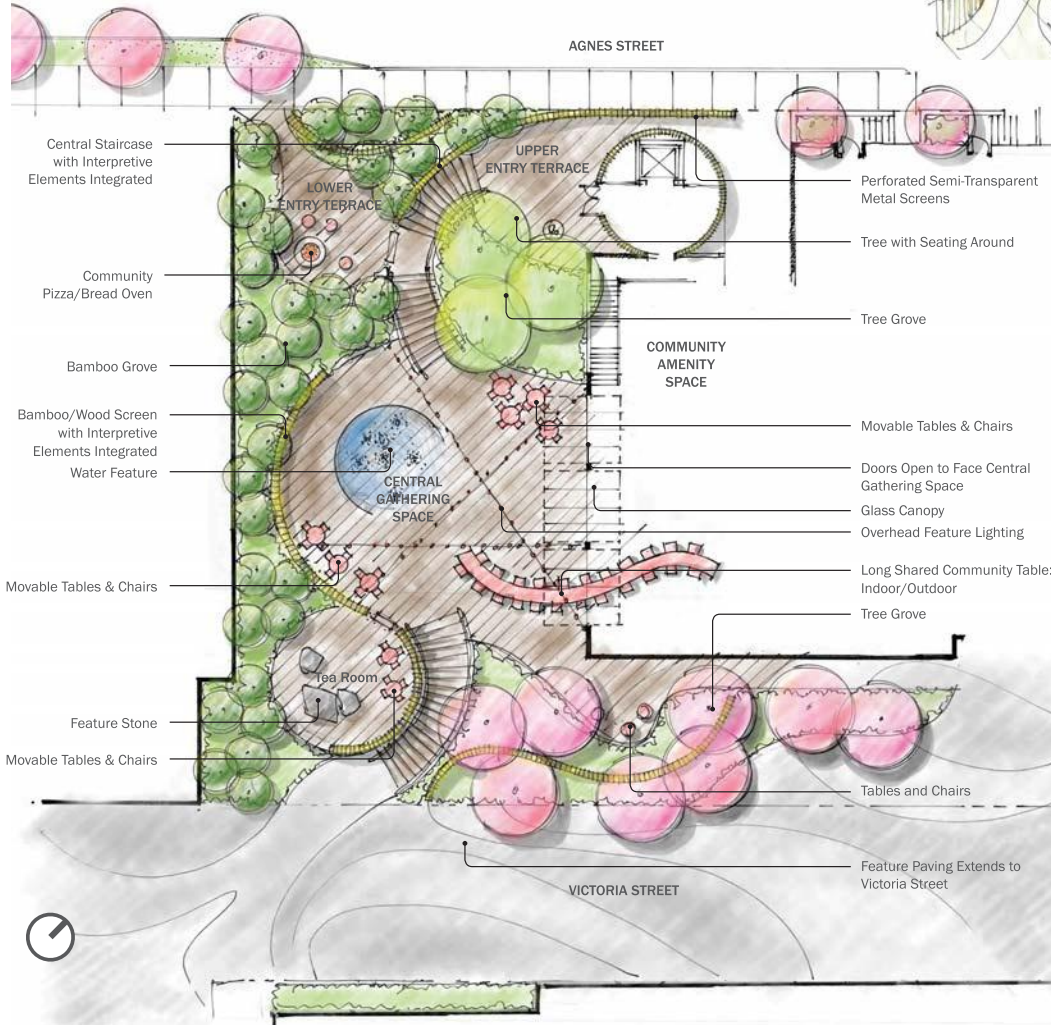
FEATURES

- Dominant circulation path the main interpretive feature
- Central garden with three smaller terraces/platforms, each to represent essential element in Feng Shui
- Bamboo and wood screens for layered effect
- Curvilinear movement through space
- Central water feature to provide a focal point
- Curvilinear community table to create indoor and outdoor connection



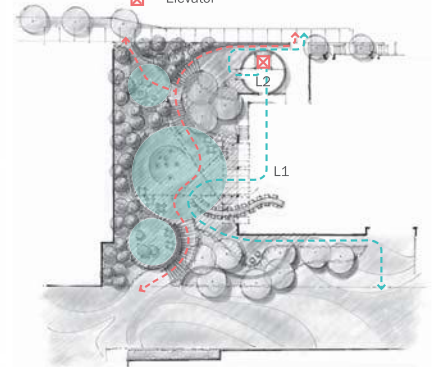
AXONOMETRIC VIEW

PLAN (1:100)



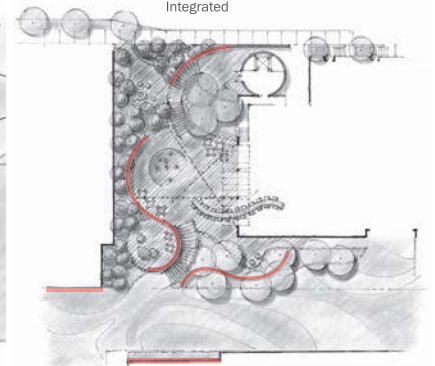
ACCESSIBILITY DIAGRAM

- Accessible Area
- Accessible Circulation
- Stair Circulation
- Elevator

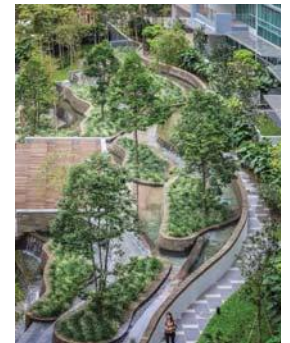


LOCATION OF INTERPRETIVE SCREENS

- Feature Screen/Wall with Interpretive Elements Integrated



PRECEDENT IMAGES



14 NEXT STEPS

THANK YOU FOR YOUR PARTICIPATION! PLEASE FILL OUT A QUESTIONNAIRE AND LEAVE YOUR COMMENTS BELOW. YOUR INPUT WILL BE USED TO GENERATE A PREFERRED DESIGN FOR THE NEW PARK THAT WILL BE PRESENTED AT PUBLIC OPEN HOUSE #2 IN SPRING 2018.

感谢您的参与！请您填写调查问卷并在以下留下您的宝贵意见。我们会使用您的意见作为参考来展开下一步的设计，公园最终的设计方案会在春季举行的第二次公众开放日中为您呈现。

1 PROJECT BACKGROUND

WELCOME TO OPEN HOUSE #2 FOR A NEW PARK AT 824 AGNES STREET

BACKGROUND

The site at 824 Agnes Street (also known as 825 Victoria Street) was formerly owned by the Chinese Benevolent Association (CBA). This site was the focal point of the Chinese community in New Westminster and was the location of the Chinese 'Old Man's Home', built in 1905. The site and building served for generations as an informal civic centre for the Chinese community in New Westminster and was used as a school, a hospital, a residential care facility for the elderly, and was also the home of the CBA. In 1979, immediately prior to the CBA being disbanded, the site and the building were transferred as a gift to the City. Due to disrepair and vandalism, the building was subsequently demolished. In 2009, as part of a Downtown Nuisance Abatement Strategy, this site was converted into a temporary off-leash dog area.

As part of the Chinese Reconciliation Process, there was support for exploring a more appropriate and respectful use of the CBA site. A consultation and visioning exercise for this park space was undertaken with City advisory committees, associations representing the Chinese community, and the public. Based on the consultation, there was overwhelming support for a park which would commemorate Chinese history and contributions and provide a green space and refuge in the densely populated Downtown neighbourhood. A report was taken to Council regarding the visioning process on June 13, 2016, which shared the results of the visioning process for the site. The site has been included on a list of the top ten most endangered sites by the New Westminster Heritage Preservation Society and considered for Provincial recognition as Chinese Canadian Historic Place by Heritage BC.

DESIGN TEAM

The applicant, **Jago Development**, has retained a design consultant team, including landscape architect, **Hapa Collaborative Landscape Architecture and Urban Design** to work with **City staff** for full services from conceptual design to construction administration for the adjacent park site. The park consultation process will continue to be highly collaborative and engaging, and will be led by City staff in both the Parks & Recreation and Development Services Departments.

THE CONSULTATION PROCESS

The stakeholder engagement process includes representatives from various associations, committees and groups. This public Open House is an opportunity to collect feedback from the general public and other key stakeholders in Downtown on the park design. As the site is currently designated as a temporary off-leash dog area, the City is also seeking input on the selection of a new site for the off-leash area.

WHAT WE HEARD

VISIONING PROCESS

City staff implemented a consultation process starting in 2013. This process included a series of visioning sessions with Advisory Committees to Council, associations representing the Chinese Community and the public. The purpose of the consultation was to develop general themes to inform a vision, concept and design for a park which would commemorate Chinese history and contributions.

WHAT WE HOPE TO LEARN

Three concept designs for the commemorative park were presented to the public at an open house event held at the Holy Trinity Church in January 2018. Public engagement was further extended through an online survey. Input has also been gathered through focus group workshops and various city committees. Based on the input provided, the City has worked with the consultant team to create the preferred park concept that is being presented tonight.

WHAT'S NEXT

We want your input! Please take some time to review the materials included here, and discuss any comments or questions you may have with City staff. Your feedback for 824 Agnes Street Park will continue to help shape the vision for the new park. Following the public consultation process, the design team will continue to work on the detailed design of the park including the integration of design features and elements that recognize the historical significance of this site. We invite you to fill out the questionnaire tonight or online at: <http://bit.ly/AgnesParkSurvey>.

PROJECT TIMELINE



2 WHAT WE KNOW

CHINESE IMMIGRANTS IN NEW WESTMINSTER



Chinese metalworkers in the production line at the Cleve Canning Company, 1902. (Credit: New Westminster Public Library)



Chinese workers unload Fraser River salmon from a barge onto the dock, 1905. (Credit: S. J. Thompson)



Chinese houseboys serving tea on the lawn of their employers' home, 1905. (Credit: Irving House Photo)



The 1898 Great Fire devastated Chinatown, 1898. (Credit: F. Chapman Photograph)



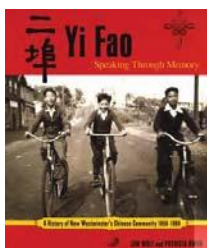
1885 plan of the buildings of the old front street in Chinatown. (Courtesy of Jim Wolf)



The swamplands reclaimed by Chinatown, 1890s. (Credit: S. J. Thompson Photograph)



Chinese Immigration Certificate, Chinese had to pay \$50-500 to come to Canada between 1885-1923. (Credit: Government of Canada)



1858

YI FAO 二埠 - 'SECOND PORT'

Chinese workers, mainly from Guangdong province, emigrate to New Westminster from California and China to chase the Gold Rush in Canada, nicknamed "Gold Mountain" (Gim Shan 金山). New Westminster is named Yi Fao, which stands for 'Second Port': Victoria, BC being the first.

1870s

CHINESE IMMIGRATION

Post Gold Rush and CPR building, Chinese workers (referred to pejoratively as 'Coolies' meaning labourer (Ku li 苦力)) find work in various industries around New Westminster in order to make money to send home to their families in China. Some businesses flourished, but many workers suffered from very low incomes and widespread racial discrimination and were unable to reunite with their families

1880s

TWO CHINATOWNS

After the Great Fire of 1898, the original Chinatown established by the local Chinese merchants and workers at Front Street is rebuilt on the swamp lands at Carnarvon, Blackie.

1900s-1920s

ERA OF DISCRIMINATION

Municipal bylaws ban Chinese, Japanese and Indian Canadians from voting in the NW Municipal Elections (1908) and employing Chinese Laborers (1913). At a federal level, racist policies imposed a head tax on all new Chinese immigrants, who were eventually outlawed outright with the Chinese Immigration Act in 1923.

Much of Chinatown was demolished in the 1920's.

2000s

ERA OF RECONCILIATION

In 2006 Prime Minister Stephen Harper Formally Apologized for Imposing a Head Tax on Chinese Immigrants Imposed by the Federal Government, which is met with mixed reviews.

New Westminster follows suit by becoming the first Canadian municipality to apologize for discriminatory practices against Chinese Canadian people.

2008

YI FAO

The Publication of Yi Fao by historians Jim Wolf and Patricia Owen presents a comprehensive historical account of Chinese in New Westminster to preserve and celebrate the voices and personalities of Chinese immigrants.

THE CHINESE BENEVOLENT ASSOCIATION (CBA) OF NEW WESTMINSTER



The first class of Children at the Chinese Benevolent Association in New Westminster, 1942. (Courtesy Gwen Wong)



The Chinese Benevolent Society drill team (year unknown, Courtesy of New Westminster Archives)



824 Agnes Street Address plate, (Courtesy of New Westminster Museum)

1884

THE NEW WESTMINSTER CHINESE BENEVOLENT ASSOCIATION (CBA)

The first Canada-Wide Chinese Benevolent Association (CBA) was established in Victoria. New Westminster local CBA was established shortly after. The Association held many community events and reinforced ties to political events happening back in China.

1904

THE "OLD MAN'S HOME"

CBA "Old Man's Home" is built in 1904, and functioned both as a senior's home for aging Chinese men, as well as a central gathering place for the Chinese Community for decades.

1979

DONATION OF THE CBA SITE

The Chinese Benevolent Association in New Westminster dissolves and joins the much larger CBA in Vancouver. They donate their property to the City of New Westminster "as a Gesture of Thanks for Having Given the Property Tax-Free Status for Many Years". The building is demolished shortly after the donation.



South Elevation of former Chinese Benevolent Association building (Courtesy New Westminster Archives)



1957 Fire Insurance Map (Courtesy Westminster Archives)

2009

TEMPORARY OFF-LEASH DOG PARK

Off-Leash Dog Park Ever Since 2009, as Part of Downtown Nuisance Abatement Strategy.

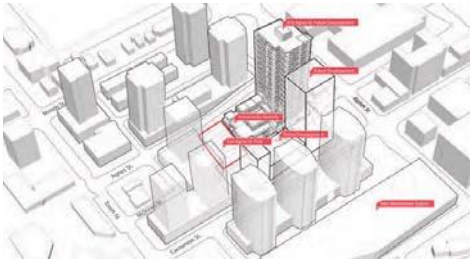
2017

824 AGNES STREET PARK

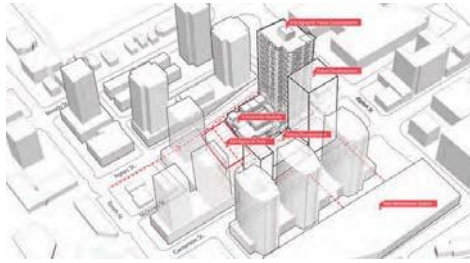
Council Endorsed the Use of 824 Agnes Street as a Park "Which Would Commemorate Chinese History and Contributions to NW" and to Retain a Landscape Architect to Develop Designs for the Park in 2017.

3 WHAT WE KNOW

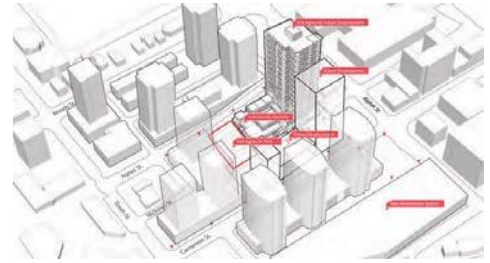
CONTEXT AND SITE ANALYSIS



The site is surrounded by high-rise residential towers and adjacent to New Westminster Skytrain station.

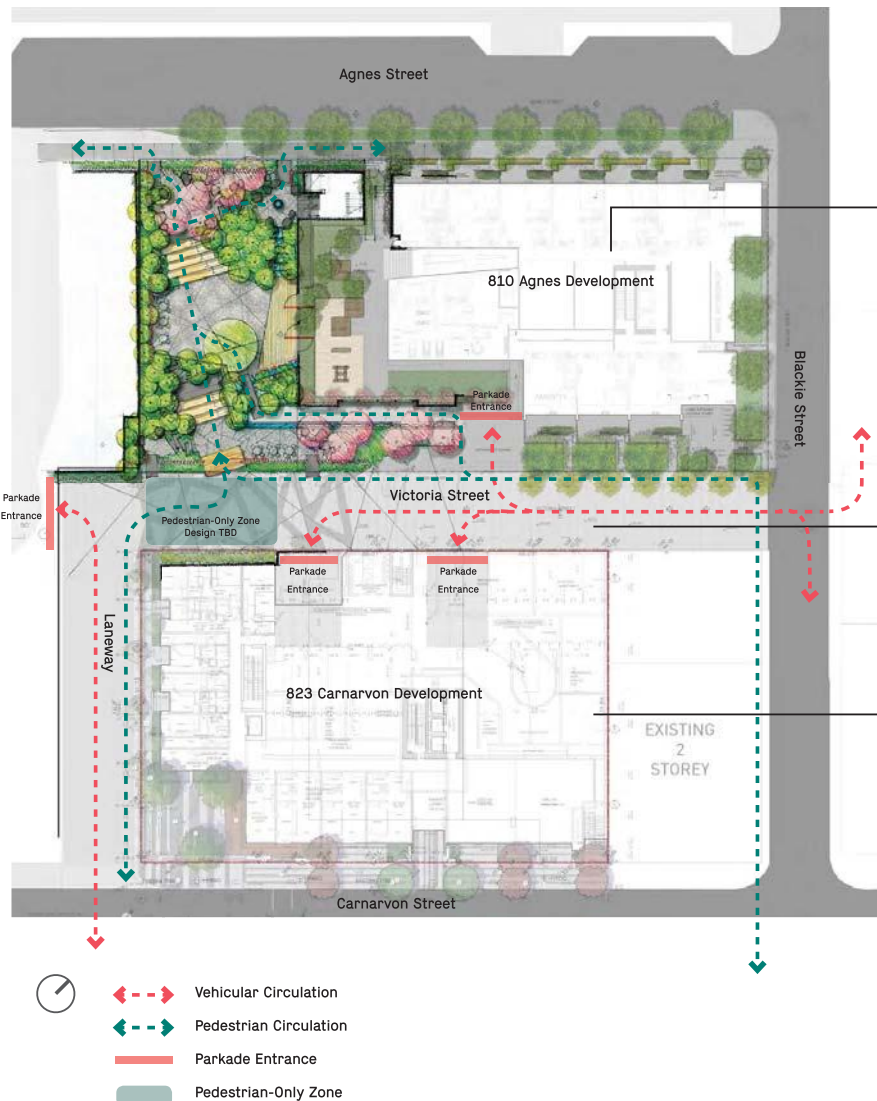


The park serves as a mid-block pedestrian connection between the surrounding residential buildings and New Westminster Skytrain Station.



The park's small footprint can be expanded through the use of 'bread crumbs' - furnishings, features, or materials that create a district throughout Agnes, Victoria, Blackie, and Carnarvon Streets.

SITE PLAN IN CONTEXT



810 AGNES STREET



Jago Development has submitted Rezoning and Special Development Permit applications for the sites located at 821 and 815 Victoria Street and 810 Agnes Street which would allow the development of a 29 storey (89.7 metres) residential tower. The application also entails the design and construction of 312 square metres (3,350 square feet) of publicly accessible indoor community space.

VICTORIA STREET

Victoria Street will be rebuilt in coordination with the developments at 810 Agnes Street and 823 Carnarvon Street as well as with the park. The design details have not been finalized but it will be a pedestrian friendly street allowing for vehicular access in and out of the developments' parking garages, without creating a through route all the way from Blackie Street to Carnarvon Street. This will discourage cars from using the street as a short cut, and help establish a pedestrian oriented public realm, which will also support the park uses.

813-823 CARNARVON STREET

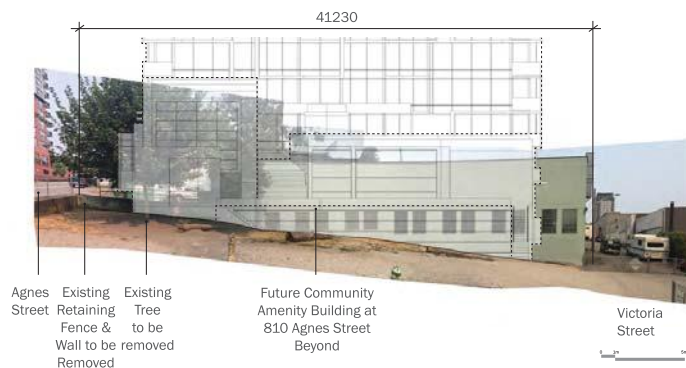


Applications for the site 813-823 Carnarvon Street have been received which propose a 32 storey residential building with a height of 92 metres (302 feet) as well as a nine storey residential building which would include non-market housing units. The design team will coordinate with the 824 Agnes Street Park design team to have a comprehensive streetscape design strategy.

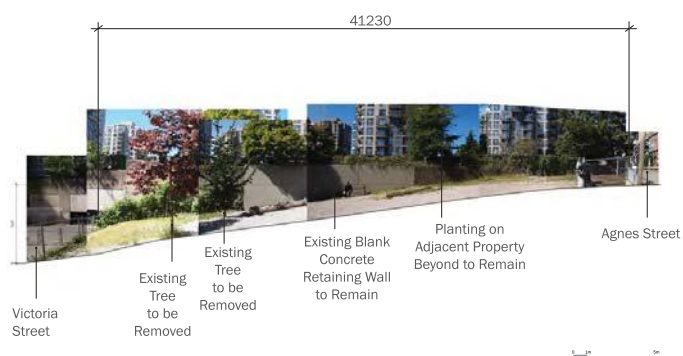
4 WHAT WE KNOW

EXISTING SITE CONDITIONS

SECTION FACING EAST



SECTION FACING WEST



VIEWS APPROACHING SITE FROM SOUTH (CARNARVON AND VICTORIA STREETS)

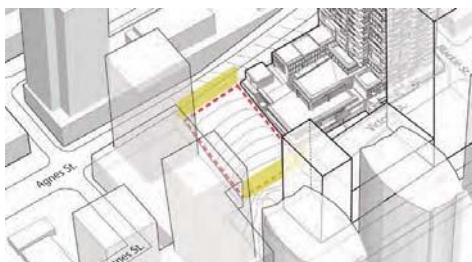


VIEWS APPROACHING SITE FROM NORTH (AGNES STREET)

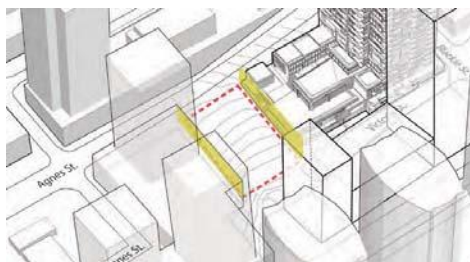


SITE ANALYSIS AND DESIGN IDEAS

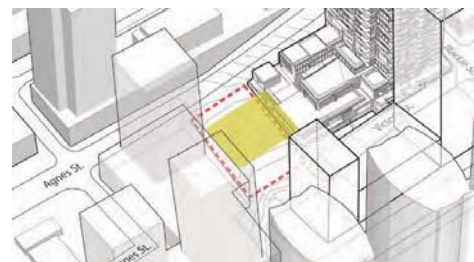
EDGE TREATMENTS



1. The park will have two prominent outside facing edges/threshold.

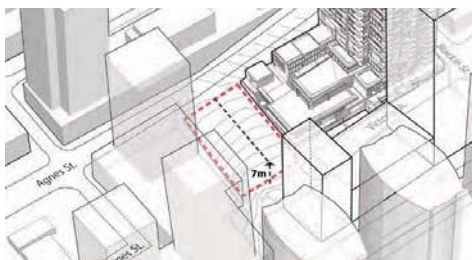


2. And two inside facing edges.

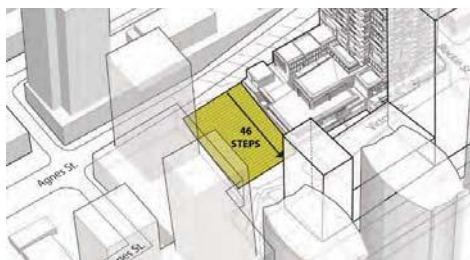


3. Along with overhang opportunities above.

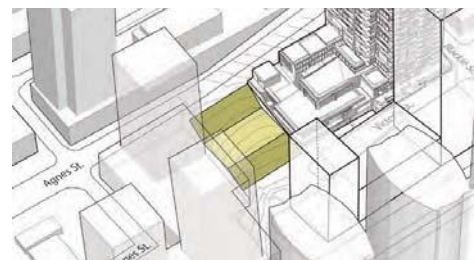
GRADING



1. The park takes up 7m of grade change from bottom to top.



2. Grade change of 7m on site equals to approximately 46 steps.



3. If we bunch the slope at the top and bottom of the site, we can get a flat space in front of the community amenity building.

5 WHAT WE KNOW

THE CHINESE BENEVOLENT ASSOCIATION (CBA) OF NEW WESTMINSTER

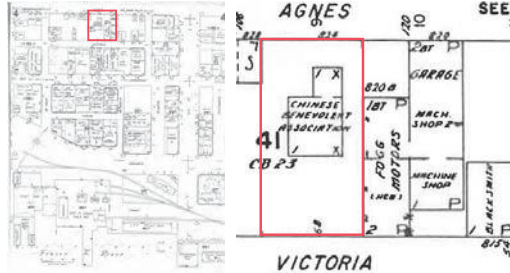
THE CBA SITE

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The site and building served for generations as an informal civic centre for the Chinese community in New Westminster and was used as a school, a hospital, a residential care facility for the elderly, and was also the home of the CBA.



South Elevation of former Chinese Benevolent Association building (Courtesy New Westminster Archives)



1957 Fire Insurance Map (Courtesy Westminster Archives)



The Chinese Benevolent Society drill team (year unknown, Courtesy of New Westminster Archives)

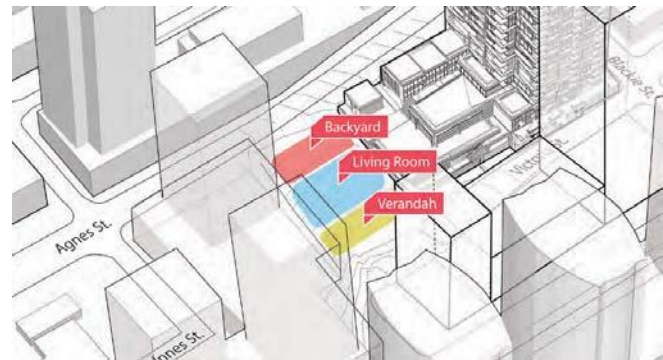
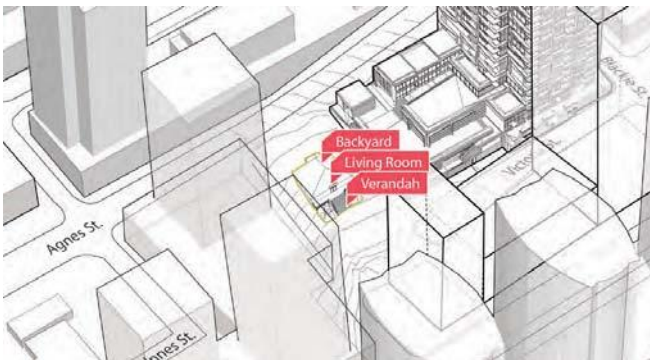


824 Agnes Street Address plate, (Courtesy of New Westminster Museum)

PROGRAMS

1. The site was used as a school, a hospital, a residential care facility for the elderly, and was also the home of the CBA. It served as an extremely important part for the Chinese community.

2. The park design expand the program of the old CBA building and metaphorically across the site to tell the story of the old CBA site and the history of Chinese community in New Westminster.



SIZE COMPARISON OF URBAN PARKS IN A SIMILAR SCALE: THIS PARK IS APPROXIMATELY THE SIZE OF A STANDARD TENNIS COURT

All parks drawn to same scale.

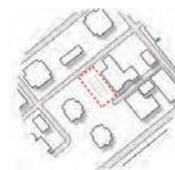
824 Agnes Street Park

800 m²
New Westminster, BC



Tennis Court

668 m²
Standard Tennis Court Layout



Paley Park

390 m²
New York, NY



SUN STUDY

The park site will be surrounded by high-rise residential buildings on all sides. In recognition of proposed tower developments to the east and south of the site, sun exposure has been considered in the park design process. From this sun/shade analysis, we can anticipate that the site will receive partial sunlight throughout the day in Spring and Fall. The site will be shaded in the winter months and exposed to full sun throughout the Summer.

March/September 21 (spring/fall equinox)

June 21 (summer solstice)

December 21 (winter solstice)



10:00am

The site is partially shaded in mornings in Spring and Fall.



14:00pm

The site is heavily shaded in the afternoon in Spring and Fall.



10:00am

The site receives full sun in the mornings in summer months.



14:00pm

The site is partially shaded in the afternoon of summer months.



10:00am

The site is partially shaded in the mornings of Winter.



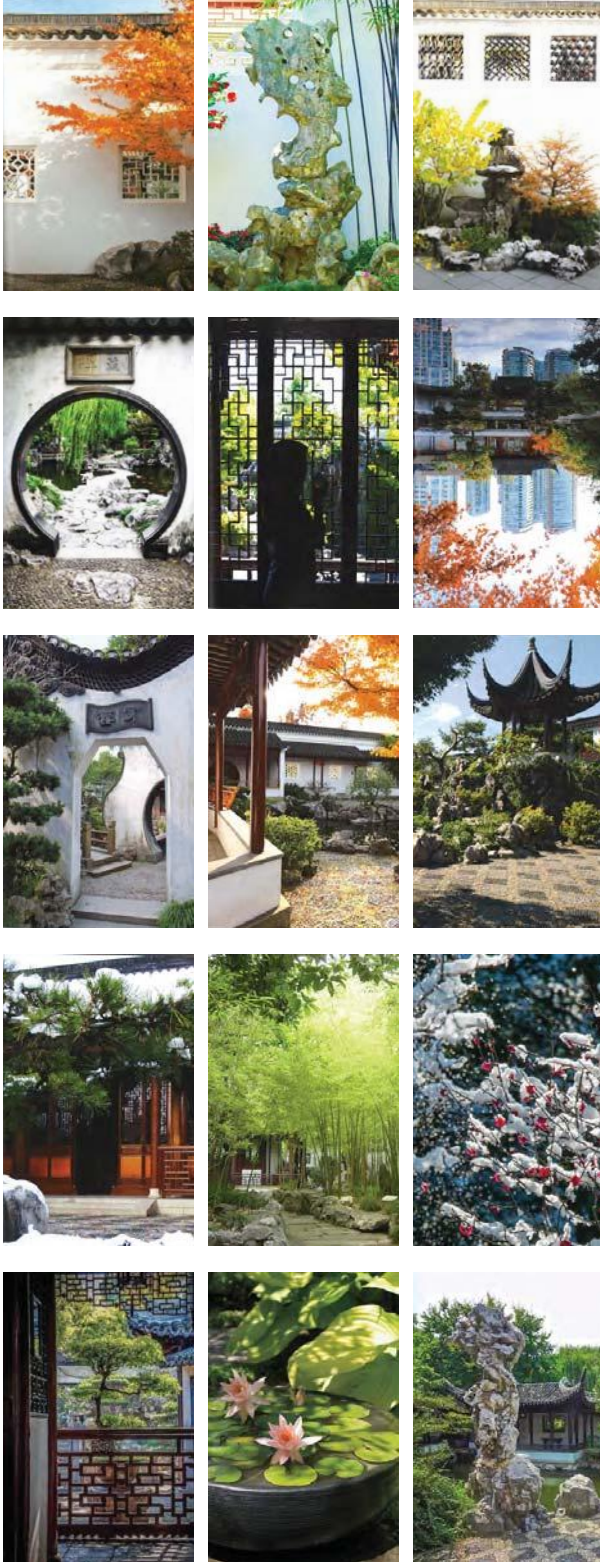
14:00pm

The site doesn't receive sun light in winter afternoons.

6 WHAT WE KNOW

CLASSICAL CHINESE GARDEN DESIGN PRINCIPLES

The park will be a contemporary urban space with elements, materials and plants, which take inspiration from traditional Chinese garden design. The Hapa design team has studied the principles of traditional Chinese garden design; this rich tradition in garden design can help bring meaning and depth to the park design, as well as connecting it to its history.



CREATING CONTRASTS

- Frequent **transitions** between opening and shrinking in space, bright and dim in light, and large and small in size;
- **White walls** in classical Chinese garden functions as a good background to other elements such as bamboos, flowers, and rocks.

FRAMING/BORROWING

- **Borrowing views** from the larger landscape setting and frame them with windows and gates to extend the feeling of space;
- **Moon-gates** and **lattice windows** on a corridor-wall in various shapes are designed for the purpose.

SEQUENCING VIEWS

- **Partitioning the space** into smaller segments, each of which holds an relatively independent scenic views so that the visitors cannot see the garden at a single glance;
- A magnificent view is often **partly concealed** and suddenly unfolds as the visitor moves.

PLANTING AS SYMBOLISM

- Plants in Chinese garden are not only for physical beauty but also for **historic, literary and symbolic motifs**. For instance, pine tree, bamboo and winter plums are associated with the theme as the 'three friends of winter (岁寒三友)'.

FENG SHUI (风水)

- The ancient Chinese believed that everything in the universe was composed of **five elements**: Metal (金), Wood (木), Water (水), Fire (火), and Earth (土). Balance of the five elements can create abundance of **beneficial energies (Chi 气)**.

7 WHAT WE HEARD

SEPTEMBER, 2017

STAKEHOLDER WORKSHOP #1 VISIONING SESSION



Stakeholder Attendees:

- Canadians for Reconciliation Society
- Chinese Benevolent Association of Vancouver
- New Westminster Chinese Society
- Multiculturalism Advisory Committee
- Downtown Resident's Association
- Parks and Recreation Committee
- New Westminster Heritage Preservation Society
- Community Heritage Commission

This is what we heard:

- Ensure that the interpretation is authentic or real – i.e., 'the Chinese pioneers were practical people';
- Ensure that the interpretation tells the story of the Chinese pioneers, including their struggles and the injustices that they endured;
- Recreate a portion of the former CBA building – e.g., the staircase and verandah were very prominent features;
- Use interpretative signage, listening posts and murals to help park users and visitors visualize the CBA building and former 'Westside' Chinatown;

- Capitalize on the sloped topography of the site by incorporating viewpoints, water courses and winding pathways;
- Create a reflective and relaxing green space in the 'heart' of the city;
- Ensure access through the site, as it is frequented by SkyTrain users;
- Ensure the park is usable (not just commemorative) and employ a creative design (both function and form);
- Incorporate landscape features and plantings that reference traditional Chinese gardens, including bamboo, pine and willow trees;
- Partner with Lijiang, New Westminster's sister city, which could provide expertise in the design of the park and strengthen socio-economic ties; and
- Resolve issues related to the dog off leash enclosure by developing an alternative site or sites.

JANUARY, 2018

PUBLIC OPEN HOUSE #1 RECEIVING INPUT ON THREE OPTIONS



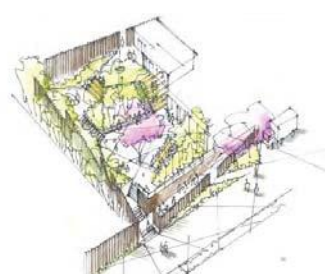
This is what we heard:

- "I like the feeling of relaxation and serenity that the curved path provides in Option 1."
- "I like the frequent flights with fewer steps and the screens with interpretive elements."
- "The water feature, bamboo, and the overhead lighting above the central space are my favorites."
- "The design should consider lighting and space and how they relate to feeling of security; consider drop-in dancing class at the central space."

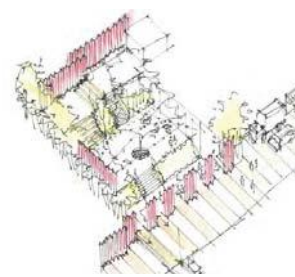
- "I'd like to see creative/artistic oriented and cultural diversity services oriented programs at the adjacent amenity spaces."
- "I highly agree with the design to be a pedestrian-friendly place. An artistic paving treatment and overhead feature lighting elements can be integrated into the design."



OPTION1: THE GARDEN PATH



OPTION2: THE VERANDAH



OPTION3: LIFTED VEILS

PREFERRED OPTION

APRIL, 2018

STAKEHOLDER WORKSHOP #2: RECEIVING FEEDBACK ON THE PREFERRED DESIGN AND HOW WE TELL THE STORY OF THE SITE



Stakeholder Attendees:

- Canadians for Reconciliation Society
- Multiculturalism Advisory Committee
- Chinese Benevolent Association of Vancouver

This is what we heard:

- The site is a GIFT from Chinese Canadian in NW. The design should add layers of meanings through the names, the elements, the spaces, the programs to tell a comprehensive story;
- The design could consider showing the original footprint of the CBA building in a contemporary design language;
- The park design could integrate public art to tell the story;
- The programmable spaces should be versatile to be able to accommodate daily uses and events;
- The park should provide hangout/gather spaces for seniors.

- The park should provide education opportunities, for example, tours, outdoor classroom, crafts workshop, to bring back the history of the CBA and the journey of Chinese Canadian in NW, potentially in collaboration with NW Museum/ Archives and local cultural organizations; The adjacent amenity space can also be part of the education program;
- Food is an important topic to bring back the memory and authenticity, and to tie the community together, for instance, making steamed buns together;
- The park should provide spaces for people to cook, eat and gather;
- The park design should provide various play opportunities for children;

APRIL, 2018

MEETING WITH CITY COMMITTEES: RECEIVING FEEDBACK ON THE PREFERRED DESIGN

- The Parks and Recreation Committee
- The Accessibility Committee
- The Downtown Residents Association
- The Public Art Advisory Committee
- The Multiculturalism Advisory Committee

This is what we heard:

- Making sure the park tells the story of the site in a meaningful way;
- Making the space as inclusive as possible;
- Designing a safe and comfortable place;
- Connecting the park into the urban fabric as a key pedestrian route;
- Public Washrooms should be included within the community amenity space;
- Screens at the egress points need to draw people in, the park must feel very public and inviting;
- Rainwater activated water feature is a great idea;

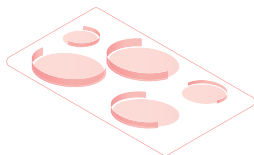
- Symbolism is very important- the elements discussed are symbolic and representative of Chinese Culture;
- The history of Chinese community is not all rosy, there was discrimination and xenophobia. Be thoughtful and honest in the telling the story. Education includes the good, the bad and the ugly;
- Public art wall should be integrated into the site design to help tell the story;
- Consider closing the space to the public at 10pm to keep noise levels down for residents
- Consider engaging multiple artists that work with various mediums
- Using the amenity space as a community asset which also helps to activate the park

8 WHAT WE THINK

PHYSICAL DESIGN PRINCIPLES

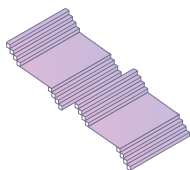
MAKE THE SPACE FEEL LARGER

- Create **smaller, distinct** outdoor rooms;
- Provide a **hierarchy** of spaces;
- **Sequence** the experience of outdoor rooms;
- Design the park to **reveal views** as the one **moves through** the park.



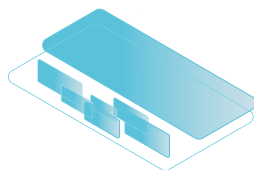
MAXIMIZE USE OF SPACE

- Design steps to **double** as inhabitable space (i.e. seating);
- Create a **large central space** that is flexible and adaptable for everyday use as well as events.



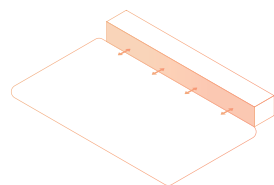
DEFINE THE SPACE

- Implement **vertical screens** (visually permeable structures) as a design feature to screen or reveal views and to create an inward focus;
- Use overhead lighting and/ or trees to create a **"ceiling"** and help define outdoor rooms.



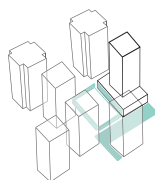
CREATE A STRONG INDOOR/ OUTDOOR CONNECTION

- Create a **strong indoor/ outdoor relationship** between the park and public community building.



REACH OUT TO THE SURROUNDING PUBLIC REALM

- **Activate** the surrounding existing and proposed **walls** adjacent to the site, to feel as part of the park.



CONCEPTUAL DESIGN PRINCIPLES

TELL THE STORY OF THE SITE

- Creatively **integrate text and images** to tell the story of the **sites history** as the location of the CBA meeting hall, and its importance to the Chinese community in New Westminster;
- Reference this history through the design itself using **principles of Chinese garden design and culture**.



MAKE THE STORY UNIVERSAL

- Integrate elements that are **multi-cultural** in significance;
- Employ **metaphor** to connect the site's history to the universal struggles of discrimination and reconciliation;



CREATE A RICH 'SENSE OF PLACE'

- Use **tangible** and **high quality** materials and **plantings** which have **subtle references** to the site's cultural history;
- Develop **memorable features** to distinguish the park from any other parks in the city.



MAKE THE SITE ACCESSIBLE TO ALL

- Use the **interior access** through the public amenity building **elevator** to make the central space of the park **accessible**;
- Create an accessible route from **Victoria Street** to the central space of the park.



DESIGN THE PARK SO THAT IT CAN BE BOTH 'OPEN' OR 'CLOSED'

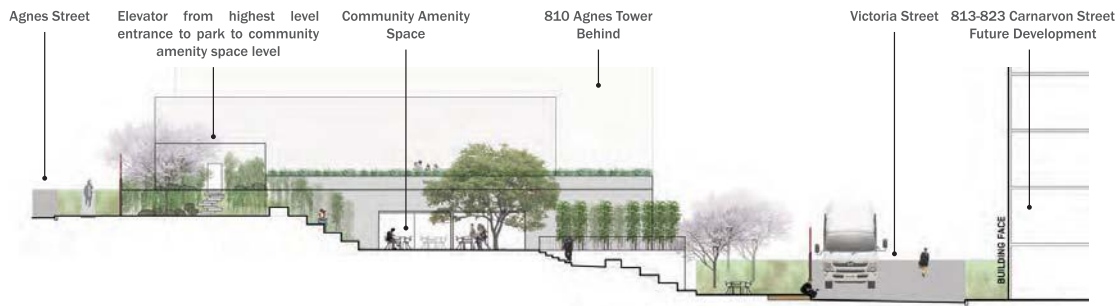
- Use specially designed **screens** (usually permeable walls/edges) and **gates** to open and close access points;
- The park should emphasize **permeability** and **openness** to allow for **various pass-through** routes for neighbors;
- The park should **be able to be closed** for events or at night time, as needed.



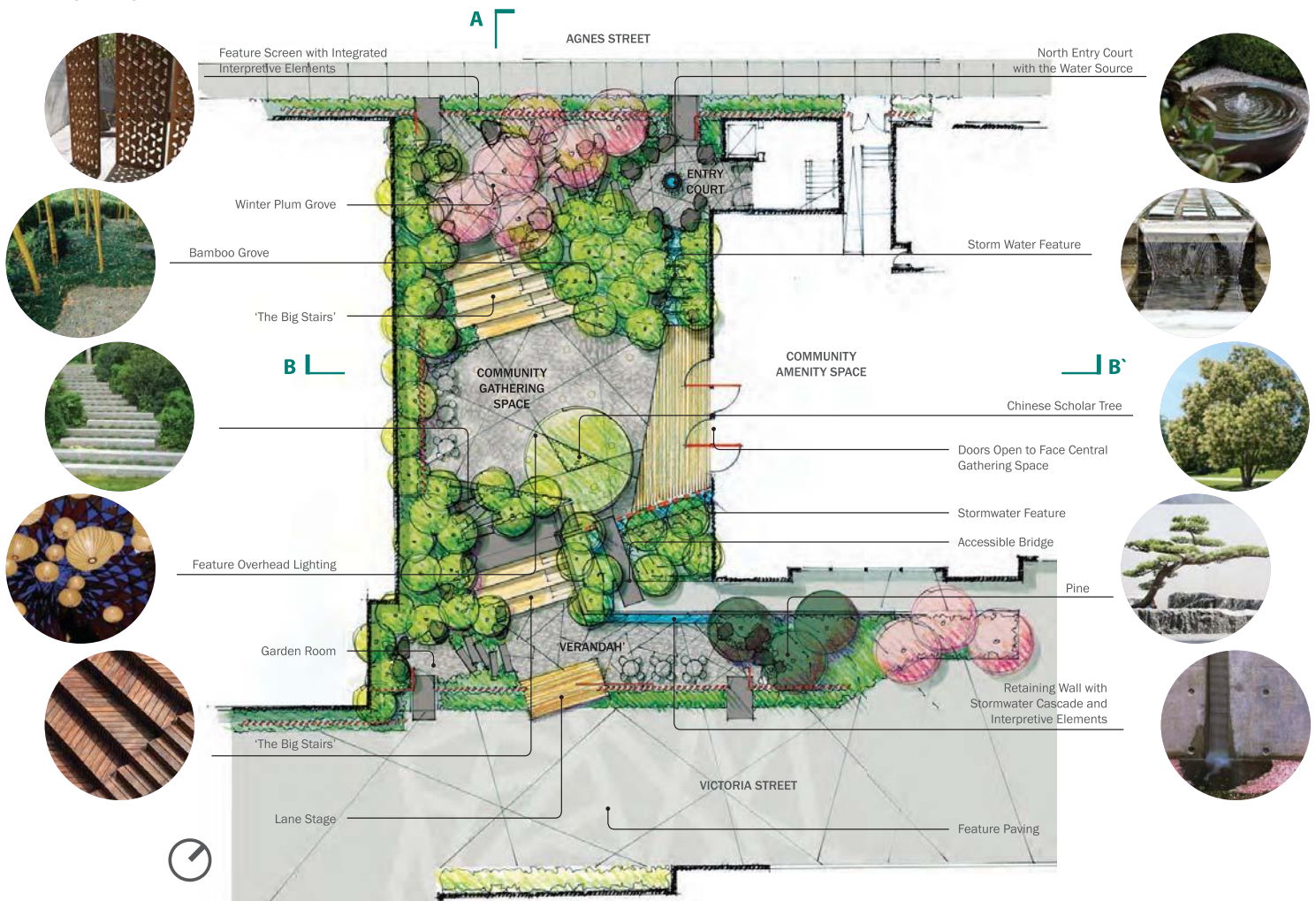
9

PREFERRED PLAN

SECTION A-A' (1:100)



PLAN (1:100)

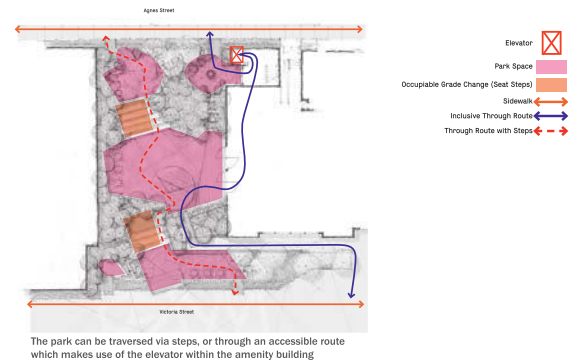
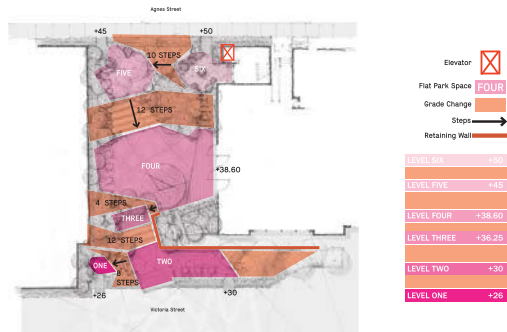


SECTION B-B' (1:100)



10 PREFERRED PLAN

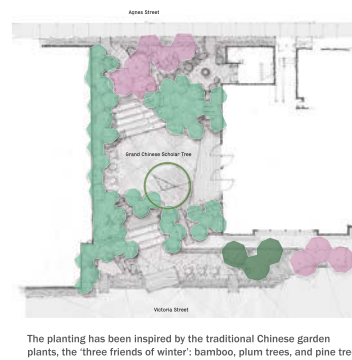
GRADING



SCREENS



WATER & PLANTING



ACTIVITIES

These six diagrams show possible activities which could happen in the park.



36" Dia. Table

11 TELL THE STORY



Bamboo is viewed as a symbol of traditional Chinese values. It is an example of the harmony between nature and human beings.



You are looking here

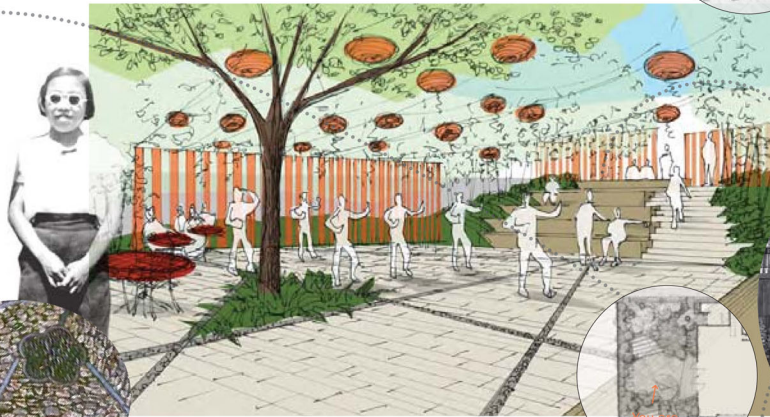
The (Chinese Centre) used to be for special Chinese commemorative occasions. That's where the elder Chinese people would go and give speeches about whatever the occasion (was), and when we were little we used to go to these. They were boring as heck, but we used to go because the food was good! **The food was so good!** Charlie Wing - we used to call him Charlie Wing Bahk - owned a restaurant called the Chung King. He made the best sandwiches! Cha-siu sandwiches. They were so good.
Barbara Tuai



Fannie Lee remembers that in the early 1900s, the CBA was a meeting place where men could gather and discuss the various issues of the day. Later, during the 1940s, it opened up, becoming a social spot where men and women both could meet and share their ideas and stories.

Yi Fao: Speaking Through Memory

It was a good place (the CBA). It was wood. It was warm. It was a place you sat down; once you settled down you did respect (it). **You had respect in there.** There were pictures on the wall of senior gentlemen and Chiang Kai-shek. Along the walls there were also Chinese works of art, imaged tapestries and different things like that. I'm sure it was dirt (floor) downstairs. Barbara Tuai



You are looking here

The CBA building played a large role in the biannual ancestor worship ritual, whereby families went to the cemetery to offer gifts and prayers to the dead. Those who took part in the ceremonies came back to the building to enjoy a feast.
Yi Fao: Speaking Through Memory



Water is an indispensable element in traditional Chinese Garden. It symbolizes nourishing, pure and the feminine principle of the universe (yin 阴)



You are looking here

I remember I used to go down there (to the CBA). Apparently, we have an old picture of it somewhere. All the Chinese people were **standing on the big stairs going up to the top.** They took a photo of all of us. everybody was in there, all of my family, all my brothers, all the other people. **I remember the smell of it, old and musty... but it was a good smell.** It's a smell I recognize in certain places in Chinatown if I go there.
Joshua Chu

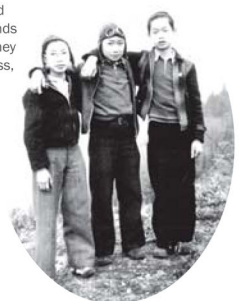


Sweet peas were planted at either side of the Big Stairs. The sign post welcomes and brings good wishes.

For those who lived in Chinatown, it was a place of community, where people banded together to support one another in the new country they had adopted. It was a place of familiar sounds and smells, where the Chinese felt at home.
Yi Fao: Speaking Through Memory



Ancient Chinese people designated the pine, bamboo and plum as the "three friends in winter (岁寒三友)". They symbolize steadfastness, perseverance, and resilience.



The Chinese Benevolent Association provided a safe haven in the face of racism, ignorance and mistreatment ... The building on Victoria Street was used not only as a hospital, but also as a community meeting room, a place for ceremonial events, housing and the Chinese school. More importantly, it was a place that united the Chinese community.
Yi Fao: Speaking Through Memory



You are looking here

12 NEXT STEPS

Thank you for attending this Open House and providing your feedback on the preferred design concept!

After this open house, city staff will continue to work with the consultant team to engage with the various stakeholder groups, and solicit input from city committees where applicable, throughout the design development phase. Staff are currently developing a call for artists, to choose an artist collaborator to help integrate the history of the site into the park design. Working with an artist(s) and the stakeholder groups to further develop the details and materials of the design, will ensure that the history of the site is told in a meaningful, respectful and universal way.

感谢您今天来到我们的公众开放活动。我们真诚地希望听到您对公园设计的想法。请您在以下留下您的意见和建议！

在这次公众开放活动之后，市府工作人员和设计团队会继续向公众征求反馈来完善公园的设计。市府工作人员还计划在将来开展艺术家征集活动，以求和艺术家（们）合作来完善对于场地历史的展现。我们将尽全力和艺术家（们）合作以确保我们以一种具有意义的，充满敬意的，被大众广泛接受的方式展现这个重要场地的历史故事。



Attachment 2:

Open House 1 and 2

Summary of Survey Results

824 AGNES STREET PARK DESIGN

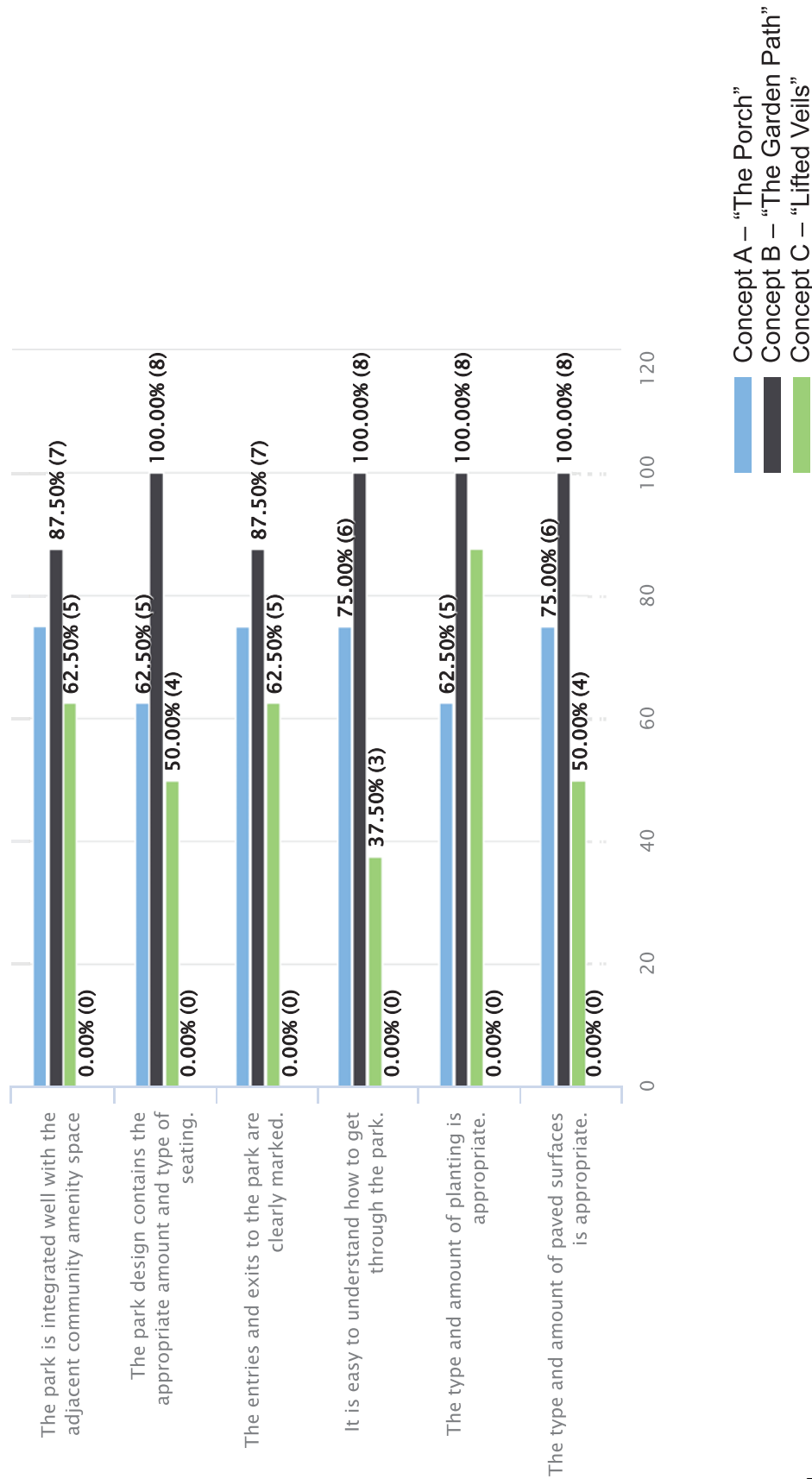
PHASE 1&2 CONSULTATION

Online Survey Report

AUGUST, 2018

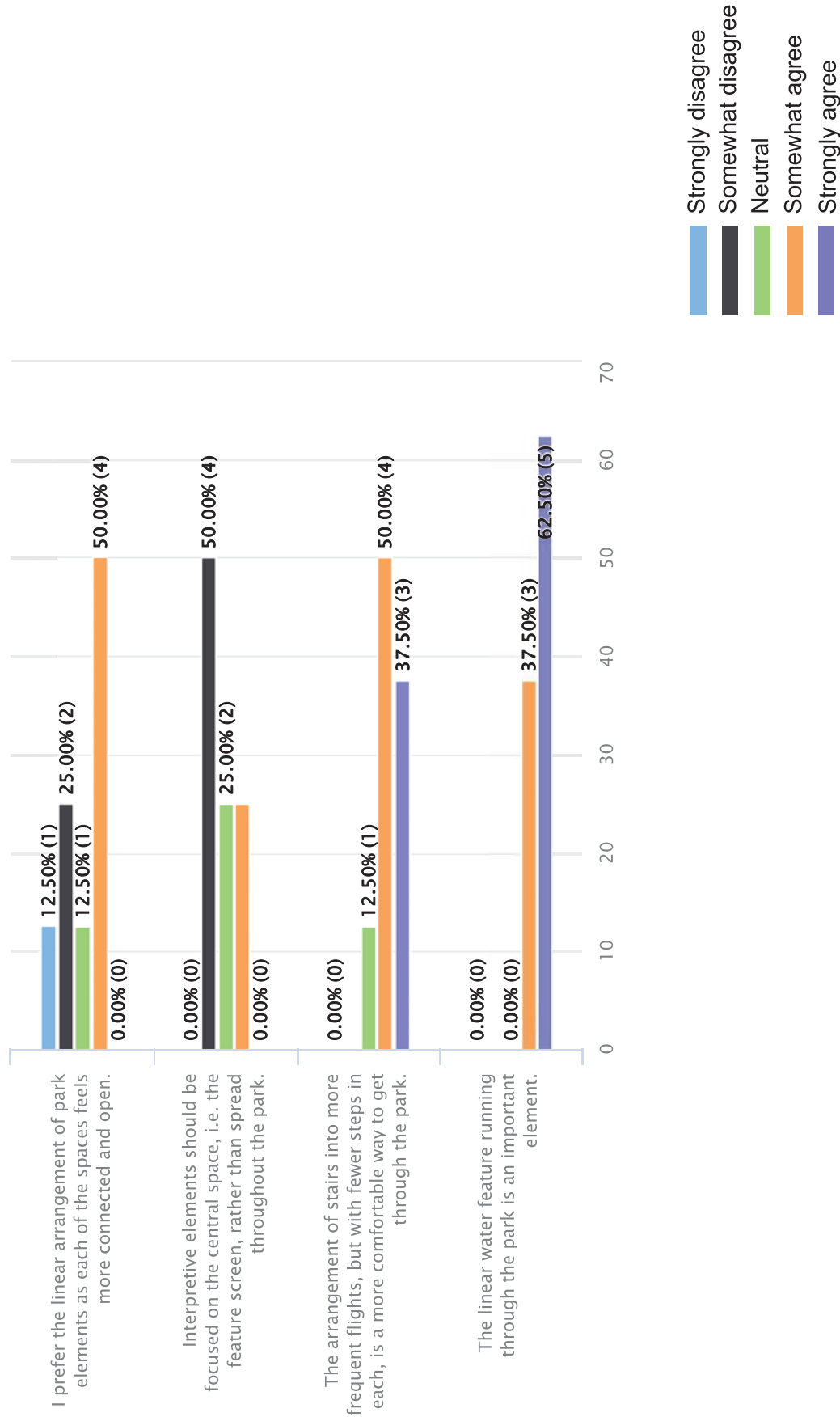
Online Survey #1

1) Using the Park Concept Plans found here (Board #11-13), please select indicate which plans match the following statements. Select all that apply: [8 Respondents](#)

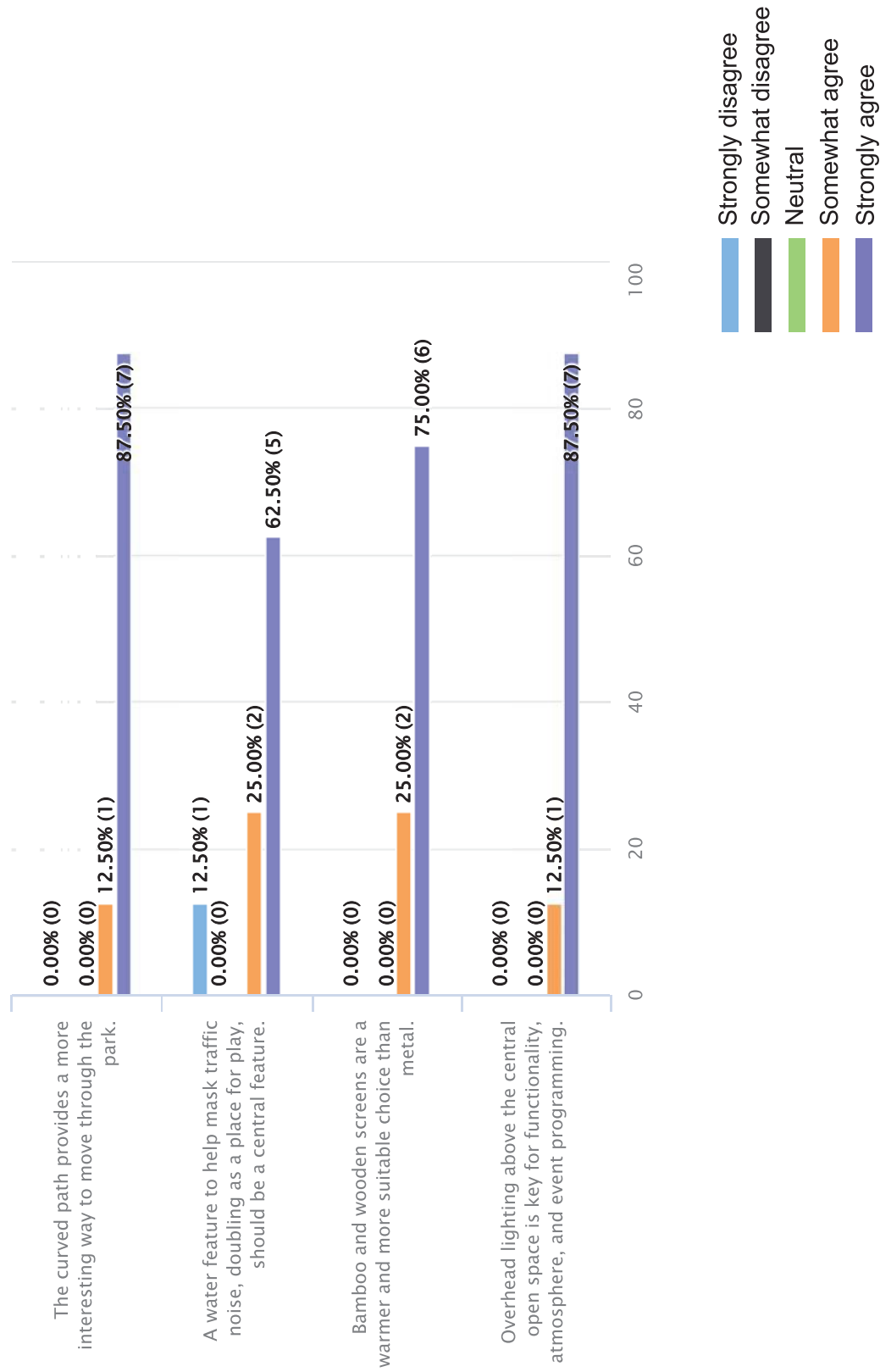


2) How much do you agree or disagree with the following for Concept A - “The Porch”?

8 Respondents

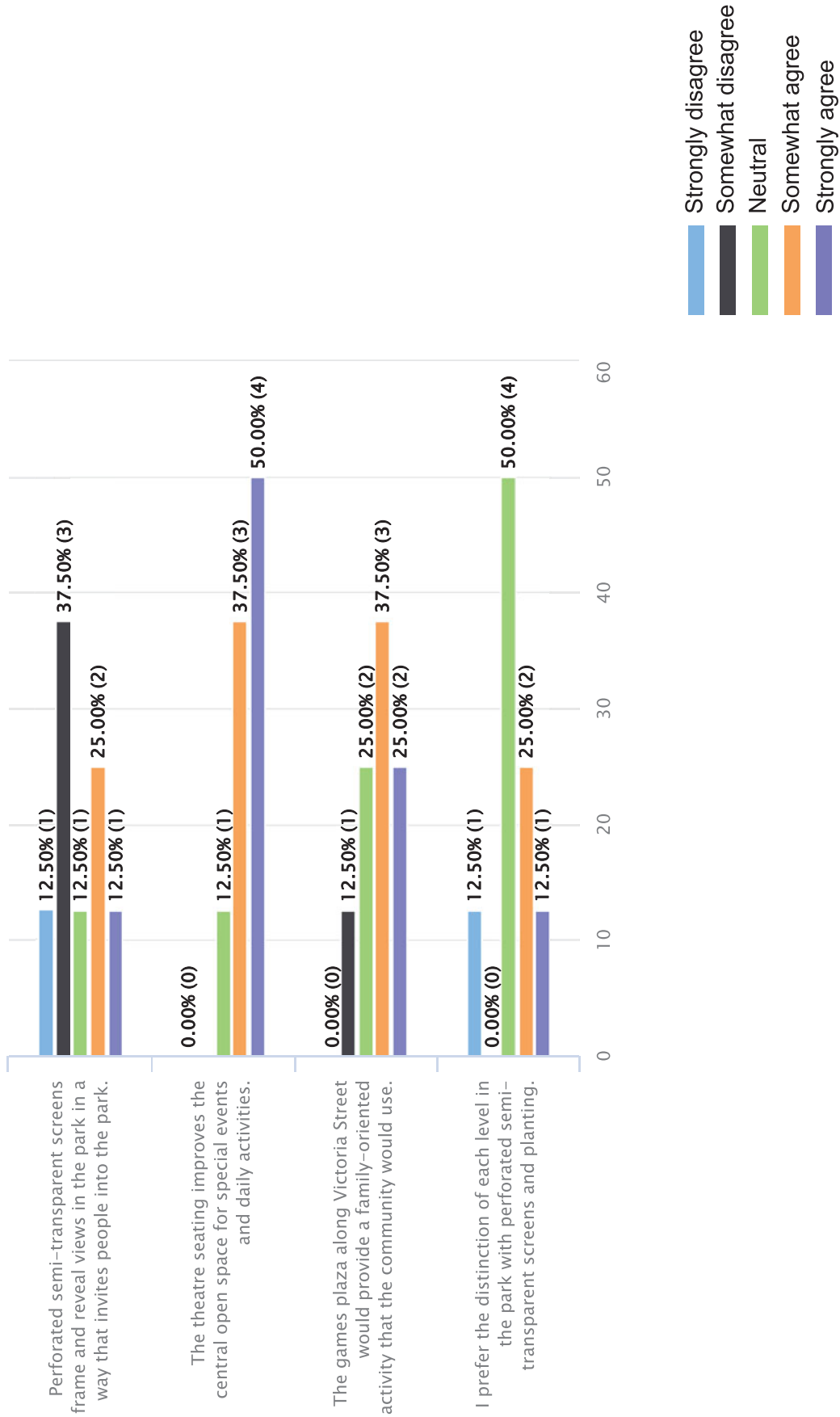


3) How much do you agree or disagree with the following for Concept B - “The Garden Path”? **8 Respondents**



4) How much do you agree or disagree with the following for Concept C - “Lifted Veils”?

8 Respondents



5) Please describe what you like most about the various park designs: *5 Respondents*

- Water feature, bamboo, screens with interpretive elements, central gathering place
- The Graden Path design gives a feeling of relaxation and serenity compared to the other designs - the central water feature and a separate section of "tea room" stands out to me - the longer community table compared to the Porch design is also stands out ; in general the Garden Path feels more open and circular and integrates the entrance to the community centre better compared to the other designs
- Good flows through the area
- Remoteness + Seclusion from city
- They all seem very tranquil. They remind me of the Dr. Sun Yat-Sen Classical Chinese Garden in Vancouver

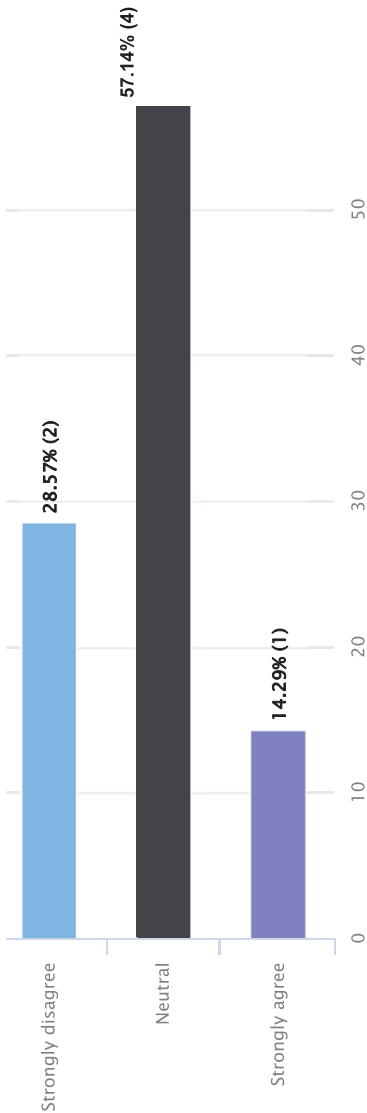
6) Please describe what do you like the least about the various park: *3 Respondents*

- Still a lots of stairs to counter the elevation
- Not big enough. expand lot size by limiting vehicle traffic and giving to park or pedestrian
- I'm concerned that the space might be too "busy" if you implement all the ideas shown in the presentation

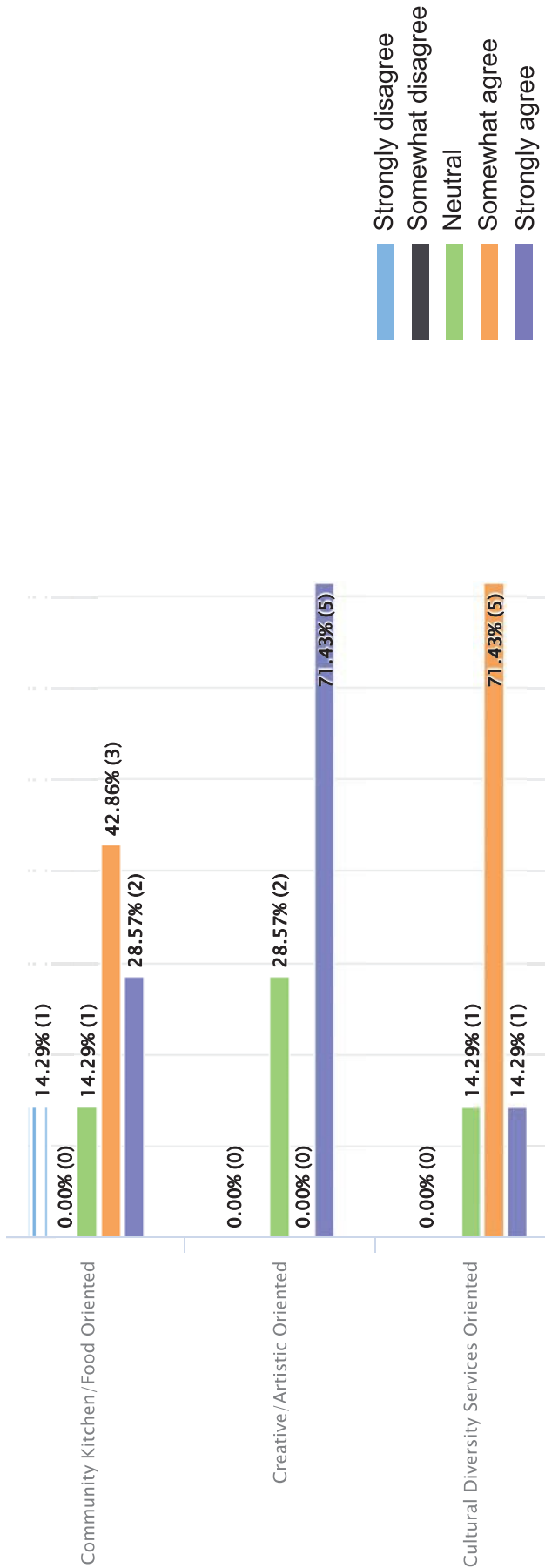
7) Please share any additional comments you have on the park designs: *2 Respondents*

- Please consider lighting and space and how they relate to feeling of security, would be a shame for such a nice area/design to be underutilized because people don't feel safe.
- The Garden Path is my favorite

8) An elevator is important for accessibility to the amenity building and central park space and as a way to get between Agnes Street and Victoria Street. [7 Respondents](#)



9) As part of the redevelopment of 824 Agnes Street beside the park, a new community amenity space will be built adjacent to and fronting onto the park, approximately 4,000ft². The following questions address this space, as shown on Board #3. Do you support the use of the space as: [7 Respondents](#)

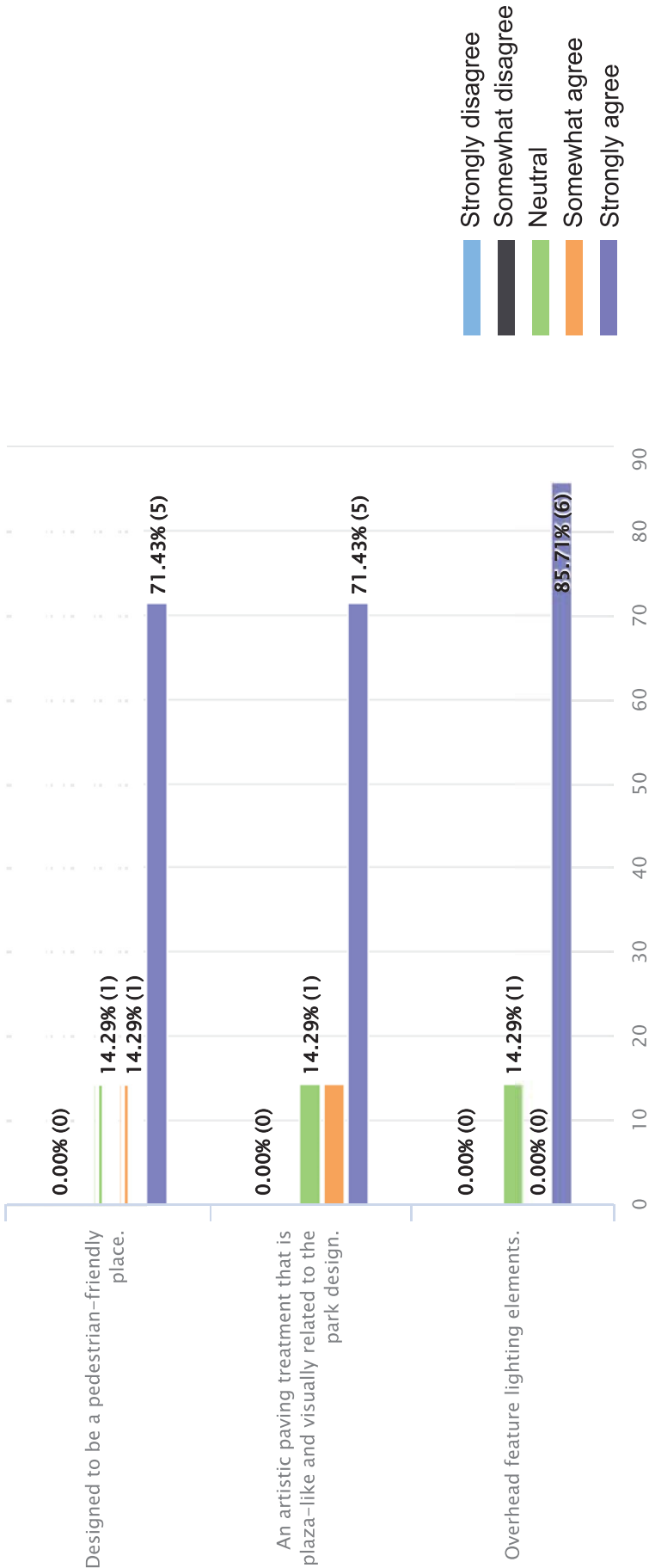


10) Please tell us if there are any other uses you would like to see in this space?

5 Respondents

- Day care, gym
- Recreational programs geared towards families/young children.
- Noon hour concerts available
- A recreation area for youths
- N/A

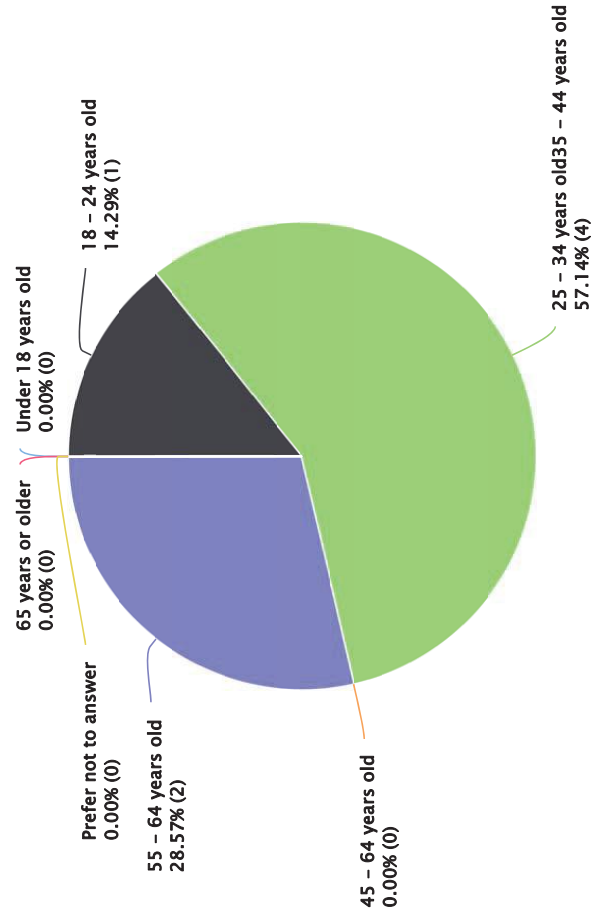
11) As part of the development of the park and surrounding towers, Victoria Street will be redesigned as a traffic-calmed street that balances the functions of a lane street space shared by cars and pedestrians. Do you support the following treatments for Victoria Street: 7 Respondents



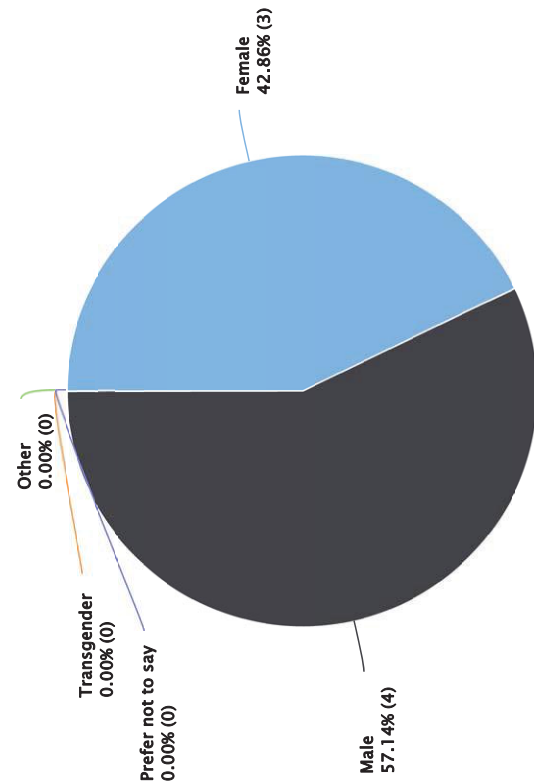
12) Are there any other features you would like to see in this space? *7 Respondents*

- Koi would be awesome

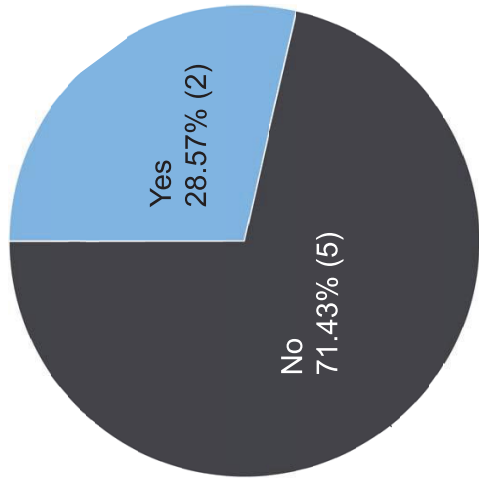
13) What is your age? *7 Respondents*



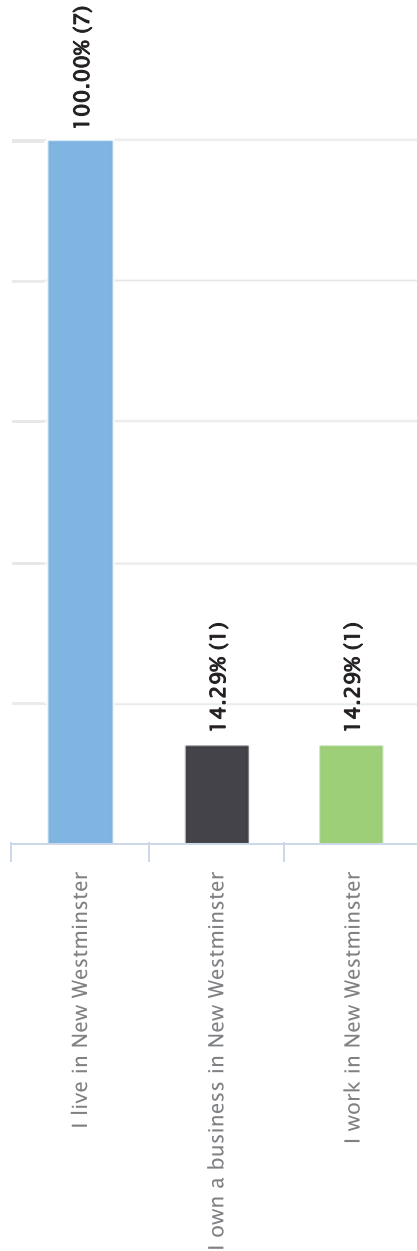
14) Do you primarily identify as: *7 Respondents*



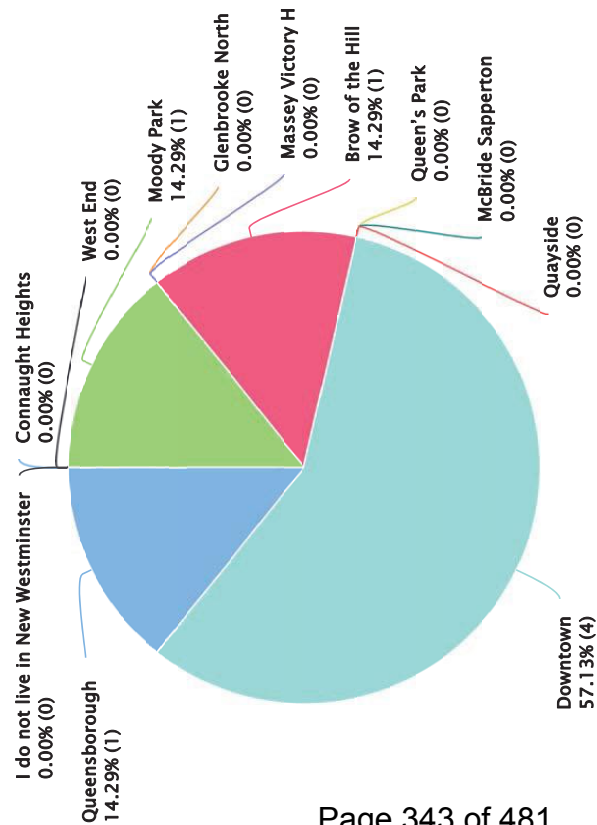
15) Are you a parent or guardian?
7 Respondents



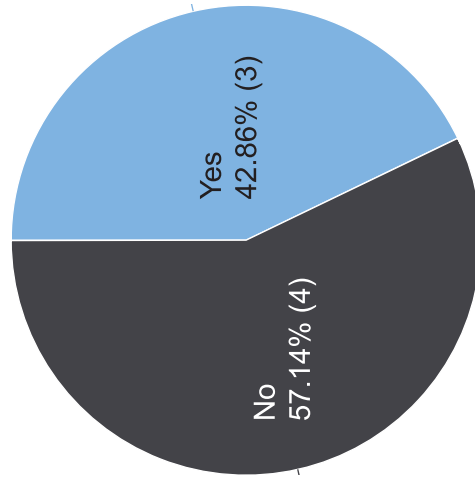
16) Which of the following describes you
(select all that apply):
7 Respondents



17) In which neighbourhood in
New Westminster do you live?
7 Respondents

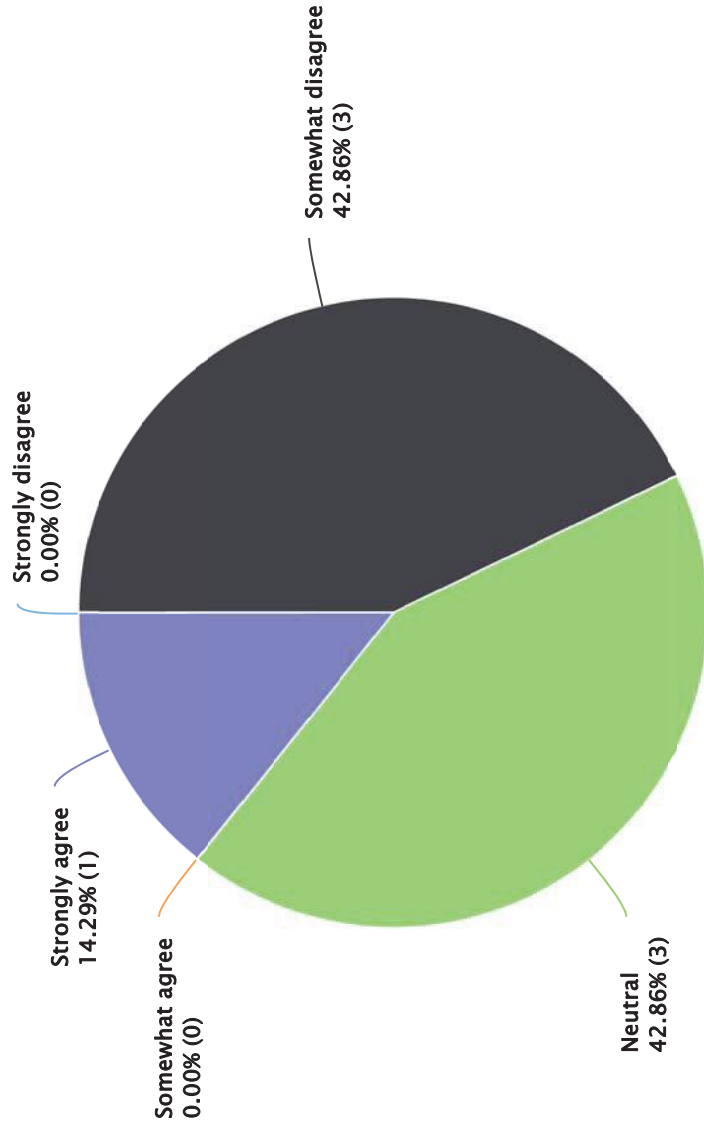


18) Do you identify as part of the Chinese Canadian
Community?
7 Respondents



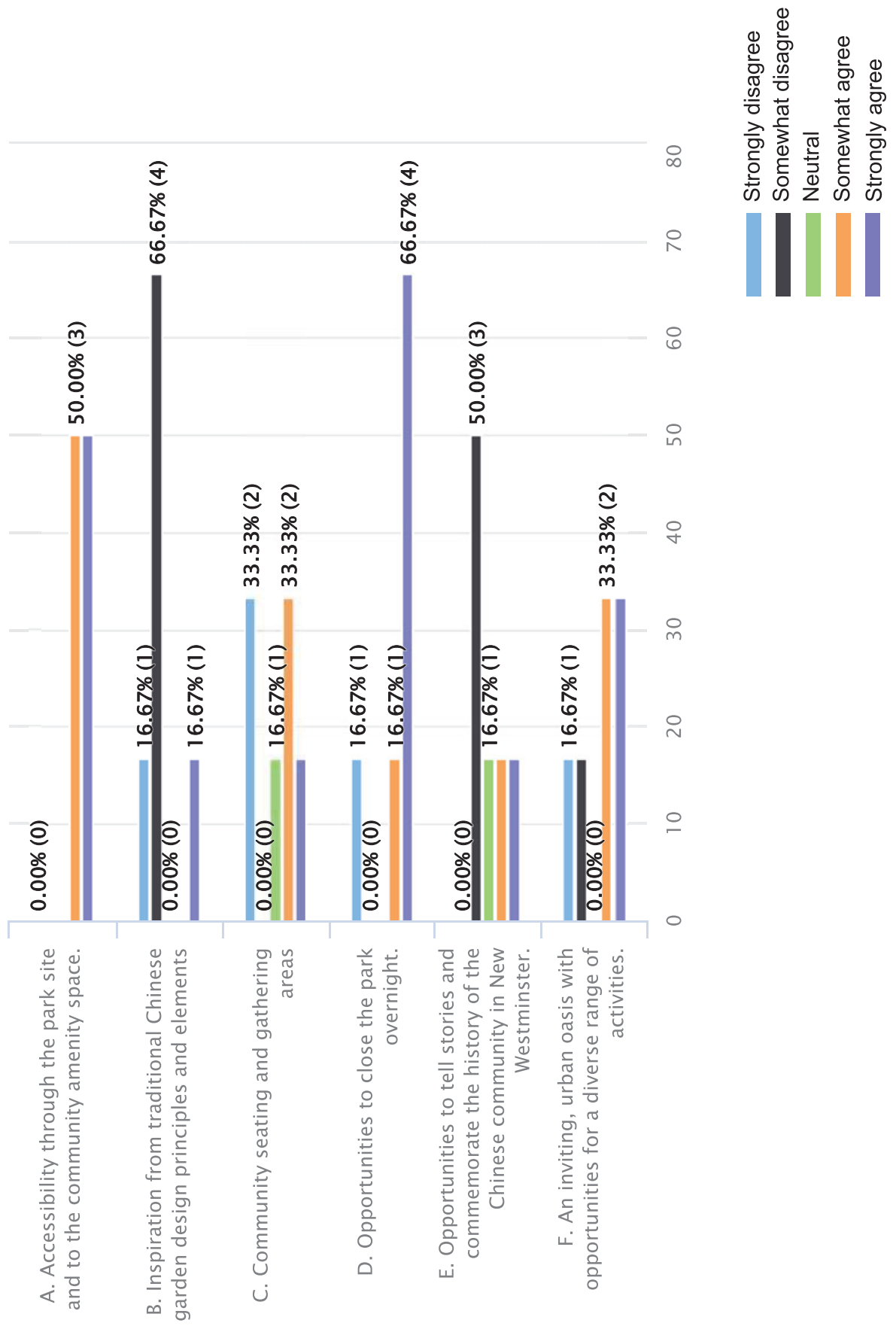
Online Survey # 2

1) Does the Preferred Design reflect the input provided by the various stakeholders and the input from Open House #1? (See board #8 titled “What We Heard” for a summary of our work with the community) [7 Respondents](#)



2) Please rate how well the preferred option for the park provides the following:

6 Respondents



3) What is working well? Please identify the best features of the Preferred Design:

4 Respondents

- It would definitely be better than what we have now for sure. The spiral stairs will work well.
- The plants (winter plum, bamboo grove and pine) -feature screen with interpretive elements.
- The traditional Chinese approach to landscaping. the is fantastic and love the pine tree, the waterfall and plum tree ideas.
- The screens, stairs, seating etc.
- Plant selection

4) What isn't working so well? Please identify how the Preferred Design might be improved: 5 Respondents

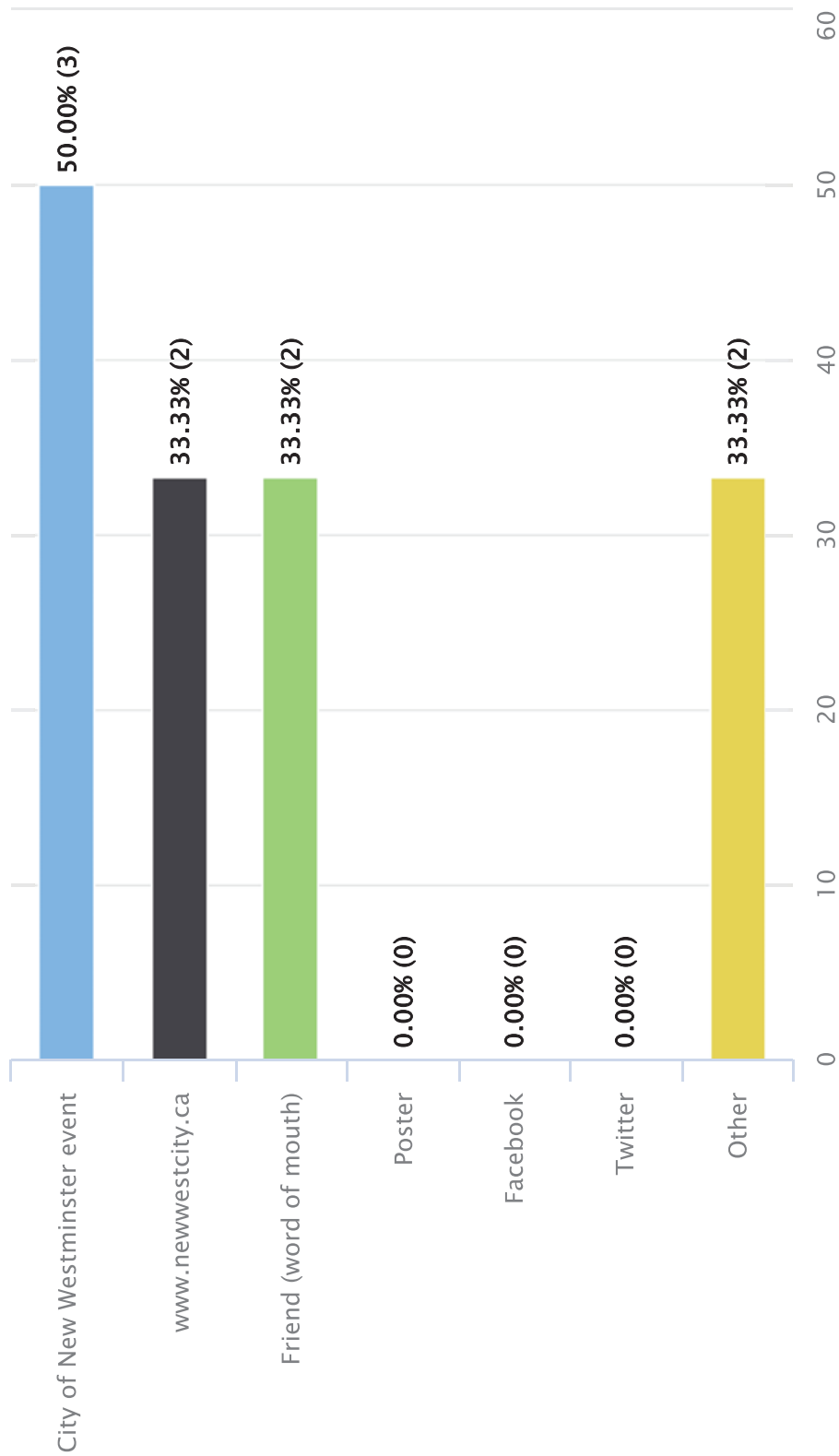
- The residential tall building might not work well. We would like to imagine the center to be flat (like central park in NY). We've always seen New Westminster as heritage-y, brick-ey and old school. It might not be bad to retain that look, having a touch of Chinese community as accents that tell stories. Maintaining the "character" we have would be awesome.
- The water feature - the meaning of the water is to convey a sense of flow and continuity, therefore it should be a continuous stream running through the park from top to bottom; right now the water is being broken in multiple places and starts/stops again, which runs counter to ideal feng shui. -in classical Chinese gardens, the use of stone and marble for walls, bridges, barriers is well established. Therefore, features such as the "Big Stairs" should be stone, not wood.
- Storm water feature should run along the other side of the park, not cut through entrance community amenity.
- Be careful on making it too multicultural. This should be as beautiful as the Dr. Sun Yat Sen Gardens. This can be a real attraction.
- Chinese elements in design.

5) Please share any additional comments here: 3 Respondents

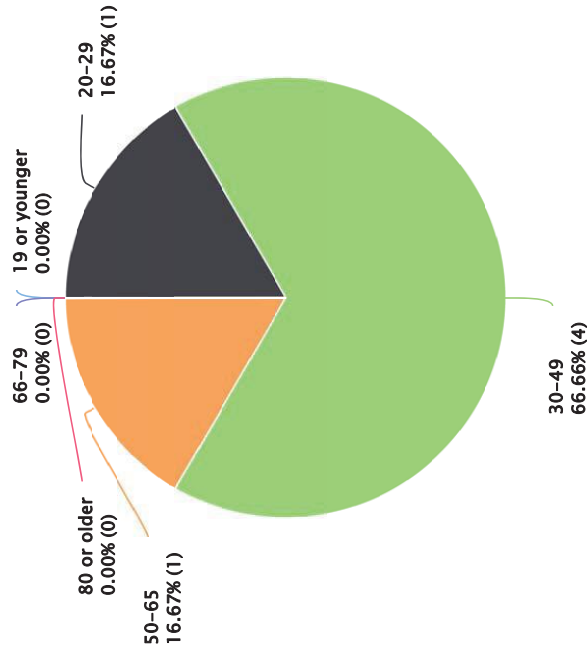
- Good to hear that there are plans to improve the site. We really hope it will come to fruition. More power and god bless!
- Given the location of the park (between various high rises), please ensure that lighting, whether natural or artificial, is emphasized in the design of the park. This will also greatly impact how safe people feel in the park. Plant selection I would like public amenity part of the new building to be part of it. Maybe night market idea. lots of Asian food choices, crafts,etc. make space for small kitchen facilities in the building next door. lots of food choices.

6) How did you hear about this Open House? Select all that apply

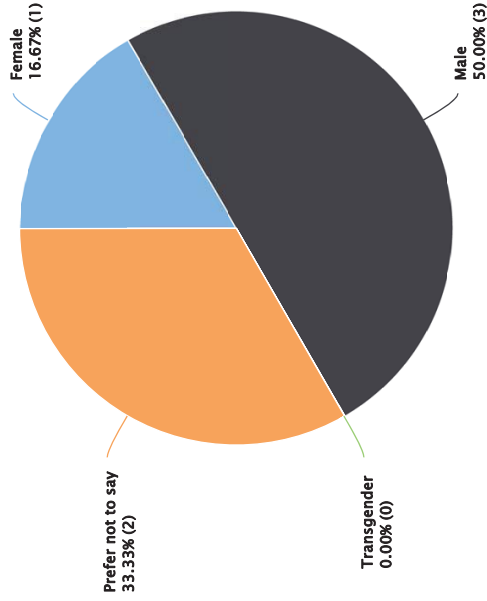
6 Respondents



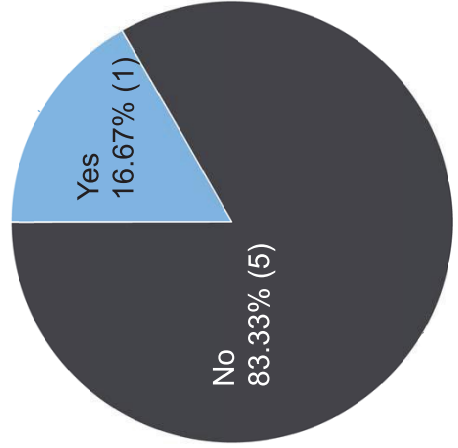
7) How old are you? 6 Respondents



8) Do you primarily identify as: 6 Respondents



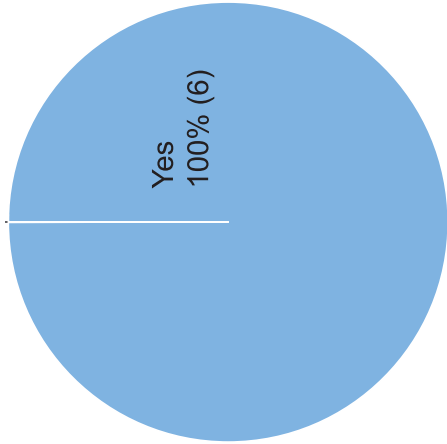
9) Are you a parent or guardian? 6 Respondents



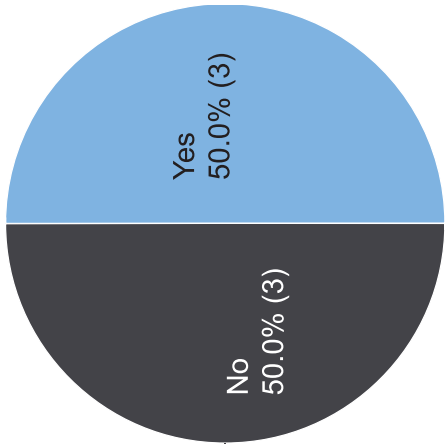
10) If yes, what are the ages of your children? Select all that apply 1 Respondents



11) Are you a resident of Downtown New Westminster? [6 Respondents](#)



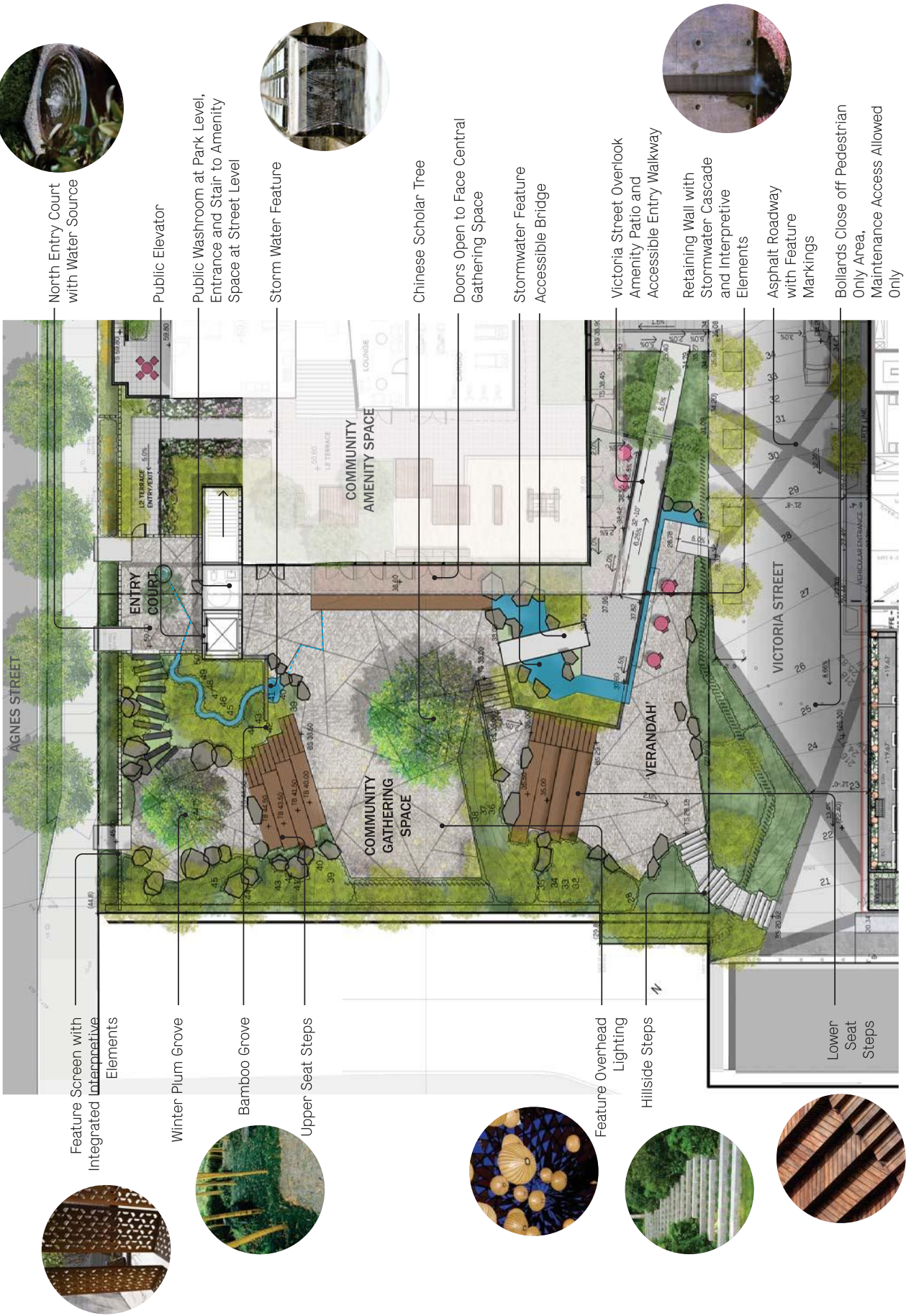
12) Do you identify as part of the Chinese Canadian Community? [6 Respondents](#)





Attachment 3: Preferred Design Concept

REVISED PREFERRED DESIGN OPTION



Attachment #2

Policy and Regulation Context

Attachment 2: Policy and Regulation Context

Downtown Community Plan Land Use Designation

Mixed Use High Density: The Downtown Community Plan notes the following details regarding the Mixed Use High Density Designation:

- mixed-use (commercial and/or residential) throughout Downtown, outside of Columbia Street Historic Mixed-Use;
- retail, office, service or residential uses;
- any combination of the above (can be one use or multiple uses)
- Commercial development is required only in areas identified in the Downtown Community Plan and only at street level.

The form of the proposed development is generally consistent with the Mixed Use High Density Land Use Designation in the Downtown Community Plan.

Development Permit Area

The site is within the #1 Downtown Development and Special Development Permit Area. The Development Permit Area seeks to support the Downtown's Regional Town Centre designation in the Regional Growth Strategy. This Development Permit Area outlines objectives and guidelines for:

- The form and character of commercial, multifamily, institutional and intensive residential development.
- Protection of the natural environment, its ecosystems and biological diversity.
- Revitalization of an area in which a commercial use is permitted.
- Objectives to promote energy and water conservation and reduction of greenhouse gas emissions.

A Special Development Permit (SDP) is required before doing any work which would result in development or alteration to the lands or exterior of buildings on the lands within this portion of the Downtown. SDPs function similar to a regular Development Permit, but under the New Westminster Redevelopment Act, the City was given special authority to regulate urban redevelopment within this area. SDPs can be issued by the Director of Development Services.

Secure Market Rental Housing Policy

The variety of strategies and actions outlined in the Secured Market Rental Housing policy are aimed at retaining, renewing and enhancing the supply of secured rental housing. The provision of secured market rental housing through this application supports the objectives of the Secured Market Rental Housing Policy.

The policy exempts projects which provided secured market rental housing from provision of Voluntary Amenity Contributions.

Inclusionary Housing Policy

The purpose of the Inclusionary Housing Policy is to help meet the City's affordable rental housing needs by securing built below market and non-market rental units in new multi-unit strata residential and mixed use residential developments seeking additional density.

Projects which include 100% of units as secure market rental housing are exempt from the policy.

Downtown Building and Public Realm Design Guidelines and Master Plan

The Downtown Building and Public Realm Design Guidelines and Master Plan provides guidance in achieving a high quality, cohesive Downtown that honours the historical and cultural context of New Westminster. This document serves as a toolkit to inform public realm improvements both on and off-site within the Downtown area.

The subject site is located within the Tower Precinct in the Downtown Building and Public Realm Design Guidelines. This area is described as follows within the guidelines:

The Tower Precinct will continue to develop as a highly urbanized component of New Westminster's Downtown with the SkyTrain Station at its core. Serving as a regional destination, it is anchored by existing and developing education and commercial destinations, including Douglas College, Plaza 88 and the retail mall at the foot of Royal Ave. It is anticipated that the area will accommodate a significant share of Downtown's residential and commercial growth.

Zoning Bylaw

The subject properties are currently zoned Multiple Unit Residential Districts (High Density) (RM-6). This zoning district allows a base residential density of 2.5 FSR and a maximum height of 21.34 metres (70 feet).

Density Bonus Phase 2

In 2014, Council adopted amendments to the Zoning Bylaw which implemented Density Bonus Phase 2, as well as the Density Bonus Phase 2 Policy, which covers high density development in Downtown.

The subject sites are located in Downtown and are included within the Program and Policy based on their current Downtown Community Plan designation. The Policy would support a rezoning of this site to RM-6(DB) which would allow the subject sites a maximum residential FSR of 5.2 and a maximum height of 73.15 metres (240 feet) – about 24 storeys - in exchange for bonus density amounts set out in the Zoning Bylaw.

The proposed application exceeds the maximum height and FSR under this policy and proposes an FSR of 8.78 and 32 storeys.

Where an application exceeds the height and density anticipated, the policy allows Council discretion where unique and exceptional circumstances warrant additional density.

Family Friendly Housing Bylaw and Design Guidelines

The Family Friendly Housing Policy provides requirements for the mix of units with two and three bedrooms as well as guidelines that ensure units are usable by families. Market condominium developments are required to provide 10% three bedroom units and 30% two and three bedroom units. The proposal includes twenty-five (11%) three bedroom units and 97 (44%) two and three bedroom units.

Attachment #3

Site and Character Context

Attachment 3: Site and Character Context

Site Characteristics and Context

The subject sites are located in the Downtown neighbourhood and are adjacent to Agnes, Victoria and Blackie Streets. The subject sites are located 75 metres (246 feet) from the New Westminster SkyTrain Station. The sites slope steeply from the high point at the north-east corner of the site (corner of Agnes and Blackie Streets) to the low point of the site at the south-west corner. The grade change is 13.81 metres (45.32 feet) from the high to low point. These sites are currently used for a variety of light industrial and service commercial type uses including automobile service and repair.

To the north of the site are two residential high-rise towers which are 15 storeys and 49 metres (160 feet) in height; to the west of the site is the City owned site (824 Agnes Street) which is currently occupied by a temporary off-leash dog area and three towers two of which are 16 storeys and one of which is 14 storeys and with an average height of 47 metres (154 feet). To the west is Blackie Street which has a width of 10.06 metres (33 feet). Across Blackie Street are several lots which are zoned and designated in the Downtown Community Plan for high density mixed use development.

To the south of the site is Victoria Street, which has a dedicated width of 10.06 metres (33 feet). Victoria Street is designated as a laneway/narrow street in the Downtown Community Plan. Across Victoria Street to the south, is a development site addressed as 813 Carnarvon Street. Construction is currently underway on this site of a 32 storey residential building with a height of 92 metres (302 feet) as well as a eight storey residential building which would include non-market housing units. This proposal would have a total of 204 market residential units, 66 secured non-market residential units and a FSR of 8.53.

Proximity to Transit

Transit Facility	Frequency	Distance
Skytrain Station		75 metres (246 feet)
Frequent Transit Network		75 metres (246 feet)

The subject site is located 75 metres from the New Westminster SkyTrain Station.

Attachment #4

Applicant Submission Materials



ENTRY PLAZA



BIKE LOBBY
(BLACKIE / VICTORIA)



- NOTES
- A

FUTURE PARK

B

PUBLIC ELEVATOR

C

PRIVATE OUTDOOR AMENITY

D

LOADING

E

BIKE LOBBY

F

PARKING ENTRY

G

PUBLIC INDOOR AMENITY

H

PRIVATE AMENITY

I

RESIDENTIAL LOBBY

J

PUBLIC AMENITY LOBBY

K

STREET LEVEL TOWNHOMES



LOWER PARK ENTRANCE

CLIENT

Brookfield Properties

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NO.	DATE	ISSUES	DESCRIPTION

NO.	DATE	APPR	REVISIONS

SEAL	DESCRIPTION

SUB-CONSULTANT

PROJECT CONSULTANT

IBI

IBI GROUP
ARCHITECTS (CANADA) INC.
700 - 1285 West Pender Street
Vancouver BC V6E 4B1 Canada
tel 604 683 6797 fax 604 683 0492
ibigroup.com

PROJECT TITLE

810 AGNES ST

PROJECT NO:

DRAWN BY:

CHK'D BY:

SCALE:

DATE: 2022-03-11

SHEET TITLE

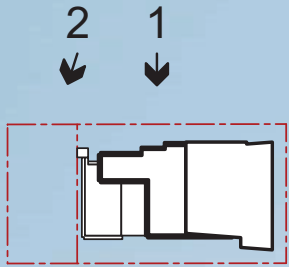
RENDERINGS

SHEET NUMBER	REV
A4 05	

Page 359 of 481



- NOTES**
- A** FUTURE PARK
 - B** PUBLIC ELEVATOR
 - C** PRIVATE OUTDOOR AMENITY
 - D** LOADING
 - E** BIKE LOBBY
 - F** PARKING ENTRY
 - G** PUBLIC INDOOR AMENITY
 - H** PRIVATE AMENITY
 - I** RESIDENTIAL LOBBY
 - J** PUBLIC AMENITY LOBBY
 - K** STREET LEVEL TOWNHOMES



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REVISIONS			
SEAL		DESCRIPTION	



NOTES

- A** FUTURE PARK

B PUBLIC ELEVATOR

C PRIVATE OUTDOOR AMENITY

D LOADING

E BIKE LOBBY

F PARKING ENTRY
- G** PUBLIC INDOOR AMENITY

H PRIVATE AMENITY

I RESIDENTIAL LOBBY

J PUBLIC AMENITY LOBBY

K STREET LEVEL TOWNHOMES



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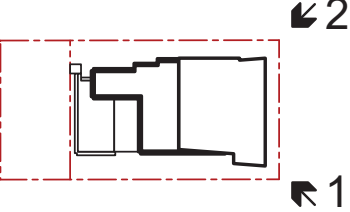
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REVISIONS		
SEAL		DESCRIPTION
SUB-CONSULTANT		
PROJECT CONSULTANT		<div><div>IBI GROUP ARCHITECTS (CANADA) INC.</div><div>700 – 1285 West Pender Street</div><div>Vancouver BC V6E 4B1 Canada</div><div>tel 604 683 6797 fax 604 683 0492</div><div>ibigroup.com</div></div>
PROJECT TITLE		810 AGNES ST
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DATE:		2022-03-11
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PROJECT TITLE

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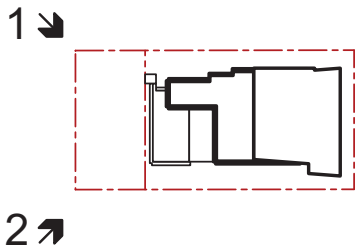
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| A FUTURE PARK | G PUBLIC INDOOR AMENITY |
| B PUBLIC ELEVATOR | H PRIVATE AMENITY |
| C PRIVATE OUTDOOR AMENITY | I RESIDENTIAL LOBBY |
| D LOADING | J PUBLIC AMENITY LOBBY |
| E BIKE LOBBY | K STREET LEVEL TOWNHOMES |
| F PARKING ENTRY | |



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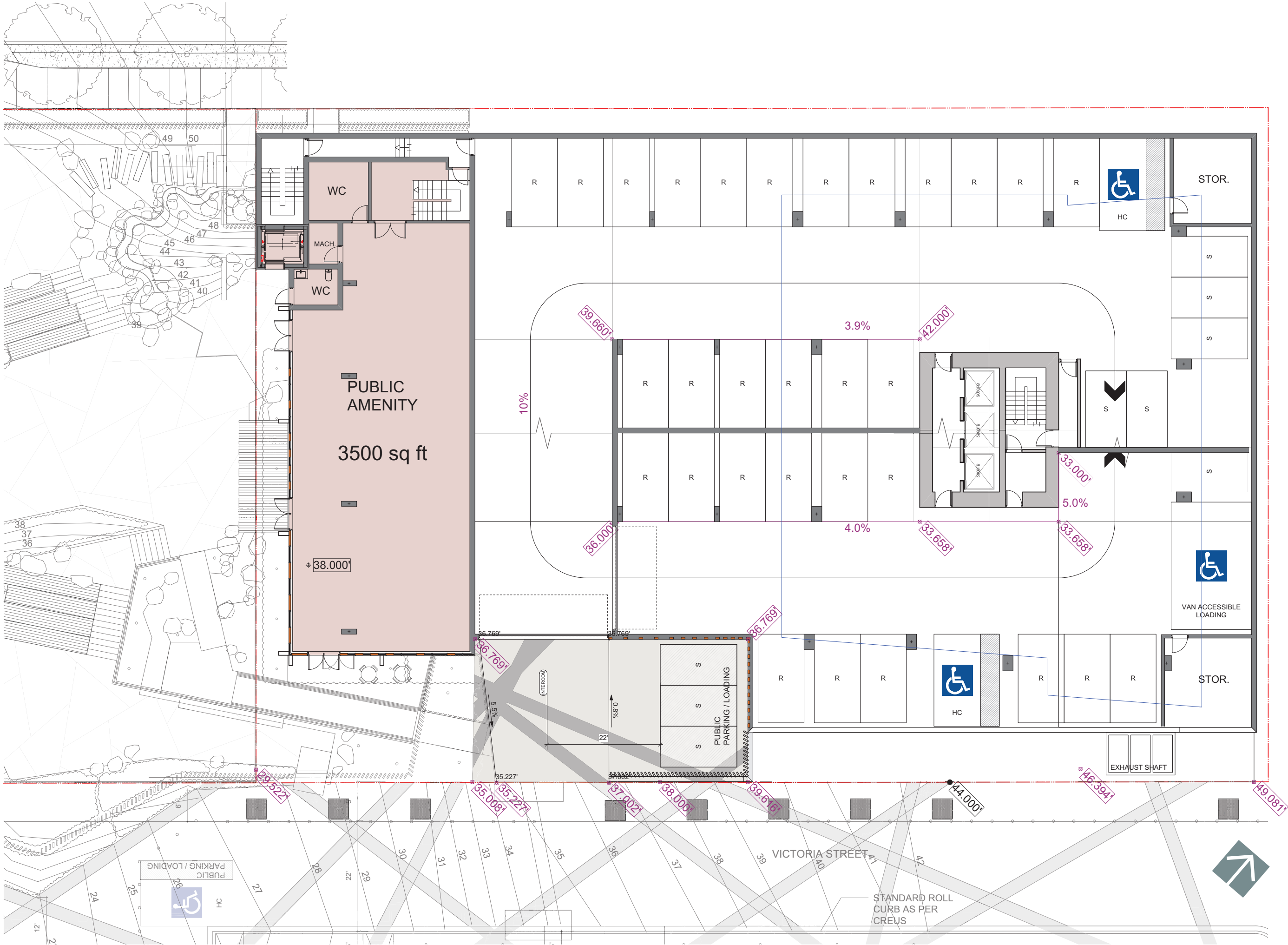
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P1 FLOOR PLAN

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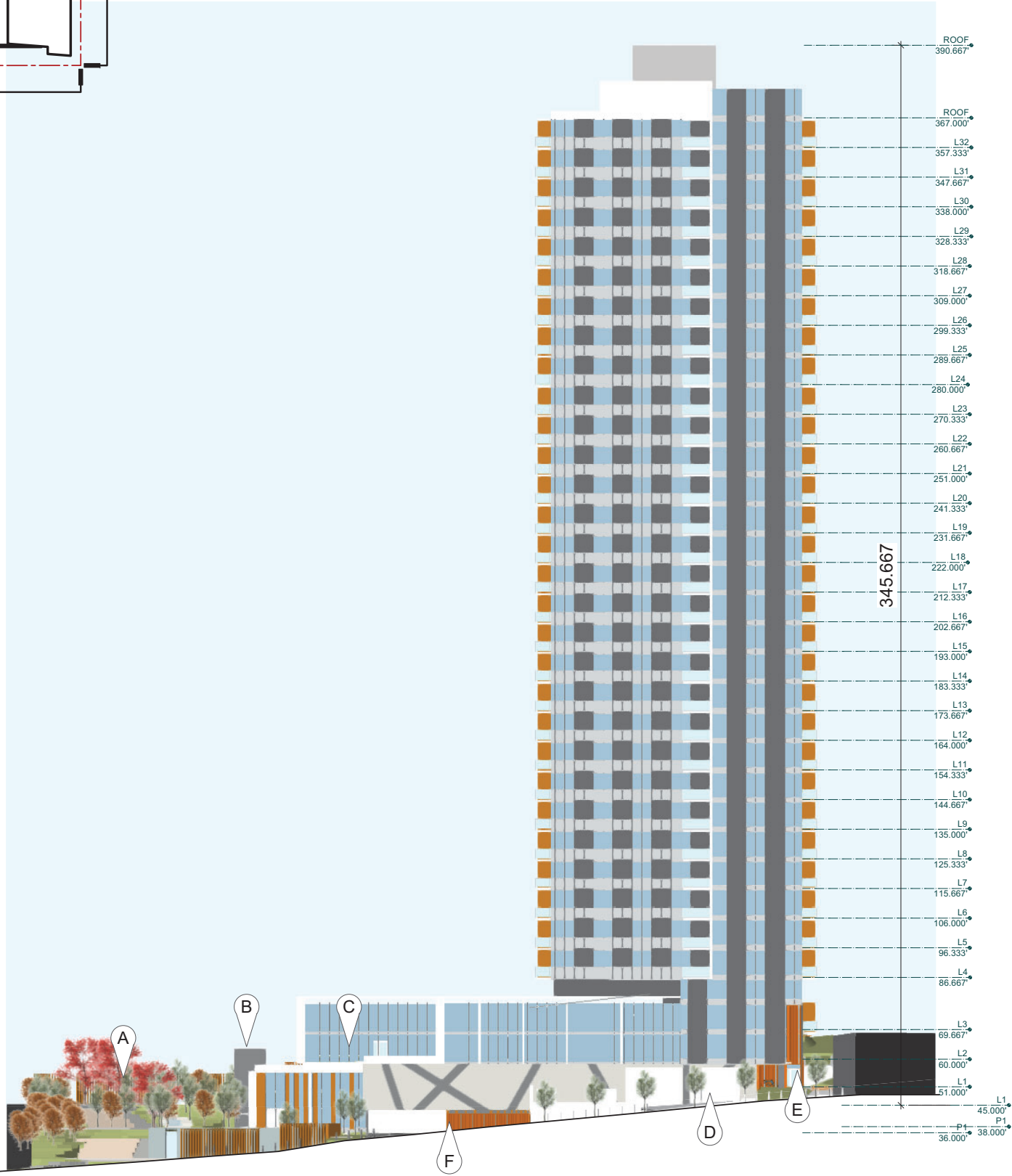
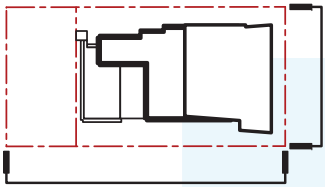
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NOTES

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C PRIVATE OUTDOOR AMENITY

D LOADING

E BIKE LOBBY

F PARKING ENTRY
- G** PUBLIC INDOOR AMENITY

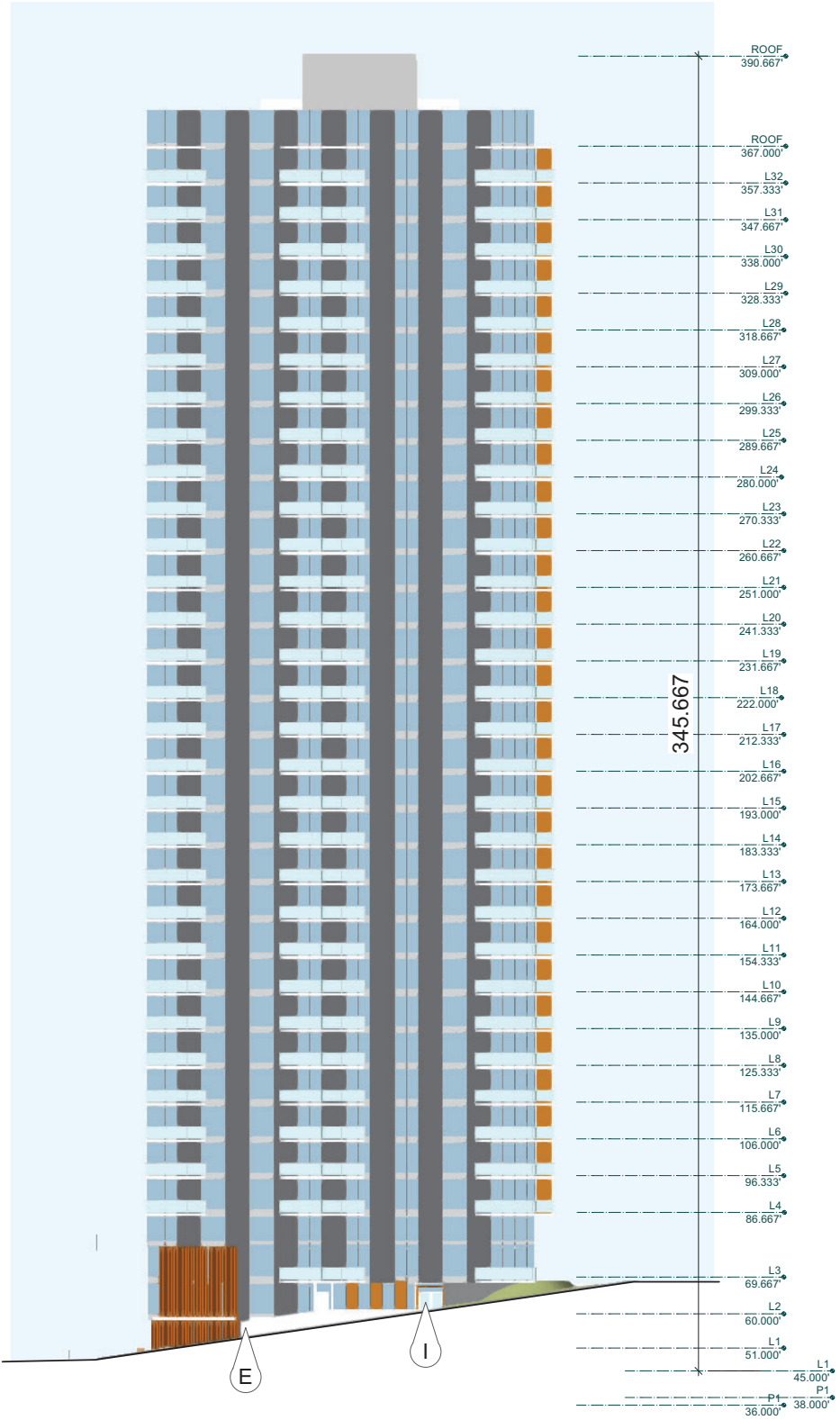
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SOUTH EAST ELEVATION



NORTH EAST ELEVATION

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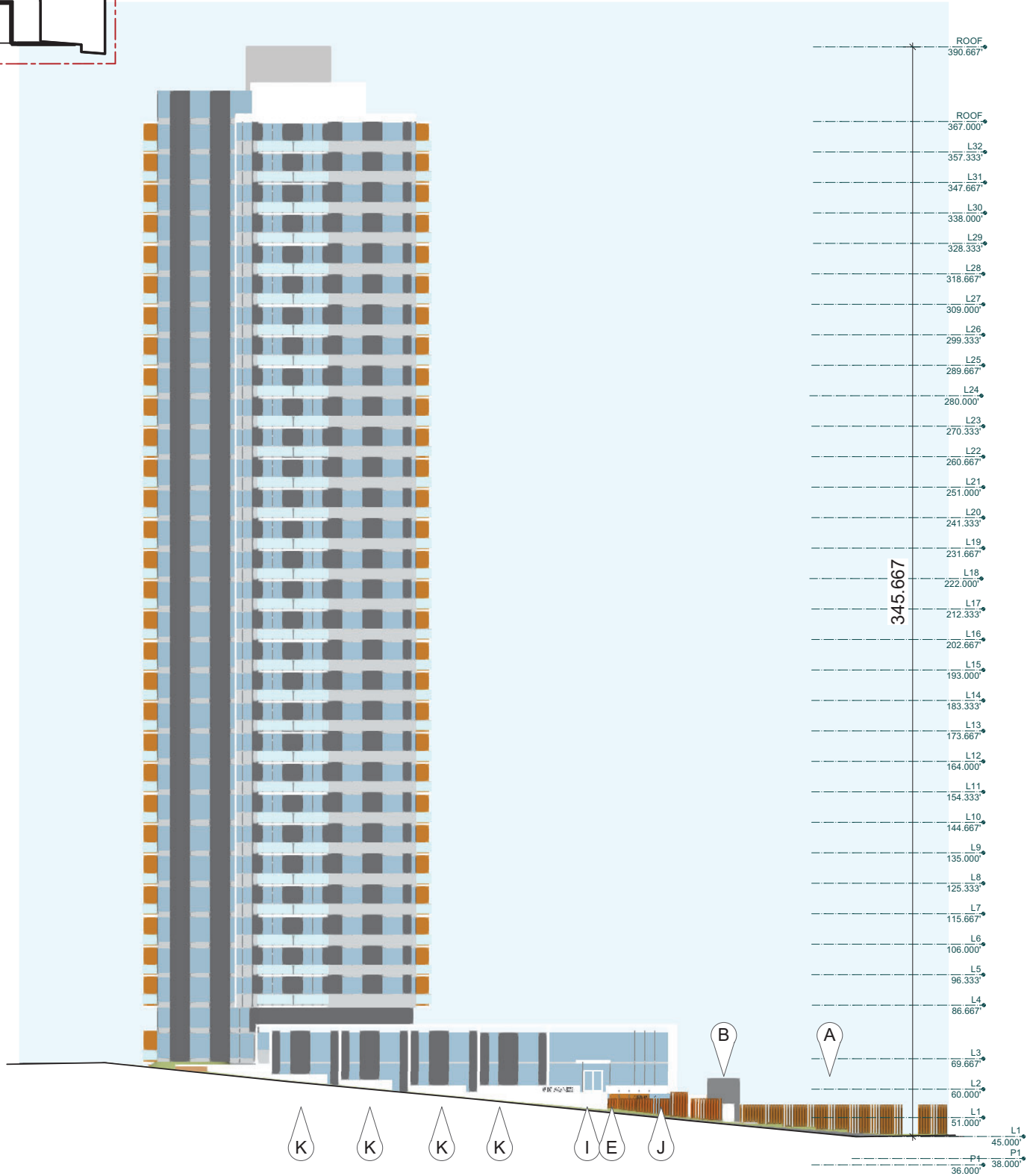
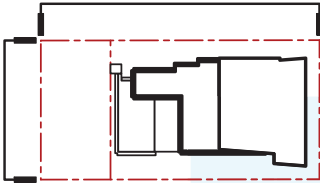
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- A** FUTURE PARK

B PUBLIC ELEVATOR

C PRIVATE OUTDOOR AMENITY

D LOADING

E BIKE LOBBY

F PARKING ENTRY
- G** PUBLIC INDOOR AMENITY

H PRIVATE AMENITY

I RESIDENTIAL LOBBY

J PUBLIC AMENITY LOBBY

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NORTH EAST ELEVATION



SOUTH EAST ELEVATION

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PROJECT NO:

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SCALE:

DATE: 2022-03-11

SHEET TITLE

ELEVATIONS 2

SHEET NUMBER

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REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Jackie Teed, Acting Director, Climate Action, Planning and Development **File:** 05.1035.10

Item #: 2022-188

Subject: Sex Worker Safety Proposed Work Plan

RECOMMENDATION

THAT Council endorse the sex worker safety proposed work plan.

PURPOSE

This report requests Council endorsement of a proposed work plan and provides information on an upcoming workshop with Council and senior staff related to sex worker safety.

EXECUTIVE SUMMARY

On June 21, 2021, Council supported a motion that directed staff to coordinate a workshop for Council and senior staff on sex worker safety and to report back to Council with related safety policies. While many aspects of and issues related to sex work fall under senior government jurisdiction, local governments have a responsibility to protect the health and safety of their community members. The proposed work plan would develop a framework for sex worker safety in New Westminster.

BACKGROUND

At the Council Meeting of June 21, 2021, Council adopted the following motion:

MOVED and SECONDED

WHEREAS the City of New Westminster's vision is "A vibrant, compassionate, sustainable city that includes everyone; and

WHEREAS sex workers are pushed to the margins of society where they are put in harm's way for their occupation which has led to sex workers being murdered in the city; and

WHEREAS the City does not have any current policies that address sex worker safety;

WHEREAS there are other municipalities have developed sex work policies (indoor, outdoor, business) that New Westminster could learn from and model after;

THEREFORE BE IT RESOLVED THAT the City of New Westminster holds a workshop for City Council and senior staff to learn about sex work and safety. The workshop should be provided by a peer-driven organization that works directly with sex workers; and

BE IT FURTHER RESOLVED THAT staff are directed to report back to Council with sex worker safety policies, including staff training, from other municipalities including policies relating to bylaws and policing.

EXISTING POLICY/PRACTICE

Existing policy is summarized within Attachment 1.

ANALYSIS

Sex workers are valuable members of our community and are entitled to the same rights and protections as anyone else. Sex work includes escorting, street-based sex work, cyber-sex, exotic dancing, pornography and more. It takes place on the street, through escort and call-out services, in massage parlours, private apartments, strip clubs, hotels, online and more. Because sex work is stigmatized, sex workers are de-valued and dehumanized, they are targeted for violence, and face barriers to supports. Racialized and marginalized individuals who sell/trade sex (such as BIPOC, transgender or non-binary individuals, those in extreme poverty, or those struggling with physical and mental health issues or addictions) experience greater vulnerability. Indigenous women and girls are overrepresented in sex work.

While many aspects of, and issues related to, sex work fall under senior government jurisdiction, local governments have a responsibility to protect the health and safety of their community members. The proposed work plan would develop a framework for sex worker safety in New Westminster.

NEXT STEPS

The work plan to develop a framework for sex worker safety in the city would include the following steps:

Step 1: Sex Worker Safety Workshop (spring 2022)

Staff would contract a peer-driven organization to deliver training to Council and senior staff on sex worker safety.

Step 2: Case Study Research (spring 2022)

Staff would undertake a comparative analysis of Metro Vancouver and Canadian municipalities that have sex worker safety policies and/or guidelines. The learnings from this review would inform a proposed framework to address sex worker safety in New Westminster.

Step 3: Development of a Framework to Address Sex Worker Safety with Input from Individuals with Lived/Living Experience (spring/summer 2022)

Staff would liaise with individuals with lived/living experience and/or peer-driven organizations to review the learnings from the case study research and to include their input in the development of the framework.

Step 4: Internal Stakeholder Consultation (summer 2022)

Staff would consult internally with City departments, including Human Resources, Police, Fire, and Licensing and Integrated Services on the draft framework, including a focus on implementation and potential resourcing and work program implications for various departments.

Step 5: Council Consideration (summer/fall 2022)

The draft framework, including policies, bylaws, and/or guidelines, would be presented to Council for review and consideration of endorsement.

INTERDEPARTMENTAL LIAISON

Staff have shared this report with the Human Resources and Police Departments for information.

FINANCIAL IMPLICATIONS

The City's Human Resources Department will cover the cost of the workshop for Council and senior staff as part of its 2022 training budget.

An amount of \$5,000 has been identified in the Climate Action, Planning and Development operating budget for 2022 for engaging individuals with lived/living experience and/or peer-driven organizations to include their input in the development of the framework.

OPTIONS

The following options are presented to Council for consideration:

1. That Council endorse the sex worker safety proposed work plan.
2. That Council provide staff with other direction.

Staff recommends Option 1.

ATTACHMENTS

Attachment 1: Existing Policy/Practice

APPROVALS

This report was prepared by:
Claudia Freire, Housing and Social Planner

This report was reviewed by:
John Stark, Supervisor of Community Planning
Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:
Jackie Teed, Acting Director, Climate Action, Planning and Development
Lisa Spitale, Chief Administrative Officer

Attachment 1

Existing Policy/Practice

Existing Policy/Practice

Community and Individual Wellbeing is one of 12 goals in the Official Community Plan (OCP), which states: New Westminster is an equitable, inclusive, safe and welcoming place where all community members have opportunities to contribute, while feeling connected and accepted.

The OCP contains the following policies related to Community and Individual Wellbeing:

- *Create a community that is welcoming, inclusive and accepting of people with different backgrounds, cultures and lifestyles.*
- *Create a safe community for residents, students, visitors and workers.*

The City of New Westminster 2019 – 2022 Strategic Plan contains the following vision and core value:

- *Vision – A vibrant, compassionate, sustainable city that includes everyone.*
- *Core Value – Inclusion: We place high value on the principles of equality and equity and strive to build an environment where everyone is included, valued, and treated with dignity and respect.*

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Jackie Teed, Acting Director, Climate Action, Planning and Development **File:** TUP00019

Item #: 2022-191

Subject: Temporary Use Permit Renewal: 488 Furness Street – for Presentation Centre

RECOMMENDATION

THAT Council extend the expiry date of TUP00019 to April 29, 2024 to allow the continued operation of a temporary sales centre.

PURPOSE

To request Council extend the expiry date of the Temporary Use Permit at 488 Furness Street from April 29, 2022 to April 29, 2024 to allow the continued operation of a temporary sales centre.

BACKGROUND

488 Furness Street is the site of a 170 townhouse development, which is under construction. In order to facilitate the sale of the units, Council issued a Temporary Use Permit (TUP) at 488 Furness Street on April 29, 2019. The TUP allows a temporary sales centre to operate on-site until April 29, 2022. Additional information about the site context and policy information is included in **Attachment 1, Site and Policy Context**, and **Attachment 2, Council Report dated April 8, 2019**.

The sales centre consists of four units and includes a reception area, offices, marketing display, display suite, and storage. The TUP permits minor changes to the building interiors, exteriors and landscaping to facilitate the sales centre. Parking for staff and customers is provided on-site.

The following conditions apply to the TUP:

1. That a comprehensive advertising and sign plan be provided for the site and all signage related to the Temporary Use be approved by the City.
2. That parking for sales-centre staff be provided on-site.
3. That parking and a turn-around area for customers be provided on-site.
4. Once the childcare building is open, Phase 1 of the Development Agreement as registered on Title is occupied, and fencing on the internal roads is removed, customers may be directed to use visitor parking stalls.
5. That any landscaping installed for the sales centre be temporary in nature, or consistent with Development Permit 00140.
6. That the applicants receive a business license from the City of New Westminster before operating.
7. That upon the conclusion of the temporary sales centre, the following actions be undertaken:
 - a. the temporary changes to the interior of the building be removed and the interior be readied for residential occupancy as per Building Permit;
 - b. the temporary changes to the exterior of the units be removed and the development comply with Development Permit 140, prior to residential occupancy; and,
 - c. any temporary landscaping be removed and that landscaping comply with Development Permit 140.

The TUP is included in **Attachment 3**.

DISCUSSION

The applicant anticipates closing the sales centre before the end of 2022, but requests a two-year extension to accommodate unforeseen changes and prevent additional temporary use requests regarding the sales centre. The applicant's Project Summary Letter is included as **Attachment 4**. The Local Government Act permits a maximum three-year extension to a Temporary Use Permit.

There are no changes proposed to the design and operation of the sales centre and there would be no changes to the conditions of the permit. Staff have received no complaints about the sales centre during its operation.

REVIEW PROCESS

During the application review process in 2019, an Opportunity to be Heard was held. No correspondence was received, but three people spoke to raise concerns about the TUP using on-street parking to accommodate visitor parking. In response, Council directed that staff and visitor parking be accommodated on-site.

Public notification is not required for a Temporary Use Permit extension.

INTERDEPARTMENTAL LIAISON

This report was written with input from the Engineering Department and the Office of the CAO.

OPTIONS

The following options are available for Council's consideration:

1. That Council extend the expiry date of TUP00019 to April 29, 2024 to allow the continued operation of a temporary sales centre.
2. That Council provide staff with other direction.

Staff recommends Option 1.

ATTACHMENTS

Attachment 1: Site and Policy Context
Attachment 2: Council Report dated April 8, 2019
Attachment 3: TUP00019
Attachment 4: Project Summary Letter

APPROVALS

This report was prepared by:
Samantha Bohmert, Planning Assistant

This report was reviewed by:
Mike Watson, Acting Supervisor of Development Planning
Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:
Jackie Teed, Acting Director, Climate Action Planning and Development
Lisa Spitale, Chief Administrative Officer

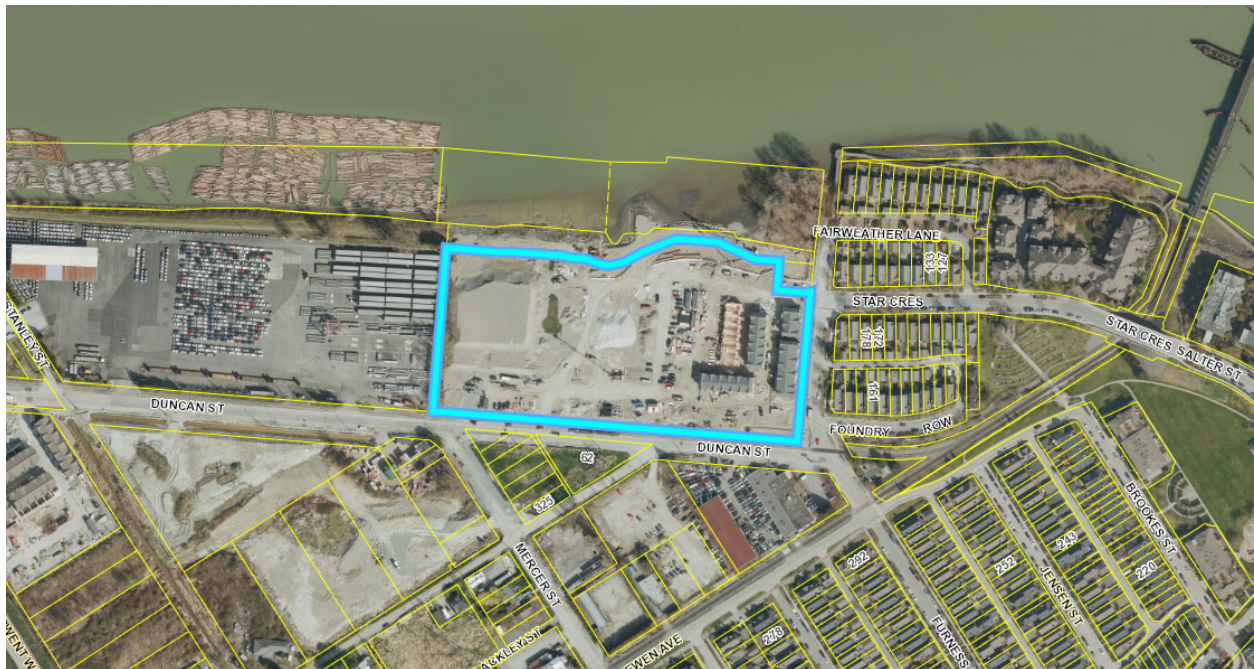
Attachment 1

Site and Policy Context

Site and Policy Context

Site Context

To the east of the site are single detached houses. To the south of the site, across Duncan Street, is the Queensborough Eastern Neighbourhood Node. This area is subject to a master plan and will include single detached houses, multi-unit residential buildings, and commercial uses to serve local residents. To the west is an industrial property owned by the Port of Vancouver. To the north is the Fraser River and property owned by the Port of Vancouver. A childcare building is being constructed at 490 Furness Street, adjacent to the northeast corner of the site.



1 - 488 Furness Street

Policy and Regulation

The site is designated *Residential – Medium Density* in the Queensborough Official Plan. This designation allows medium-density multi-unit residential uses and complimentary commercial, industrial, and community-focuses uses, such as local commercial uses), childcare, and parks. In 2018, 488 Furness Street was rezoned to Duncan Street Townhouse District (CD-42). This zone permits duplexes, townhouses, and home based businesses, but does not permit other commercial uses. The site is within the East Queensborough Development Permit Area, which creates a transition between industrial and residential uses.

Attachment 2

Council Report dated April 8, 2019



REPORT

Development Services

To: Mayor Côté and Members of Council **Date:** 4/8/2019

From: Emilie K Adin, MCIP **File:** TUP00019
Director of Development Services

Item #: 144/2019

Subject: **488 Furness Street: Temporary Use Permit for Sales Centre - Issuance of Notice**

RECOMMENDATION

***THAT** Council issue notice that Council will consider issuance of Temporary Use Permit No. 00019, subject to the conditions outlined within this report, following an Opportunity to be Heard on April 29, 2019.*

EXECUTIVE SUMMARY

An application for a Temporary Use Permit (TUP) has been received for 488 Furness Street. The TUP would allow two residential units on the site to be used as a temporary sales centre in order to market the multi-unit residential development. The TUP would be valid for a three-year period ending April 29, 2022.

PURPOSE

The purpose of this report is to request that Council issue notice that it will consider issuance of a Temporary Use Permit, subject to the conditions outlined within this report, following an Opportunity to be Heard on April 29, 2019.

POLICY AND REGULATIONS

Temporary Use Permits

A Temporary Use Permit (TUP) is a special permit issued by Council that allows a land use not permitted in the current zoning of a property to be situated on site for a limited period of time. The land use permitted in a TUP must be consistent with the Official Community Plan (OCP). The TUP sets out the terms and conditions of the use and may require securities to ensure adherence to these terms and conditions. A TUP is authorized under Section 493 of the *Local Government Act*. The TUP requirements are outlined in section 190.46 of Zoning Bylaw No. 6680, 2001.

Official Community Plan

Land Use Designation

The Queensborough Community Plan (QCP) is a schedule to the Official Community Plan. The land use designation for this site is “Residential – Medium Density” (RM) which allows medium density multi-unit residential uses such as rowhouses, townhouses, low-rises, and single detached dwellings on a compact lot. This area may also include complimentary uses such as home based businesses, small scale local commercial uses (e.g., corner stores), institutional uses (e.g., child care, child care facilities), utilities, transportation corridors, parks, open space, and community facilities.

The proposed application is consistent with the OCP designation for this site.

Zoning

The subject site is located at 488 Furness Street. The zoning for the subject site is Duncan Street Townhouse District (CD-42), which was adopted by Council August 27, 2018. The CD-42 district permits duplexes, townhouses, and home based businesses and is expected to be developed with 170 townhouse units constructed in four phases. As part of the overall development, a childcare building would be constructed at 490 Furness Street, adjacent to the townhouse site. The subject site is currently vacant and preloaded with soil. Phase 1 will consist of a total of nine buildings with a total of 47 units. Phase 1 would include the sales centre building.

The zoning does not permit a temporary sales centre or other commercial uses, which is why a temporary use permit is required.

Development Permit Area

This site is within Development Permit Area #3 East Queensborough. The purpose of the Development Permit Area is to create a transition between industrial uses and adjacent residential neighbourhoods. It permits medium density and multi-unit uses and establishes form and character guidelines for residential development.

BACKGROUND

Site Context

The property to the east of the site is the first phase of the Port Royal development constructed in 1997, including 45 compact lot houses and a low rise development with 70 apartment units and 14 townhouse units.

Across Duncan Street to the south is the area known as the Eastern Queensborough Neighbourhood Node (formerly the Queensborough Special Study Area). A Master Plan was adopted in 2016 which outlines the vision for the area, including a commercial node, a commercial high street, single detached dwellings and multi-unit residential. Zoning was subsequently adopted for much of the area, changing from Light Industrial Districts (M-1) to Queensborough Townhouse Districts (RT-3A) Comprehensive Development Districts (Mercer High Street) (CD-64). CD-64 allows a variety of commercial uses which would serve the local residents.

To the north of the site are the Fraser River and a property owned by Port Metro Vancouver. To the west is the former Interfor Sawmill site owned by Port Metro Vancouver that is zoned Heavy Industrial (M-2) and is used for industrial purposes. A majority of the Port site is occupied by large floorplate buildings with manufacturing and transportation uses in the buildings. The area of the Port site adjacent to the subject site was most recently used as an open transshipment area. The area is currently vacant.

A site context map is included in this report as Attachment 1.

PROJECT DESCRIPTION

Temporary Sales Centre

The sales centre would include four units in two separate buildings fronting Furness Street and adjacent to the driveway access to the subject site. The sales area would be on the ground floor of the first two units and include a reception, two offices, a display suite, and a marketing display area. The upper floors of the two units would be used as a display suite and to store sales materials and would not be altered from the residential floor plans. A third unit would be used for storage and a fourth unit would be a display unit. They would also not

be altered from the residential floor plans. A washroom would be available to service the sales centre. A site plan of the sales area, floor plan for the interior layout of the sales centre and elevations showing the temporary exterior changes are included in Attachment 2.

The exterior of one of the buildings would be temporarily altered. Instead of three garage doors, one garage door would be replaced with panels and a second garage door would be replaced with paneling and windows. The paneling would be the same dark grey colour of the third garage door, which would remain unchanged. A Building Permit would be required for the sales area.

The sales centre would operate for approximately 30 months and would be anticipated to be open 12:00 –5:00 pm Saturday to Thursday and closed Fridays. Once marketing of the development is complete, the building and units would be converted for residential occupancy consistent with the residential building permits and development permit.

Under Zoning Bylaw 6680, 2001, three parking spaces would be required on-site. Parking for the sales centre staff would be accommodated on site on the internal driveway, adjacent to the sales centre. It is anticipated that customers would use on-street parking along Furness Street. There would be no dedicated parking spaces for the sale centre along Furness Street. A turn around area for vehicles would be provided on-site.

The applicant's Letter of Intent is included in this report as Attachment 3.

DISCUSSION

Temporary Use Permit

Given that the operation of a sales centre is not permitted under the current CD-42 zoning, a Temporary Use Permit (TUP) would be required. The owners would also be required obtain a Business License for the operation of the sales centre, which would include regulation of hours. The applicant is not proposing any signage at this stage. Should the applicant decide to display signage, a Sign Permit application would be required.

The TUP for this site would be valid for a three-year period ending April 29, 2022 and would include the following conditions:

1. That a comprehensive advertising and sign plan be provided for the site and all signage related to the Temporary Use be approved by the City.
2. That parking for staff working at the sales centre is provided on-site.
3. That a turnaround area for customers be provided on-site.

4. That any landscaping installed for the sales centre be temporary in nature, or consistent with Development Permit 00140.
5. That the applicants obtain a business license from the City of New Westminster.
6. That when the temporary sales centre closes, the following actions be undertaken:
 - the temporary changes to the interior of the building be removed and the interior be converted for residential occupancy in compliance with the applicable Building Permits;
 - the temporary changes to the exterior of the units be removed and reconstructed to comply with Development Permit 00140 and any applicable Building Permits; and,
 - any temporary landscaping be removed and that landscaping comply with Development Permit 00140.

NEXT STEPS

The next steps for the application would be for Council to consider issuance of the TUP, subject to the conditions outlined within this report, following an Opportunity to be Heard on April 29, 2019. Notification for the Opportunity to be Heard would be undertaken by staff in accordance with City policy and practice.

INTERDEPARTMENTAL LIAISON

Feedback from Engineering has been included in this report.

OPTIONS

The following options are presented for Council's consideration:

1. That Council issue notice that Council will consider issuance of Temporary Use Permit No. 00019, subject to the conditions outlined within this report, following an Opportunity to be Heard on April 29, 2019.
2. That Council provide alternative direction.

Staff recommends Option 1.

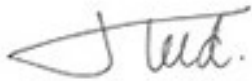
ATTACHMENTS

Attachment 1 - Site Context Map
Attachment 2 - Proposed Temporary Sales Centre Plans
Attachment 3 - Applicant's Letter of Intent

This report has been prepared by:
Samantha Bohmert, Planning Assistant

This report was reviewed by:
Jackie Teed, Manager of Planning

Approved for Presentation to Council



For:
Emilie K Adin, MCIP
Director of Development Services



Lisa Spitale
Chief Administrative Officer

Attachment 1
Site Context Map

City of New Westminster - 488 and 490 Furness Street



1: 2,500



0.1 0 0.06 0.1 Kilometers

NAD_1983_UTM_Zone_10N
 CNW GIS Services

This map is a user generated static output from an Internet mapping site and
 is for reference only. Data layers that appear on this map may or may not be
 accurate, current, or otherwise reliable.

Attachment 2

Proposed Temporary Sales Centre Plans

2018-03-08	Issued for APC Meeting
2018-03-15	Re-Issued for DP



project:

RIVERWALK

PROPOSED TOWNHOUSE PROJECT

41 and 175 Duncan St.
New Westminster, B.C.

consultant:

seal:

sheet title:
Site Plan (Overall)

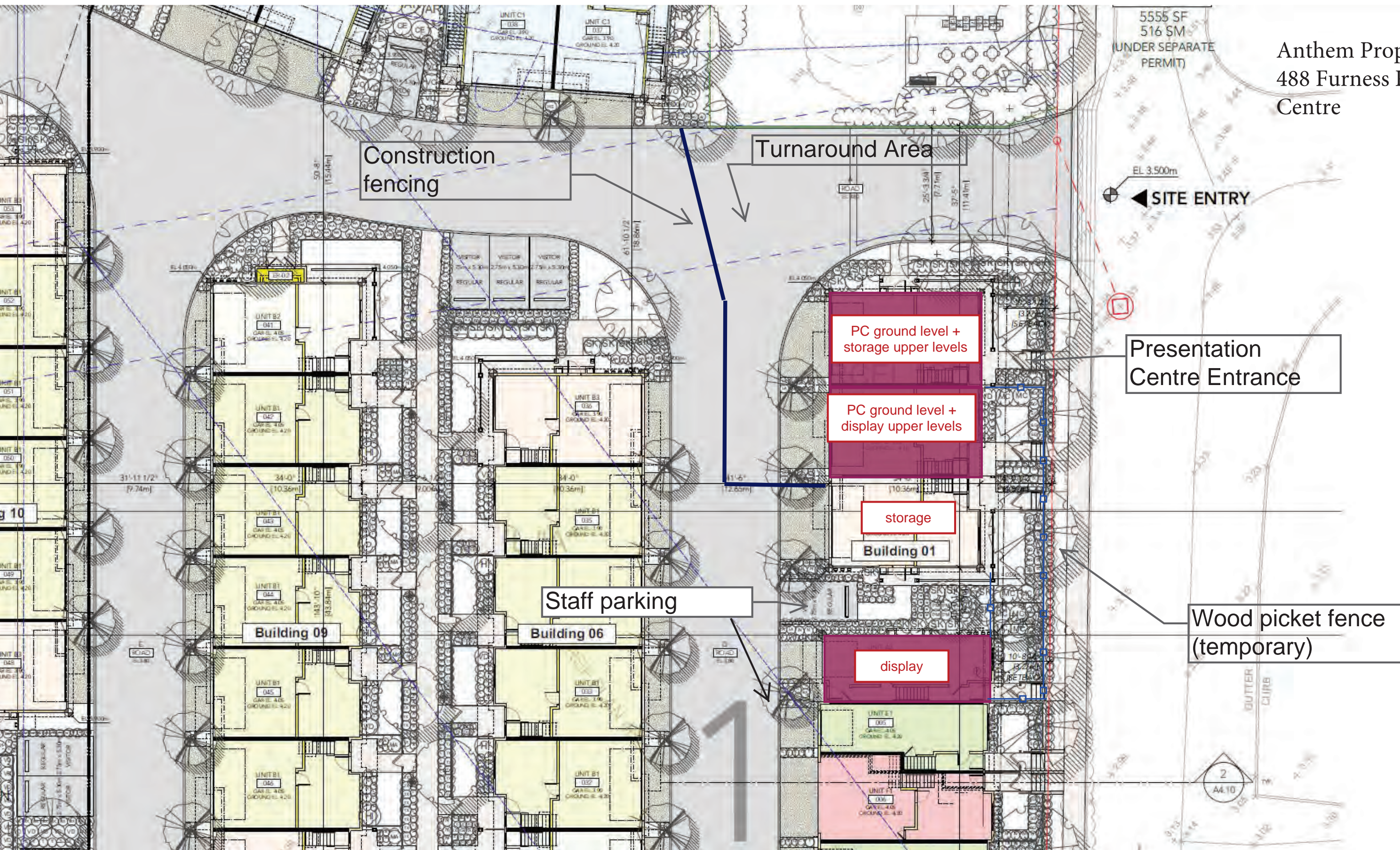
A2.02 Page 389 of 481

plotted: 18-5-28 11:49:13 AM

1 SITE PLAN OVERALL
Scale: 1:400

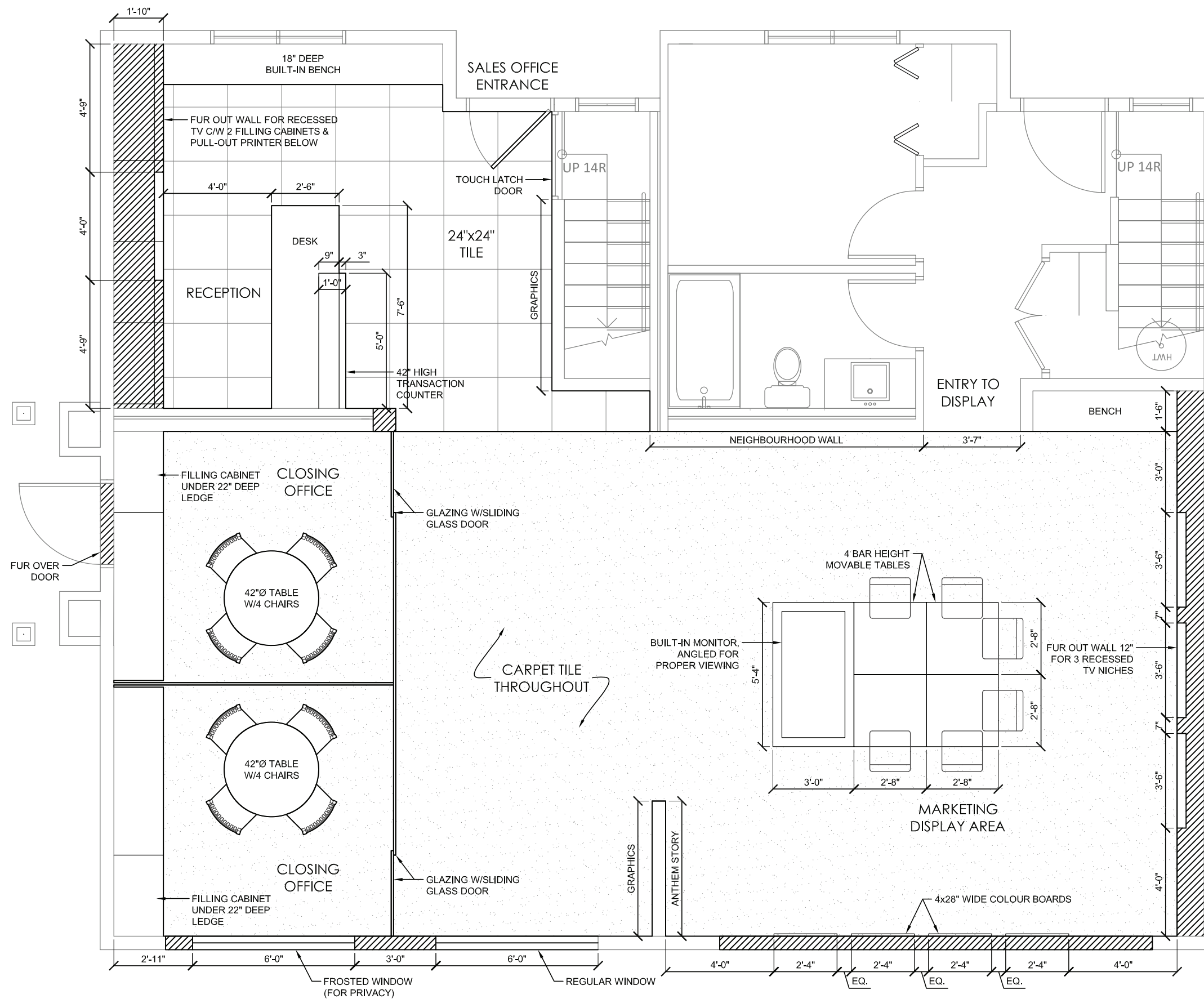
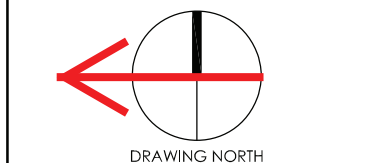


Anthem Properties
488 Furness Presentation
Centre





CONTRACTORS ARE RESPONSIBLE FOR THE VERIFICATION OF ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO ANY CONSTRUCTION OR FABRICATION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF KLEEN DESIGN.





MAT NO	ELEMENT	FINISH	COLOUR
E01.1	CEMENTITIOUS BOARD & BATTEN SIDING	PAINTED	BM 2126-70 CHALK WHITE
E01.2	CEMENTITIOUS BOARD & BATTEN SIDING	PAINTED	BM 2126-30 ANCHOR GRAY
E01.3	CEMENTITIOUS BOARD & BATTEN SIDING	PAINTED	BM CC-780 KENSINGTON BLUE
E01.4	CEMENTITIOUS BOARD & BATTEN SIDING	PAINTED	BM AF-355 ETRUSCAN
E01.5	CEMENTITIOUS BOARD & BATTEN SIDING	PAINTED	BM AF-300 DINNER PARTY
E02.1	CEMENTITIOUS LAP SIDING	PAINTED	HARDIE - PEARL GRAY
E02.2	CEMENTITIOUS LAP SIDING	PAINTED	BM 2133-30 DAYS END
E03.1	CEMENTITIOUS PANEL SYSTEM	PAINTED	HARDIE - ARCTIC WHITE
E03.2	CEMENTITIOUS PANEL SYSTEM	PAINTED	BM 2133-30 DAYS END
E03.3	CEMENTITIOUS PANEL SYSTEM	PAINTED	BM 2126-70 CHALK WHITE
E04	FIBERGLASS ROOF SHINGLES	PREFINISHED	PEWTER GRAY
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E07	VINYL SLIDING DOOR	PAINTED	BLACK
E08	FIBERGLASS DOOR (REFER TO DOOR SCHEDULE FOR GLAZED DOORS)	PREFINISHED	TO MATCH BM 2133-30 DAYS END
E09	WOOD BARGE BOARD / EAVE FASCIA / RAFTER TAILS	PAINT	BM 2122-70 SNOW WHITE
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E17	ALUMINUM PICKET FENCE	PREFINISHED	WHITE
E18	ALUMINUM PRIVACY SCREEN	PREFINISHED	BLACK

Issues:

2017-03-20	Issued for Development Permit
2018-03-15	Reissued for DP
2018-08-07	Issued for Pricing
2018-11-28	Issued for BP Application
2019-03-25	Issued for Temp. Use Permit



Burrowes Huggins Architect
Suite 205 - 1628 West 1st Avenue, Vancouver B.C.
Telephone: (604) 730-8100 | Web: www.bha.ca

consultant:

A5.52 Page 332 of 481
rev.:

Attachment 3

Applicant's Letter of Intent

Hardev Gill
City of New Westminster
511 Royal Ave
New Westminster, BC V3L 1H9

December 20, 2018

Re: TUP Summary Letter for Duncan Street Townhome Presentation Centre

Dear Hardev,

In connection with Anthem's townhome development at 488 Duncan Street (formerly 41 & 175 Duncan), please accept this application for a Temporary Use Permit to allow for the temporary use of two townhomes as a presentation centre (the "PC") that will allow potential future residents to learn more about the project from Anthem staff and view display homes. The approval of this TUP, and the opening of a presentation centre, will be crucial for Anthem to successfully sell (and subsequently construct) the planned 170 townhomes.

Assuming construction begins in February 2019 as anticipated, the PC would open in early 2019 and operate for approximately 30 months. This timeline is subject to market conditions and may change; Anthem would be prepared to apply for an extension if the presentation centre needs to stay open for longer than the standard 3-year term. After closing the PC it will take approximately two months to ready the building for residential occupancy.

Parking for PC staff will be accommodated on-site. Customers will park on the west side of Furness and be able to turn around on-site if required. Anticipated hours of operation for the PC are noon – 5pm Saturday to Thursday, closed Fridays.

Anthem's intent is to alter the interior of the building (from the approved DP drawings) as per the attached plans and will submit a Building Permit application to this end if required. The exterior of the building will stay largely unchanged.

Thank you for your consideration,

Nick Kasidoulis
Director, Development

Attachment 3

TUP00019



Temporary Use Permit No. TUP00019

1. This Temporary Use Permit is issued to:

ANTHEM DUNCAN DEVELOPMENTS LTD
PO BOX 49200 STN BENTALL CENTRE
VANCOUVER BC V7X 1K8

(the "Permittee")

2. This Temporary Use Permit applies to, and only to, those lands within the City described below, and any or all buildings, structures and other development thereon:

Parcel Identifier(s): 030-654-530

Legal Description: LOT 1 DISTRICT LOT 757 GROUP 1 NEW WESTMINSTER
DISTRICT PLAN EPP85642

Civic Address(es): 488 FURNESS STREET, NEW WESTMINSTER, BC

(the "Site")

3. This Temporary Use Permit is issued subject to compliance with all the bylaws of the City of New Westminster (the "City") applicable thereto except as specifically allowed by this Permit. This permit allows for the following land uses at the Site:

- Business and professional offices.

4. Subject to the terms of this Permit, the Units 001, 001 and 003 of Building 01 and Unit 004 of Building 02 may be used as a temporary sales centre and be developed as per the attached drawings:

- A2.02,
- Anthem Properties 488 Furness Presentation Centre,
- ID-1.01 and
- A5.52,

which form part of this Permit.

5. This Temporary Use Permit expires on April 29, 2022 at 12:00 midnight. The permittee may apply to have the permit renewed. A Temporary Use Permit may be renewed by City Council only once.
6. The Permittee must cease all operation of the Temporary Use before the expiry of this Temporary Use Permit, unless the Temporary Use Permit has been renewed after consideration by Council, or the zoning applicable to the Site has been amended to allow the land use herein permitted;
7. The following conditions apply to the Temporary Use:

- (a) That a comprehensive advertising and sign plan be provided for the site and all signage related to the Temporary Use be approved by the City.
 - (b) That parking for sales-centre staff be provided on-site.
 - (c) That parking and a turn-around area for customers be provided on-site.
 - (d) Once the childcare building is open, Phase 1 of the Development Agreement as registered on Title is occupied, and fencing on the internal roads is removed, customers may be directed to use visitor parking stalls.
 - (e) That any landscaping installed for the sales centre be temporary in nature, or consistent with Development Permit 00140.
 - (f) That the applicants receive a business license from the City of New Westminster before operating.
 - (g) That upon the conclusion of the temporary sales centre, the following actions be undertaken:
 - a. the temporary changes to the interior of the building be removed and the interior be readied for residential occupancy as per Building Permit;
 - b. the temporary changes to the exterior of the units be removed and the development comply with Development Permit 140, prior to residential occupancy; and,
 - c. any temporary landscaping be removed and that landscaping comply with Development Permit 140.
8. City of New Westminster Zoning Bylaw No. 6680, 2001 is varied as follows:
- For the duration of the Permit, Businesses and Professional Offices shall be a Permitted Use, per the definition in s.120.29, City of New Westminster Zoning Bylaw No.6680, 2001, as amended.
9. This Permit is non-transferrable.
10. This Permit is not a Building Permit.

Authorizing Resolution of Council on April 29, 2019:

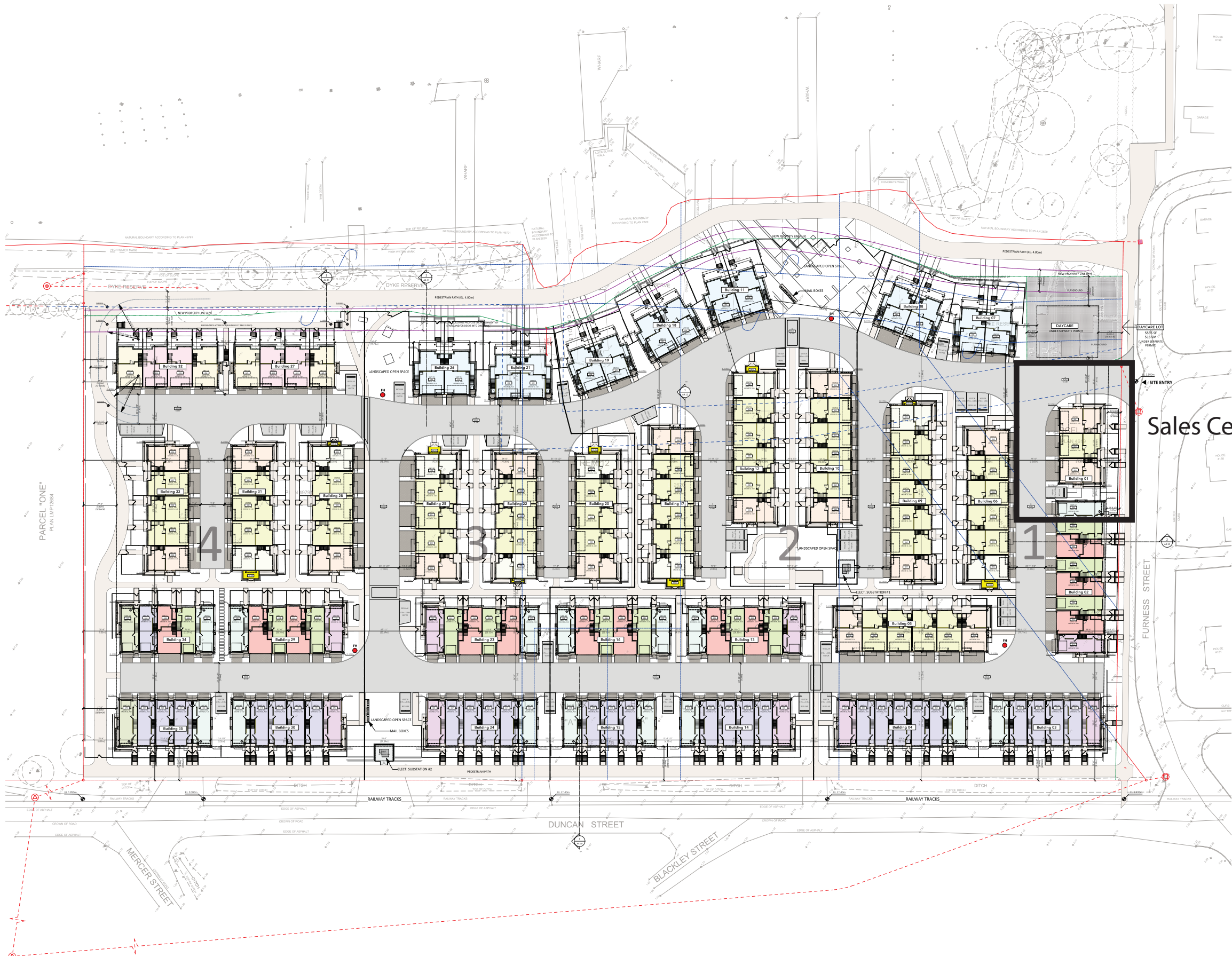
MOVED and SECONDED

THAT issuance of Temporary Use Permit No. 00019 be approved, on the condition that public sales centre parking is located on the property.

CARRIED.

April 29, 2019
Date of Issue


Jacques Killawee, City Clerk



Sales Centre Area

revisions:		
no.	date	description

issues:		
2018-03-08	2018-03-15	Issued for APC Meeting Re-issued for DP

Copyright reserved. This drawing is the exclusive property of the Architects and can be reproduced only with their permission. This drawing must not be scaled. Variations and modifications to the work shown on these drawings shall not be carried out without written permission from the Architects.



Burrowes Huggins Architects
Suite 205 - 1628 West 1st Avenue, Vancouver B.C.
Telephone: (604) 730-8100 | Web: www.bha.ca

project:
RIVERWALK
PROPOSED TOWNHOUSE PROJECT
41 and 175 Duncan St.
New Westminster, B.C.



consultant:

seal:

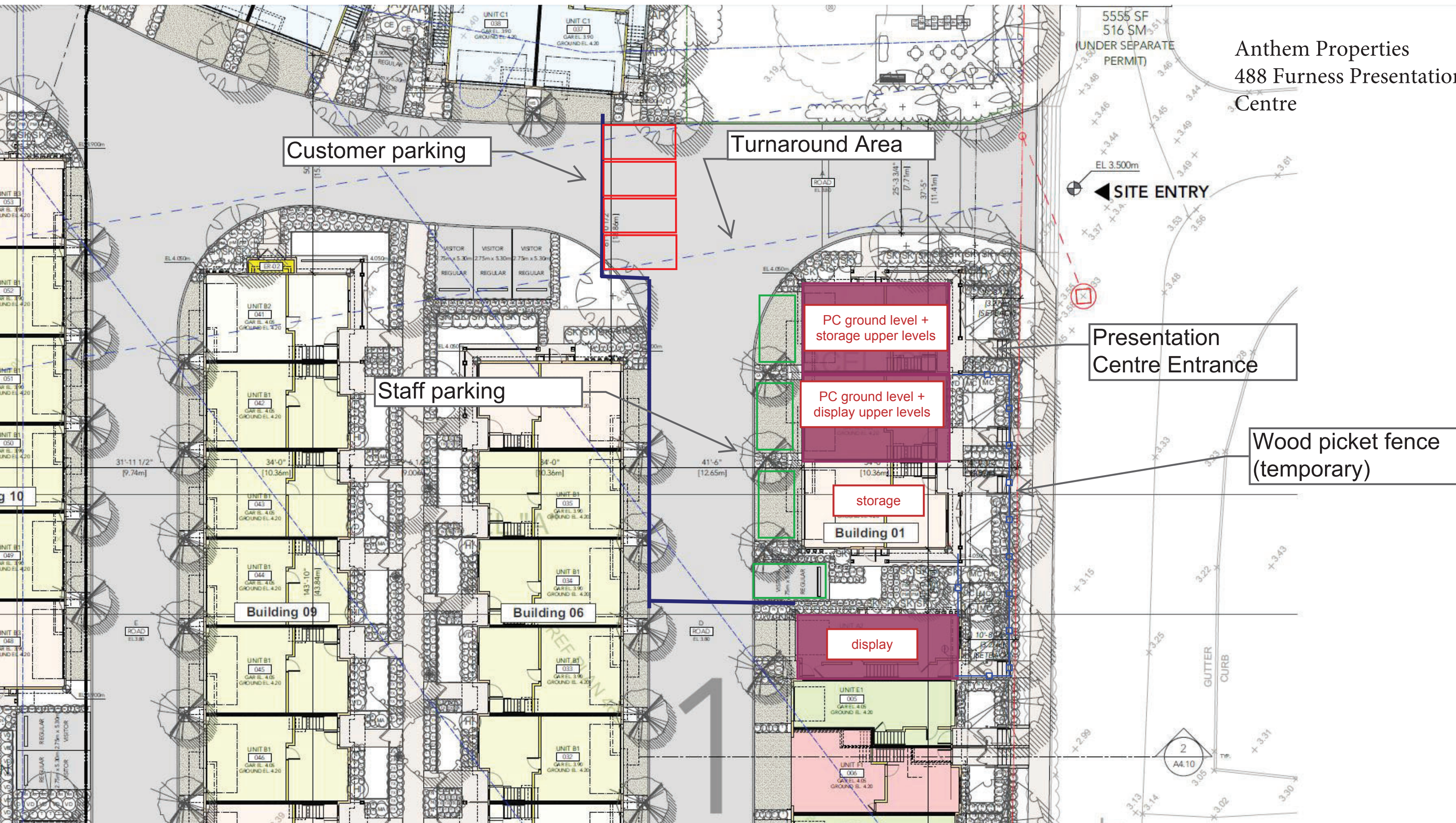
drawn:	MCH/PH	date:	September 2017
checked:			
scale:	1:400	project no.:	P-427

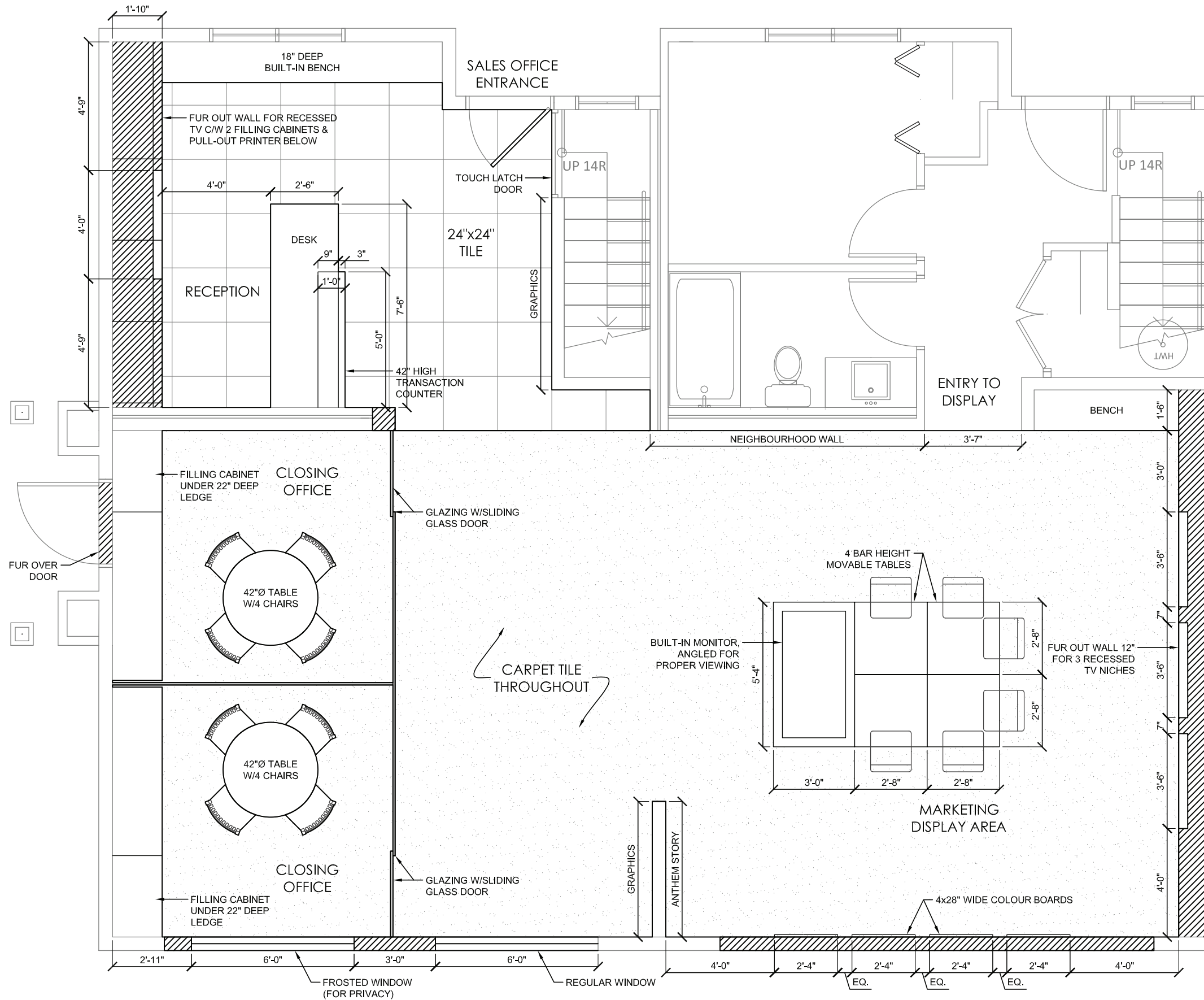
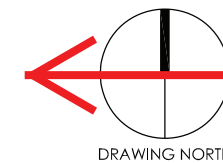
sheet title:
Site Plan (Overall)

1 SITE PLAN OVERALL
Scale: 1:400



Anthem Properties
488 Furness Presentation
Centre







WAT NO	ELEMENT	FINISH	COLOUR
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consultant:

A5.52 Page 401 of 481

Attachment 4

Project Summary Letter

Samantha Bohmert
City of New Westminster
511 Royal Ave
New Westminster, BC V3L 1H9

February 18, 2022

Re: TUP Extension Summary Letter for 488 Furness (Portside) Townhome Presentation Centre

Dear Samantha,

With TUP00019 set to expire on April 29, 2022, we are submitting this application to extend the permit until April 29, 2024. Although Anthem expects to end the Portside sales program and close the presentation centre before the end of 2022, the real estate market is uncertain – a two-year extension is requested in order to avoid another extension request in the future.

Anthem is not proposing any changes to the current TUP. For reference, the letter that accompanied the initial application is below – note that during the review process parking was accommodated on site, and this application extension proposes continuing with on-site parking.

Thank you for your consideration,

Ryan Vanderham

Ryan Vanderham
Manager, Development

Hardev Gill
City of New Westminster
511 Royal Ave
New Westminster, BC V3L 1H9

December 20, 2018

Re: TUP Summary Letter for Duncan Street Townhome Presentation Centre

Dear Hardev,

In connection with Anthem's townhome development at 488 Duncan Street (formerly 41 & 175 Duncan), please accept this application for a Temporary Use Permit to allow for the temporary use of two townhomes as a presentation centre (the "PC") that will allow potential future residents to learn more about the project from Anthem staff and view display homes. The approval of this TUP, and the opening of a presentation centre, will be crucial for Anthem to successfully sell (and subsequently construct) the planned 170 townhomes.

Assuming construction begins in February 2019 as anticipated, the PC would open in early 2019 and operate for approximately 30 months. This timeline is subject to market conditions and may change; Anthem would be prepared to apply for an extension if the presentation centre needs to stay open for longer than the standard 3-year term. After closing the PC it will take approximately two months to ready the building for residential occupancy.

Parking for PC staff will be accommodated on-site. Customers will park on the west side of Furness and be able to turn around on-site if required. Anticipated hours of operation for the PC are noon – 5pm Saturday to Thursday, closed Fridays.

Anthem's intent is to alter the interior of the building (from the approved DP drawings) as per the attached plans and will submit a Building Permit application to this end if required. The exterior of the building will stay largely unchanged.

Thank you for your consideration,

Nick Kasidoulis
Director, Development

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** March 28, 2022

From: Jackie Teed, Acting Director, Climate Action, Planning and Development **File:** 05.1035.10

Item #: 2022-222

Subject: Ukrainian Crisis – Government and Community Response

RECOMMENDATION

THAT Council receive this report for information.

PURPOSE

This report provides an update on actions currently underway by the federal and provincial governments and Holy Eucharist Cathedral, New Westminster Parish and possible future actions by the City, the Welcoming and Inclusive New Westminster Local Immigration Partnership Council, Holy Eucharist Cathedral, and others to support the Ukrainian community during this time of crisis.

EXISTING POLICY/PRACTICE

Existing policy is summarized within Attachment 1.

BACKGROUND

Over the past several weeks, governments, faith-based organizations, non-profit agencies, businesses, and community members have been mobilizing to support the Ukrainian community during this time of crisis. This includes aiding humanitarian efforts in Ukraine and planning for the arrival of displaced persons.

Federal Response

On March 17, 2022 Immigration, Refugees and Citizenship Canada (IRCC) announced a new pathway to accelerate temporary residence of displaced Ukrainians seeking safe haven in Canada. With the Canada-Ukraine Authorization for Emergency Travel (CUAET), Ukrainians and their immediate family members of any nationality may stay in Canada as temporary residents for up to three years and can apply for a three year work permit at the same time as their visa. Many of the regular requirements associated with seeking residency have been waived, including: individuals who do not have a valid passport can still apply and students can register for and start attending school as soon as they arrive. Those already in Canada can also apply to extend their visitor, study or work permits for three years and all application fees will be waived. IRCC is also working on a special family reunification sponsorship pathway for permanent residence and is working with the Ukrainian Canadian Congress to develop the details of this program in the coming weeks.

The federal government has established the Job Bank's [Jobs for Ukraine](#), which calls on employers who wish to support Ukrainians with offers of employment to register these offers and the government will help connect them to those seeking work. Measures have also been implemented for unvaccinated or partially vaccinated Ukrainian nationals, allowing entry to those who hold a temporary resident visa or permit, as well as a fee waiver program for certain travel and immigration documents.

The Canada Border Services Agency (CBSA) has an administrative deferral of removals (ADR) in place for Ukraine. An ADR is a temporary measure that can delay a removal order that would normally require a person to leave Canada immediately. The removal of these individuals resumes once the situation in their country or region stabilizes. However, individuals who are not allowed in Canada for security reasons or on grounds of criminality, international or human rights violations, or organized crime can still be removed despite the ADR.

A matching fund for Canadians who donate to the Ukraine has been setup through the Canadian Red Cross, [Ukraine Humanitarian Crisis Appeal](#).

More information on these and other actions can be found on the [Canada's response to the Russian invasion of Ukraine website](#).

Provincial Response

The provincial government contributed \$1,000,000 to the Canadian Red Cross to support the people of Ukraine and announced that they are setting up a 1-800 number to take calls to help manage the many phone calls directed towards Ukrainian organizations. The Premier has met with Ukrainian community leaders and with some refugee and settlement agencies to discuss plans for housing, physical and mental health, child care, and other supports. Some possible housing solutions cited by the Premier include ski resorts, university campuses, churches and people's homes.

CITY OF NEW WESTMINSTER RESPONSE

City Operations

The City's Purchasing department has reviewed our current supply chain and has confirmed that a) we do not purchase directly from any Russian Federation company and b) we do not purchase any product manufactured in the Russia Federation. The Purchasing Department will continue to monitor the situation and will work with other Divisions within the City to ensure no product is purchased.

Since March 8, 2022 the City has flown a Ukrainian flag in the Friendship Gardens, adjacent to City Hall.

Welcoming and Inclusive New Westminster Local Immigration Partnership Council

At the March 11, 2022 meeting of the Welcoming and Inclusive New Westminster Local Immigration Partnership Council (WINS LIP), Councillor Das raised the question of how the City and WINS LIP could support the Ukrainian community during this time of crisis. A meeting between the City, WINS LIP and Holy Eucharist Cathedral was suggested.

On March 17, 2022 staff convened a meeting with WINS LIP members and Father Mykhailo Ozorovych of Holy Eucharist Cathedral to share information about actions underway and to explore opportunities for collaboration and coordination of response efforts. In attendance were Holy Eucharist Cathedral, City staff, and representatives from the following WINS LIP member organizations:

- Fraser Health
- Fraserworks Co-op
- MOSAIC
- Ministry of Children and Family Development
- Pacific Immigrant Resources Society
- Welcome Centre

Holy Eucharist Cathedral is acting as an informal hub for crisis response in New Westminster and beyond, collaborating with Ukrainian organizations across the province, all of which are volunteer run with limited resources, and in some cases expertise, to respond to the current crisis. Their work includes providing information to families with relatives in the Ukraine, developing a database of offers of support from across the province, and managing a donation program: [Help Us Help Ukraine](#). To date, over 200 households and individuals from across the province have contacted Holy Eucharist Cathedral to offer housing, donations, employment, etc. There is a need for additional resources and support and Holy Eucharist Cathedral welcomes collaboration with the City and WINS LIP.

The WINS LIP, which is chaired by the City and includes all settlement organizations, is closely monitoring the situation and participating in discussions with Immigration, Refugees and Citizenship Canada (IRCC) and the provincial government on coordinating response efforts in New Westminster.

Key needs identified at the March 17, 2022 meeting include temporary housing, clothing and household items, employment and financial assistance, food security programming, mental health support, language services, and child care. The importance of coordinating efforts in New Westminster, including understanding who is arriving and what are their needs, was highlighted as being paramount.

NEXT STEPS

At the March 17, 2022 meeting the following actions were proposed:

- Establish a working group that meets monthly to share information and coordinate response efforts. The working group would include City staff, Holy Eucharist Cathedral, WINS LIP members, and other interested individuals and organizations. Staff from Community Planning would chair and coordinate the meetings, and assist with logistics as needed.
- The City to provide communications support to the working group, including raising awareness about the crisis, providing information about resources, listing reputable sites to make a donation, becoming a host family, and more.
- The City to explore potential access to City facilities for providing services and support (e.g., childcare, food security programming, language services, etc.)
- The City to contact the School District about participating on the working group.
- The Welcome Centre playing a central coordinating and navigation role, in collaboration with the Public Library.

The Community Planning section work plan would have to be adjusted to prioritize this new work. Meetings of the Community Poverty Reduction Strategy and implementation of the strategy would be paused until fall 2022. Community planning staff would commence work on the new strategy sometime in 2023. Additional work plan adjustments could be made to allow for more support to be provided from other Planning Division staff, if required. Communications support for working group activities and actions would be accommodated by Corporate Communications Division staff within existing work plans.

Staff anticipates that the learnings from the working group could be applied, at some time in the future, by City and community partners in mobilizing crisis response to support displaced individuals from other regions experiencing conflict.

INTERDEPARTMENTAL LIAISON

To date, this work has been carried out by Climate Action, Planning and Development staff and Library staff. Other Departments will be engaged about potential availability of facilities and other supports.

FINANCIAL IMPLICATIONS

There are no financial implications at this time.

OPTIONS

The following options are presented to Council for consideration:

1. That Council receive this report for information.
2. That Council provide staff with other direction.

Staff recommends option 1.

ATTACHMENTS

Attachment 1: Existing Policy/Practice

APPROVALS

This report was prepared by:
Claudia Freire, Housing and Social Planner

This report was reviewed by:
John Stark, Supervisor of Community Planning

This report was approved by:
Jackie Teed, Acting Director, Climate Action, Planning and Development
Lisa Spitale, Chief Administrative Officer

Attachment 1

Existing Policy/Practice

Existing Policy/Practice

Community and Individual Wellbeing is one of 12 goals in the Official Community Plan (OCP), which states: New Westminster is an equitable, inclusive, safe and welcoming place where all community members have opportunities to contribute, while feeling connected and accepted.

The OCP contains the following policies related to Community and Individual Wellbeing:

- *Create a community that is welcoming, inclusive and accepting of people with different backgrounds, cultures and lifestyles.*
- *Create a safe community for residents, students, visitors and workers.*

The City of New Westminster 2019 – 2022 Strategic Plan contains the following vision and core value:

- *Vision – A vibrant, compassionate, sustainable city that includes everyone.*
- *Core Value – Inclusion: We place high value on the principles of equality and equity and strive to build an environment where everyone is included, valued, and treated with dignity and respect.*



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, sustainable city that includes everyone.

CITY COUNCIL MEETING

MINUTES

Monday, February 28, 2022, 9:00 a.m.

Meeting Held Electronically

PRESENT:

Mayor Jonathan Cote

Councillor Chinu Das

Councillor Patrick Johnstone Acting Mayor

Councillor Nadine Nakagawa

Councillor Chuck Puchmayr

Councillor Mary Trentadue

ABSENT:

Councillor Jaimie McEvoy

STAFF PRESENT:

Ms. Lisa Spitale

Chief Administrative Officer

Ms. Jacque Killawee

City Clerk

Ms. Emilie Adin

Director of Climate Action, Planning and Development

Mr. Mike Anderson

Acting Manager of Transportation

Ms. Carolyn Armanini

Planner, Office of the Chief Administrator

Mr. Gabe Belliveau

Manager, Engineering Operations

Mr. Rod Carle

General Manager, Electrical Utility

Ms. Christine Cho

Business Partner, Human Resources

Mr. Catalin Dobrescu

Utilities and Special Projects Engineer

Mr. Steven Faltas

Business Process Manager, Electrical Operations

Mr. Richard Fong

Director of Human Resources

Mr. Blair Fryer

Manager, Communications and Economic Development

Mr. Wes Halliday

Superintendent, Water and Wastewater

Ms. Corrinne Garrett

Senior Manager, Recreation Facilities and Programs

Mr. Dean Gibson

Director of Parks and Recreation

Mr. Dave Jansen

Chief Constable

Mr. Ben John

Corporate Energy and Emissions Specialist

Ms. Lisa Kemp

Recreation Leader Attendant, Parks and Recreation

Ms. Lisa Leblanc

Director of Engineering Services

Ms. Lorraine Lyle	Senior Manager, Finance
Mr. Craig MacFarlane	Manager of Legal Services
Mr. Rob McCullough	Manager, Museums and Heritage Services
Ms. Lynn Roxburgh	Acting Supervisor, Climate Action and Land Use Planning
Ms. Meredith Seeton	Policy Planner, Climate Action, Planning and Development
Mr. Patrick Shannon	Manager, Purchasing
Ms. Harji Varn	Chief Financial Officer and Director of Finance
Mr. Eugene Wat	Manager, Infrastructure Planning, Engineering Services
Mr. Erin Williams	Acting Fire Chief, New Westminster Fire and Rescue Services
Ms. Nicole Ludwig	Assistant City Clerk

GUESTS:

Ms. Victoria Barr	LevelUp Consulting
Mr. Mike Homenuke	Principal, Kerr Wood Leidal (KWL)
Ms. Lavleen Sahota	LevelUp Consulting
Ms. Elle Wayara	LevelUp Consulting

1. CALL TO ORDER

The meeting was called to order at 9:00 a.m.

2. MOTION TO MOVE THE MEETING INTO THE CLOSED MEETING

THAT Council will now go into a meeting which is closed to the public in accordance with Section 90 of the Community Charter, on the basis that the subject matter of all agenda items relate to matters listed under Sections:

90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

90(1)(c) labour relations or other employee relations;

90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of

the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

Carried.

All members present voted in favour of the motion.

3. END OF THE MEETING

The meeting ended at 9:01 a.m.

Jonathan Cote

MAYOR

Jacque Killawee

CITY CLERK



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, sustainable city that includes everyone.

CITY COUNCIL MEETING

MINUTES

Monday, February 28, 2022, 6:00 p.m.

Meeting held electronically and open to public attendance

Council Chamber, City Hall

PRESENT:

Mayor Jonathan Cote
Councillor Chinu Das
Councillor Patrick Johnstone
Councillor Nadine Nakagawa
Councillor Chuck Puchmayr*

ABSENT:

Councillor Jaimie McEvoy
Councillor Mary Trentadue

STAFF PRESENT:

Ms. Lisa Spitale	Chief Administrative Officer
Ms. Jacque Killawee	City Clerk
Ms. Emilie Adin	Director of Climate Action, Planning and Development
Mr. Rod Carle	General Manager, Electrical Utility
Mr. Dean Gibson	Director of Parks and Recreation
Ms. Lisa Leblanc	Director of Engineering Services
Mr. Craig MacFarlane	Manager of Legal Services
Mr. George Otieno	Infrastructure Engineer
Ms. Harji Varn	Chief Financial Officer and Director of Finance
Mr. Erin Williams	Acting Fire Chief, New Westminster Fire and Rescue Services
Ms. Nicole Ludwig	Assistant City Clerk

*Denotes electronic attendance.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Cote opened the meeting at 6:00 p.m. and recognized with respect that New Westminster is on the unceded and unsundered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their

histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. CHANGES TO THE AGENDA

None.

3. CONSENT AGENDA

If Council decides, all the recommendations in the reports on the Consent Agenda can be approved in one motion, without discussion. If Council wishes to discuss a report, that report is removed from the Consent Agenda. A report may be removed in order to discuss it, because someone wants to vote against the report's recommendation, or because someone has a conflict of interest with the report. Any reports not removed from the Consent Agenda are passed without discussion.

MOVED AND SECONDED

THAT Council adopt the recommendations for items 3.3 to 3.7 on consent.

Carried.

All members present voted in favour of the motion.

3.1 2022 Spring Freshet and Snow Pack Level

This report is to inform Council of the current snowpack conditions as of February 1, 2022 in the Fraser River Basin and related preparation for the annual freshet for 2022.

In response to Council questions, George Otieno, Infrastructure Engineer, provided the following information:

- The Fraser Basin Council has been developing a strategy to move towards a more consistent and collaborative approach to flood management with three goals:
 - To develop a prioritization framework for flood-prone areas;
 - To Develop a framework to make a decision on optimal flood mitigation solutions; and,
 - To Develop a sustainable governance and funding model to implement these frameworks;
- The City has been updating its flood management strategy to take climate change into account;
- The flooding in the fall was attributable to a very quick rise in water levels; and,
- The dykes and the foreshore in Queensborough are adequate protection against flooding, but will not hold up in a once-in-500 years freshet.

In response to Council members questions Mr. Otieno noted :

- Metro Vancouver has started a Flood and Dyking Committee which should help with a more collaborative approach and provide a stronger voice for assistance from other levels of government; and,
- Staff are doing policy work on this matter and will report back in the future with a roadmap on how to mitigate City deficiencies in preparing for and managing flood events.

MOVED AND SECONDED

THAT Council receive the February 28, 2022, report entitled "2022 Spring Freshet and Snow Pack Level" for information.

Carried.

All members present voted in favour of the motion.

3.2 Amendments to the Election Procedures Bylaw 2022: Mail Ballot Voting and Special Voting Opportunities

To request Council give three readings to the Election Procedures Bylaw Amending Bylaw No. 8311, 2022 which will allow for mail ballot voting and elector registration by mail, incorporate Special Voting Opportunities Bylaw No. 6143, 1993 with changes to expand the definition of special voting, and repeal the existing Special Voting Opportunities bylaw.

In response to a question from Council, Jacque Killawee, City Clerk, and Nicole Ludwig, Assistant City Clerk, provided the following information:

- Instructions for mail ballots will include directions on how to access instructions in multiple languages on the City's website;
- Public Engagement staff are assisting with determining the languages that will be included, and,
- Mail ballot instructions will also have pictures to indicate how to complete the mail ballot.

MOVED AND SECONDED

THAT Council give three readings to Local Government Elections Procedures Bylaw Amendment Bylaw No. 8311, 2022 (Attachment 1 of the February 28, 2022, report entitled "Amendments to the Election Procedures Bylaw 2022: Mail Ballot Voting and Special Voting Opportunities").

Carried.

All members present voted in favour of the motion.

3.3 Downtown New Westminster BIA – 2022 Business Promotion Scheme Budget Approvals

To provide Council with the Downtown BIA's Business Promotion Scheme budgets for approval.

THAT Council approve the Downtown New Westminster BIA's 2022 Business Promotion Scheme Budget (Primary Area) set out in Attachment 1 of the February 24, 2022, report entitled "Downtown New Westminster BIA – 2022 Business Promotion Scheme Budget Approvals"; and

THAT Council approve the Downtown New Westminster BIA's 2022 Business Promotion Scheme Budget (Secondary Area) set out in Attachment 1 of the February 24, 2022, report entitled "Downtown New Westminster BIA – 2022 Business Promotion Scheme Budget Approvals".

Adopted on Consent.

3.4 Electronic Signature Policy

To request Council approve the Electronic Signature Policy and direct staff to bring forward the changes needed to add it to the Records Management Program Bylaw, which will allow the City to use electronic means to legally bind documents and facilitate the City's continued migration to an electronic work environment.

THAT Council approve the Electronic Signature Policy set out in Attachment 1 of the February 28, 2022, report entitled "Electronic Signature Policy", and direct staff to bring forward the necessary bylaw changes.

Adopted on Consent.

3.5 Parks and Recreation Fees and Charges Bylaw Amendment for 2022

The purpose of this report is to provide Council with details on the 2022 Parks and Recreation proposed fee adjustments and to recommend endorsement by Council.

THAT Council consider first, second and third readings to Fees and Charges Amendment Bylaw, No. 8319, 2022, a bylaw to amend the Parks and Recreation Fees and Charges Bylaw No. 6673, 2001 (Attachment "A" of the February 28, 2022, report entitled "Parks and Recreation Fees and Charges Bylaw Amendment for 2022").

Adopted on Consent.

3.6 Renewal of Downtown New Westminster Business Improvement Areas – Results from Notification of Affected Property Owners

To report on the results of the Downtown BIA renewal process and seek Council's approval of the related bylaws.

THAT Council receive the February 28, 2022, report entitled "Renewal of Downtown New Westminster Business Improvement Areas – Results from Notification of Affected Property Owners", regarding the results from the notification of property owners affected by the renewal for the Downtown New Westminster Business Improvement Areas (Primary and Secondary) for information; and,

THAT Council approve the Downtown New Westminster Business Improvement Area (Primary Area) Bylaw No. 8288, 2021 and Downtown New Westminster Business Improvement Area (Secondary Area) Bylaw No. 8289, 2021 for adoption.

Adopted on Consent.

3.7 Minutes for Adoption

- a. February 14, 2022 City Council Meeting (9:00 a.m.)
- b. February 14, 2022 City Council Meeting (6:00 p.m.)

Adopted on Consent.

4. OPPORTUNITY FOR THE PUBLIC TO SPEAK TO COUNCIL - 7:00 PM

There were no speakers.

5. BYLAWS

5.1 Bylaws for readings

- a. **Local Government Elections Procedures Amendment Bylaw No. 8311, 2022**

A bylaw to allow for mail ballot voting and elector registration by mail, incorporate Special Voting Opportunities Bylaw No. 6143, 1993 with changes to expand the definition of special voting, and repeal the existing Special Voting Opportunities bylaw. This bylaw is on the agenda for **THREE READINGS**.

MOVED and SECONDED

THAT Local Government Elections Procedures Amendment Bylaw No. 8311, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.

MOVED and SECONDED

THAT Local Government Elections Procedures Amendment Bylaw No. 8311, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.

MOVED and SECONDED

THAT Local Government Elections Procedures Amendment Bylaw No. 8311, 2022 be given Third Reading.

Carried.

All members present voted in favour of the motion.

b. Parks and Recreation Fees and Charges Amendment Bylaw No. 8319, 2022

To establish the 2022 fees and charges for the Parks and Recreation department. This bylaw is on the agenda for **THREE READINGS**.

MOVED and SECONDED

THAT Parks and Recreation Fees and Charges Amendment Bylaw No. 8319, 2022, be given First Reading.

Carried.

All members present voted in favour of the motion.

MOVED and SECONDED

THAT Parks and Recreation Fees and Charges Amendment Bylaw No. 8319, 2022, be given Second Reading.

Carried.

All members present voted in favour of the motion

MOVED and SECONDED

THAT Parks and Recreation Fees and Charges Amendment Bylaw No. 8319, 2022, be given Third Reading.

Carried.

All members present voted in favour of the motion

5.2 Bylaws for adoption

a. Downtown New Westminster Business Improvement Area (Primary Area) Bylaw No. 8288, 2021

To authorize a property tax levy to fund the primary area of the Downtown BIA. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Downtown New Westminster Business Improvement Area (Primary Area) Bylaw No. 8288, 2021 be adopted.

Carried.

All members present voted in favour of the motion.

b. Downtown New Westminster Business Improvement Area (Secondary Area) Bylaw No. 8289, 2021

To authorize a property tax levy to fund the secondary area of the Downtown BIA. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Downtown New Westminster Business Improvement Area (Secondary Area) Bylaw No. 8289, 2021 be adopted.

Carried.

All members present voted in favour of the motion.

c. Zoning Amendment Bylaw (Miscellaneous Amendments) No. 8287, 2021

This Zoning Amendment Bylaw includes identified minor annual miscellaneous revisions, edits and corrections to the Zoning Bylaw. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Zoning Amendment Bylaw (Miscellaneous Amendments) No. 8287, 2021, be adopted.

Carried.

All members present voted in favour of the motion.

d. **Official Community Plan Amendment Bylaw (City-wide Crisis Response) No. 8285, 2021**

To enable urgent and time-sensitive service response to local, regional and provincial crises. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Official Community Plan Amendment Bylaw (City-wide Crisis Response) No. 8285, 2021, be adopted.

Carried.

All members present voted in favour of the motion.

e. **Zoning Amendment Bylaw (City-wide Crisis Response) No. 8286, 2021**

To enable urgent and time-sensitive service response to local, regional and provincial crises. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Zoning Amendment Bylaw (City-wide Crisis Response) No. 8286, 2021, be adopted.

Carried.

All members present voted in favour of the motion

Procedural Note: At 6:14 p.m. Councillor Puchmayr declared conflict of interest relating to the two bylaws related to 60-68 Sixth Street, because he volunteers on the board of an organization involved in the proposed development. Council agreed to deal with these two bylaws after the bylaws numbered as items h. and i. below. The minutes are recorded in numerical order.

f. **Official Community Plan Amendment Bylaw (60-68 Sixth Street) No. 8283, 2021**

To permit a supportive housing development containing studio homes with various on-site support services. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Official Community Plan Amendment Bylaw (60-68 Sixth Street) No. 8283, 2021, be adopted.

Carried.

All members present voted in favour of the motion.

(Councillor Puchmayr absent for the vote due to Conflict of Interest)

g. Zoning Amendment Bylaw (60-68 Sixth Street) No. 8284, 2021

To permit a supportive housing development containing studio homes with various on-site support services. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Zoning Amendment Bylaw (60-68 Sixth Street) No. 8284, 2021, be adopted.

Carried.

All members present voted in favour of the motion.

(Councillor Puchmayr absent for the vote due to Conflict of Interest)

h. Official Community Plan Amendment Bylaw (350-366 Fenton Street) No. 8281, 2021

To permit an affordable housing development for Indigenous individuals. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Official Community Plan Amendment Bylaw (350-366 Fenton Street) No. 8281, 2021, be adopted.

Carried.

All members present voted in favour of the motion.

i. Zoning Amendment Bylaw (350-366 Fenton Street) No. 8282, 2021

To permit an affordable housing development for Indigenous individuals. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Zoning Amendment Bylaw (350-366 Fenton Street) No. 8282, 2021, be adopted.

Carried.

All members present voted in favour of the motion.

Procedural Note: At 6:15 p.m., Councillor Puchmayr left the meeting due to the conflict of interest described above. He did not return to the meeting and the remaining Council members considered bylaws f. and g. above. The minutes are recorded in numerical order.

6. **NEW BUSINESS**

None.

7. **ANNOUNCEMENTS FROM MEMBERS OF COUNCIL**

None.

8. **END OF THE MEETING**

The meeting ended at 6:17 p.m.

Jonathan Cote

MAYOR

Jacque Killawee

CITY CLERK



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, sustainable city that includes everyone.

CITY COUNCIL MEETING

MINUTES

Monday, March 7, 2022

Meeting Held Electronically

PRESENT:

Mayor Jonathan Cote
Councillor Chinu Das
Councillor Patrick Johnstone
Councillor Jaimie McEvoy
Councillor Nadine Nakagawa
Councillor Chuck Puchmayr
Councillor Mary Trentadue

STAFF PRESENT:

Ms. Lisa Spitale	Chief Administrative Officer
Ms. Jacque Killawee	City Clerk
Ms. Emilie Adin	Director of Climate Action, Planning and Development
Mr. Rod Carle	General Manager, Electrical Utility
Ms. Christina Coolidge	Indigenous Relations Advisor, Chief Administrative Officer's Department
Mr. Richard Fong	Director of Human Resources
Mr. Blair Fryer	Manager, Communications and Economic Development
Ms. Corrinne Garrett	Senior Manager, Recreation Facilities and Services
Mr. Dean Gibson	Director of Parks and Recreation
Mr. Dave Jansen	Chief Constable
Ms. Lisa Leblanc	Director of Engineering Services
Ms. Lorraine Lyle	Senior Manager, Finance
Mr. Craig MacFarlane	Manager of Legal Services
Ms. Tobi May	Manager, Civic Buildings and Facilities
Mr. Rob McCullough	Manager, Museums and Heritage Services
Ms. Lynn Roxburgh	Acting Supervisor, Climate Action and Land Use Planning
Ms. Meredith Seeton	Policy Planner, Climate Action, Planning and Development
Ms. Denise Tambellini	Manager of Intergovernmental and Community Relations
Ms. Serena Trachta	Manager, Inspections, Climate Action, Planning and Development
Ms. Jackie Teed	Senior Manager, Climate Action, Planning and Development
Ms. Harji Varn	Chief Financial Officer and Director of Finance
Mr. Erin Williams	Acting Fire Chief, New Westminister Fire and Rescue Services
Ms. Nicole Ludwig	Assistant City Clerk

1. CALL TO ORDER

Mayor Cote opened the meeting at 9:00 a.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. MOTION TO MOVE THE MEETING INTO THE CLOSED MEETING

MOVED AND SECONDED

THAT Council will now go into a meeting which is closed to the public in accordance with Section 90 of the Community Charter, on the basis that the subject matter of all agenda items relate to matters listed under Sections:

90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

90(1)(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 municipality;

90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

Carried.

All members present voted in favour of the motion.

3. **END OF THE MEETING**

The meeting ended at 9:01 a.m.

Jonathan Cote

MAYOR

Jacque Killawee

CITY CLERK



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, sustainable city that includes everyone.

CITY COUNCIL MEETING

MINUTES

Monday, March 7, 2022

Meeting held electronically and open to public attendance

Council Chamber, City Hall

PRESENT:

Mayor Jonathan Cote
Councillor Chinu Das
Councillor Patrick Johnstone
Councillor Jaimie McEvoy
Councillor Nadine Nakagawa
Councillor Chuck Puchmayr
Councillor Mary Trentadue

STAFF PRESENT:

Ms. Lisa Spitale	Chief Administrative Officer
Ms. Jacque Killawee	City Clerk
Ms. Emilie Adin	Director of Climate Action, Planning and Development
Mr. Jorge Cardenas	Chief Librarian
Mr. Rod Carle	General Manager, Electrical Utility
Mr. Richard Fong	Director of Human Resources
Mr. Dean Gibson	Director of Parks and Recreation
Mr. Dave Jansen	Chief Constable
Ms. Lisa Leblanc	Director of Engineering Services
Mr. Craig MacFarlane	Manager of Legal Services
Ms. Harji Varn	Chief Financial Officer and Director of Finance
Mr. Erin Williams	Acting Fire Chief, New Westminster Fire and Rescue Services
Ms. Nicole Ludwig	Assistant City Clerk

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Mayor Cote opened the meeting at 6:00 p.m. and recognized with respect that New Westminister is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. **CHANGES TO THE AGENDA**

MOVED AND SECONDED:

THAT Council add the following motion from Councillor McEvoy as New Business to the agenda:

- Support for Ukraine

Carried.

All members present voted in favour of the motion.

Procedural Note: Council agreed to hear from the registered speaker as the next item of business. The minutes are recorded in numerical order.

3. **REPORTS AND PRESENTATIONS FOR COUNCIL DISCUSSION AND ACTION**

3.1 **Presentation: New Westminster Interceptor - Columbia Sewer Rehabilitation Update, Colin Meldrum, Director, Engineering, Design and Construction, Liquid Waste Services, Metro Vancouver (On Table)**

Lisa LeBlanc, Director of Engineering Services, introduced Colin Meldrum, Director, Engineering Design and Construction, Liquid Waste Services, Metro Vancouver. Mr. Meldrum provided an update on the project, apologized for the delays in completion, and advised that the date of completion of this phase is now set for the May 24 weekend. He acknowledged the speaker's comments and apologized for the ongoing impacts in the community.

In discussion, Council members expressed the following concerns:

- The project has suffered multiple delays;
- The pipes stored on Columbia Street have been there much longer than anticipated;
- The impact of the project on businesses and the neighbourhood seems to be a secondary consideration, and the community needs to be prioritized;
- There needs to be an acknowledgement of the difficulties experienced by businesses and residents in the area; and,
- There seems to be a lack of back-up plans and any trust in the project has been completely eroded.

In response to questions and comments from Council, Mr. Meldrum and Peter Navatril, General Manager, Liquid Waste Services, Metro Vancouver, provided the following information:

- The pipes situated on Columbia Street were delivered in November with the start of installation planned for December, however that was delayed by extreme weather;
- On-street storage was required due to the frequency of pipe insertion at approximately one pipe every 15 minutes; storing the pipes away from the insertion point would increase the amount of time needed and have a bigger impact on traffic and pedestrians;
- The hydraulics of the system are complex and are significantly impacted by relatively small amounts of water; if rain is expected, the system takes a day or two to secure, plus another day to reopen following the rainfall;
- There are currently 42 pieces of pipe stored on Columbia Street; if Council approves the recommendation in the related report later on the agenda, 30-35 pipes will be moved to the parking area beside the Police Transit Building, with approximately 10 pieces remaining on Columbia Street to allow slip lining between Eighth Avenue and Columbia/Front Streets;
- Metro Vancouver will work with the contractor for the Pattullo Bridge Replacement Project (PBRP) to see if the section under that area will need to be replaced as part of the PBRP construction;
- Metro Vancouver is working to leave Columbia Street better than it was when the work started, and will provide funding for an event when the construction is complete;
- The early phases of the project did not go according to plan; when this was ascertained, extra oversight from both the contractor and Metro Vancouver were put in place;
- The project has experienced delays due to a variety of factors including weather, supply chain issues, and the discovery of unknown utilities underground;
- Underground utilities have now been mapped, and all materials have been delivered, and this should reduce the impact on future timelines;
- There may be additional mitigation measures possible to ensure that the road is available for use by the May 24 long weekend;
- Additional plans will be developed as issues occur and immediately communicated to the neighbourhood and businesses;
- Metro Vancouver believes the current "Plan B" methodology is sound; and,

- At the request of the BIA Representative, agreed to arrange a meeting with the BIA for the following week.

Procedural Note: Councillor Puchmayr left the meeting at 6:54 p.m. and did not return.

3.2 Construction Noise Bylaw Exemption Extension Request: New Westminster Interceptor – Columbia Sewer Rehabilitation

To request that Council grant an exemption from the Construction Noise Bylaw for Metro Vancouver's contractor, Oscar Renda Contracting of Canada (ORCC), to conduct sewer maintenance including new utility holes installation and slip lining in the downtown area for twelve nights from Friday, March 11, 2022 to Thursday, April 14, 2022.

MOVED AND SECONDED

THAT Council grant an exemption to Oscar Renda Contracting of Canada (ORCC) from Construction Noise Bylaw No. 6063, 1992 for twelve nights between Friday March 11, 2022 and Thursday April 14, 2022 from 8:00 PM to 7:00 AM Mondays to Thursdays and 8:00 PM Fridays to 7:00 AM Mondays including Sundays to conduct maintenance of the existing sewer, installation of new utility holes and slip lining along Columbia Street.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

4. CONSENT AGENDA

If Council decides, all the recommendations in the reports on the Consent Agenda can be approved in one motion, without discussion. If Council wishes to discuss a report, that report is removed from the Consent Agenda. A report may be removed in order to discuss it, because someone wants to vote against the report's recommendation, or because someone has a conflict of interest with the report. Any reports not removed from the Consent Agenda are passed without discussion.

MOVED AND SECONDED

THAT Council adopt the recommendations for items 4.1 to 4.5, 4.7, 4.8, 4.10, and 4.11, on consent.

Carried.

All members present voted in favour of the motion.

4.1 Amendment to the Corporate Records Management Program Bylaw 2022: Electronic Signature Policy

To request Council give three readings to the Corporate Records Management Program Amendment Bylaw No 8322, 2022 which will allow the City to use electronic means to legally bind documents and facilitate the City's continued migration to an electronic work environment.

THAT Council give first, second and third readings to Corporate Records Management Program Amendment Bylaw No 8322, 2022 (Attachment 1 of the March 7, 2022, report entitled "Amendment to the Corporate Records Management Program Bylaw 2022: Electronic Signature Policy), a bylaw to amend the Corporate Records Management Bylaw 7987, 2018.

Adopted on Consent.

4.2 Construction Noise Bylaw Exemption Request: 81 Braid Street (Braid SkyTrain Station)

To seek Council's approval for an exemption from Construction Noise Bylaw No. 6063, 1992 to enable Rissling Services Ltd. to install a new water main to Braid SkyTrain Station located at 81 Braid Street.

THAT Council grant an exemption from Construction Noise Bylaw No. 6063, 1992 to Rissling Services Ltd. from Monday March 14th, 2022 to Thursday April 14th, 2022 from 8:00 PM to 7:00 AM Mondays to Thursdays and 8:00 PM Fridays to 9:00 AM Saturdays to enable installation of a new water main to Braid SkyTrain Station.

Adopted on Consent.

4.3 Covid-19 Task Forces: Update

An informational report to Council with updates from the Covid-19 Task Forces.

THAT Council receives the March 7, 2022, report entitled "Covid-19 Task Forces: Update" for information.

Adopted on Consent.

4.4 Fraser Health Authority Community Health Specialist: Proposed New Role

This report requests Council endorsement for the Fraser Health Authority Community Health Specialist to be embedded in the Community Planning section of the Climate Action, Planning and Development Department. The

purpose of this proposal is to deepen the health lens and perspective in City policies, plans and strategies and to strengthen the City's working relationship with the Fraser Health Authority.

THAT Council endorse that the Fraser Health Authority Community Health Specialist be embedded in the Community Planning section of the Climate Action, Planning and Development Department and act as a resource to all City Departments.

Adopted on Consent.

4.5 Freedom of Information and Protection of Privacy Act Report for 2021

To update Council on the City's compliance with the Freedom of Information and Protection of Privacy Act (FOIPPA) and the recent Provincial amendments to FOIPPA.

THAT Council endorse staff's recommendation not to charge an Administrative Fee for Freedom of Information requests.

Adopted on Consent.

4.6 Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022 and Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022 Bylaws for First and Second Readings

For Council to consider bylaws that would allow the construction of an infill duplex at 102 Seventh Avenue in exchange for heritage protection and conservation of a heritage house.

In response to questions from Council, Wendee Lang, Planning Analyst, Climate Action, Planning and Development, provided the following additional information:

- The proposed density is somewhat higher than normal for HRA requests;
- Duplexes provide a variety of benefits such as variety in housing, possible stratification and separate sales, and provide extra funds for restoration; and,
- The proposed duplex is for smaller two-bedroom units.

MOVED AND SECONDED

THAT Council consider Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw 8312, 2022 and Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing.

THAT Council add 102 Seventh Avenue to the City's Heritage Register following the adoption of the Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022.

Carried.

All members present voted in favour of the motion.

4.7 Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022 and Heritage Designation (1324 Nanaimo Street) Bylaw No. 8291, 2022 for First and Second Readings

For Council to consider bylaws which would allow the subdivision of a property in the West End into two lots, in exchange for heritage protection and restoration of the heritage house.

THAT Council consider Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022 and Heritage Designation (1324 Nanaimo Street) Bylaw No. 8291, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing.

THAT Council add 1324 Nanaimo Street to the City's Heritage Register following the adoption of Heritage Designation (1324 Nanaimo Street) Bylaw No. 8291, 2022.

Adopted on Consent.

4.8 Patio Program Update

To provide an update on changes to various regulations to support an updated approach to patios for use by private businesses and seek endorsement on the fee structure for the various types of patios.

THAT Council consider Zoning Amendment Bylaw No. 8317, 2022 for Two Readings and waive the holding of a Public Hearing as the Bylaw is consistent with the City's Official Community Plan;

THAT Council repeal Sidewalk Cafe Encroachment Bylaw No. 6370, 1997;

THAT Council give Three Readings to Street and Sidewalk Patio Bylaw No. 8318, 2022

Adopted on Consent.

4.9 Proclamation: International Women's Day, March 8, 2022

Councillor Das provided brief comments, encouraging people to listen to the stories that women have about the barriers they have broken down, and expressed deep appreciation of her support system that has allowed to break down barriers throughout her lifetime.

Councillor Das read the proclamation and proclaimed March 8, 2022, International Women's Day in the City of New Westminster.

4.10 Proclamation: International Purple Day for Epilepsy Awareness, March 26, 2022

Adopted on Consent.

4.11 Proclamation: Green Shirt Day, April 7, 2022

Adopted on Consent.

Procedural Note: An additional report was distributed on table.

MOVED and SECONDED

THAT Council add the report "Recruitment 2022: Committee Appointments – SIERAC, CHC, APC, CLSE and Downtown BIA", as New Business to the Agenda, and receive the report for information.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

5. OPPORTUNITY FOR THE PUBLIC TO SPEAK TO COUNCIL – 7:00 PM

Karima Jivraj, President, Downtown New West BIA, expressed concerns with the New Westminster Interceptor Project taking place along Columbia Street, noting:

- There have been substantial delays, a lack of communication and contractors have not followed plans;
- There is too much noise, road closures with no notice, and this has been a nightmare for businesses;
- There seems to be no concern of the impacts on the neighbourhood or businesses;
- The current completion date is the end of May, which will have meant that the neighbourhood has experienced 11 months of construction;

- Businesses no longer trust Metro Vancouver to run the project properly, and they should not have to endure this in addition to all of the other damages suffered in the neighbourhood over the past two years; and,
- Businesses are unable to plan events because the timeline for finishing the project is uncertain.

6. **BYLAWS**

6.1 **Bylaws for readings**

a. **Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022**

To enable construction of an infill duplex at 102 Seventh Avenue, with relaxations for lot size, density, and construction and siting of the duplex. This bylaw is on the agenda for **TWO READINGS**.

A Public Hearing will be held for this bylaw.

MOVED and SECONDED

THAT Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

b. **Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022**

To designate the 1941 house at 102 Seventh Avenue as a protected heritage property. This bylaw is on the agenda for **TWO READINGS**.

A Public Hearing will be held for this bylaw.

MOVED and SECONDED

THAT Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

c. Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022

To subdivide and enable the construction of an infill house on the new lot. Primary relaxations to the proposed HRA include relaxations to the density, lot size, site coverage, front yard setbacks and off-street parking as well as minor ones to regularize the heritage house. This bylaw is on the agenda for **TWO READINGS**.

A Public Hearing will be held for this bylaw.

MOVED and SECONDED

THAT Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Heritage Revitalization Agreement (1324 Nanaimo Street) Bylaw No. 8290, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

d. **Heritage Designation Bylaw (1324 Nanaimo Street) No. 8291, 2022**

To designate the 1944 house at 1324 Nanaimo Street as a protected heritage property. This bylaw is on the agenda for **TWO READINGS**.

A Public Hearing will be held for this bylaw.

MOVED and SECONDED

THAT Heritage Designation Bylaw (1324 Nanaimo Street) No. 8291, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Heritage Designation Bylaw (1324 Nanaimo Street) No. 8291, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

e. **Zoning Amendment Bylaw (Parking Reductions for Patios) No. 8317 2022**

To allow businesses to convert parking or loading spaces on private property into patio space. This bylaw is on the agenda for **TWO READINGS**.

Public Hearings are usually held for Zoning Bylaw Amendments. Because this bylaw is consistent with the Official Community Plan, staff have requested that the Public Hearing be waived.

MOVED and SECONDED

THAT Zoning Amendment Bylaw (Parking Reductions for Patios) No. 8317, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Zoning Amendment Bylaw (Parking Reductions for Patios) No. 8317, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

f. Corporate Records Management Program Amendment Bylaw No. 8322, 2022

An amendment to permit electronic signatures on City documents under certain circumstances. This bylaw is on the agenda for **THREE READINGS.**

MOVED and SECONDED

THAT Corporate Records Management Program Amendment Bylaw No. 8322, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Corporate Records Management Program Amendment Bylaw No. 8322, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Corporate Records Management Program Amendment Bylaw No. 8322, 2022 be given Third Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

g. Street and Sidewalk Patio Bylaw No. 8318 2022

To regulate patios so that businesses can build or continue to operate patios on City property. This bylaw is on the agenda for **THREE READINGS.**

MOVED and SECONDED

THAT Street and Sidewalk Patio Bylaw No. 8318, 2022 be given First Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Street and Sidewalk Patio Bylaw No. 8318, 2022 be given Second Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

MOVED and SECONDED

THAT Street and Sidewalk Patio Bylaw No. 8318, 2022 be given Third Reading.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

6.2 Bylaws for adoption

a. Local Government Elections Procedures Amendment Bylaw No. 8311, 2022

A bylaw to allow for mail ballot voting and elector registration by mail, incorporate Special Voting Opportunities Bylaw No. 6143, 1993 with changes to expand the definition of special voting, and repeal the existing Special Voting Opportunities bylaw. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Local Government Elections Procedures Amendment Bylaw No. 8311, 2022, be adopted.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

b. Parks and Recreation Fees and Charges Amendment Bylaw No. 8319, 2022

To establish the 2022 fees and charges for the Parks and Recreation department. This bylaw is on the agenda for **ADOPTION**.

MOVED and SECONDED

THAT Parks and Recreation Fees and Charges Amendment Bylaw No. 8319, 2022, be adopted.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

7. NEW BUSINESS

7.1 Support for Ukraine

Councillor McEvoy introduced and read the following motion to Council.

MOVED AND SECONDED

WHEREAS New Westminster is home to 185 people who speak Ukrainian as a first language; and,

WHEREAS New Westminster is home to 380 people who speak Ukrainian; and,

WHEREAS New Westminster is home to 325 immigrants from Ukraine; and,

WHEREAS 3,660 residents of New Westminster identify Ukrainian as their ethnic origin; and,

WHEREAS Ukraine has been brutally invaded by the forces of Russian Federation President, Vladimir Putin;

THEREFORE BE IT RESOLVED THAT the City Council of New Westminster express its support for all residents with connections to Ukraine; and,

BE IT FURTHER RESOLVED THAT that the City of New Westminster express its opposition to the war and support for peace; and,

BE IT FURTHER RESOLVED THAT that the City Hall of New Westminster continue to be lit in yellow and blue until at least March 18th, and that the flag of Ukraine be displayed; and,

BE IT FURTHER RESOLVED THAT that the City recognize the pain of Russians, and citizens from Russia, who may also be affected by and oppose this war; and for those young Russians who have died in Putin's war; and,

BE IT FURTHER RESOLVED THAT that the City call on the Government to Canada to expedite immigration and refugee processing for all those fleeing war; and,

BE IT FURTHER RESOLVED THAT that the City boycott products from the Russian Federation in keeping with international sanctions; and,

BE IT FURTHER RESOLVED THAT that the City contact the Government of Canada, Sister Cities International, and the Ukraine Consulate in Vancouver, to determine how cities might assist, and to communicate support; and,

BE IT FURTHER RESOLVED THAT that the City encourage the people of the City of New Westminster to donate to the Ukraine Humanitarian Appeal, the UNICEF Ukraine Emergency Fund, and to the Ukraine Humanitarian Crisis Appeal of the Canadian Red Cross, and that the City advise citizens on how to make such donations through social media, and/or other means to be determined by staff, such as the City website.

BE IT FURTHER RESOLVED THAT that the City contact local refugee organizations and the Canadian government to identify the potential needs of refugees and how the City can be supportive, similar to other events such as the Syria refugee crisis, and the city maintain such contacts and support for future similar refugee crises caused by the outbreak of war, and that the City advise citizens on how they may support refugees from war.

Carried.

All members present voted in favour of the motion.
(Councillor Puchmayr absent for the vote)

7.2 Recruitment 2022: Committee Appointments – SIERAC, CHC, APC, CLSE and Downtown BIA

Earlier in the meeting, Council received this report for information.

At the Closed Council meeting on March 7, 2022, Council resolved:

THAT Council rescind the appointment of Sarah Murray as a Community Member to the Social Inclusion, Engagement and Reconciliation Advisory Committee (SIERAC); and,

THAT Council appoint Nicole Maine as a Committee Member to the Social Inclusion, Engagement and Reconciliation Advisory Committee (SIERAC) for the term ending January 31, 2023; and

THAT Council rescind the appointment of Kletzky Morales as a Community Member to the Community Heritage Commission (CHC); and,

THAT Council appoint Noor Al-Hayali as a Community Member to the Community Heritage Commission (CHC) for the term ending January 31, 2024; and,

THAT Council rescind the appointment of Anthea Darychuk as a Community Member to the Advisory Planning Commission (APC); and,

THAT Council appoint Simar Jaswal as a Community Member to the Advisory Planning Commission (APC) for the term ending January 21, 2024; and,

THAT Council rescind the appointment of Meesh Bono as a Representative from the Environment and Climate Advisory Committee (EnCAC) to the Community Livability and Social Equity Grant Committee; and,

THAT Council appoint Danison Buan as a Representative from the Environment and Climate Advisory Committee (EnCAC) to the Community Livability and Social Equity Grant Committee for the term ending September 30, 2022.

THAT Council rescind the appointment of Councillor Trentadue as the Council Representative to the Downtown Business Improvement Association; and,

THAT Council appoint Councillor McEvoy as the Council Representative to the Downtown Business Improvement Association.

THAT Council release the above-noted decisions to the public.

8. ANNOUNCEMENTS FROM MEMBERS OF COUNCIL

None.

9. **END OF THE MEETING**

The meeting ended at 7:22 p.m.

Jonathan Cote
MAYOR

Jacque Killawee
CITY CLERK



Corporation of the City of NEW WESTMINSTER

A vibrant, compassionate, sustainable city that includes everyone.

SPECIAL CITY COUNCIL MEETING

MINUTES

Thursday, March 10, 2022, 5:00 p.m.

Meeting Held Electronically

PRESENT:

Mayor Jonathan Cote
Councillor Patrick Johnstone
Councillor Jaimie McEvoy
Councillor Nadine Nakagawa
Councillor Chuck Puchmayr
Councillor Mary Trentadue

SCHOOL BOARD:

Trustee Gurveen Dhaliwal	Chair
Trustee Dee Beattie	Vice-Chair
Trustee Danielle Connolly	
Trustee Mark Gifford	
Trustee Maya Russell	

ABSENT:

Trustee Anita Ansari
Councillor Chinu Das
Trustee Mary Lalji

CITY STAFF PRESENT:

Ms. Lisa Spitale	Chief Administrative Officer
Ms. Jacque Killawee	City Clerk
Ms. Emilie Adin	Director of Climate Action, Planning and Development
Mr. Rod Carle	General Manager, Electrical Utility
Mr. Dean Gibson	Director of Parks and Recreation
Ms. Lisa Leblanc	Director of Engineering Services
Mr. Craig MacFarlane	Manager of Legal Services
Ms. Lynn Roxburgh	Acting Supervisor of Climate Action and Land Use Planning
Ms. Meredith Seeton	Policy Planner, Climate Action, Planning and Development
Ms. Serena Trachta	Acting Director of Climate Action, Planning and Development
Ms. Harji Varn	Chief Financial Officer and Director of Finance

SCHOOL DISTRICT STAFF:

Mr. Karim Hachlaf	Superintendent
Mr. Dave Crowe	Director, Capital Projects
Ms. Bettina Ketcham	Secretary-Treasurer

1. **CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

Mayor Cote opened the meeting at 5:01 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

2. **MOTION TO MOVE THE MEETING INTO THE CLOSED MEETING**

MOVED AND SECONDED

THAT Council will now go into a meeting which is closed to the public in accordance with Section 90 of the Community Charter, on the basis that the subject matter of all agenda items relate to matters listed under Sections:

90(1)(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 municipality;

90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

Carried.

All members present voted in favour of the motion

3. **END OF THE MEETING**

The meeting ended at 5:02 p.m.

Jonathan Cote
MAYOR

Jacque Killawee
CITY CLERK

CORPORATION OF THE CITY OF NEW WESTMINSTER

**ZONING AMENDMENT BYLAW
NO. 8317, 2022**

ADOPTED _____

A Bylaw to Amend Zoning Bylaw No. 6680, 2001.

WHEREAS the Local Government Act authorizes a local government to zone areas of a municipality and to make regulations pursuant to zoning.

NOW THEREFORE THE CITY COUNCIL of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (Parking Reductions for Patios) No. 8317, 2022”.
2. Zoning Bylaw No. 6680, 2001 is hereby amended as follows:

a) The following is inserted as section 140.12.1:

140.12.1 The following reductions are permitted for liquor primary licensed premises, lounge endorsement area, restaurant or café uses:

- a) two off-street parking spaces, which are not accessible off-street parking spaces; or
- b) one off-street loading space, provided patio furnishings or structures located within the loading space can be disassembled at any time to facilitate loading.

per establishment on site, provided such reduction facilitates a space for outdoor seating and consumption of food and/or beverage served by and in close proximity to the business.

GIVEN FIRST READING this 7th day of March, 2022.

GIVEN SECOND READING this 7th day of March, 2022.

PUBLIC HEARING waived under section 464(2) of the Local Government Act.

Bylaw No. 8317, 2022

GIVEN THIRD READING this _____ day of _____, 2022.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this
_____ day of _____, 2022.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

**CORPORATION OF THE CITY OF NEW WESTMINSTER
BYLAW NO. 8314, 2022**

A Bylaw to Amend WATER SHORTAGE RESPONSE BYLAW NO. 6948, 2004

The Council of The Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

Citation

1. This Bylaw may be cited for all purposes as “Water Shortage Response Amendment Bylaw No. 8314, 2022”.

Amendments

2. Water Shortage Response Bylaw 6948, 2004 is amended as follows:

A. PART 2: DEFINITIONS AND INTERPRETATION

- I. By adding the following definitions to section 2.1 in alphabetical order, and renumbering the list as needed:

Automatic Watering - means applying water using an automated water delivery system that requires only minimal human intervention or supervision and typically employs mechanical, electronic, or other components and devices, including but not limited to timers, sensors, computers, or mechanical appliances.

Manual Watering - means applying water using a device or tool that is manually held or operated by a human being, without automatic watering.

B. PART 5: PERMITS is hereby amended as follows:

- I. By replacing sections 5.3, 5.4, 5.5 and 5.6 in their entirety with:

5.3 The Director of Engineering Services or representative, upon being satisfied that an applicant qualifies under section 5.1, shall issue a Permit to the applicant upon payment of a fee in the amount set out in the Engineering Fees and Rates Bylaw No. 7553, 2013.

5.4 A Permit issued under section 5.3 shall expire and be of no force or effect 21 days after the date of its issue,

unless the Person has been issued an extension under section 5.5.

- 5.5 Before or after the expiration of a Permit issued under section 5.2, a Person may apply for one extension of the Permit on the same terms and conditions as may be imposed under section 5.2. Such an extension shall end on or before 42 days from the date of the issue of the Permit under section 5.3.

C. SCHEDULE 1: RESTRICTION STAGES is hereby amended as follows:

- I. By removing the wording "Part 1", "Part 2", "Part 3" and "Part 4" before each "STAGE" and "Part 5" before "Exemptions".

D. SCHEDULE 1: RESTRICTION STAGES
STAGE 1 RESTRICTIONS is hereby amended as follows:

- I. By replacing section 1.1 a) in its entirety with:

a) Residential Addresses shall not:

1.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Saturdays from 5 – 7 AM if using automatic watering and from 6 – 9 AM if using manual watering;
- (ii) at premises with odd numbered civic addresses on Sundays from 5 – 7 AM if using automatic watering and from 6 – 9 AM if using manual watering.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 5 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

- II. By replacing sections 1.1 b) 1.1.1 and 1.1 b) 1.1.2 in their entirety with:

b) Non-Residential Addresses shall not:

1.1.1 Water lawns, except:

- (i) at premises with even numbered civic addresses on Mondays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

III. By replacing sections 1.1 c) 1.1.1 and 1.1 c) 1.1.2 in their entirety with:

c) Governments/Schools/Parks shall not:

1.1.1 Water lawns and grass boulevards, except:

- (i) at premises with even numbered civic addresses on Mondays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering;
- (ii) at premises with odd numbered civic addresses on Tuesdays from 4 – 6 AM if using automatic watering and from 6 – 9 AM if using manual watering.

1.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;

- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

E. SCHEDULE 1: RESTRICTION STAGES

STAGE 2 RESTRICTIONS is hereby amended as follows:

- I. By replacing sections 2.1.a) 2.1.1 and 2.1 a) 2.1.2 in their entirety with:

- a) Residential Addresses shall not:

- 2.1.1 Water lawns:

- 2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 5 – 9 AM if using a sprinkler;

- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

- II. By replacing sections 2.1 b) 2.1.1 and 2.1 b) 2.1.2 in their entirety with:

- b) Non-residential Addresses shall not:

- 2.1.1 Water lawns.

- 2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;

- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

- III. By replacing sections 2.1 c) 2.1.1 and 2.1 c) 2.1.2 in their entirety with:

- c) Government / Schools / Parks shall not:

- 2.1.1 Water lawns and grass boulevards.

2.1.2 Water trees, shrubs, and flowers excluding edible plants, except:

- (i) on any day from 4 – 9 AM if using a sprinkler;
- (ii) on any day at any time if using a handheld hose, soaker hose, water container, or drip irrigation.

F. Schedule 6 is deleted.

3. These amendments shall come into effect on May 1, 2022.

GIVEN FIRST READING THIS _____ day of _____ 2022.

GIVEN SECOND READING THIS _____ day of _____ 2022.

GIVEN THIRD READING THIS _____ day of _____ 2022.

ADOPTED THIS _____ day of _____ 2022.

Mayor Jonathan X. Cote

Jacque Killawee, City Clerk

**CORPORATION OF THE CITY OF NEW WESTMINSTER
BYLAW NO. 8322, 2022**

A Bylaw to Amend "Corporate Records Management Program Bylaw 7987, 2018"

The Council of The Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

Citation

1. This Bylaw may be cited for all purposes as "Corporate Records Management Program Bylaw Amendment Bylaw No. 8322, 2022."

Amendments

2. "Corporate Records Management Program Bylaw 7987, 2018" is amended by:

- a. Inserting the following as a new Section 8

8. Electronic Signature Policy

(a) A Council member, employee of the City of New Westminster, or Volunteer who chairs a committee, that is authorized (by legislation, bylaw, or policy) to sign or otherwise execute a document on behalf of the City may execute such document by Electronic Signature, subject to the conditions and restrictions set out in the Electronic Signature Policy. See Schedule 2, attached to and forming part of this bylaw.

- b. Adding Schedule "2" – Electronic Signature Policy

GIVEN FIRST READING THIS 7th day of March 2022.

GIVEN SECOND READING THIS 7th day of March 2022.

GIVEN THIRD READING THIS 7th day of March 2022.

ADOPTED THIS _____ day of _____ 2022.

Mayor Jonathan X. Cote

Jacque Killawee, City Clerk

Schedule 2

Electronic Signature Policy

Policy Title:	ELECTRONIC SIGNATURES
Issue Date:	February 28, 2022
Revised Date:	
Prepared by:	Legislative Services
Document #:	1734185

Overview

A signature represents an individual's personal approval in a document or transaction and provides evidence of that person's identity, intent to approve, or to be legally bound by the contents of the document. The purpose of a signature is the same whether it is paper-based or electronic.

Within the City of New Westminster, the requirement for a signature can be a customary practice, can be imposed by policy, or can be required under law. As more work is being done electronically, the ability to sign and receive signed documents electronically while meeting all requirements will streamline and expedite workflow processes and improve customer service in the City of New Westminster.

1. Purpose

- 1.1 The purpose of this Policy is to provide guidance on when Electronic Signatures are considered official and acceptable by the City of New Westminster.
- 1.2 This Policy does not address confidentiality requirements.

2. Scope

- 2.1 This policy identifies types of documents for which Electronic Signatures will be acceptable and the manner in which the Electronic Signature must be provided.
- 2.2 This Policy applies to all departments, Council Members, employees of the City of New Westminster, and Volunteers who chair committees. This policy does not apply to the New Westminster Public Library or the New Westminster Police Department.
- 2.3 All Electronic Submissions received are subject to the *Freedom of Information and Protection of Privacy Act* and *Electronic Transactions Act*, where applicable.

3. Definitions

- 3.1 **City** means the City of New Westminster.
- 3.2 **CAO** means the Chief Administrative Officer.
- 3.3 **Third Party** means any company or individual that the City interacts with, such as residents, vendors, suppliers, distributors, agents, contractors and customers.
- 3.4 **Wet Signature** means a physically generated signature or distinct mark on a hard copy of a document using a pen or seal.
- 3.5 **Electronic Signature** means information in electronic form that a person has created or adopted in order to sign a record and that is in, attached to or associated with the record.

Electronic Signatures include but are not limited to:

- (a) a scanned image of a handwritten signature applied or pasted to an electronic document;
- (b) user authentication by clicking an electronic confirmation or acknowledgement on a website to capture user's intent (for example, clicking "agree" or "disagree");
- (c) user authentication through personalized login and access code to an internal application to approve something, including but not limited to an email from user's email account;
- (d) a sound such as a recorded voice command (for example, a verbal confirmation in response to a question);
- (e) a handwritten but digitally captured signature created using a stylus or finger on a touchscreen; and
- (f) a Digital Signature.

- 3.6 **Digital Signature** means an Electronic Signature that is based on asymmetric cryptography. This form of Electronic Signature provides validity and integrity, as the technology allows for tracking and verification of the document through time. It is the most secure method and should be used where liability is a concern.
- 3.7 **Electronic Submission** means a document submitted electronically, including, but not limited to email, web form, facsimile or external device (for example, hard drive, usb flash drive).

4. Electronic Signature Usage

- 4.1 This Policy does not compel or require the City to use Electronic Signatures wherever permitted.
- 4.2 The City cannot require that any Third Party signing a document use Electronic Signatures if a Third Party is reluctant or unable to sign a document electronically.
- 4.3 Before an Electronic Signature is used, it must be determined whether an Electronic Signature can be used and, if so, the manner in which the Electronic Signature must be provided.
- 4.4 Electronic Signatures are not legally binding in all circumstances. Wills, trusts created by wills, powers of attorney, documents that create or transfer interests in land, and other records prescribed in the regulations cannot be signed electronically. These documents must be signed with Wet Signatures.
- 4.5 All documents and supporting documents that are registered at the Land Title office require a Wet Signature. This includes but is not limited to the Form A, Form C, Form C Release, Form D, Strata Property Act Filing (e.g. Form E), Terms of Instrument, Declaration, Form 17 Fee Simple, Form 17 Charge, Notation or Filing, Form 17 Cancellation of Charge, Notation or Filing, and Application to Deposit Plan (DSPL) form documents.
- 4.6 When a document requires the signature of a witness, the witness must be physically present and must Wet sign the document.
- 4.7 Certification as a true copy of an original document cannot be done electronically. A Wet Signature should be applied on an exact copy of the paper document.
- 4.8 Council Members and the City's employees may apply Electronic Signatures into routine correspondence, documents, internal memos, or reports.

Appendix A outlines the types of documents where an Electronic Signature can be used and where a Digital Signature or Wet Signature is required.

- 4.9 Council Members and the City's employees shall use a Digital Signature if authorized by their designated role in the City or by Delegation Bylaw No. 7176, 2015, and Procurement Bylaw 6942 as amended. Council Members and the City's employees who do not have signing authority shall not be given licenses to Digital Signature software.
- 4.10 Any new process that requires a signature needs to conform to this Policy.
- 4.11 Council Members and the City's employees must only use the Electronic Signature systems approved by the City.
- 4.12 **Electronic Signatures on Incoming Documents**

Electronic Signatures are acceptable on Electronic Submissions received by the City including Digital Signatures, stamps, or professional seals where required by a certifying authority (see Appendix A).

Where a professional body has codified a certifying authority of Electronic Signatures the City will only accept that authority's signature. For example an engineer may not submit a document signed only with an image of the engineer's signature it must be signed with the appropriate Digital Signature.

The City shall accept only a Digital Signature certified by the professional body of the professional who submits the professionally sealed document. For example, engineering documents submitted by professional engineers must be signed using Notarius.

- 4.13 Where a user's Digital Signature does not appear valid, the City will not accept the document as the source cannot be verified.

5. Oversight

- 5.1 The City solicitor and Legislative Services Division of the Office of the CAO have the authority and discretion to make decisions regarding the acceptance of all Electronic Signatures.

- 5.2 The City shall use the Electronic Signature systems authorized by the Information Technology Services Department. A Privacy Impact Assessment must be completed to ensure the software is compliant with the *Freedom of Information and Protection of Privacy Act*.
- 5.3 The City shall maintain a Digital Signature system for authorized employees, City staff who are Commissioners for taking oaths, and the City solicitor.

6. Responsibilities

- 6.1 Overall management of this Policy is the responsibility of the Legislative Services Division of the Office of the CAO.
- 6.2 The Legislative Services Division of the Office of the CAO shall review this Policy periodically and amend or update the Policy to ensure that it is current and relevant.
- 6.3 Information Technology Services Department shall manage the applicable software.

7. User Responsibilities

- 7.1 No individual, through the transmission of an Electronic Submission bearing an Electronic Signature shall represent themselves in a way that is false or misleading.
- 7.2 For an individual to apply another user's Electronic Signature to a document, written authorization must be given from the person whose signature is being used to the individual who is applying the signature to the document.
- 7.3 Digital Signatures cannot be given to or applied by another user. Only the authorized signing authority can sign a document using their Digital Signature.
- 7.4 Any individual found to be in breach of this Policy shall be subject to discipline up to and including termination from employment, cancellation of contract, legal action, and/or restitution.
- 7.5 Digital Signatures are to be stored in a secured location that is only accessible to the authorized user and Information Technology Services Department.

8. Related Policies and Legislation

8.1 This policy is applied in conjunction with other City Policies and Bylaws which include but are not limited to:

- (a) Corporate Records Management Program Bylaw No. 7987, 2018;
- (b) Email/Internet Policy; and
- (c) Standards of Conduct Policy.

8.2 This policy is governed by the following Provincial legislation which includes but is not limited to:

- (a) *Freedom of Information and Protection of Privacy Act*; and
- (b) *Electronic Transactions Act*; and
- (c) *Land Title Act*; and
- (d) *Local Government Act*

Appendix A

Types of documents

This Policy does not compel the use of Electronic Signatures. Departments wishing to make work processes fully electronic may do so by consulting this Appendix to identify whether Electronic Signatures can be used and what type of Electronic Signature is required, the determination of which is based on legal requirements and liability.

Wet Signature

The following documents cannot be electronically signed.

Document Type	Use of Electronic Signature	Required Mode
<p>All documents that are registered at the Land Titles Office.</p> <p>This includes but is not limited to the Form A, Form C, Form C Release, Form D, Strata Property Act Filing (e.g. Form E), Terms of Instrument, Declaration, Form 17 Fee Simple, Form 17 Charge, Notation or Filing, Form 17 Cancellation of Charge, Notation or Filing, and Application to Deposit Plan (DSPL) form and documents attached to the forms.</p> <p>Examples: Covenants, Development Agreements, Easements, Encroachments, Housing Agreements, Leases, Rights-of-way, Subdivisions, Transfers of Land, etc.</p> <p>Note: Development Permits and Development Variance Permits are not land title documents created under the <i>Land Title Act</i> and instead are permits created under the <i>Local Government Act</i>. There is no legal requirement for them to be Wet signed.</p>	No	Wet Signature

Documents requiring the signature of a witness (the witness must be physically present)	No	Wet Signature
Certification as a true copy of an original document	No	Wet Signature

Digital Signature

The following documents can be signed using a Wet Signature or require a Digital Signature, stamp, or secure professional seal.

Document Type	Use of Electronic Signature	Required Mode
Agreements – if the documents are not registered at the Land Titles Office, they may be electronically signed i.e. Works and Services, Government Protocols, Cost Sharing, Traffic , Railway, Union Agreements, MOUs and other Agreements between agencies, etc.	Yes	Wet or Digital Signature
BridgeNet Service Order	Yes	Wet or Digital Signature
Consent release and waiver forms	Yes	Wet or Digital Signature
Contracts - i.e. construction contracts, consulting services, contracts for services, contracts for goods, etc.	Yes	Wet or Digital Signature

Plans, reports and schedules signed and sealed by Registered Professionals including but not limited to: <ul style="list-style-type: none"> ○ Architect ○ Landscape Architect ○ Civil Engineer ○ Mechanical Engineer ○ Electrical Engineer ○ Plumbing Engineer ○ Structural Engineer ○ Geotechnical Engineer ○ Code Engineer ○ Fire Protection Engineer ○ Licensed Surveyor Note: As of August 2021, Notarius is the required tool for EGBC professional seal.	Yes	Wet or Digital Signature / Stamp / Secure professional seal with Notarius
Procurement process – Invitations to Tender require a Wet or Digital Signature Note: EOI, RFPs, RFQs, etc. can be completed with any Electronic Signature.	Yes	Wet or Digital Signature

Electronic Signature

The following documents can be signed with a Wet Signature, Digital Signature, or can be completed with a scanned signature, approved via email, system verification or other form of Electronic Signature.

Document Type	Use of Electronic Signature	Required Mode
Building Applications – i.e., Building, Demo, Plumbing, Heating, Services, Sprinkler Permit Applications, etc. Note: Building Division signs/stamps application documents throughout the process. Professionals must use Digital Signature /	Yes	Wet or any Electronic Signature

stamp for signed/sealed drawings and schedules but not regular correspondence.		
Business Licence Applications / Business Licences	Yes	Wet or any Electronic Signature
Certificate of Insurance	Yes	Wet or any Electronic Signature
Change of Contractor forms	Yes	Wet or any Electronic Signature
Cheque Requisitions	Yes	Wet or any Electronic Signature
City Bylaws and Council Minutes, including Zoning Bylaws, Heritage Revitalization Agreement and Designation Bylaws	Yes	Wet or any Electronic Signature
Development Applications – i.e. OCP or Zoning Amendment Applications; Development, Development Variance, Temporary Use, Tree, Sign Permit Applications; Board of Variance Applications, etc.	Yes	Wet or any Electronic Signature
Development Application Drawings	Yes	Wet or any Electronic Signature
Document Request Forms	Yes	Wet or any Electronic Signature
Erosion & Sediment Control Submission Form (ESC)	Yes	Wet or any Electronic Signature
Facility Rental	Yes	Wet or any Electronic Signature
Fire Investigation Report Completion Form	Yes	Wet or any Electronic Signature
Grants	Yes	Wet or any Electronic Signature

HR documents – i.e. performance reviews, PAF's, offers of employment, disciplinary or other performance management or attendance management letters	Yes	Wet or any Electronic Signature
Invoices	Yes	Wet or any Electronic Signature
Letter of Authorization (LOA) – Building and Planning Divisions	Yes	Wet or any Electronic Signature
Letters / Correspondence of various types – i.e. Comfort Letter, Notice of Violation, referral letters, letters to other municipalities, Freedom of Information correspondence, etc.	Yes	Wet or any Electronic Signature
Internal Memos	Yes	Wet or any Electronic Signature
Mileage Forms	Yes	Wet or any Electronic Signature
Operational Guidelines (Fire)	Yes	Wet or any Electronic Signature
Other staff administrative documents	Yes	Wet or any Electronic Signature
Payroll forms – i.e. timesheets, vacation requests, overtime, gratuity leave, family responsibility leave, etc.	Yes	Wet or any Electronic Signature
Permits – i.e., Building, Tree , Development, Development Variance, Temporary Use, Demo, Sign, Plumbing, etc.	Yes	Wet or any Electronic Signature
Procurement Process – EOI, RFP, RFQ, etc. Note: Invitations to Tender require Wet or Digital Signature	Yes	Wet or any Electronic Signature
Purchase card approvals	Yes	Wet or any Electronic Signature
Purchasing Forms	Yes	Wet or any Electronic Signature
Recycling Forms 1, 2 & 3 (Waste Disposal & Recycling Service Plan, Hazardous Materials report & Compliance Report)	Yes	Wet or any Electronic Signature

Reports / Memos to committee	Yes	Wet or any Electronic Signature
Reports / Memos to Council	Yes	Wet or any Electronic Signature
Tax Receipts	Yes	Wet or any Electronic Signature

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8318, 2022

A Bylaw to Permit Encroachment on City Streets and Sidewalks
for the Purpose of Operating a Patio

WHEREAS the *Community Charter* S.B.C. 2003 c.26 section 36 empowers Council, by bylaw, to regulate and prohibit in relation to all uses of or involving a highway or portion of it or a public place;

NOW THEREFORE, the City Council of the Corporation of the City of New Westminster, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Street and Sidewalk Patio Bylaw No. 8318, 2022”.

2. No person shall occupy any portion of a highway or other public place for the purpose of operating a patio without first entering into an Encroachment Agreement with the City, in the form attached as Schedule “A” to this Bylaw, which is incorporated into and forms part of this Bylaw (the “Encroachment Agreement”). The City is under no obligation to enter into an Encroachment Agreement with any person.

3. For the purposes of this bylaw, the following definitions are applied:

“Curbside patio” means a semi-permanent structure constructed or placed in the parking lane of a street in front of a liquor primary licensed premises, lounge endorsement area, restaurant or café and which is the subject of a licence agreement with the City.

“Small patio” means moveable furniture placed on a sidewalk, which supports or accommodates business activity or customer seating as an extension of and adjacent to the business address of an existing food or beverage establishment that does not extend into an area perpendicular to the frontage of a neighbouring business.

“Large patio” means a semi-permanent structure constructed or placed on a street or sidewalk, which supports or accommodates business activity or customer seating as an extension of and adjacent to the business address of an existing liquor

primary licensed premises, lounge endorsement area, restaurant or café establishment and which is the subject of a licence agreement with the City.

“Patio” means “curbside patio”, “small patio” and “large patio”

“Seasonal patio term” is defined as April 1 – October 31.

4. Effective January 1, 2023, and unless waived or reduced after an application to the City Engineer, every person entering into a new Encroachment Agreement and encroaching on the City’s streets for the purpose of operating a patio, shall upon execution of the Encroachment Agreement pay to the City the following;

- (a) Patio application fee of \$50 required per term of seasonal patio installation and once for a year-round patio.
- (b) Encroachment Patio Fees
 - i. Year Round Patio: annual fee of \$26.91 per square metre (\$2.50 per square foot) of sidewalk or street encroached upon; or
 - ii. Seasonal Patio (April 1 – October 31): annual fee of \$15.72 per square metre (\$1.46 per square foot) of sidewalk or street encroached upon; or
 - iii. Small patio: annual fee of \$30 per table and two chairs.
- (c) A security deposit in the amount of \$600.

5. Unless amended or varied by the City Engineer, no person shall encroach upon the City’s streets for the purpose of operating a patio, unless the patio is an extension of a liquor primary licensed premises, lounge endorsement area, restaurant or café which occupies a building immediately behind the street property line.

6. Unless amended or varied by the City Engineer, no patio shall extend beyond the width of the abutting liquor primary licensed premises, lounge endorsement area, restaurant or café’s frontage.

7. A patio may not be operated between:
- 10:00 pm and 9:00 am for a liquor primary establishment or lounge endorsement area in a commercial zoning district; or
 - 11:00 pm and 9:00 am for a lounge endorsement area, in an industrial zoning district.

8. Smoking is prohibited in all patios.

9. Unless amended or varied by the City Engineer, the outside edge of the patio shall not extend into the sidewalk any closer than 1.8 metres (6 feet) from the face of the curb. The minimum clearance from any obstruction on the sidewalk to the outer edge of the patio shall be 1.5 metres (5 feet).

10. Every application to encroach upon the City's streets for the purpose of operating a patio shall be accompanied by the following:

- (a) an application form indicating the applicant's willingness to enter into an Encroachment Agreement with the City and providing a description of the purpose and design of the patio;
- (b) one copy of a site plan of the establishment, the patio and the adjacent sidewalk and curb, clearly showing all exits, outside tables and chairs, bus zones, parking, landscaping, trees, and any other City street furniture to a distance of 4.5 metres (15 feet) on either side of the establishment frontage;
- (c) such other information as may be necessary to illustrate any features of the patio's design.

11. The City Engineer shall have all powers and authority necessary to enforce the provisions of this Bylaw.

12. Highway Encroachment Bylaw No. 5740, 1988 does not apply to an encroachment for the purposes of operating a patio.

13. "New Westminster Sidewalk Cafe Encroachment Bylaw, No. 6370, 1997" is hereby repealed.

GIVEN FIRST READING this 7th day of March, 2022.

GIVEN SECOND READING this 7th day of March, 2022.

GIVEN THIRD READING this 7th day of March, 2022.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed
this _____ day of _____, 2022.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK

SCHEDULE "A"

THIS ENCROACHMENT AGREEMENT dated the day of 20

BETWEEN:

(the "Applicant")

AND:

CORPORATION OF THE CITY OF NEW WESTMINSTER
City Hall
511 Royal Avenue
New Westminster, B.C.
V3L 1H9

(the "City")

RECITALS

- A. The Applicant is the liquor primary operator, lounge, restaurant, or café, on the Lands defined in this Agreement.
- B. The Applicant has requested that the City grant its permission to use the Encroachment Area defined in this Agreement for the purpose of operating a patio.
- C. The City agrees to grant the Applicant's request subject to the provisions of the City's bylaws as amended from time to time and subject to the terms and conditions of this Agreement;

THIS AGREEMENT WITNESSES THAT in consideration of the promises contained in this Agreement and other good and valuable consideration THE PARTIES HEREBY AGREE AS FOLLOWS:

Lands

1. The liquor primary licensed premises, lounge endorsement area, restaurant or café is operated on lands situated in the City of New Westminster, British Columbia, which are more particularly described as:

(the "Lands")

Permission to Encroach

2.(1) The City, subject to the terms of this Agreement, grants the Applicant permission to encroach upon that portion of highway in the City which is shown outlined on the Sketch attached as Schedule "1" to this Agreement and which is further described as:

(the "Encroachment Area")

2.(2) The Applicant shall not undertake any construction or other work, or deposit any chattels or other materials associated with the patio in the Encroachment Area (collectively the "Works") without the written permission of the City. The Applicant shall not permit the Works to encroach on any highway other than the Encroachment Area.

Title

3. This Agreement does not give the Applicant any legal or equitable interest of any kind in the Encroachment Area. The Encroachment Area retains its status as a highway.

Payment

4.(1) Upon execution of this Agreement, the Applicant shall, for the first year of this Agreement, pay to the City the current annual patio encroachment fee prescribed by Section 4 of the City of New Westminster Street and Sidewalk Patio Bylaw No. 8318, 2022 (the "Encroachment Fee"), and an amount of \$600.00 to be held by the City as a security deposit against the works. This deposit will be released to the applicant upon termination of the Agreement less any charges, if any, incurred by the City associated with maintenance or removal of the works.

4.(2) Each year thereafter on the anniversary date of the execution of this Agreement, the Applicant shall pay to the City the prevailing Encroachment Fee for that year as prescribed by Section 4 of the City of New Westminster Street and Sidewalk Patio Bylaw No. 8318, 2022.

Maintenance

5.(1) The Applicant shall at all times and at their own expense keep and maintain the Works and the Encroachment Area in good and sufficient repair to the satisfaction of the City.

5.(2) The Applicant shall not make any structural alterations to the Works without the prior written consent of the City.

5.(3) If the Applicant fails to keep the Works in good repair to the satisfaction of the City, the City may, in its sole discretion, cause such repairs to be made, including structural changes, as it deems necessary at the Applicant's expense. The Applicant shall pay the costs of the repairs to the City forthwith on demand.

5.(4) Where costs are incurred by the City they shall be charged to property taxes where they relate to:

- (a) this Agreement; or
- (b) work that has resulted in damage to City property.

Design Specifications

6. The Applicant shall ensure that the patio and the Works conform to the following requirements and specifications:

- (a) the limits of the Encroachment Area shall be demarcated by means of moveable planters and/or fences which shall be not less than 76 cm (30") nor more than 122 cm (48") in height, unless the Encroachment Area consists of a Small Patio in which case no demarcation is required;
- (b) the Works located upon the Encroachment Area shall consist only of seating, tables, umbrellas, planters and fences; and
- (c) no portion of the patio shall extend beyond the Encroachment Area.
- (d) no signs which promote a third party are located in the area of the patio or on any fences, railings or other means separating the patio from the sidewalk or street.

Indemnity and Insurance

7.(1) The Applicant indemnifies and holds harmless the City from all claims of any kind, however caused, whether known or unknown, arising out of or in any way connected with:

- (i) the permission to encroach granted by this Agreement;
- (ii) the existence and use of the Encroachment Area; or
- (iii) the construction, maintenance, existence, use or removal of the Works.

7.(2) The indemnity in Subsection (1) includes, without limitation, a claim for loss or injury to persons or to property due to the Applicant's negligence or to the Applicant's failure to comply with the City's bylaws or any one of them or with any provision of this Agreement.

7.(3) The Applicant shall take out and maintain, with such companies and on such terms as are acceptable to the City, at the Applicant's expense, at all times while this Agreement is in force, comprehensive general liability insurance covering without limitation premises and operations liability, and contractual liability. The limits of liability for personal injury, property damage and contractual liability combined shall be for not less than \$2,000,000 for each occurrence or such other reasonable amount as may be determined by the City from time to time for each occurrence. If liquor service is provided on the patio, the Applicant shall take out and maintain \$5,000,000 Host Liquor Liability insurance. The Applicant shall include the City as an additional insured under the policies of comprehensive general liability insurance. A cross liability clause shall be made part of the policies of comprehensive general liability insurance. All policies shall provide that they shall not expire, be cancelled or be materially changed without at least thirty (30) days prior written notice to the City by registered mail. Prior to commencement of any work hereunder, and otherwise as the City may request, the Applicant shall file with the City certified copies of each insurance policy required hereunder, or such other proof satisfactory to the City that all such policies are in force as may be applicable. Should the Applicant neglect to obtain or maintain insurance or obtain and maintain insurance as aforesaid or to deliver the policy or policies therefore to the City, the City shall have the right to, but shall not be obligated to, obtain or maintain such insurance, and the Applicant hereby appoints the City its true and lawful attorney to do all things necessary for this purpose. All monies expended by the City for insurance premiums under the provisions of this Section shall be charged to the Applicant and payable by the Applicant to the City forthwith on demand.

8. No finding of negligence, whether joint or several, as against the City in favour of any third party in an action to which the Applicant was not a party, shall operate to relieve or shall be deemed to relieve the Applicant in any

manner from any liability to the City, whether such liability arises under this Agreement, under the provisions of the *Local Government Act* as amended from time to time or otherwise.

Release

9. The Applicant releases the City from all claims of any kind, whether known or unknown, which the Applicant now has or at any future time may have, however caused, arising out of or in any way connected with the permission to encroach granted by this Agreement, the existence and use of the Encroachment Area, the construction, maintenance, existence, use or removal of the Works, or the exercise by the City of any of its rights in this Agreement.

Security

10. The City retains the right on the termination of this Agreement to proceed with the enforcement of any security or indemnity provided in this Agreement or otherwise.

Termination

11.(1) If the Applicant violates any provision of this Agreement or of the City's bylaws, the City may terminate all the Applicant's rights under this Agreement on two weeks' notice. If the owner fails to remove the works as required by the City, the City may in its sole discretion, cause the works to be removed at the owner's expense.

11.(2) The City, may at any time in its sole discretion, withdraw the rights it has granted to the Applicant in this Agreement and terminate the Agreement on four weeks' notice. Should the City exercise its discretion under this Subsection, then the City shall reimburse the Encroachment Fee to the Applicant, on a proportionate basis, based on the remaining portion of the year.

11.(3) On receipt of notice under Subsection (1) or (2), the Applicant shall, within the time period stated in the notice, at his or her expense, remove the Works and otherwise restore the Encroachment Area to the satisfaction of the City.

11.(4) Where the Council of the City considers that, in its sole discretion, the interest of the public in the highway on which the Encroachment Area lies makes it necessary or advisable, the Council may shorten the time limits in this Section.

Assignment

12. The Applicant shall not assign any of its rights and obligations arising from this Agreement without the prior written consent of the City.

Right of Entry

13. The City's employees or agents shall have the right at any and all times to enter into and upon the Lands for the purpose of constructing, maintaining, inspecting or removing any public works or utility in the vicinity of the Encroachment Area or for the purpose of maintaining or removing the Works under this Agreement.

Alterations to City Property and Public Works

14. In the event of any alteration or change made necessary to any meter, water service, sewer or other public works or utility in the vicinity of the Lands by the construction, maintenance, use or removal of the Works, the Applicant shall reimburse the City for whatever expenses it may incur in making the alterations or changes that are deemed necessary by the City.

City's Rights Reserved

15. This Agreement does not in any way restrict the right of the City at any time to widen, raise or lower the highway or boulevard abutting or adjoining the Lands, even if the effect of the alteration in width or elevation or both may be to render the Works, the Encroachment Area, or both useless for the purposes of the Applicant.

Licenses and Permits

16. The Applicant shall, at their expense, obtain and maintain all licenses, certificates, permits and authorizations, including applicable Provincial liquor licenses, as may be necessary and required to operate the patio.

Interpretation

17. The waiver of default by either party shall not be deemed to be a waiver of any subsequent default by that party.

18. Whenever it is required or desired that either party deliver or serve a notice on the other, the delivery or service shall be deemed to be satisfactory if and deemed to have occurred when the notice has been:

- (a) served personally, on the date of service, or
- (b) mailed by pre-paid registered mail, on the date received or on the sixth day after receipt of mailing by any Canada Post Office, whichever is the earlier, so long as the notice is mailed to the party at the address on the first page of this Agreement for that party or to whatever address to which the parties from time to time may in writing agree, except that in the event of a strike or disruption in postal service, the notice shall not be deemed to be received until actually received.

19.(1) Whenever the singular is used in this Agreement, the same is deemed to include the plural or the body politic or corporate as the context so requires.

19.(2) Every reference to each party is deemed to include the heirs, executors, administrators, successors, assigns, employees, agents, officers, elected officials and invitees of such party whenever the context so requires or allows.

20. Section headings are included for convenience only. They do not form a part of this Agreement and shall not be used in its interpretation.

21. Any opinion which the City is entitled to form in this Agreement may be formed on behalf of the City by the Director of Engineering Services, in which event the opinion of the Director shall be deemed to be the opinion of the City for the purposes of this Agreement.

22. If any part of this Agreement is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.

23. This agreement shall endure to the benefit of and be binding on the parties hereto NOTWITHSTANDING any rule of law or equity to the contrary.

24. This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.

25. IN WITNESS WHEREOF the parties have executed this Agreement under seal.

SIGNED, SEALED AND DELIVERED)
)
by _____)
in the presence of:)
)
_____)
Witness)
)
_____)
Address)
)
_____)
Occupation)

(Insert Name of Applicant)

The Corporate Seal of the City)
was hereunto affixed in the)
presence of:)
)
_____)
Mayor)
)
_____)
City Clerk)