



## **CITY COUNCIL MEETING AGENDA**

**Monday, April 11, 2022, 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>

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### **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. REPORTS AND PRESENTATIONS FOR COUNCIL DISCUSSION AND ACTION**

##### **3.1. Rezoning and Development Permit Applications for Market Rental Building Renovation: 222 Ash Street**

**7**

Feedback and instructions from Council are sought regarding an application to add 37 rental units (including 10 affordable units) in a three-storey addition to an existing rental building, which would require the existing 50 rental units be vacated for construction, 58% of which pay below market rent.

##### **Recommendation:**

**THAT** Council provide staff with direction as outlined in the Options Section of this report.

#### **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 Earth Day Programs 33**

The purpose of this report is to provide Council with an overview of the City's plan to offer three programs in recognition of Earth Day 2022.

**Recommendation:**

That Council receive this report for information.

**4.2. Construction Noise Bylaw Exemption Request: (81 Braid Street – Braid SkyTrain Station) 38**

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.

**Recommendation:**

THAT Council grant an exemption from Construction Noise Bylaw No. 6063, 1992 to Rissling Services Ltd. from Monday April 18<sup>th</sup>, 2022 to Friday May 20<sup>th</sup>, 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.

**4.3. Council Resolution in Support of the City of New Westminster's Application under the COVID-19 Restart Funding for Local Governments, Strengthening Communities' Services Program 50**

This report is to seek Council direction for staff to submit an application under the COVID-19 Restart Funding for Local Governments, Strengthening Communities' Services Program, for the proposed activities and projects as outlined in this report, and for the City to accept overall grant management of the activities and projects.

**Recommendation:**

THAT Council direct staff to submit an application under the COVID-19 Restart Funding for Local Governments, Strengthening Communities' Services Program, for the proposed activities and projects as outlined in this report and that the City accept overall grant management of the activities and projects.

**4.4. Housing Agreement Bylaw and Development Variance Permit to Vary Residential and Visitor Parking Requirements: 508 Eighth Street – Bylaw 57**



**for Three Readings**

This report is to request that Council: 1) consider Housing Agreement Bylaw No. 8279, 2022 for First, Second and Third Readings; 2) issue notice that Council will consider Development Variance Permit (DVP00692) for a 21 space reduction (45%) to the off-street parking provisions; and 3) request endorsement of requiring bicycle parking spaces as part of the Development Permit.

**Recommendation:**

**THAT** Council consider Housing Agreement Bylaw No. 8279, 2022 to authorize the City to enter into a Housing Agreement with the property owner to require that all residential units at 508 Eighth Street be secured as market rental housing for First, Second and Third Readings.

**THAT** Council, should the Housing Agreement Bylaw No. 8279, 2022 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement.

**THAT** Council provide notice that it will consider issuance of a Development Variance Permit (DVP00692) to reduce the number of required off-street parking spaces by 45% from the Zoning Bylaw requirements for secured market rental.

**THAT** Council endorse that five long-term bicycle parking spaces and six short-term bicycle parking spaces be included as part of the Development Permit application for 508 Eighth Street, should the Development Variance Permit (DVP00692) be approved by Council.

**4.5. Port Authority Referral: 820 Dock Road, City of Delta, Wallenius Wilhelmsen Solutions, Annacis Auto Terminal Optimization – Information Report**

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The purpose of this report is to provide Council with information regarding the Annacis Auto Terminal Optimization Port Authority referral project located at 820 Dock Road in the City of Delta.

**Recommendation:**

**THAT** Council receive this report on the Annacis Auto Terminal Optimization located at 820 Dock Road in the City of Delta for information.

**THAT** Council direct staff to provide the feedback outlined within this report directly to the Vancouver Fraser Port Authority as a response to the referral letter.

**4.6. Public Art Program Update**

121

To provide Council with an update on the Public Art Program.

**Recommendation:**

THAT Council receive this report regarding the Public Art Program for information.

**4.7. Rezoning and Development Permit Applications for Secured Market Rental High-rise: 616-640 Sixth Street – Preliminary Report** 125

This report is intended to provide Council with preliminary information on the proposed rezoning and Development Permit of the properties at 616 – 640 Sixth Street, including initial Land Use and Planning Committee discussion.

**Recommendation:**

THAT Council receive this report for information.

**4.8. The Poet Laureate Digital Poetry Project** 158

The purpose of this report is to inform Council regarding the Poet Laureate's digital poetry project entitled "Common Threads" developed for National Poetry Month.

**Recommendation:**

THAT Council receive this report for information.

**4.9. Update on Mayor's 50 Ideas Parks & Recreation Initiatives #3 & #18** 160

The purpose of this report is to provide an update on Parks and Recreation activities completed in 2020 and 2021 as related to from the Mayor's '50 Ideas in 50 Days' initiative.

**Recommendation:**

THAT Council receive this report for information.

**4.10. Proclamation: Prevention of Violence Against Women Week April 10-16, 2022** 172

**4.11. Proclamation: National Volunteer Week April 24-30, 2022** 173

**4.12. Proclamation: Parkinson's Awareness Month April 2022** 174

**4.13. Proclamation: Emergency Preparedness Week May 1-7, 2022** 175

**5. OPPORTUNITY FOR THE PUBLIC TO SPEAK TO COUNCIL – 7:00 PM**

**6. BYLAWS**

**6.1. Bylaws for readings**

**a. Housing Agreement (508 Eighth Street) Bylaw No. 8279, 2022** 176

To add four units of new secured market rental housing to an existing market rental housing building. This bylaw is on the agenda for **THREE READINGS**.

**6.2. Bylaws for adoption**

**a. Heritage Designation Bylaw (1324 Nanaimo Street) No. 8291, 2022** 192

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

- b. **Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022** 196

To designate the 1941 house at 102 Seventh Avenue as a protected heritage property. This bylaw is on the agenda for **ADOPTION**.

- c. **Water Shortage Response Amendment Bylaw No. 8314, 2022** 200

To bring the City's water shortage restrictions into alignment with Metro Vancouver's. This bylaw is on the agenda for **ADOPTION**.

- d. **Zoning Amendment Bylaw (Parking Reductions for Patios) No. 8317, 2022** 205

To allow businesses to convert parking or loading spaces on private property into patio space. This bylaw is on the agenda for **ADOPTION**.

## 7. MOTIONS FROM MEMBERS OF COUNCIL

### 7.1. **Climate Crisis Readiness, Councillor Nakagawa**

WHEREAS the 2022 Intergovernmental Panel on Climate Change (IPCC) report outlines a dire state of climate crisis that anticipates severe and escalating impacts; and

WHEREAS last year's climate-related events were extreme and resulted in intensely negative impacts for the community of New Westminster; and

WHEREAS we can expect that New Westminster will continue to experience ongoing extreme climate-related events in future years including this summer;

THEREFORE, BE IT RESOLVED

THAT staff report back to Council on city readiness for extreme climate-related events this summer including, but not limited to heat waves and flooding; and

THAT this report includes communications and engagement considerations, including opportunities to facilitate dialogue and planning for a community-based response to climate emergencies; and

THAT staff report on opportunities to enhance Emergency Preparedness Week events with a specific focus on equity-based climate response measures.

## **8. NEW BUSINESS**

### **8.1. ON TABLE Recruitment 2022: Appointments to the Community Heritage Commission (CHC) and the Restorative Justice Committee (RJC)**

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To release the Closed Council decisions to rescind the appointment of Jill Davy as Representative, New Westminster Heritage Preservation Society to the Community Heritage Commission (CHC), appoint Jennifer Crews as the Representative, New Westminster Heritage Preservation Society to the Community Heritage Commission (CHC) for the term ending January 31, 2023, and to appoint Robert Nahanee, Squamish Nation Elder, as Representative from the Indigenous Community to the Restorative Justice Committee (RJC) for the term ending January 31, 2023.

#### **Recommendation:**

THAT Council receive the report titled, "Recruitment 2022: Appointments to the Community Heritage Commission (CHC) and the Restorative Justice Committee (RJC)," for information.

## **9. ANNOUNCEMENTS FROM MEMBERS OF COUNCIL**

## **10. 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.

## **REPORT**

### ***Land Use and Planning Committee***

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Land Use and Planning Committee      **File:** REZ00200

**Item #:** 2022-263

**Subject:** Rezoning and Development Permit Applications for Market Rental  
Building Renovation: 222 Ash Street

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#### **RECOMMENDATION**

**THAT** Council provide staff with direction as outlined in the Options Section of this report.

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#### **PURPOSE**

Feedback and instructions from Council are sought regarding an application to add 37 rental units (including 10 affordable units) in a three-storey addition to an existing rental building, which would require the existing 50 rental units be vacated for construction, 58% of which pay below market rent.

#### **EXECUTIVE SUMMARY**

Rezoning and Development Permit applications have been received to allow for a three storey addition to an existing purpose built three storey rental building. The addition would allow for the construction of 37 new rental units within the building, for a total of 87 units. Ten of the units (11.5%) would be affordable rental units, though the proposed rental rate has not been provided.

The applicant states that the 50 existing units would need to be vacated for the construction, but no tenant assistance plan has been provided at this time. Of these, 29 units (58%) are rented at less than the City's defined below market housing rates. Land Use and Planning Committee is seeking Council instruction regarding staff-identified options, to either:

- 1) advise the applicant that a tenant assistance plan needs to be provided which is both consistent with the provisions previously included in the City's Business Regulations and Licensing (Rental Units) Bylaw (i.e. temporary accommodation during construction and return to the original rental unit under the terms of the existing tenancy agreement, and rent control) for all units paying below market rents, and which offers assistance generally consistent with the City's Tenant Relocation Policy, for all units; or,
- 2) advise the applicant that the proposed application should not be advanced further, given the requirement that current tenants cannot remain in the 50 existing rental units through the construction period.

Should Council choose option #1 above, staff recommends:

- a) that the requirement for 10 secured affordable units be met by securing and leasing to a non-profit 10 of the 29 existing units rented at or below the City's below market rates, and including both one and two bedroom units;
- b) that Rental Tenure Only Zoning be applied for their application (rather than a requirement of rental for 60 years or the life of the building, which is the standard term in the City's Housing Agreements); and
- c) that the required comprehensive transportation review be provided by the applicant prior to proceeding with public consultation.

This application had been scheduled to present to the Land Use and Planning Committee on March 28, 2022. However, a majority of LUPC members identified the need to be recused from the item, given proximity of their residences to the site. As this would have impacted quorum for the LUPC, the item was instead tabled and forwarded to Council for direction. More detail on the application and discussion on the options is included in the staff Report to the Land Use and Planning Committee included in attachment 1.

### **APPLICATION REVIEW PROCESS**

As noted in the report to the LUPC, and revised to reflect this Council review, the anticipated review steps for this application are:

1. Internal Circulation, Review and Applicant Revisions;
2. Preliminary Report to LUPC (March 28, 2022);
3. Preliminary Report to Council (April 11, 2022) (**we are here**);
4. Applicant Revisions responding to Council 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 the project's Bylaws including Housing Agreement and issuance of notice of waiving Public Hearing (if applicable);
9. 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;
10. Applicant Addresses Adoption Requirements;
11. Adoption of Zoning Amendment Bylaw;
12. Consideration of issuance of Development Permit by Director of Climate Action, Planning and Development.

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.

### **OPTIONS**

The following options are available for Council's consideration:

- 1) That Council endorse the next steps included in the Application Review Process Section of this report, and direct staff to advise the applicant that:
  - a. a Tenant Assistance Plan needs to be provided which is both consistent with the provisions previously included in the City's Business Regulations and Licensing (Rental Units) Bylaw (i.e. temporary accommodation during construction and return to the original rental unit under the terms of the existing tenancy agreement, and rent control) for all units paying below market rents, and which offers assistance generally consistent with the City's Tenant Relocation Policy, for all units; and
  - b. the requirement for 10 secured affordable units could be met by securing and leasing to a non-profit 10 of the 29 existing units rented at or below the City's below market rates, and including both one and two bedroom units; and
  - c. Rental Tenure Only Zoning would need to be applied to their application; and
  - d. that the required comprehensive transportation review be provided by the applicant prior to proceeding to next steps; or
- 2) That Council direct staff to advise the applicant that the proposed application should not be advanced further, given the requirement that current tenants cannot remain in the 50 existing rental units through construction; or
- 3) That Council provide alternative direction.

### **ATTACHMENTS**

Attachment 1: Report to LUPC dated March 28, 2022

## **APPROVALS**

This report was prepared by:

Mike Watson, Mike Watson, Acting Supervisor of Development Planning

This report was reviewed by:

Jackie Teed, Senior Manager of Climate Action, Planning and Development

This report was submitted on behalf of the Land Use and Planning Committee  
and approved by:

Emilie Adin, Director of Climate Action, Planning and Development

Lisa Spitale, Chief Administrative Officer



## Attachment 1

*Report to LUPC dated March 28, 2022*

## **REPORT**

### ***Climate Action, Planning and Development***

**To:** Land Use and Planning Committee      **Date:** March 28, 2022

**From:** Jackie Teed, Acting Director, Climate Action, Planning and Development      **File:** REZ00200

**Item #:** 2022-220

**Subject:** Rezoning and Development Permit: 222 Ash Street – Preliminary Report

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#### **RECOMMENDATION**

***THAT the Land Use and Planning Committee instruct staff regarding the optional approaches, and endorse staff's other recommendations in Section 8 of this report, and provide staff with any other feedback; and,***

***THAT the Land Use and Planning Committee endorse the review process included in the Review Process and Next Steps Section of this report, and instruct staff to proceed with next steps once feedback provided by the Committee has been addressed.***

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#### **EXECUTIVE SUMMARY**

The City has received an application for a Rezoning and a Development Permit to allow for a three storey addition to an existing purpose built three storey rental building. The addition would allow for the construction of 37 new rental units within the building, for a total of 87 units. Ten of the units (11.5%) would be affordable rental units, though the proposed rental rate has not been provided.

The applicant states that the 50 existing units would need to be vacated for the construction, but no tenant assistance plan has been provided. Of these, 29 units (58%) are rented at less than the City's defined below market housing rates. Staff is seeking Land Use and Planning Committee instructions regarding options to address this issue:

- 1) Advise the applicant that a Tenant Assistance Plan needs to be provided which is both consistent with the provisions previously included in the City's Business Regulations and Licensing (Rental Units) Bylaw (i.e. temporary accommodation during construction and return to the original rental unit under the terms of the

existing tenancy agreement, and rent control) for all units paying below market rents, and which offers assistance generally consistent with the City's Tenant Relocation Policy, for all units; or,

- 2) Advise the applicant that the proposed application should not be advanced further, given the requirement that current tenants cannot remain in the 50 existing rental units through construction.

Should LUPC choose (1), staff recommends the rezoning use Rental Tenure Only Zoning, which would protect the property for rental use in perpetuity, or until a future Council should choose to approve a change to the zoning on the site.

The applicant has requested a 41% reduction in required parking, which would need to be supported by a comprehensive transportation review, to the satisfaction of the Director of Engineering.

## **1. PURPOSE**

The purpose of this report is to request feedback and instructions from the Land Use and Planning Committee regarding an application to add 37 rental units (including 10 affordable units) in a three-storey addition to an existing rental building, which would require the existing 50 rental units be vacated for construction, 58% of which pay below market rent.

## **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 zoned RM-2 Apartment Low Rise. A rezoning would be required as the proposal exceeds the maximum height of the zone.

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."

This project is being reviewed under both the Family Friendly Housing Policy and the Draft Rental Replacement Policy. A summary of relevant City policies and regulations is included as Attachment 1.

### 3. BACKGROUND

#### 3.1 Site Characteristics



The subject site is located mid-block on Ash Street between Third Avenue and Queens Avenue in the Uptown neighbourhood. The site is currently occupied by a 50-unit three storey purpose built rental building. The subject site is surrounded by several other low-rise apartment buildings, as well as some single family homes.

#### 3.2 Proximity to Transit

The property is within walking distance to three bus routes with service to Edmonds, Brentwood, and New Westminster, Surrey Central, and Downtown Vancouver SkyTrain Stations:

Transit Route:	Project Distance	Bus Routes
<b>Eight Street (FTN)</b>	Approximately 140 m	#123, frequency 10 - 15 min (peak) to 15 - 25 min
<b>Sixth Street (FTN)</b>	Approximately 300 m	#106, frequency 8 -15 min (peak) to 15 - 30 min N19, frequency 20 – 40 min

#### 3.3 Business Regulation and Licensing (Rental Units) Bylaw

On Nov 15, 2021, the City repealed Part 6 of the Business Regulation and Licensing (Rental Units) Bylaw because the new provincial regulations made this bylaw inoperable. As of July 1, 2021, if a landlord wants to end a tenancy for extensive renovations or repairs, they need to apply for an Order to End Tenancy and an Order of

Possession from the Residential Tenancy Branch, who will then schedule a proceeding where an arbitrator will decide if ending the tenancy is the only way to complete the renovation work. The City is currently reviewing the new Residential Tenancy Agreement provisions to determine what steps, if any, are needed.

As part of a rezoning application, the City has the authority to request the same, or similar, requirements as were previously included in Part 6 of the Business Regulation and Licensing (Rental Units) Bylaw.

#### **4. PROJECT DESCRIPTION**

The applicant has submitted a Rezoning and a Development Permit application in order to rezone and develop approximately 37 rental units in a three-storey addition to the existing building, which currently includes 50 rental units (87 units total). The applicant states that to construct the addition they would need to seek eviction of the current tenants. A tenant profile has been provided, but no Tenant Assistance Plan has been provided at this time.

All of the units are proposed to be secured for 60 years or the life of the building, and 10 (11.5%) units would be affordable, though the proposed rental rates have not been provided at this time. Out of the 87 units, 19.5% (17) would be two-bedroom units and 6.8% (6) would be three bedroom units, which meets the Family Friendly Housing Policy requirements.

The site would remain relatively the same, with the addition of an accessible ramp and landscaping provided near the building entrance. The proposal would provide a total of 11 surface vehicle parking spaces and 46 underground spaces, as well as 128 long term and 44 short term bicycle parking spaces. The site is accessed from the rear lane, currently by one driveway, which the applicant proposes to increase to two.

Please refer to Attachment 2 for a complete project statistics table.

#### **5. DISCUSSION**

##### **5.1 Existing Affordable Units and Tenant Assistance**

The applicant provided a tenant profile from March 2020 which indicates that, of the 50 existing units in the building, 29 units (58%) have tenants who pay rental rates below the Canada Mortgage and Housing Corporation private apartment median rent by unit type for New Westminster, all years (the City's definition of below market rental rates). This includes 24 (48%) one bedroom units which have tenants who have been paying below \$1,057, and five (10%) two-bedroom units currently rented at a rate below \$1,350. This is summarized in the table below.

	Number of Units with Below Market Rates	Rental Rates, Per Tenant Profile	10% below CMHC Rental Rate, New Westminster
<b>One Bedroom</b>	24 units	Range: \$790 - \$1049 Average: \$840	\$1,057
<b>Two Bedroom</b>	5 units	Range: \$986 - \$1256 Average: \$1148	\$1,350

A comprehensive tenant assistance plan has not been provided by the applicant. Staff recommends that, because there are existing units that qualify as “affordable,” and because these units would need to be vacated to construct the addition, the applicant’s tenant assistance plan would need to:

1. Meet the general requirement of the City’s Tenant Relocation Policy for all units; and,
2. Provide, for all units currently paying rents less than or equal to the City’s definition of below market rents, the following benefits which were previously included in Part 6 of the City’s Business Regulations and Licensing (Rental Units) Bylaw, protecting tenants who are being evicted due to construction in their building and/or unit:
  - a. Relocation: Making arrangements for the tenant’s temporary accommodation at a similar rental rate and in a similar unit during the full term of construction, and at the completion of construction for their return to the original rental unit under the terms of the existing tenancy agreement.
  - b. Rent Control: Prohibition from increasing the rent payable by the tenant upon return to their unit except as an inflationary rent increase permitted by the RTA.

**Either:** Does the LUPC support that staff advise the applicant that, prior to proceeding with next steps, a Tenant Assistance Plan be provided which is consistent with both the provisions previously included in the City’s Business Regulations and Licensing (Rental Units) Bylaw for those tenants currently paying below market rents per the New Westminster definition, and generally consistent with the City’s Tenant Relocation Policy for all tenants;

**Or:** Does the LUPC support that staff advise the applicant that the proposed application should not be advanced further, given the requirement that current tenants cannot remain in the 50 existing rental units through construction?

## 5.2 Affordable Rental Units

As per the requirements of the Rental Replacement Policy, the applicant has proposed that 10 affordable units (11.5%) would be secured and leased to a non-profit organization which is yet to be determined, consistent with the City's definition of below market rental units. Staff considers that this requirement could be met using 10 of the 29 units currently being rented at or below the City's definition of below market rates. The applicant would need to work with the City and the existing tenants to identify the appropriate candidates/units for transitioning to secured units, which would need to include both one and two bedroom units.

*Does the LUPC support that staff advise the applicant that the requirement for 10 secured affordable units could be met by securing and leasing to a non-profit 10 of the 29 existing units rented at or below the City's below market rates, and including both one and two bedroom units?*

## 5.3 Rental Tenure Only Zoning

The applicant has not indicated their proposal for securing the rental units. Staff recommends that rental only zoning be applied, which would protect the property for rental use in perpetuity, or until a future Council should choose to approve a change to the zoning on the site. As an alternative, a Housing Agreement could be registered on title, protecting the units for 60 years or the life of the building, whichever is longer, after which non-rental housing could be constructed without any rezoning required. A Housing Agreement would be required to secure the affordable units.

*Does the LUPC support that staff advise the applicant that Rental Tenure Only Zoning would need to be used for their application?*

## 5.4 Off Street Vehicle and Bicycle Parking

The proposal would provide 11 surface parking spaces and 46 underground spaces, for a total of 57 spaces, which is below the required number of 96 spaces. A variance is requested for the remaining 39 vehicle spaces, a 41% reduction. The current proposal exceeds short-term and long-term bicycle parking requirements by providing three additional long-term spaces and 17 additional short-term spaces.

A comprehensive transportation review is required, to the satisfaction of the Director of Engineering, including bicycle and vehicle parking, transportation demand management measures (TDM) including those proposed to offset the proposed parking variance, and loading configuration and functionality. Consideration of the proposed variance would include evaluation of walking proximity to transit, cycling routes, services and amenities and provision of TDM.

The site is accessed from the rear lane, currently by one driveway, which the applicant proposes to increase to two. This proposal would continue to be examined by the City through the application review process.

*Does the LUPC support that staff advise the applicant that the required comprehensive transportation review be provided by the applicant prior to proceeding to next steps?*

## **5.5 Building Massing and Transition**

The applicant previously submitted a proposal with 52 additional units, which has been reduced in the current proposal to 37 units to help address building massing and transition issues. This has enabled stepping of the storeys above the fourth level, bringing the application into consistency with the City's design guidelines, and providing some additional transition to the single-family homes to the south. Stepping back at upper storeys is key to transitioning the building into the surrounding context of single-family homes to the south and west of the site.

## **6. 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 Uptown Residents' Association. Review by the New Westminster Design Panel would also be required.

## **7. REVIEW PROCESS AND NEXT STEPS**

As per the City's development application review process, the anticipated review steps for this application are:

1. Internal Circulation, Review and Applicant Revisions;
2. Preliminary Report to LUPC (February 28, 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 issuance of 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.

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.

## **8. FEEDBACK FROM THE LAND USE AND PLANNING COMMITTEE**

Staff are seeking general feedback from the LUPC on the proposed development. In addition, staff seeks LUPC instruction and/or endorsement the following recommendations:

*That the LUPC instruct staff to:*

1. **Either**: *Advise the applicant that, prior to proceeding with next steps, a Tenant Assistance Plan be provided which is consistent with both the provisions previously included in the City's Business Regulations and Licensing (Rental Units) Bylaw for those tenants currently paying below market rents per the New Westminster definition, and generally consistent with the City's Tenant Relocation Policy for all tenants;*  
  
**Or**: *Advise the applicant that the proposed application should not be advanced further, given the requirement that current tenants cannot remain in the 50 existing rental units through construction?*
2. *Advise the applicant that the requirement for 10 secured affordable units could be met by securing and leasing to a non-profit 10 of the 29 existing units rented at or below the City's below market rates, and including both one and two bedroom units;*
3. *Advise the applicant that Rental Tenure Only Zoning would need to be used for their application; and,*
4. *Advise the applicant that the required comprehensive transportation review be provided by the applicant prior to proceeding to next steps.*

## **9. OPTIONS**

The following options are offered for consideration of the Land Use and Planning Committee:

1. That the Land Use and Planning Committee instruct staff regarding the optional approaches, and endorse staff's other recommendations in Section 8 of this report, and provide staff with any other feedback; and

2. That the Land Use and Planning Committee endorse the review process included in the Review Process and Next Steps Section of this report, and instruct staff to proceed with next steps once feedback provided by the Committee has been addressed.
3. That the Land Use and Planning Committee provide staff with alternative feedback.

Staff recommends Options 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:

Mike Watson, Acting Supervisor of Development Planning

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

## **Attachment 1: SUMMARY OF RELATED CITY POLICIES AND REGULATIONS**

### **Official Community Plan**

The Official Community Plan (OCP) designation for the entire site is Residential – Multiple Unit Buildings (RM). The intent of this designation is to provide a mix of small to moderate sized multiple unit residential buildings including townhouses, row houses, stacked townhouse and low rises. Only in circumstances where Development Permit Area guidelines can be met and appropriate amenities are provided, will a five or six storey low rise building be considered.

This land use designation allows for complementary uses such as home based businesses, small-scale commercial uses (e.g. a corner store) or institutional uses (e.g. child care).

The uses proposed in this project are consistent with the RM land use designation.

### **Multiple Unit Residential Development Permit Area**

The site is within the Multiple Unit Residential Development Permit Area (DPA). The intent of this DPA is to integrate multi-unit housing forms into the city's dingle-detached dwelling and ground oriented housing neighborhoods in a way that is complementary with the surrounding housing. Objectives and guidelines are outlined for:

- The form and character of multi-family residential development.
- Protection of the natural environment, its ecosystems and biological diversity.
- Objectives to promote energy and water conservation and reduction of greenhouse gas emissions.

A Development Permit, issued by the Director of Development Services, is required before any development or alteration to the lands or exterior of buildings on the lands.

### **Zoning Bylaw**

The subject site is currently 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 proposed height of 63.08 feet (19.23 metres) and FSR of 2.04 exceed the maximum height and density permitted in this zone.

### **Rental Replacement Policy**

The City's draft Rental Replacement Policy applies to all existing purpose-built market rental housing sites where redevelopment will remove more than six rental units. Applicants are expected to provide 100% secure market rental units including 10% of total units secured as below-market rental units. Non-profit ownership of below-market rental units is preferred. Otherwise, below-market rental units are to be managed by a

pre-qualified occupancy management entity, with costs paid by the building owner. Applicants are required to enter into a Housing Agreement.

### **Tenant Relocation Policy**

The City's Tenant Relocation Policy applies to situations where the City has negotiation rights such as rezoning applications and ensures tenants impacted by redevelopment are adequately notified and compensated and provided with assistance to find new housing. A key component of this policy is the preparation of a Tenant Assistance Plan. This policy would be applicable to this project as the eviction of current tenants will be required in order to construct the three-storey addition to the existing building.

### **Business Regulation and Licensing (Rental Units) Bylaw**

On November 15, 2021, the City repealed Part 6 of the Business Regulation and Licensing (Rental Units) Bylaw because the new provincial regulations made this bylaw inoperable. As of July 1, 2021, if a landlord wants to end a tenancy for extensive renovations or repairs, they need to apply for an Order to End Tenancy and an Order of Possession from the Residential Tenancy Branch. The Branch will then schedule a proceeding where an arbitrator will decide if ending the tenancy is the only way to complete the renovation work. The City is currently reviewing the new Residential Tenancy Agreement provisions to determine what steps, if any, are needed.

### **Family-Friendly Housing Policy**

As per the City's Family-Friendly Housing Policy, the development would be required to provide a minimum of 25% two and three bedroom units, of which at least 5% of the overall number of units would need to contain three bedrooms or more. Based on the information provided by the applicant, the proposal meets the Family-Friendly Housing Policy requirements.

Attachment #2  
*Project Statistics*

222 ASH ST ADDITION

AREAS	EXISTING GROSS AREA		ADDITION GROSS AREA		TOTAL GROSS AREA		RESIDENTIAL GROSS AREA		AMENITY		STAIR/ ELEVATOR CORE		RESIDENTIAL BALCONIES/PATIOS		EFFICIENCY
	SQ.M	SQ.FT	SQ.M	SQ.FT	SQ.M	SQ.FT	SQ.M	SQ.FT	SQ.M	SQ.FT	SQ.M	SQ.FT	SQ.M	SQ.FT	
1	1082.42	11651.07	0.00	0.00	1082.42	11651.07	906.91	9761.94	33.71	362.81	27.30	293.89	103.23	1111.16	53893.77
2	1082.42	11651.07	0.00	0.00	1082.42	11651.07	976.05	10595.13	0.00	0.00	27.30	293.89	91.47	984.61	362.81
3	1082.42	11651.07	0.00	0.00	1082.42	11651.07	976.05	10595.13	0.00	0.00	27.30	293.89	91.47	984.61	362.81
4	0.00	0.00	1082.42	11651.07	1082.42	11651.07	976.05	10595.13	0.00	0.00	27.30	293.89	91.47	984.61	362.81
5	0.00	0.00	1082.42	11651.07	1082.42	11651.07	976.05	10595.13	0.00	0.00	27.30	293.89	91.47	984.61	362.81
6	0.00	0.00	1082.42	11651.07	1082.42	11651.07	976.05	10595.13	0.00	0.00	27.30	293.89	91.47	984.61	362.81
TOTAL	3342.26	35953.22	3342.26	35953.22	6684.52	71906.44	5006.99	53893.77	33.71	362.81	103.82	1193.14	632.90	6812.49	88.59%

UNIT MIX	EXISTING		ADDITION		TOTAL		% BREAKDOWN	
	SQ.M	SQ.FT	SQ.M	SQ.FT	SQ.M	SQ.FT	SQ.M	SQ.FT
1	1082.42	11651.07	0.00	0.00	1082.42	11651.07	5.78%	5.78%
2	1082.42	11651.07	0.00	0.00	1082.42	11651.07	5.78%	5.78%
3	1082.42	11651.07	0.00	0.00	1082.42	11651.07	5.78%	5.78%
4	0.00	0.00	1082.42	11651.07	1082.42	11651.07	15.54%	15.54%
5	0.00	0.00	1082.42	11651.07	1082.42	11651.07	15.54%	15.54%
6	0.00	0.00	1082.42	11651.07	1082.42	11651.07	15.54%	15.54%
TOTAL NUMBER OF UNITS	50	50	37	37	87	87	100%	100%

SETBACKS	EXISTING		COMMENT	
	REQUIRED	EXISTING	REQUIRED	EXISTING
NORTH	25.0' FT	25.0' FT		
SOUTH	25.0' FT	60.0' FT		
EAST	8.0' FT	15.0' FT		
WEST	8.0' FT	15.0' FT		

EXISTING RESIDENTIAL UNIT BREAKDOWN									
FLOOR	EXISTING UNIT #	GROSS AREA (SQ.FT)	GROSS AREA (SQ.M)	# OF BEDROOMS	RENTAL PLACE - MENT POLICY				
1	EX 101	1082.42	11651.07	2	SECURED				
2	EX 102	1082.42	11651.07	1	SECURED				
3	EX 103	1082.42	11651.07	1	SECURED				
4	EX 104	1082.42	11651.07	1	SECURED				
5	EX 105	1082.42	11651.07	1	SECURED				
6	EX 106	1082.42	11651.07	1	SECURED				
7	EX 107	1082.42	11651.07	1	SECURED				
8	EX 108	1082.42	11651.07	1	SECURED				
9	EX 109	1082.42	11651.07	1	SECURED				
10	EX 110	1082.42	11651.07	1	SECURED				
11	EX 111	1082.42	11651.07	1	SECURED				
12	EX 112	1082.42	11651.07	1	SECURED				
13	EX 113	1082.42	11651.07	1	SECURED				
14	EX 114	1082.42	11651.07	1	SECURED				
15	EX 115	1082.42	11651.07	1	SECURED				
16	EX 116	1082.42	11651.07	1	SECURED				
17	EX 117	1082.42	11651.07	1	SECURED				
18	EX 118	1082.42	11651.07	1	SECURED				
19	EX 119	1082.42	11651.07	1	SECURED				
20	EX 120	1082.42	11651.07	1	SECURED				
21	EX 121	1082.42	11651.07	1	SECURED				
22	EX 122	1082.42	11651.07	1	SECURED				
23	EX 123	1082.42	11651.07	1	SECURED				
24	EX 124	1082.42	11651.07	1	SECURED				
25	EX 125	1082.42	11651.07	1	SECURED				
26	EX 126	1082.42	11651.07	1	SECURED				
27	EX 127	1082.42	11651.07	1	SECURED				
28	EX 128	1082.42	11651.07	1	SECURED				
29	EX 129	1082.42	11651.07	1	SECURED				
30	EX 130	1082.42	11651.07	1	SECURED				
31	EX 131	1082.42	11651.07	1	SECURED				
32	EX 132	1082.42	11651.07	1	SECURED				
33	EX 133	1082.42	11651.07	1	SECURED				
34	EX 134	1082.42	11651.07	1	SECURED				
35	EX 135	1082.42	11651.07	1	SECURED				
36	EX 136	1082.42	11651.07	1	SECURED				
37	EX 137	1082.42	11651.07	1	SECURED				
38	EX 138	1082.42	11651.07	1	SECURED				
39	EX 139	1082.42	11651.07	1	SECURED				
40	EX 140	1082.42	11651.07	1	SECURED				
41	EX 141	1082.42	11651.07	1	SECURED				
42	EX 142	1082.42	11651.07	1	SECURED				
43	EX 143	1082.42	11651.07	1	SECURED				
44	EX 144	1082.42	11651.07	1	SECURED				
45	EX 145	1082.42	11651.07	1	SECURED				
46	EX 146	1082.42	11651.07	1	SECURED				
47	EX 147	1082.42	11651.07	1	SECURED				
48	EX 148	1082.42	11651.07	1	SECURED				
49	EX 149	1082.42	11651.07	1	SECURED				
50	EX 150	1082.42	11651.07	1	SECURED				
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52	EX 152	1082.42	11651.07	1	SECURED				
53	EX 153	1082.42	11651.07	1	SECURED				
54	EX 154	1082.42	11651.07	1	SECURED				
55	EX 155	1082.42	11651.07	1	SECURED				
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102	EX 202	1082.42	11651.07	1	SECURED				
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108	EX 208	1082.42	11651.07	1	SECURED				
109	EX 209	1082.42	11651.07	1	SECURED				
110	EX 210	1082.42	11651.07	1	SECURED				
111	EX 211	1082.42	11651.07	1	SECURED				
112	EX 212	1082.42	11651.07	1	SECURED				
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157	EX 257	1082.42	11651.07	1	SECURED				
158	EX 258	1082.42	11651.07	1	SECURED				
1					SECURED				

Attachment #3  
*Architectural Drawings*



CONSULTANTS:

ARCHITECTURAL:

BILLARD ARCHITECTURE INC.  
#701 - 625 5th Avenue  
NEW WESTMINSTER, BC, V3M 1X4  
PHONE: (604) 619-0529  
CONTACT: Robert Billard, AIBC  
EMAIL: Robert@BillardArchitecture.ca

222 ASH STREET  
ADDITION  
NEW WESTMINSTER, B.C.

ARCHITECTURAL:

- A0.00

COVER SHEET AND LIST OF DRAWINGS
- A0.10

PROJECT INFORMATION
- A0.12

SITE CONTEXT
- A0.13

SITE CONTEXT - STREET SCAPE
- A1.00

SITE PLAN
- A2.01

EXISTING PARKADE FLOOR PLAN
- A2.02

PROPOSED PARKING DECK
- A2.10

MAIN FLOOR PLAN
- A2.20

EXISTING SECOND FLOOR PLAN
- A2.30

EXISTING THIRD FLOOR PLAN
- A2.40

PROPOSED FOURTH FLOOR PLAN
- A2.50

PROPOSED FIFTH FLOOR PLAN
- A2.60

PROPOSED SIXTH FLOOR PLAN
- A2.70

PROPOSED ROOF PLAN
- A3.01

EAST ELEVATION
- A3.02

SOUTH & NORTH ELEVATION
- A3.03

WEST ELEVATION
- A4.01

BUILDING SECTION - AA
- A4.02

BUILDING SECTION - BB & CC
- A8.01

SHADOW STUDY



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LANDSCAPE AND INTERIOR DESIGN DISCIPLINE DRAWINGS  
FOR INFORMATION RELATING TO THOSE DISCIPLINES.


1	2022.02.15	LUCP MEETING
NO.	DATE	REVISION

DESIGN CONSULTANT



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SEAL

PROJECT

ASH RESIDENCES  
222 ASH STREET  
V3M 3M4  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL  
TERRITORY OF THE QAYQAYT FIRST NATION & THE  
COAST SALISH PEOPLE

SHEET TITLE

COVER SHEET &  
LIST OF DRAWINGS

SCALE:	SHEET NO.
DRAWN BY: AN/SH	A0.00
CHECKED BY: RB	Page 26 of 208
FILE: 178A24	







1 SITE CONTEXT - STREETSCAPE ELEVATION  
A0.13 1/16"=1'-0"

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LANDSCAPE AND INTERIOR DESIGN DISCIPLINE DRAWINGS  
FOR INFORMATION RELATING TO THOSE DISCIPLINES.

1	2022.02.15	LUCP MEETING
NO.	DATE	REVISION

DESIGN CONSULTANT

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LANDSCAPE AND INTERIOR DESIGN DISCIPLINE DRAWINGS  
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SEAL

PROJECT

ASH RESIDENCES  
222 ASH STREET  
V3M 3M4  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL  
TERRITORY OF THE QAYQAYT FIRST NATION & THE  
COAST SALISH PEOPLE

SHEET TITLE

SITE CONTEXT - 2  
STREETSCAPE  
ELEVATION

SCALE: 1/16"=1'-0"	SHEET NO. A0.13
DRAWN BY: AN/SH	CHECKED BY: RB
FILE: 178A24	

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1	2022.02.15	LUCP MEETING
NO.	DATE	REVISION

DESIGN CONSULTANT



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SEAL

PROJECT

ASH RESIDENCES  
222 ASH STREET  
V3M 3M4  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL TERRITORY OF THE QAYQAYT FIRST NATION & THE COAST SALISH PEOPLE

SHEET TITLE

SITE PLAN

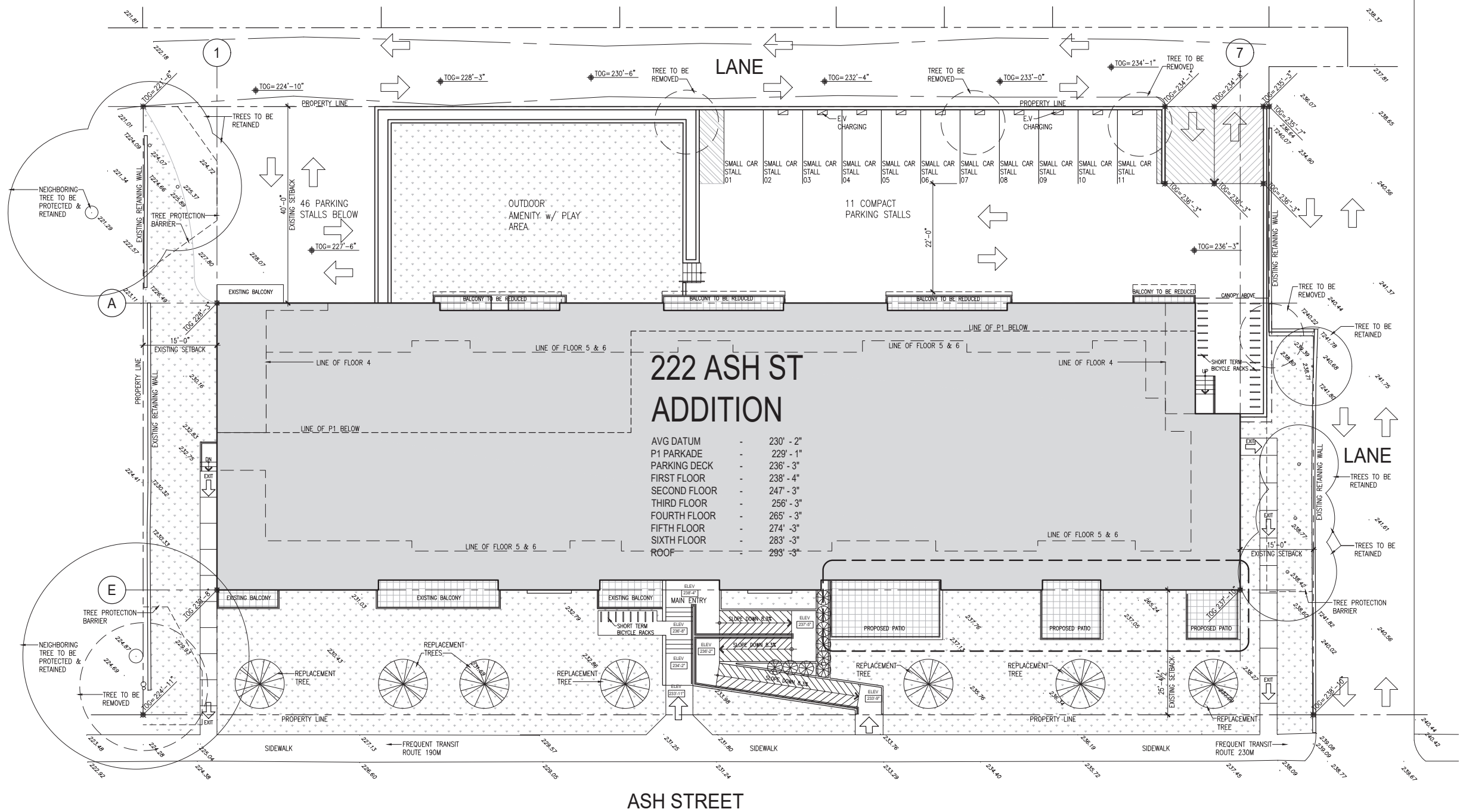
SCALE: 3/32"=1'-0"

DRAWN BY: AN/SH

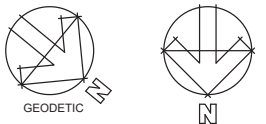
CHECKED BY: RB

SHEET NO. A1.00

FILE: 178A24



1 SITE PLAN  
A1.00 3/32"=1'-0"



- EXTERIOR FINISHES:
- 1

COMPOSITE METAL PANEL – GREY
- 2

COMPOSITE METAL PANEL – RED
- 3

SLIDING GLASS DOOR
- 4

METAL FASCIA
- 5

42" TEMPERED GLASS GUARD WITH ALUMINUM RAIL

6

EXISTING EXPOSED BRICK

7

EXISTING 42" ALUMINUM RAIL

8

EXISTING CEMENT STUCCO

9

BLACK METAL RIGGER

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1 EAST ELEVATION  
A3.01 1/8"=1'-0"


1	2022.02.15	LUCP MEETING
NO.	DATE	REVISION

DESIGN CONSULTANT



#701 - 625 Fifth Avenue  
New Westminster, B.C. Canada,  
V3M 1X4  
(604) 619-0529  
  
info@billardarchitecture.ca  
www.billardarchitecture.ca

SEAL

PROJECT  
  
ASH RESIDENCES  
222 ASH STREET  
V3M 3M4  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL TERRITORY OF THE QAYQAYT FIRST NATION & THE COAST SALISH PEOPLE

SHEET TITLE  
  
EAST  
ELEVATION

SCALE: 1/8"=1'-0"	SHEET NO.  A3.01
DRAWN BY: AN/SH	CHECKED BY: RB
FILE: 17BA24	

- EXTERIOR FINISHES:
- 1

COMPOSITE METAL PANEL – GREY
- 2

COMPOSITE METAL PANEL – RED
- 3

SLIDING GLASS DOOR
- 4

METAL FASCIA
- 5

42" TEMPERED GLASS GUARD WITH ALUMINUM RAIL

6

EXISTING EXPOSED BRICK

7

EXISTING 42" ALUMINUM RAIL

8

EXISTING CEMENT STUCCO

9

BLACK METAL RIGGER

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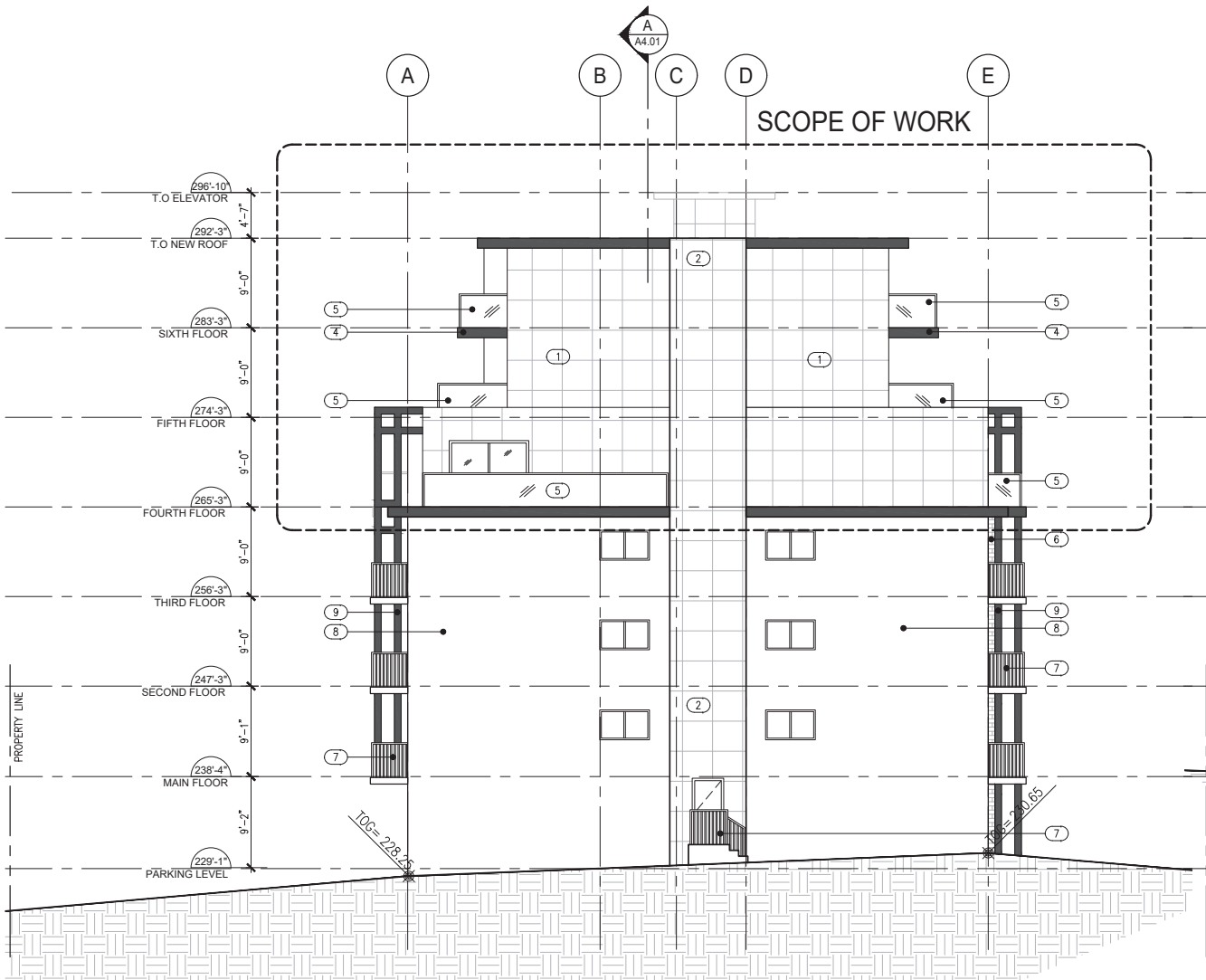
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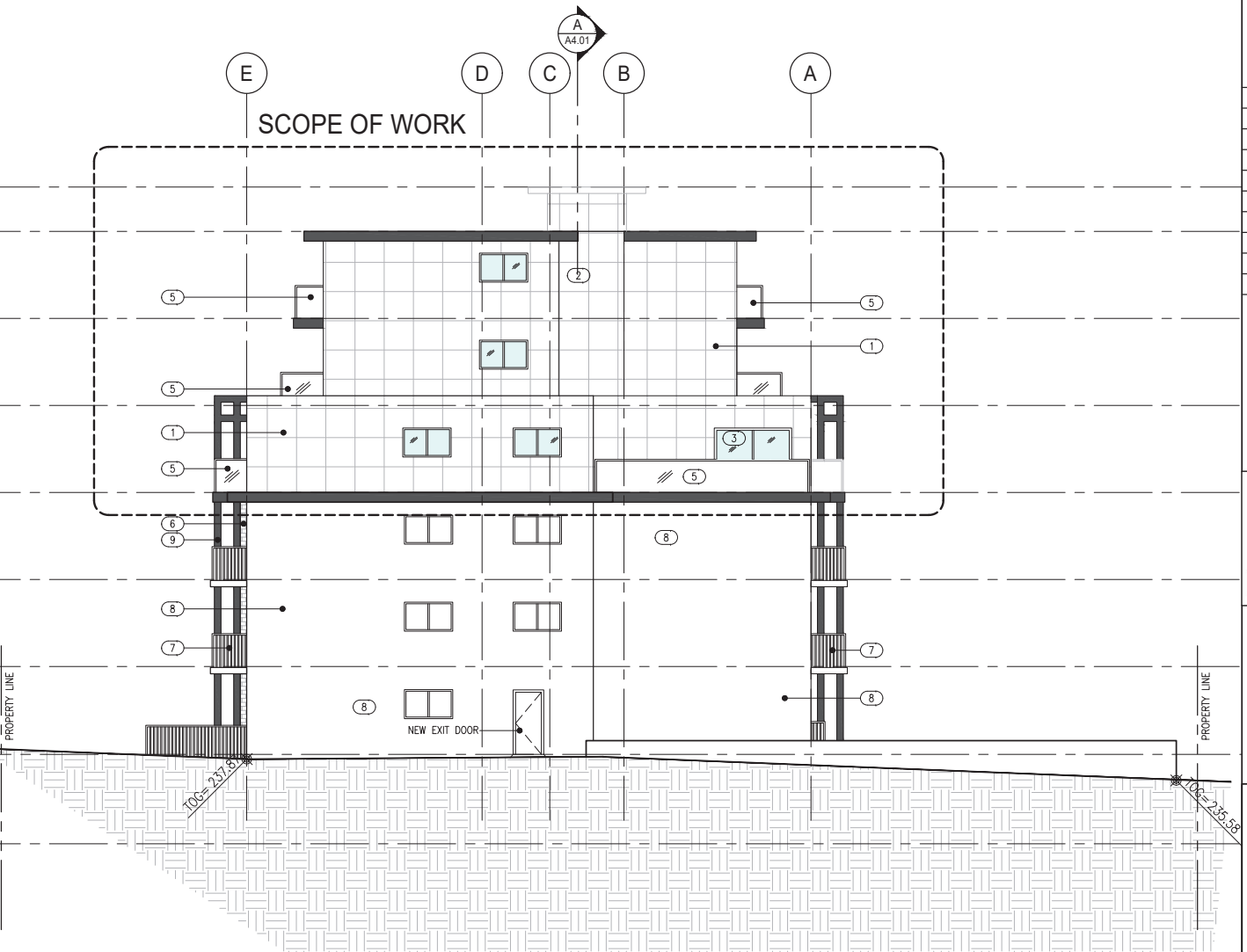
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2 SOUTH ELEVATION  
A3.02 1/8"=1'-0"



3 NORTH ELEVATION  
A3.02 1/8"=1'-0"


1	2022.02.15	LUCP MEETING
NO.	DATE	REVISION

DESIGN CONSULTANT



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info@billardarchitecture.ca  
www.billardarchitecture.ca

SEAL

PROJECT  
  
ASH RESIDENCES  
222 ASH STREET  
V3M 3M4  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL TERRITORY OF THE QAYQAYT FIRST NATION & THE COAST SALISH PEOPLE

SHEET TITLE  
  
SOUTH & NORTH ELEVATIONS

SCALE: 1/8"=1'-0"	SHEET NO.
DRAWN BY: AN/SH	A3.02
CHECKED BY: RB	Page 31 of 208
FILE: 178A24	

- EXTERIOR FINISHES:
- 1

COMPOSITE METAL PANEL – GREY

2

COMPOSITE METAL PANEL – RED
- 3

SLIDING GLASS DOOR
- 4
- METAL FASCIA

5

42" TEMPERED GLASS GUARD WITH ALUMINUM RAIL

6

EXISTING EXPOSED BRICK

7

EXISTING 42" ALUMINUM RAIL

8

EXISTING CEMENT STUCCO

9

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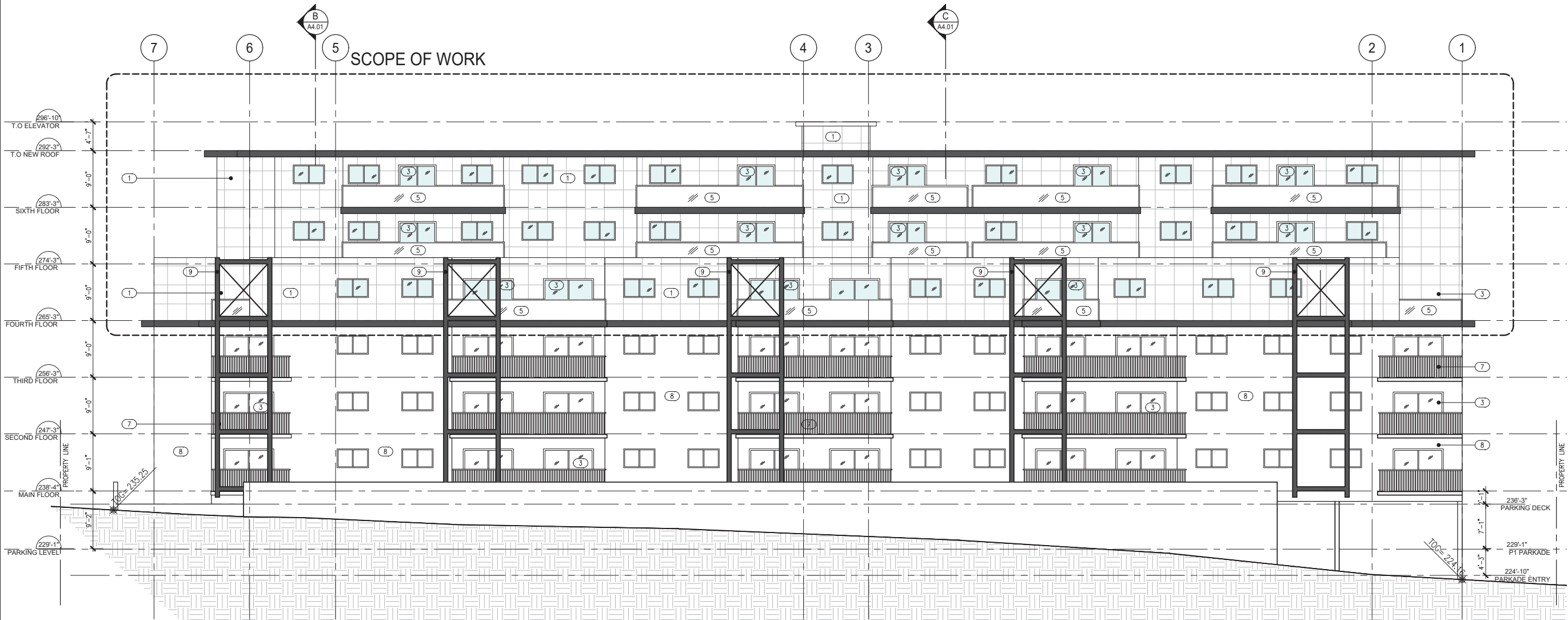
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4 WEST ELEVATION  
A3.03 1/8"=1'-0"



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PROJECT

ASH RESIDENCES  
222 ASH STREET  
V3M 3M4  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL TERRITORY OF THE QAYQAYT FIRST NATION & THE COAST SALISH PEOPLE

SHEET TITLE

WEST  
ELEVATION

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

DRAWN BY: AN/SH

CHECKED BY: RB

SHEET NO. A3.03

Page 32 of 208

## ***Parks & Recreation Department***

<b>To:</b>	Mayor Cote and Members of Council	<b>Date:</b>	April 11, 2022
<b>From:</b>	G. Dean Gibson Director of Parks & Recreation	<b>File:</b>	2055120
		<b>Item #:</b>	2022-245
<b>Subject:</b>	<b>2022 Earth Day Programs</b>		

## RECOMMENDATION

That Council receive this report for information.

## PURPOSE

The purpose of this report is to provide Council with an overview of the City's plan to offer three programs in recognition of Earth Day 2022.

## SUMMARY

Earth Day will be celebrated globally on April 22, 2022. The City of New Westminster will be acknowledging this day with three program offerings to residents, businesses and organizations who would like to participate and make a difference by taking on responsibility for the sustainability of our city's resources through an Adopt-A-Catch-Basin Program, an Adopt-A-Street-Tree Program, and an Earth Day Datathon. It is further intended that the City register its Earth Day activities with the Earth Day Canada organization.

## BACKGROUND

Earth Day, first celebrated in 1970, was conceived as a means of raising public environmental consciousness. Although Earth Day incorporates many environmental



themes, there has been a great focus in more recent years on both clean energy and efforts related to combating global climate change. Given the City's commitment to sustainability and climate action goals, an interdepartmental team have collaborated on offering three opportunities to connect residents to help them feel engaged and empowered in a collective effort to improving the City's stormwater management, growing the urban forest, and energy efficiency of buildings. The development of an Adopt-A-Catch-Basin Program, continuation of the Adopt-A-Street-Tree Program, and creation of a Datathon are supported by principles outlined within the following guiding documents and strategies:

- [\*Urban Forest Management Strategy\*](#) (2016)
- [\*City of New Westminster Tree Planting Master Plan 2020-2030\*](#) (2019)
- [\*Climate Emergency Response\*](#) (2019)
- [\*City-Wide Integrated Stormwater Management Plan\*](#) (2017)
- [\*Environmental Strategy and Action Plan\*](#) (2018)
- [\*Community Energy and Emissions Plan\*](#) (2011)
- [\*Intelligent New West Strategy \(2018-2023\)\*](#)
- [\*2019-2022 Strategic Plan\*](#)

## **ANALYSIS**

The local Earth Day Programs developed and to be launched by staff involve multiple departments including Engineering Operations, Parks & Open Space Planning, Climate Action, Communications, Economic Development, and Information Technology. In creating a plan for Earth Day, the following criteria were considered:

- Accessible by a diverse range of residents, organizations and businesses across the City (i.e. a range of ages and abilities, individual or groups, multi-family or single-family, homeowners or renters, etc.);
- Environmental education opportunities and collective impact in the community; and
- Supports the City's work towards implementation of overarching sustainability goals and climate action targets.

Staff have shared the plans for acknowledging Earth Day 2022 with the Environment and Climate Task Force (ENC TF) and the Environment and Climate Advisory Committee (ENC AC) for feedback.

## **DISCUSSION**

In recognition of Earth Day on April 22, 2002 the following program opportunities will be offered:



1. **Adopt-a-Catch Basin**, is a new program that will be launching to encourage residents and businesses to share in the responsibility for cleaning a storm water catch basin. This helps with storm water management, and encourages residents to connect with our storm water management system.
2. **Adopt-a- Street-Tree**, is an existing program that encourages residents and businesses to steward a newly planted street or boulevard tree. This helps our new street trees thrive so we can all enjoy and connect with the numerous long-term benefits that a lush urban canopy provides.
3. **Earth Day Datathon**, will create an opportunity for volunteers to analyze utility and property data with a goal of increasing the understanding of local building energy efficiency and predicting building energy consumption. The data analysis will be guided by questions posed by the City. The goal is for the findings to provide important insights to the City, businesses and building owners and to assist each in making informed decisions regarding building retrofit priorities. Retrofits are critical to the City's goal of achieving net zero emissions by 2050. This program will be offered in partnership with Data for Good, a non-profit organization, and Landcor Data Corporation, a local business.

The launch date for the programs will be on April 11, 2022 and will include advertising through a press release, local newspaper, City website and through the City's social media platforms. The Datathon is anticipated to take place virtually on April 22. By also registering these 2022 activities with the organization Earth Day Canada, the City will be joining over 100 communities across the country in making environmental commitments to create healthier environments for their citizens.

For the Adopt-a-Street-Tree and Adopt-a-Catch-Basin programs, eligible members of the public in New Westminster, including residents, businesses and organizations, will be directed to a website with adoption instructions. The website will be user-friendly and include an interactive map with the option for the "adopter" to name their newly adopted catch basin and/ or street tree. It is anticipated that these two programs will be offered on an ongoing basis with periodic promotional campaigns. Community and staff feedback will be welcome on an on-going basis and used towards program improvements in the future.

## **NEXT STEPS**

Staff from the Communications Department will advertise the Earth Day 2022 Programs accordingly. Staff from Engineering Services will coordinate all requests, questions and tracking for the Adopt-A-Catch-Basin Program and Parks & Recreation Department will continue to coordinate the same for the Adopt-A-Street-Tree Program. Staff from the Information Technology Department will monitor and report statistics on the uptake for both programs after Earth Day 2022. Staff from Economic Development will coordinate the Datathon.

**SUSTAINABILITY IMPLICATIONS**

The most effective way to achieve New Westminster's Sustainability and Climate Action goals is through City-Community partnerships.

**FINANCIAL IMPLICATIONS**

There are no financial implications anticipated at this time. The operational savings that may result from community stewardship of catch basins and street trees will be better understood as the programs become established and monitored over the next several years. For the Datathon, 'Data for Good' is a non-profit organization and is offering their services at no charge. Landcor Data Corporation is contributing their data at no charge as well.

**OPTIONS**

The options presented are:

1. To receive this report for information and direct staff to proceed with next steps as outlined in this report; or
2. Provide staff with alternative direction.

Option #1 is recommended.

**CONCLUSION**

The Earth Day 2022 Program described in this report focuses on expanding community outreach to connect a diverse range of residents, businesses and organizations in New Westminster to help them feel engaged and empowered in making a difference.

**APPROVALS**

This report was prepared by:

Erika Mashig- Manager, Parks & Open Space Planning, Design and Construction  
Gabe Beliveau- Manager, Engineering Operations  
Lynn Roxburgh- Acting Supervisor of Land Use Planning and Climate Action  
Jen Arbo- Economic Development Coordinator

This report was approved by:

Dean Gibson, Director, Parks & Recreation

Lisa Spitale, Chief Administrative Officer

## **REPORT**

### ***Climate Action, Planning and Development and Engineering Services***

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Emilie K. Adin, MCIP      **File:** 05.1020.20  
Director, Climate Action, Planning and  
Development

Lisa Leblanc, Director, Engineering  
Services

**Item #:** 2022-254

**Subject:** **Construction Noise Bylaw Exemption Request: (81 Braid Street –  
Braid SkyTrain Station)**

---

#### **RECOMMENDATION**

**THAT** Council grant an exemption from Construction Noise Bylaw No. 6063, 1992 to Rissling Services Ltd. from Monday April 18<sup>th</sup>, 2022 to Friday May 20<sup>th</sup>, 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.

---

#### **PURPOSE**

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.

#### **BACKGROUND**

##### **Project Description**

Braid Station, on the Millennium Line of Metro Vancouver's SkyTrain rapid transit system, is located near the intersection of Braid Street and Brunette Avenue in the

Sapperton neighbourhood. Positioned near the Coquitlam border, the station is a major transfer point for bus routes serving the Tri-City area and New Westminster.

Rissling Services Ltd. has been chosen by the property owner, in consultation with TransLink, to install a new water main to Braid Station. Construction work is to occur on the northwest corner of the Braid and Brunette intersection to occur sometime between Monday, April 18<sup>th</sup>, 2022 and Friday, May 20<sup>th</sup>, 2022. Currently, Braid Station is being supplied water by the same water main that supplies the adjacent Amazon warehouse. The new water main is required to provide adequate fire and domestic water to Braid Station by removing the station's existing water service from the Amazon line and installing a new water main to Braid Station directly from the City's water main. This will provide a resilient water supply system that will meet code requirements. The Amazon warehouse and the Braid SkyTrain Station will each have an independent water supply connected to City's water system.

## **DISCUSSION**

### **Construction Schedule**

Rissling Services Ltd. has confirmed that construction will take approximately 18 days total with about 12 nights of construction. This work is proposed to be done at night to minimize impacts on the SkyTrain station and bus depot operations during daytime hours. Night work will occur from Monday to Friday 8:00 PM to 6:00 AM.

A previous noise exemption request was granted at a Council meeting on March 7, 2022, which allowed for nighttime work between Monday, March 14, 2022 and Thursday, April 14, 2022. The construction work started and was well underway with only six days remaining; however a key component of the system was delayed due to supply chain issues. That part is scheduled to arrive on April 14, 2022, which requires an extension to the noise variance previously approved.

Construction work is planned sometime between Monday, April 18<sup>th</sup>, 2022 and Friday, May 20<sup>th</sup>, 2022. As such, additional hours (in the form of a five week window rather than 6 days) are being requested to accommodate any unforeseen delays during underground water main construction. This work is not weather-dependent and will continue during seasonal rains.

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. The work site is surrounded by commercial uses and major roads, including an Amazon warehouse, and should have minimal noise impact on local residents. A map showing the location of the work can be found in Appendix A.

## **Transportation Impacts**

The installation of a new water main to Braid Station will consist of six work stages. Stage 1 of construction will require the closure of two westbound vehicle lanes of Braid Street and one southbound vehicle lane of Brunette Avenue. This closure will restrict larger commercial vehicles from making the southbound-to-westbound movement, with a detour route to East Columbia Street via Brunette Avenue to the south. Stages 2 to 6 take place on private lands, and as of April 11<sup>th</sup>, 2022 are nearly complete. Therefore, the discussion on transportation impacts will primarily center on Stage 1.

During Stage 1, impact to pedestrian access to and from the Braid Station is expected to be minimal and access to the station will be available at all times during construction. A closure of the north sidewalk along Braid Street and a subsequent detour to the south sidewalk is required. Transportation Control Personnel (TCPs) will be stationed at the intersection to assist pedestrians for safety purposes. There will be no impacts to designated cycling routes. Sidewalks and the roadway will be returned to normal operation at the end of each night closure.

Traffic assessments at the intersection of Braid Street and Brunette Avenue indicate that this intersection is functioning at or near operational capacity through many time periods. Moreover, construction is ongoing nearby at the development at 100 Braid Street which requires the closure of one eastbound travel lane of Braid Street between Rousseau Street and Brunette Avenue during daytime hours. This is in addition to several current projects along and near East Columbia Street: the Royal Columbian Hospital Redevelopment project, the development at 408 East Columbia Street and the Sapperton Sewer Separation and Waterworks Program occurring on nearby local streets. As such, daytime closures for the water main project in combination with these other construction projects in the area are expected to have the following challenging impacts:

- *Emergency vehicle access* – Emergency services needing to access Royal Columbian Hospital from Highway 1 and areas to the northeast via the Braid Street and Brunette Avenue intersection are expected to encounter further delays with daytime water main work and this would exacerbate ongoing accessibility concerns from various construction projects in the area.
- *Transit reliability* – Key bus routes through the area, especially those needing to access Braid Station (Routes 128, 153, 155, 156, 159, 169 and 791) are expected to encounter significant vehicle queuing along Brunette Avenue and Braid Street.
- *Additional commercial vehicle traffic along East Columbia Street* – Commercial vehicles destined for areas of south Burnaby, north New Westminster or to the Patullo Bridge via East Eighth Avenue will encounter southbound right turn restrictions at the Braid Street and Brunette Avenue intersection. The restrictions for these larger commercial vehicles at the intersection is expected to undesirably result in these trucks diverting to East Columbia Street via Brunette

Avenue. This will further impact the livability and quality of life for the health services, businesses and local residents along this portion of East Columbia Street and in the surrounding neighborhood.

In addition to the impacts to emergency vehicle accessibility, transit operations and commercial vehicle diversion, there are other potential transportation-related difficulties associated with a daytime closure. This includes protecting the safety of worker and traffic control personnel that would be negatively impacted where they to perform the work during daytime peak vehicle periods.

Given these compounding factors, City staff anticipates significant issues would occur with water main work during the day. With relatively few impacts to vulnerable road users, staff considers the requested bylaw exemption to enable overnight work to be preferable and reasonable under these circumstances.

Transportation staff have performed a final review of the traffic management plan and issued the Street Occupancy Permit.

### **Noise and Light Impact**

Noise will occur from back-up beepers as vehicles including a small excavator, a backhoe, and gravel trucks position themselves on site for construction activities. Some noise may also result from the use of hand tools by construction workers.

Given that the work site is surrounded by commercial uses, the noise impact on local residents is expected to be small. Nevertheless, Rissling Services Ltd. is still 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;
- consideration of alternative back-up warning systems such as white noise reversing alarms instead of tonal beepers; and
- having a contact person available to respond to any calls from affected residents and businesses.

During the overnight time of the construction activity, the 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 water main construction. While a direct intrusive light into neighbouring residences or businesses is not anticipated, there may be some reflections of light towards the nearby properties. Rissling Services Ltd. will do their best to keep any light reflection to a minimum.

**Notification**

Advance notification will be provided to nearby residents and businesses by Rissling Services Ltd. This will include conducting a mail drop to residents and businesses in the following locations:

- 400 to 500 Block of Wilson Street
- 400 Block of Rousseau Street
- 80 to 100 Block of Braid Street
- 400 to 500 Block of Brunette Ave

A notification map can be found in Appendix B and a sample of notification letter can be found in Appendix C.

Staff have carefully considered Rissling Services Ltd.'s request for overnight construction work, and recommend the approval of this request.

**OPTIONS**

The following options are presented for Council's consideration:

1. That Council grant an exemption from Construction Noise Bylaw No. 6063, 1992 to Rissling Services Ltd. from Monday April 18<sup>th</sup>, 2022 to Friday May 20<sup>th</sup>, 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.
2. That Council provide different direction to staff.

Staff recommends Option 1.

**ATTACHMENTS**

Appendix A: Area of Proposed Work  
Appendix B: Map of Construction Notification  
Appendix C: Sample of Notification Letter

**APPROVALS**

This report was prepared by:  
Serena Trachta, Acting Manager of Integrated Services  
Michael Nguyen, Engineering Technologist, Transportation



This report was reviewed by:

Kanny Chow, Transportation Engineer

Mike Anderson, Acting Manager of Transportation

This report was approved by:

Emilie K. Adin, Director, Climate Action, Planning and Development Services

Lisa Leblanc, Director, Engineering Services

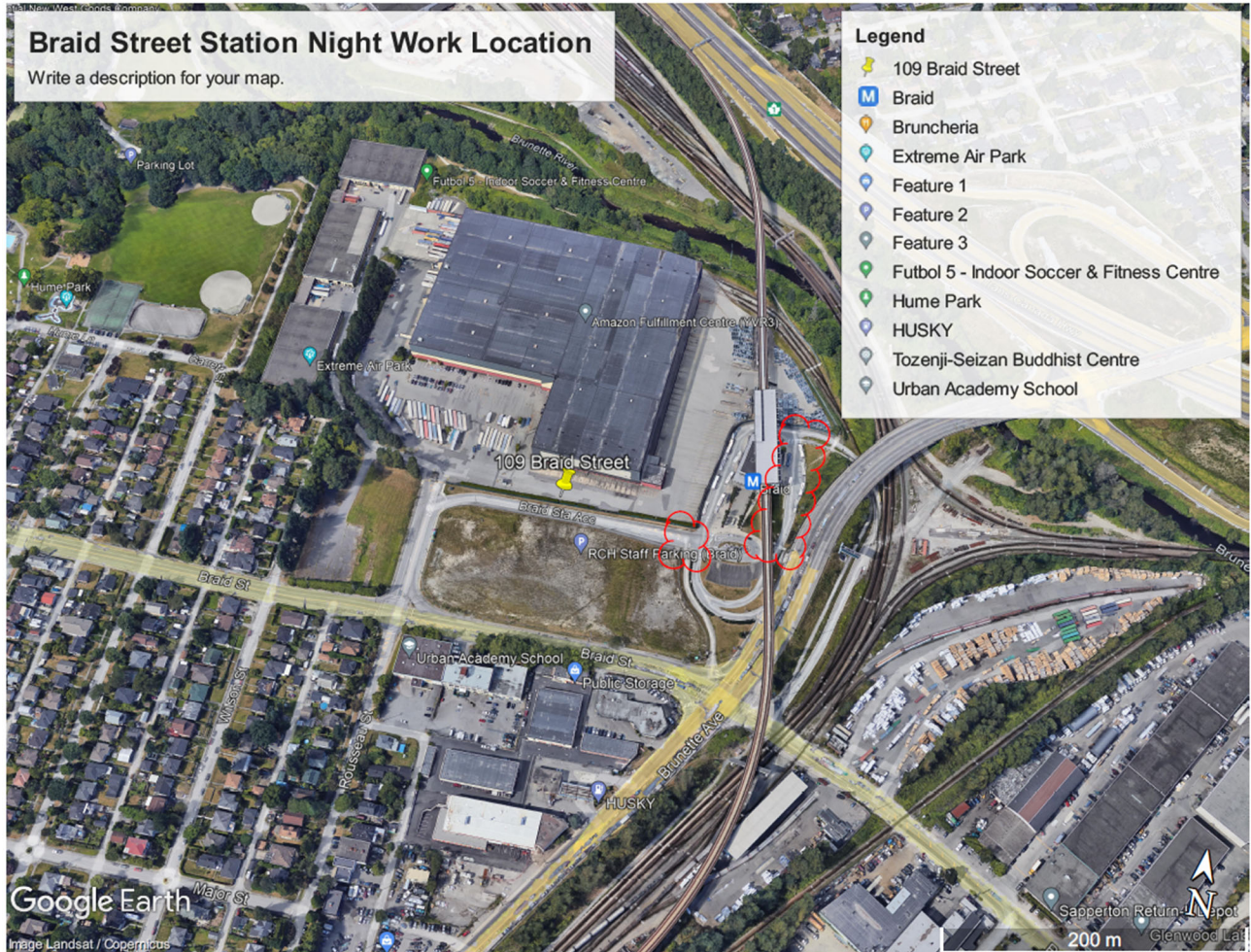
Lisa Spitale, Chief Administrative Officer

## Appendix A

### *Area of Proposed Work*

# Appendix A

## Area of Proposed Work (Marked in Red)



## Appendix B

### *Map of Construction Notification*

## Appendix B

### Map of Construction Notification





## Appendix C

### *Sample of Notification Letter*

## Appendix C

### Sample of Notification Letter

# **NOTICE OF CONSTRUCTION**

Please be advised that Rissling Services Ltd will be working in your area to upgrade the Water Main to 81 Braid Street - Braid Street Sky Train Station. This work will be completed after Hours

**April 18<sup>th</sup> to May 20<sup>th</sup> 8:00pm to 6:00am**

All efforts will be maintained to keep noise to a minimum  
If you have any questions, please call 604-946-4990.  
Thank You

# **NOTICE OF CONSRUCTION**

## **REPORT**

### ***Climate Action, Planning and Development***

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Emilie K. Adin, MCIP      **File:** 13.2630.09  
Director, Climate Action, Planning and  
Development

**Item #:** 2022-261

**Subject:** **Council Resolution in Support of the City of New Westminister's  
Application under the COVID-19 Restart Funding for Local  
Governments, Strengthening Communities' Services Program**

---

#### **RECOMMENDATION**

**THAT** Council direct staff to submit an application under the COVID-19 Restart Funding for Local Governments, Strengthening Communities' Services Program, for the proposed activities and projects as outlined in this report and that the City accept overall grant management of the activities and projects.

---

#### **PURPOSE**

This report is to seek Council direction for staff to submit an application under the COVID-19 Restart Funding for Local Governments, Strengthening Communities' Services Program, for the proposed activities and projects as outlined in this report, and for the City to accept overall grant management of the activities and projects.

#### **BACKGROUND**

The COVID-19 Restart Funding for Local Governments includes \$100 million for the Strengthening Communities' Services Program, which aims to support unsheltered homeless populations and address community impacts through an application-based process. All local governments are eligible and the program can contribute up to 100% of the cost of eligible activities and projects. The approximate timing that the funding must be used is within one year of grant approval.



The City previously received \$446,083 from the Union of BC Municipalities under the 2021/22 Strengthening Communities' Services Program, which funded ten activities and projects between August 1, 2021 and July 31, 2022. These activities and projects not only responded to the basic or essential needs of the unsheltered but also addressed business and resident concerns regarding homelessness and its associated impacts.

To be eligible for funding, applications must demonstrate that proposed activities and projects meet one or more of the intended outcomes of the program:

- that demonstrate evidence of need in the community;
- that provide temporary solutions that address increased urgent and immediate needs related to unsheltered homelessness and do not create ongoing long-term financial obligations;
- that include new activities or projects, or expansion of existing ones; and,
- that are capable of completion by the applicant within one year of the date of grant approval.

## **DISCUSSION**

### ***Documented Need for Grant Funding***

Based on the 2020 Regional Homeless Count, 52 unsheltered and 71 sheltered homeless people were identified in New Westminster, for a total of 123 homeless people. In September 2021, City staff reached out to local service providers that have a mandate to address homelessness and asked them to provide an update on the estimated number of unsheltered homeless people in New Westminster. Based on the responses received, it is estimated that the unsheltered homeless population, including those who are couch surfing, is now in the hundreds, and likely three to four times the pre-pandemic number.

The reasons for the increase in unsheltered homelessness are many, with several being tied to the ongoing COVID-19 pandemic. These include but are not limited to: reductions in existing emergency shelter capacity due to pandemic-related physical distancing requirements; reluctance on behalf of family and friends to accept unsheltered people into their homes out of fear of virus transmission; and the ongoing housing affordability crisis and opioid epidemic.

Businesses and residents are raising concerns about visible homelessness, and associated public health and safety concerns, including: carelessly disposed needles and other drug paraphernalia; discarded containers and food, the result of takeaway meals for the unsheltered and food insecure; and the presence of human waste associated with limited access to toilet facilities. These concerns and others are taxing City services, and likely contributing to opposition to longer-term solutions to address homelessness, including new supportive and non-market housing projects.

***Solicitation and Evaluation of Eligible Activities and Projects***

Staff notified local faith-based and non-profit organizations of this potential funding opportunity through the City's COVID-19 At-Risk and Vulnerable Populations and Seniors and Persons Living with Disabilities Task Forces and through direct e-mail and other correspondence.

Given the limited timeframe between grant program launch and application submission, it was not possible to circulate a request for proposals in response to this potential funding opportunity. In its place, staff identified City priorities related to responding to the basic or essential needs of the unsheltered and addressing homelessness and its associated impacts (i.e., purchase of free-standing, pre-fabricated toilet and lease of two sanitation trailers to facilitate the opening of a new 24/7 Emergency Response Centre shelter for 12-months), and previously funded activities and projects under the 2021/22 Strengthening Communities' Services Program that were not "one-offs" and required additional time to diversify funding streams and realize financial sustainability.

Resulting from the solicitation and the review and evaluation process, seven activities and projects are proposed, which involve the City and four non-profit organizations with a total funding request of \$623,775.26.

**ANALYSIS**

The following activities and projects are organized according to the areas of eligibility under the Strengthening Communities' Services Program:

**1. To improve the health and safety of persons who are experiencing homelessness.*****Sanitation Trailers* - City (\$91,200)**

The City and BC Housing have reached an agreement to transition the existing Extreme Weather Response Program shelter at 502 Columbia Street, which is activated during extreme weather events and operates between November 1 and March 31, to a 24/7 Emergency Response Centre (ERC) shelter with 50 beds for a 12-month period. To facilitate the transition, there is a need for additional sinks and toilets, as well as access to shower facilities.

The City will assist in funding two sanitation trailers, each with three sinks, three toilets and two showers. Under ERC funding guidelines, municipalities are expected to provide civic facilities at no cost; however, given the lifting of most pandemic related restrictions, civic facilities have resumed full programming. As such, BC Housing must provide a lease payment for the facility/space in question and is requesting City funding with regard to covering a portion (32.4%) of the total lease and attendant staffing cost for the two sanitation trailers.

***Free-Standing, Pre-Fabricated Toilet - City (\$200,000)***

On October 18, 2021, Council endorsed the Downtown Livability Strategy. The strategy identifies five categories of issues to address the needs of the unsheltered and to improve livability in the Downtown, including the “need to improve general cleanliness and the provision for 24 hour, public toilets in the Downtown.” More specifically, it states: “prepare to purchase and install a free-standing, pre-fabricated toilet in the Downtown and report back to Council.”

The estimated cost to purchase a free-standing, pre-fabricated toilet is about \$200,000, which is only a portion of the total project cost. The total project cost includes: consulting services, site preparation, construction and installation costs (including connection to water and sewer services), and ongoing operational costs for cleaning and maintenance. This funding request would help offset the total project cost.

Initial planning work required to install a free-standing, pre-fabricated toilet is underway with anticipation of the toilet being installed and ready for use in late-2022 or early-2023.

***Maida Duncan Drop-In Centre - Enhanced Social Support, Advocacy and Case Management Interventions - Elizabeth Fry Society (\$50,000)***

The Maida Duncan Drop-In received \$50,000 in funding under the 2021/22 intake of the Strengthening Communities' Services Program.

Operating since 1997, the Maida Duncan Drop-In Centre offers a variety of services to sheltered and unsheltered women. Given the COVID-19 pandemic, and the housing affordability crisis, they have seen significantly increased demand for drop-in services.

The program meets basic needs, including free clothing, food security, income boosting and taxfiler support, laundry and shower access, and resource information and referral. Student nurses from Douglas College provide health care support and referral to mental health counselling. Dental hygienists from UBC provide free dental care. Additionally Dress for Success assists women seeking employment.

The Maida Duncan Drop-in serves over 3,720 women and 240 children on an annual basis. The Elizabeth Fry Society will use this funding request to address significantly increased demand for this service, as it continues to work towards financial sustainability, including diversifying funding streams..

***Newcomer Feeding the Homeless Project - MOSAIC (\$50,000)***

The Newcomer Feeding the Homeless Project started in September 2021 and received \$50,000 in funding under the 2021/22 intake of the Strengthening Communities' Services Program.

The project provides hot meals to the unsheltered, while connecting newcomers who are experiencing social isolation and providing them with training and work experience. More specifically, newcomer volunteers gain valuable skills related to food preparation, including Food Safe certification, while the unsheltered receive culturally-appropriate, healthy and nutritious meals.

From September 2021 to February 2022, the project has involved 68 newcomer volunteers who have prepared about 1,000 meals for the unsheltered. MOSAIC is actively seeking partnerships and exploring sponsorships, and will use this funding request to continue to feed the unsheltered while it works towards project financial sustainability.

***Personal Identification Bank*** - Purpose Society (\$50,000)

The Personal Identification Bank at the Purpose Society opened in December 2021 with funding support from the City, and partial funding through the Reaching Home Program. The initiative was in response to large numbers of unsheltered who have no or incomplete personal identification, which limits their ability to access financial assistance and government benefits, including related to the COVID-19 pandemic.

The service is located at 40 Begbie Street, which is also the home of the Health Contact Centre and the New Westminster Rent Bank Program. Through this service, individuals receive assistance in accessing or replacing personal identification at no cost, as well as referral to other community services, including income boosting and taxfiler clinics.

Since becoming operational, the service has received 66 referrals, and has 35 active files, with 13 sets of identification in process or received. It has also made referrals to other community services.

This funding request would enable the service to expand access, including hours of operation, and provide related assistance, while accessing more diverse funding streams while it works towards financial sustainability.

**2. To reduce community concerns about public health and safety in neighbourhoods related to homelessness.**

***Health Contact Centre Liaison and Outreach Initiative*** - Purpose Society (\$43,839.26)

The Health Contact Centre received \$50,465 in funding under the 2021/22 intake of the Strengthening Communities' Services Program.

The Health Contact Centre incorporates an overdose prevention site and other harm reduction services, including drug testing and take-home naloxone kits. Guests can also access an on-site medical clinic and receive referrals to health and treatment services.

Currently the Health Contact Centre operates from 3:00 to 11:00 p.m. daily, with outreach workers active between 6:00 and 11:00 p.m. Purpose Society is proposing to retain an outreach worker who will work 25 hours per week from 7:00 a.m. to 12:00 p.m. (noon). The worker will distribute harm reduction supplies, administer naloxone, distribute food, make referrals, provide education, and supply information. The worker will also liaise with local businesses, and assist with the safe disposal of discarded needles and other drug paraphernalia.

From September 1, 2021 to February 28, 2022, the Health Contact Centre had 721 guest visits and no overdose deaths. The City is advocating to Fraser Health to fund morning and early afternoon outreach for the Health Contact Centre, and this funding request will provide valuable evidence as to the demand for expanded services, while addressing the needs of illicit drug users, many of whom are unsheltered.

***I's on the Street Micro Street Cleaning Program*** - New Westminster Homelessness Coalition Society (\$138,736)

The I's on the Street Micro Street Cleaning Program received \$127,811 in funding under the 2021/22 intake of the Strengthening Communities' Services Program.

I's on the Street (IOTS) is an award winning micro street cleaning program. It is designed to serve the community while acting as a stepping stone to regular employment for individuals who may be unsheltered, at risk of being unsheltered, and/or are living with a history of addiction or mental illness. The program empowers people to be self-reliant again and supports the belief that there is inherent dignity in any useful work that contributes to the betterment of the community. Participants are case managed and connected to support services, including training and employment, when they are ready to take the next step.

IOTS operates in three New Westminster neighbourhoods (i.e., Downtown, Sapperton and the Uptown) in partnership with Elizabeth Fry Society, Fraserside Community Services Society and Lookout Housing and Health Society, and is supported by an IOTS Coordinator from the New Westminster Homelessness Coalition Society.

Between December 2021 and February 2022, the workers at this program collected 216.5 large disposal bags of garbage and litter, including from private property, which is not served by the City's Engineering Operations Division.

The funding received under the 2021/22 intake of the Strengthening Communities' Services Program enabled the IOTS Coordinator to formalize processes and procedures, support recruitment, training, partnership development, and engage with the local businesses and residents. Now that this work is well underway, there is a need to keep the program operating while supporting the development of a plan that will lead to financial sustainability.

**INTERDEPARTMENTAL LIAISON**

The Climate Action, Planning and Development Department is working closely with the City of New Westminster Inter-Departmental Working Group on Homelessness, which includes representation from most City Departments, on issues related to homelessness, including general cleanliness of business and residential areas.

**FINANCIAL IMPLICATIONS**

The costs to manage the grant application relate to staff time within the Community Services section of the Climate Action, Planning and Development Department and the Finance Department. If successful, the grant, through the realization of \$200,000 for a free-standing, pre-fabricated toilet and \$91,200 towards two sanitation trailers for the 24/7 Emergency Response Centre shelter, will offset allocated costs for these items in the 2022/23 and 2022 City Operating Budget, potentially saving the City \$291,200.

**OPTIONS**

The following options are presented to Council for consideration:

1. That Council direct staff to submit an application under the COVID-19 Restart Funding for Local Governments, Strengthening Communities' Services Program, for the proposed activities and projects as outlined in this report and that the City accept overall grant management of the activities and projects.
2. That Council provide staff with other direction.

Staff recommends option 1.

**APPROVALS**

This report was prepared by:  
Tristan Johnson, Senior Planning Analyst  
John Stark, Supervisor of Community Planning

This report was approved by:  
Emilie Adin, Director, Climate Action, Planning and Development  
Lisa Spitale, Chief Administrative Officer

## **REPORT**

### ***Climate Action, Planning and Development***

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Emilie K. Adin, MCIP      **File:** DVP00692  
Director, Climate Action, Planning and      HA000029  
Development

**Item #:** 2022-256

**Subject:** **Housing Agreement Bylaw and Development Variance Permit to Vary Residential and Visitor Parking Requirements: 508 Eighth Street – Bylaw for Three Readings**

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#### **RECOMMENDATION**

**THAT** Council consider Housing Agreement Bylaw No. 8279, 2022 to authorize the City to enter into a Housing Agreement with the property owner to require that all residential units at 508 Eighth Street be secured as market rental housing for First, Second and Third Readings.

**THAT** Council, should the Housing Agreement Bylaw No. 8279, 2022 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement.

**THAT** Council provide notice that it will consider issuance of a Development Variance Permit (DVP00692) to reduce the number of required off-street parking spaces by 45% from the Zoning Bylaw requirements for secured market rental.

**THAT** Council endorse that five long-term bicycle parking spaces and six short-term bicycle parking spaces be included as part of the Development Permit application for 508 Eighth Street, should the Development Variance Permit (DVP00692) be approved by Council.

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#### **PURPOSE**

This report is to request that Council: 1) consider Housing Agreement Bylaw No. 8279, 2022 for First, Second and Third Readings; 2) issue notice that Council will consider Development Variance Permit (DVP00692) for a 21 space reduction (45%) to the off-street parking provisions; and 3) request endorsement of requiring bicycle parking spaces as part of the Development Permit.

## **EXECUTIVE SUMMARY**

Housing Agreement and Development Variance Permit (DVP) applications have been submitted to allow replacement of eight existing parking spaces with three new bachelor residential units and one new one-bedroom residential unit to an existing 42 unit residential rental building at 508 Eighth Street. The Housing Agreement would secure all existing and proposed units (46 units total) within the building as a market rental project for 60 years or the life of the building, whichever is longer. The DVP would reduce off-street parking by 21 spaces (45%), including three visitor spaces.

Staff considers the variance for parking to be reasonable when accompanied by a commitment to measures that support active travel.

## **BACKGROUND**

### **Policy and Regulation Context**

The applicant's proposal is consistent with the Official Community Plan land use designation for the site: (RM) Residential – Multiple Unit Buildings. The current zoning is RM-2 Apartment (Low Rise). A summary of related City policies and regulations, which includes the Official Community Plan (OCP) Land Use Designation, Secured Market Rental Housing Policy, Development Permit Area (DPA), and Zoning, is included in Attachment 1.

### **Site Characteristics and Context**

The site is located on the corner of the Eighth Street and Fifth Avenue. The current three level building, which consists of 42 residential rental units, was built in 1967. The site is surrounded by older high- and mid-rise buildings, ranging from 3 to 14 storeys in height, and is in close proximity to Moody Park and commercial uses along Sixth Street. The site is well serviced by transit and within walking distance of multiple bus stops located along the Eighth Street Frequent Transit Network (FTN) and Sixth Avenue. More details on proximity to transit service and other sustainable transportation options is included in Attachment 3.

## **PROJECT DESCRIPTION**

The applicant is proposing to replace eight existing parking spaces with four new residential units within an existing 42 unit residential rental building. One one-bedroom unit of 571.0 sq. ft. (53.1 sq. m.) and three bachelor units between 370.8 and 408.2 sq. ft. (34.4 and 37.9 sq. m.) are proposed. The units would be located within the parking level at the south side of the building, facing Fifth Ave, and near to the elevator, laundry, and long-term bicycle parking. Each unit would have its own private open space (patio). To offset the loss of parking, two additional parking spaces are proposed to be added on the southwest side on the property. As part of the renovation and site improvement, a new garbage enclosed area is proposed for the building. The proposed renovation plan is provided in Figure 1 below:



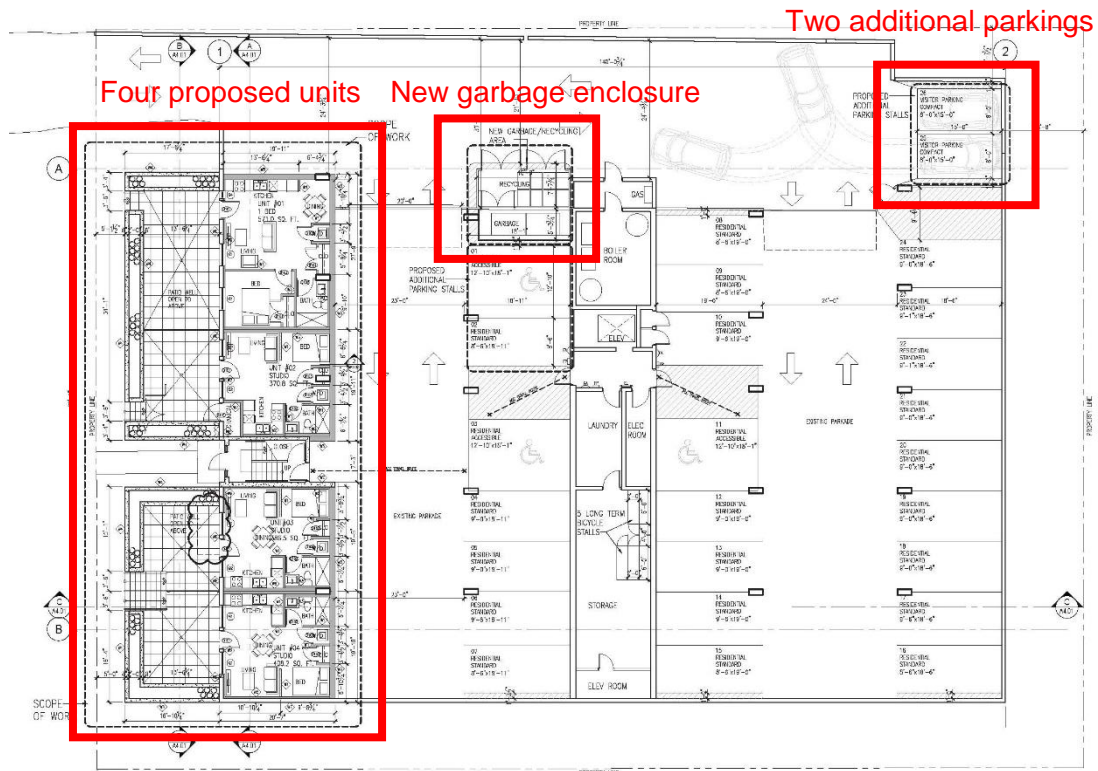


Figure 1: Proposed Renovation Plan

The residential units would be added in the below-grade portion of the parking area. Due to the sloped nature of the site, the west elevation of the units would be below-grade, and the east portion at-grade. Windows and patio wells would be located along the east side of each unit. Street access would be provided from the east elevation via stairs leading from the partially below-grade patio wells to Fifth Avenue.

The proposal would reduce off-street parking from 32 spaces currently provided to 26 spaces. Though the additional units have been proposed in areas previously served by parking, no potential vehicle conflicts have been identified. The proposal would result in 0.6 parking spaces per residential unit and two visitor parking spaces, and three accessible parking stalls would be provided.

All existing and proposed rental units (46 units total) would be secured with a Housing Agreement for 60 years or the life of the building, whichever is longer.

The applicant has submitted an application for a development permit to facilitate a form and character review of the proposal and would be considered by the Director of Climate Action, Planning and Development subject to Council approval of the Housing Agreement Bylaw and Development Variance Permit.

## **DISCUSSION**

### **Requested Variance**

The City's Zoning Bylaw does not require additional off-street parking spaces for secured rental residential units, provided that:

1. There are no more than five additional secured rental units proposed; and
2. The site was used for secured rental residential units since before 2014.

As per the above, the proposed four rental residential units do not require any additional off-street parking spaces. However, the proposed removal of eight residential parking stalls has triggered the need to review parking requirements for the site. Based on that review, a Development Variance Permit to reduce off-street parking by 45% (21 spaces) below the minimum requirements of the Zoning Bylaw for secured market rental units is required to facilitate the proposal. This includes a reduction from five to two visitor parking spaces. The applicant proposes to provide all required accessible parking stalls by converting two existing stalls to accessible parking stalls. In turn, this will require the garbage area to be relocated to a new enclosure outside the parkade.

The applicant has requested the reduced parking rate be supported given the proximity to the FTN and the low usage of the existing parking supply. The proposed 0.6 parking spaces per unit are similar to requirements under the same Bylaw for secured market rental sites located within the Downtown neighbourhood (i.e., 0.6 space per unit for bachelor and one-bedroom units). The applicant states that, based on a survey they completed in January 2022, nine of 32 parking stalls are currently being used by residents, one is used by a non-resident living in the neighbourhood, and 22 stalls (69%) are vacant or used by visitors.

Below is a calculation of existing, required and proposed parking stalls, calculated based on section 140 Zoning Bylaw; Off-street Parking:

	<b>Existing</b>	<b>Required</b>	<b>Proposed</b>
<b>Resident vehicle</b>	32 (1 Accessible)	42 (3 Accessible)	24 (3 Accessible)
<b>Visitor vehicle</b>	0*	5	2
<b>Short-term bike</b>	0	0	6
<b>Long-term bike</b>	0	5	5

\*When the building was built, all of the parking spaces would have been considered "residential." The applicant states that 10 of these stalls are being used by residents and 22 by visitors.

## **ANALYSIS**

### **Off-Street Parking Reduction**

Given the proximity to transit staff considers the requested variance for parking, to a rate similar to those used in Downtown, to be reasonable if accompanied by a commitment to measures that support active travel. Specifically, staff have recommended the provision of six short-term bicycle parking stalls. The applicant has

agreed to provide a minimum of six short-term spaces, with the design of these spaces to be reviewed as part of the development permit process. The applicant would also be required to comply with the long-term bike parking requirements of the Zoning Bylaw for the new proposed units (1.25 spaces per unit). The applicant has proposed five long-term bike parking stalls in satisfaction of this requirement.

### **Secured Market Rental Housing Agreement**

The site is currently zoned RM-2 Apartment (Low Rise). Under Section 190.49 – Amenity Density Bonus of the City’s Zoning Bylaw, density can be increased to a maximum of 1.8 FSR if an amenity contribution is made. Projects that propose secured rental residential units are exempt from the requirements of a density bonus contribution.

The current density of 1.19 floor space ratio (FSR) would be increased to 1.24 FSR with the addition of the four units. The applicant has agreed to extend the Housing Agreement to cover all 46 rental units within the project and would therefore be exempt from a density bonus amenity contribution. The Housing Agreement Amendment Bylaw is included in Attachment 4.

The principles included in Attachment 5 to this report have been used (and agreed to by the owner/developer) for structuring the Housing Agreement Bylaw, and are consistent with the principles used for similar secured market rental housing proposals. The signed letter from the developer/owner agreeing to these principles is also included in the Attachment 5 to this report.

### **REVIEW PROCESS**

The review steps for this application are:

1. Report to Council for First, Second and Third Readings of the Housing Agreement Bylaw No. 8279, 2022 and to request that Council issue notice that it will consider issuance of a Development Variance Permit for the proposed parking **(WE ARE HERE)**;
2. Council consideration of Adoption of Housing Agreement Bylaw;
3. Finalization and Registration of the Housing Agreement at the Land Titles Office;
4. Council consideration of the Development Variance Permit;
5. Consideration of Development Permit application and issuance by the Director of Climate Action, Planning and Development.

### **Consultation**

Notices would be sent to surrounding residents by the City Clerk’s Office to provide an opportunity for written feedback prior to Council consideration of the Development Variance Permit.

**INTERDEPARTMENTAL LIAISON**

This report was written with input from the Engineering Department.

**OPTIONS**

The following options are provided for Council's consideration:

1. That Council consider Housing Agreement Bylaw 8279, 2022 for first, second, and third reading in order to require all residential units to be secured market rental housing;
2. That Council, should the Housing Agreement Bylaw No. 8279, 2022 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement.
3. That Council provide notice that it will consider issuance of a Development Variance Permit (DVP00692) to reduce the number of required off-street parking spaces by 45% from the Zoning Bylaw requirements for secured market rental.;
4. That Council endorse that five long-term bicycle parking spaces and six short-term bicycle parking spaces be included as part of the Development Permit application for 508 Eighth Street, should the Development Variance Permit (DVP00692) be approved by Council;
5. That Council provide staff with alternative feedback.

Staff recommends Options 1, 2, 3 and 4.

**ATTACHMENTS**

Attachment 1: Policy and Regulations  
Attachment 2: Rationale Letter and Project Drawings  
Attachment 3: Site Context and Project Statistics  
Attachment 4: Housing Agreement Bylaw 8279, 2022  
Attachment 5: Housing Agreement Principles Letter

**APPROVALS**

This report was prepared by:  
Nazanin Esmaeili, Planning Assistant  
Tristan Johnson, Senior Planning Analyst

This report was reviewed by:  
Mike Watson, Acting Supervisor of Development Planning  
Jackie Teed, Senior Manager of Climate Action, Planning and Development

This report was approved by:

Emilie K. Adin, Director, Climate Action, Planning and Development

Lisa Spitale, Chief Administrative Officer

# Attachment 1

## *Policy and Regulations*

## **POLICY AND REGULATIONS**

### **Official Community Plan**

The subject property is designated (RM) Residential – Multiple Unit Buildings. The purpose of this designation is to provide a mix of small to moderate sized multiple unit residential buildings in the form of townhouses, rowhouses, stacked townhouses and low rises. This proposal would be consistent with the designation.

### **Development Permit Area**

The subject property is located within the Mainland - Multiple Unit Residential Development Permit Area. 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 (as outlined in the Justification section of this schedule); and
- Establishment of objectives to promote energy conservation (as outlined in the Justification section of this schedule).

A copy of the proposed DPA guidelines for the Mainland – Multiple Unit Residential Development Permit Area can be accessed at the following weblink below:

[https://www.newwestcity.ca/database/files/library/OCP\\_DPA\\_1.4\\_Multiple\\_Units\\_Residential\\_\(Consolidated\\_June\\_2020\).pdf](https://www.newwestcity.ca/database/files/library/OCP_DPA_1.4_Multiple_Units_Residential_(Consolidated_June_2020).pdf)

### **Zoning Bylaw**

The subject property 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.

### **Affordable Housing Strategy**

The first goal in the City’s Affordable Housing Strategy (2010) is to preserve and enhance New Westminster’s stock of safe, affordable and appropriate rental housing.

### **Secured Market Rental Housing Policy**

The Secured Market Rental Housing Policy was adopted on May 13, 2013 and revised on January 9, 2017. One of the objectives for this policy is the renewal of the rental housing stock, specifically:

- Increase investment into the existing purpose-built rental housing stock.
- Increase the life span of the existing stock.
- Improve the operating costs of the purpose-built rental housing stock.

The incentives available through the renewal of the rental housing stock portion of this program are:

- Use the density bonus program to permit the construction of additional secured market rental units on site (up to 10% of the number of existing units), including the conversion of unused storage or recreation areas for additional units (subject to livability/Building Code issues being addressed).
- Eliminate the parking requirement for additional secured rental units created in existing buildings.
- Consider including existing rental buildings in a future phase of the Building Energy Efficiency Program that is part of the Community Energy & Emissions Plan.
- Consider relaxations to Engineering servicing requirements when adding new units.

### **Housing Agreements and Covenant**

The recommended process to secure the building as market rental housing is through entering into a Local Government Act Section 483 Housing Agreement with the developer that is paired with a Land Title Act Section 219 Covenant on title. The Housing Agreement would need to be considered and adopted by Council. The Housing Agreement would be signed and registered with the Land Title Office.

### **Family Friendly Housing Policy**

As this project is only adding five units, the Family-Friendly Housing Policy requirements for number of two and three bedroom units, which becomes applicable in development applications with 10 or more residential units added, does not apply to this project.



Attachment 2  
*Rationale Letter and  
Project Drawings*

## 508 EIGHTH ST – D.P & D.V.P - RATIONALE LETTER

January 31, 2022

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

Attention: Nazanin Esmaeili, Planning Assistant

508 Eighth St New Westminster B.C, V3M 3R9 is a 3-story apartment building with 42 existing rental units- with only 1 unit that is currently vacant. There is one floor of parking below grade, with 32 existing parking stalls. In the parkade below, there are two separate parking regions with separate entries. Currently both parking areas are separated by an existing storage room and existing laundry room in the center.

We are proposing to re-use a total of 8 existing parking stalls in the east parkade and convert this area into four additional rental units: three studio units and one – 1 bed unit. All four units are well over the recommended 350 SF & 525 SF from the BC Housing Design Guidelines & Constructions Standards. Unit #1 571.0 SF. Unit #2 395.3 SF. Unit #3 386.5 SF. Unit #4 408.2 SF. All four units will have exterior entry from the patio wells along Fifth Ave. The patio wells will have stairs coming down from grade, as well as planters stepping up to grade. The patio wells will allow for ample sunlight to shine into the principal parts of the new rental units. The patio wells cost is estimated to be around \$50,000 for all four wells.

Presently there are 32 existing parking stalls. Upon surveying residents, it was found only 9 stalls are in use by residents. One stall is in use by a non-building resident living around the neighborhood and 22 stalls remain vacant. The parking stalls that we are proposing to remove are not on tenancy agreement and are currently vacant. The garbage and recycling area will be relocated out to the exterior of the Southeast parkade entry, along the south wall. This will allow us to add two parking stalls inside the east parkade. We have also proposed two additional stalls (Compact Vehicles) at the end of the existing drive aisle, which is currently underutilized. After upgrading the parking stalls into rental housing units, the site will retain 26 parking stalls. Presently there is one existing Accessible parking stall. We have proposed the addition of 2 Accessible stalls, with a total of 3 Accessible parking stalls. There are no existing compact stalls.

Universally Accessible paths of travel identified on the proposed plan. Direct paths from the Accessible parking stalls to primary building entrances from the parkade identified. Accessible parking stalls not to be used as part of Accessible travel routes.

Residential & visitor parking stalls reductions consistent with New Westminster Seven Bold Step Program. Previously in 2019, New Westminster Council declared a climate emergency. One of the Seven

## 508 EIGHTH ST – D.P & D.V.P - RATIONALE LETTER

Bold steps outlined by City is, Car Light Communities. The goal is for 60% of all trips within the City to be by sustainable modes of transportation. (Walk, Transit, Bicycle, Multi Occupant shared).

The 508 Eighth St site is on the Eighth Street Frequent Transit Network Corridor. A quick 1-minute walk will lead you to Frequent Transit Bus stops. The site is 12m from a Frequent Transit Bus stop, & 78m from another Frequent Transit Bus stop in the other direction. Most tenants in the building currently use Public Transportation as it is most beneficial for them. Most rental tenants do not own a personal vehicle. If they had their own vehicles, they would be renting parking stalls.

Approximately 28% of work commutes in New Westminster are taken by public transit every day. Integration of higher quality and more convenient transit connections can shift residents to optimize public transit over personal vehicles and result in a more balanced and sustainable transportation system. Frequent Transit Network Routes offer service every 15 minutes throughout the day, evenings, and weekends.

The site is also within a 5-minute walking distance to a variety of Markets, Restaurants, Shops & Religious Services in the Up-Town Neighbourhood.

Existing Parking stalls provided on site range from \$30 - \$50 per month fee set by building management for each tenant.

6 short term bicycle stalls proposed on the south west side of underground level of parkade. Short term Bicycle stalls will be weather protected in the covered portion of the parkade. Only Accessible for residents through screen fence door. Ample maneuvering area around for bicyclists without disturbing any parked vehicles. Short term bicycle parking to be well lit. Directional signage to be provided from principal building entrance. Short Term Bicycle stalls designed per Sec. 150.16 – 150.19 Zoning Bylaw.

5 long term Bicycle stalls proposed in storage room in centre of both parkades. Directly Accessible through the laundry room. Will be accessible to residents of the building only. Electric outlets shall be provided in all bicycle storage facilities. Long term bicycle stalls designed per Section 150 Zoning Bylaw

The proposed garbage/ recycling area to be enclosed with Architectural wood screen. Garbage bins to be placed on the interior side of the parkade, while the recycling bins are located on the exterior. An additional garbage & recycling bin to be added to accommodate additional units. Tenants will be able to exit from either side of the parkade to dispose of their waste in the bins. New tenants residing in Units #01-04 will be able to walk out their patios and down the drive aisle to dispense of any garbage/recycling waste.

## 508 EIGHTH ST – D.P & D.V.P - RATIONALE LETTER

### PARKING RESIDENTIAL

EXISTING 508 EIGHTH ST PARKING (NEW WESTMINSTER)		STALLS
RESIDENTIAL	9'-0" x 17'-4" (2.74m X 5.30m)	9
VISITOR	9'-0" x 17'-4" (2.74m X 5.30m)	22
ACCESSIBLE	12'-10" x 18'-1" (3.9m x 5.5m)	1
	<b>TOTAL EXISTING STALLS</b>	<b>32</b>

### PARKING RESIDENTIAL

REQUIRED PARKING (NEW WESTMINSTER)		UNITS	STALLS	REFERENCE
SECURED RENTAL RESIDENTIAL UNITS	1.0 SPACE PER DWELLING UNIT	46	46	150.8.7 (a)
VISITOR	0.1 VISITOR PARKING SPACES PER DWELLING UNIT	46	5	150.8.7 (c)
<b>TOTAL RESIDENTIAL STALLS REQUIRED</b>			<b>51</b>	<b>STALLS REQUIRED</b>

\*FOR EVERY 40 SPACES, 2 STALLS MUST BE ACCESSIBLE

\*FOR EVERY 70 SPACES, 3 STALLS MUST BE ACCESSIBLE

### PARKING RESIDENTIAL

PROPOSED 508 EIGHTH ST PARKING (NEW WESTMINSTER)		STALLS
RESIDENTIAL	9'-0" x 17'-4" (2.74m X 5.30m)	21
COMPACT	8'-0" x 15'-0" (2.44m X 4.57m)	2
ACCESSIBLE	12'-10" x 18'-1" (3.9m x 5.5m)	3
	<b>TOTAL PROPOSED STALLS</b>	<b>26</b>

# EIGHTH ST APARTMENTS RENO

## 508 EIGHTH STREET NEW WESTMINSTER, B.C.

### ARCHITECTURAL:

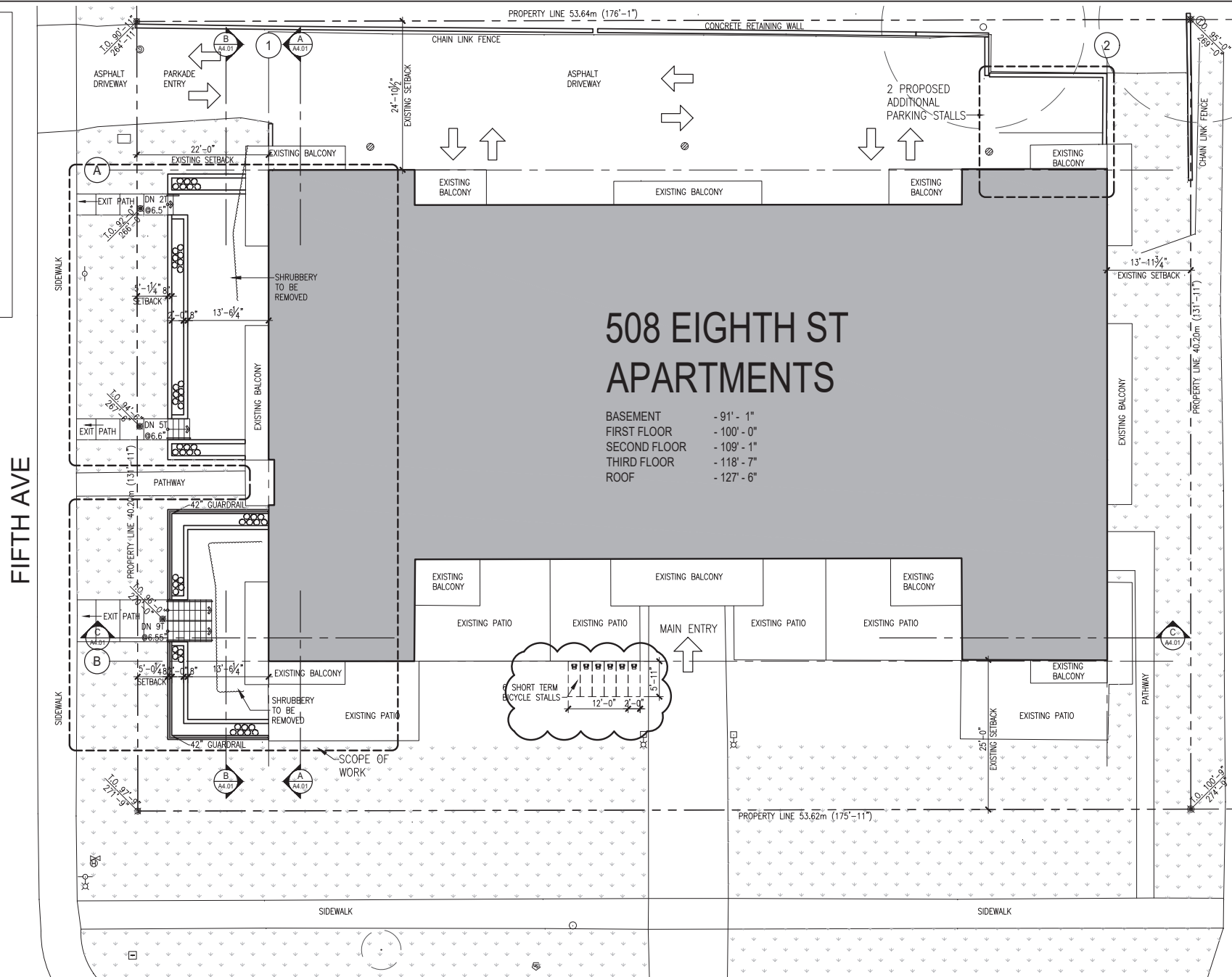
A1.00	COVER SHEET , SITE PLAN, LIST OF DRAWINGS & PROJECT INFORMATION
A1.50	DEMOLITION PLAN - BASEMENT FLOOR
A2.01	PROPOSED RENOVATED PLAN - BASEMENT FLOOR
A2.02	ENLARGED RENOVATED PLAN - BASEMENT FLOOR
A2.10	EXISTING - MAIN FLOOR PLAN
A2.20	EXISTING - SECOND & THIRD FLOOR PLAN
A2.30	PROPOSED RENO PLAN - FSR OVERLAY
A2.31	EXISTING MAIN FLOOR PLAN - FSR OVERLAY
A2.32	EXISTING SECOND & THIRD FLOOR PLAN - FSR OVERLAY
A3.01	NORTH & WEST ELEVATIONS
A3.02	SOUTH & EAST ELEVATIONS
A4.01	AA, BB & CC BUILDING SECTIONS

### CODE ANALYSIS

ITEM	BRITISH COLUMBIA BUILDING CODE 2018	REFERENCE
1. PROJECT DESCRIPTION	RENOVATIONS	PART 3
2. BUILDING AREA (SM)(EXISTING)	2157 SM (23,222 SF)	1.4.1.2
3. NUMBER OF STOREYS	4 STOREY	3.2.1.1.(3)
4. BUILDING HEIGHT	4 STOREY	3.2.1.1.(3)
5. NUMBER OF STREETS	2	3.2.2.10 & 3.2.5.5
6. BUILDING CLASSIFICATION	GROUP C,(UP TO 4 STOREYS) NON COMPLIANT GRANDFATHER	3.2.2.52
7. SPRINKLER SYSTEM	PARTIAL PARKADE - PROPOSED UNITS SPRINKLERED	-
8. STANDPIPE REQUIRED	NO	3.2.5.8
9. FIRE ALARM REQUIRED	YES	3.2.4.1
10. WATER SUPPLY ADEQUATE	N/A	3.2.5.7
11. HIGH BUILDING	NO	3.2.6
12. PERMITTED CONSTRUCTION	COMBUSTIBLE	-
13. EMERGENCY LIGHTING	YES, AT EXITS	3.2.7.3(i)(ii)
14. RENOVATED UNIT AREAS		-
	UNIT #1 53.1 SM (571.0 SF) UNIT #2 34.4 SM (370.8 SF) UNIT #3 35.9 SM (386.5 SF) UNIT #4 37.9 SM (408.2 SF) TOTAL 161.3 SM (1736.5 SF)	
15. EXIT WIDTH REQUIRED	800mm (ALL EXISTING)	TABLE 3.4.3.2.A
16. BARRIER-FREE DESIGN	NO	3.8
17. HAZARDOUS SUBSTANCES	NO	3.3.6
18. REQUIRED FIRE RESISTANCE RATING (FRR)		
18.1. FLOORS	45 MINUTES	3.2.2.52
18.2. LOADBEARING WALLS	45 MINUTES	3.2.2.52
18.3. ROOF	45 MINUTES	3.2.2.52
19. SEPARATION OF SUITES		
19.1. GROUP C	45 MINUTES	3.2.2.52
20. PUBLIC CORRIDOR SEPARATIONS	45 MINUTES	3.3.1.4 (2)
21. EGRESS DOORWAYS	1 EXIT REQUIRED 1 EXIT PROVIDED	3.4.2.1.(2)
22. TRAVEL DISTANCE	BASEMENT 30M (98.42FT)	3.4.2.5.1(F)

DOOR SCHEDULE					
No.	LOCATION	WIDTH	HEIGHT	THICKNESS	DESCRIPTION
D101	UNIT ENTRY	3'-0"	6'-8"	0'-1 3/4"	45 F.R.R.
D102	BATH	2'-10"	6'-8"	0'-1 3/4"	
D103	CLOSET	2'-6"	6'-8"	0'-1 3/4"	
D104	CLOSET	(2) X 2'-0"	6'-8"	0'-1 3/4"	

WINDOW SCHEDULE					
No.	LOCATION	WIDTH	HEIGHT	DESCRIPTION	FACE
G1	LIVING	4'-0"	3'-6"		EAST
G2	BED	3'-0"	3'-6"		EAST
G3	LIVING	2'-6"	3'-6"		EAST
G4	KITCHEN	1'-4"	3'-6"		EAST



### EIGHTH STREET

1 SITE PLAN  
A1.00 3/32"=1'-0"

### CONSTRUCTION ASSEMBLIES

#### WE - EXISTING WALL

#### W1 - TYP. INTERIOR WALL (PARTITION WALL)

- 1 LAYER 1/2" GYPSUM WALLBOARD
- 2"x4" WOOD STUDS @ 16" O.C.
- 1 LAYER 1/2" GYPSUM WALLBOARD

#### W2 - FURRING WALL (1 HR FIRE RATED)

- 2 LAYERS 5/8" TYPE "X" GYPSUM WALLBOARD
- 2"x4" STEEL STUDS @ 16" O.C.
- ACOUSTIC BATT INSULATION
- EXISTING CONCRETE WALL

#### W3 - WET WALL

- 2"x6" WOOD STUDS @ 16" O.C.
- 1 LAYER 1/2" GYPSUM WALLBOARD

#### W4 - TYP. EXTERIOR CONCRETE WALL

- 8" CONCRETE WALL c/w WATERPROOFING TO OUTSIDE FACE

#### W5 - EXTERIOR WALL (1.5HR FIRE SEPERATION)

- 2 LAYERS 5/8" TYPE "X" GYPSUM WALLBOARD
- VAPOUR BARRIER
- 2"x6" STEEL STUDS @ 16" O.C.
- ACOUSTIC BATT INSULATION
- 5/8" PLYWOOD SHEATHING
- WATERPROOF MEMBRANE

- 4" RIGID INSULATION
- MESH
- CEMENT STUCCO (TO MATCH EXISTING)
- W6 - TYP. PARTY WALL (1 HR FIRE SEPARATION)
- APPENDIX 'A' TABLE A-9.10.3.1.A, WALL TYPE W13g, STC57

- 1 LAYER 5/8" TYPE "X" GYPSUM WALLBOARD
- 2"x4" STEEL STUDS @ 16" O.C.
- 1" AIR GAP
- 2"x4" STEEL STUDS @ 16" O.C.
- 1 LAYER 5/8" TYPE "X" GYPSUM WALLBOARD

- W7 - TYP. CORRIDOR WALL (SOUND SEPARATED AND 1 HR FIRE SEPARATION)
- ULC DES U334 EQUIVALENT OR BETTER

- 2 LAYERS 5/8" TYPE "X" GYPSUM BOARD
- 2"x4" STEEL STUDS @ 16" O.C.
- ACOUSTIC BATT INSULATION
- 1 LAYER 5/8" TYPE "X" GYPSUM BOARD

### PARKING REQUIREMENTS

DISTRICT (NEW WEST)		REFERENCE
BROW OF THE HILL		150.8
UNIT CALCULATION	UNITS	REFERENCE
APARTMENT UNITS – EXISTING	42	–
APARTMENT UNITS – PROPOSED	4	–
TOTAL APARTMENT UNITS	46	–
FSR		
EXISTING	1.16	
NEW	1.24	
PARKING CALCULATION	STALLS	REFERENCE
PARKING STALLS – EXISTING	32	–
PARKING STALLS – PROPOSED	26	150.8.7
NUMBER OF ADDITIONAL PARKING STALLS	0	150.8.8.(a)

### RENOVATION INFORMATION

RENOVATED UNIT AREA 1736.5 SF

### USABLE OPEN SPACE FOR EACH NEW UNIT:

UNIT #1	31.1 SM	(334.7 SF)
UNIT #2	20.4 SM	(219.8 SF)
UNIT #3	17.9 SM	(192.4 SF)
UNIT #4	19.4 SM	(208.8 SF)

TOTAL 88.8 SM (955.7 SF)

### NOTES

- BUILDING 100% SECURED RENTAL RESIDENTIAL UNITS AS PER B/L 7688, 2014
- PLANS & DESIGN TO BCBC 2018
- CLIMATE ZONE 4, COMPLIANCE PATH: PRESCRIPTIVE
- MONITORED FIRE ALARM SYSTEM
- ANY PENETRATIONS THROUGH REQUIRED FIRE SEPARATIONS MUST BE PROPERLY FIRE STOPPED
- ALL SMOKE DETECTION AND ALARMS WILL BE PROPERLY FUNCTIONING
- ALL DOORS AND EXITS IN THE PUBLIC CORRIDOR WILL BE PROPERLY LATCHING
- ALL REQUIRED HANDRAILS AND GUARDRAILS WILL BE SECURED IN PLACE



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### SEAL

### PROJECT

508 - EIGHT ST  
RENOVATION  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL  
TERRITORY OF THE QAYQAYT FIRST NATION AND  
THE COAST SALISH PEOPLE

### SHEET TITLE

COVER SHEET &  
SITE PLAN

### SCALE:

3/32"=1'-0"

### DRAWN BY:

SHITZ

### CHECKED BY:

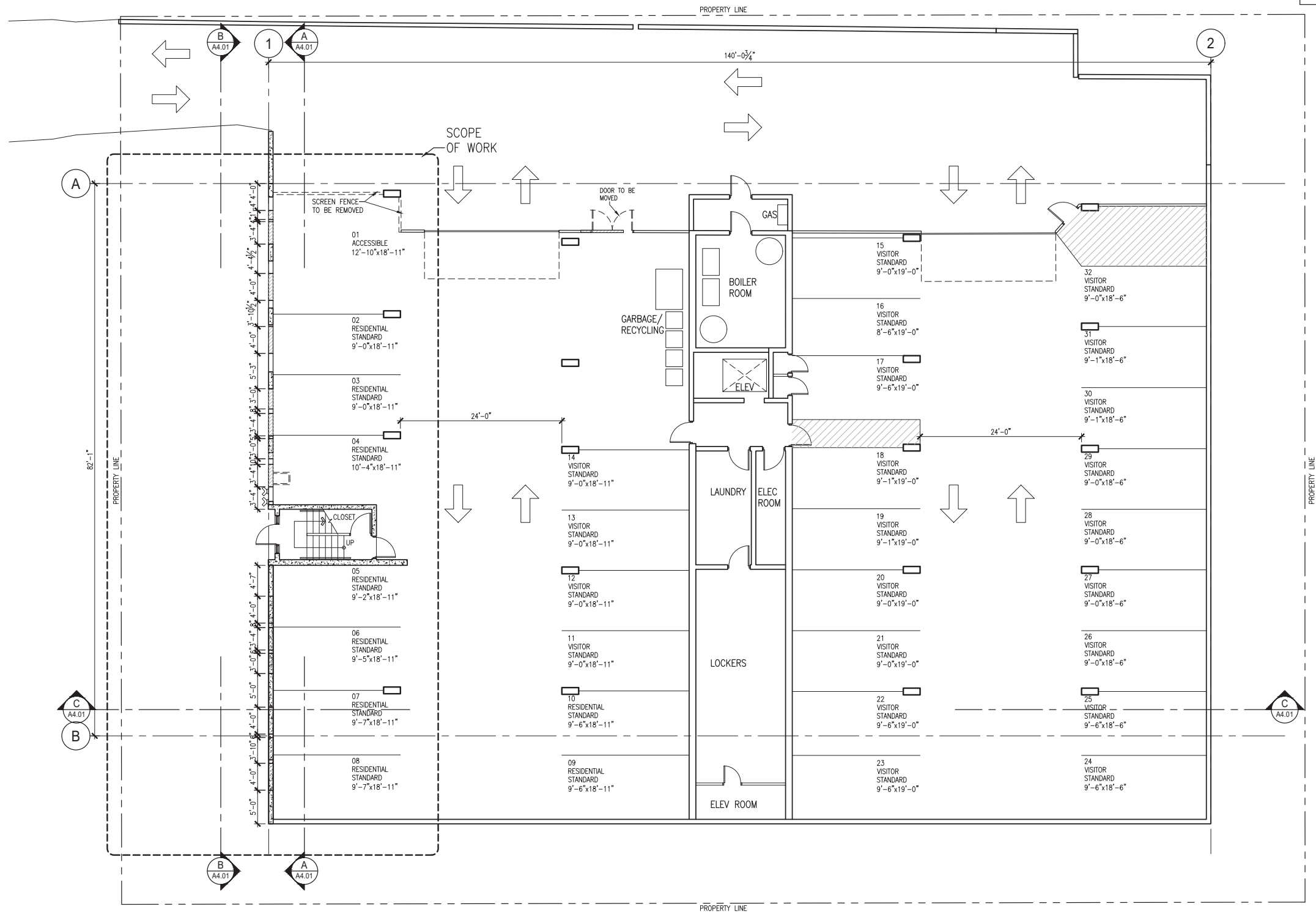
RB

### SHEET NO.

A1.00

### PROJECT

FILE: 20BA10



1 DEMO / EXISTING PARKING PLAN  
1/8"=1'-0"

**WALL LEGEND:**

--- - WALLS TO BE DEMOLISHED  
AND DOORS TO BE  
REPLACED. MAKE GOOD  
BEFORE NEW CONSTRUCTION

--- - NEW DOOR OPENING

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SHEET TITLE  
DEMOLITION PLAN /  
EXISTING PARKING  
PLAN

SCALE: 1/8"=1'-0"  
DRAWN BY: SHITZ  
CHECKED BY: RB

SHEET NO.  
A1.50  
Page 72 of 208  
PROJECT FILE: 20BA10



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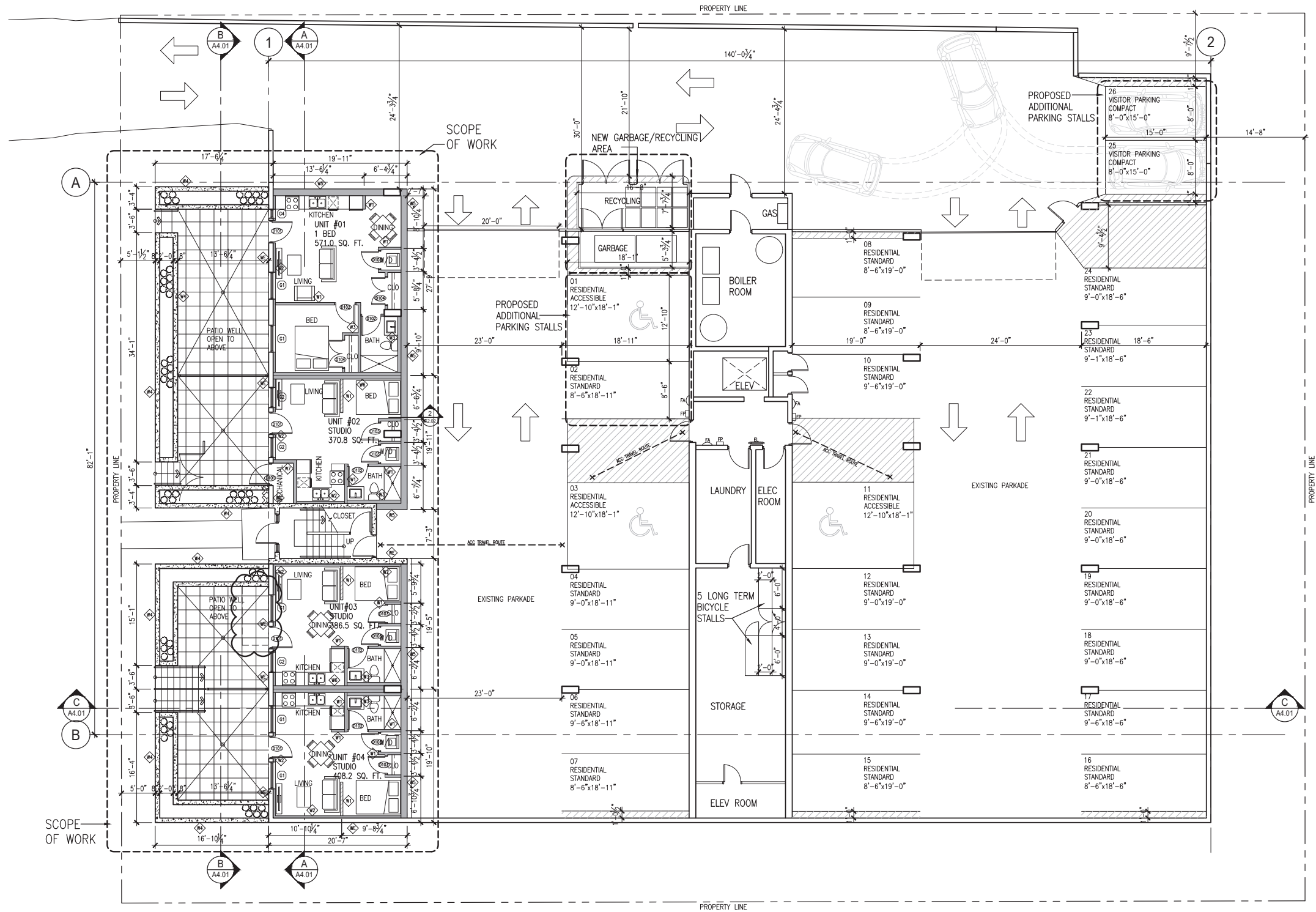
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RENOVATION

NEW WESTMINSTER, BC

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SHEET TITLE

PROPOSED  
RENOVATION  
FLOOR PLAN



1 PROPOSED RENOVATION PLAN  
A2.01 1/8"=1'-0"

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- WALL LEGEND:**
- NEW FULL HEIGHT WALLS TO BE CONSTRUCTED
  - NEW LOW WALLS 48" HEIGHT TO BE CONSTRUCTED
  - NEW CONCRETE WALLS TO BE CONSTRUCTED
- SYMBOL LEGEND:**
- SMOKE ALARM/CARBON MONOXIDE DETECTOR
  - EXHAUST FAN
  - FIRE ALARM PULL STATION
  - FIRE ALARM
  - SMOKE DETECTOR
  - EMERGENCY LIGHTING AS PER 3.2.7.3

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RENOVATION  
NEW WESTMINSTER, BC

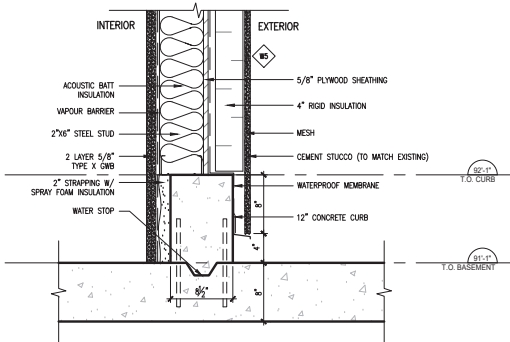
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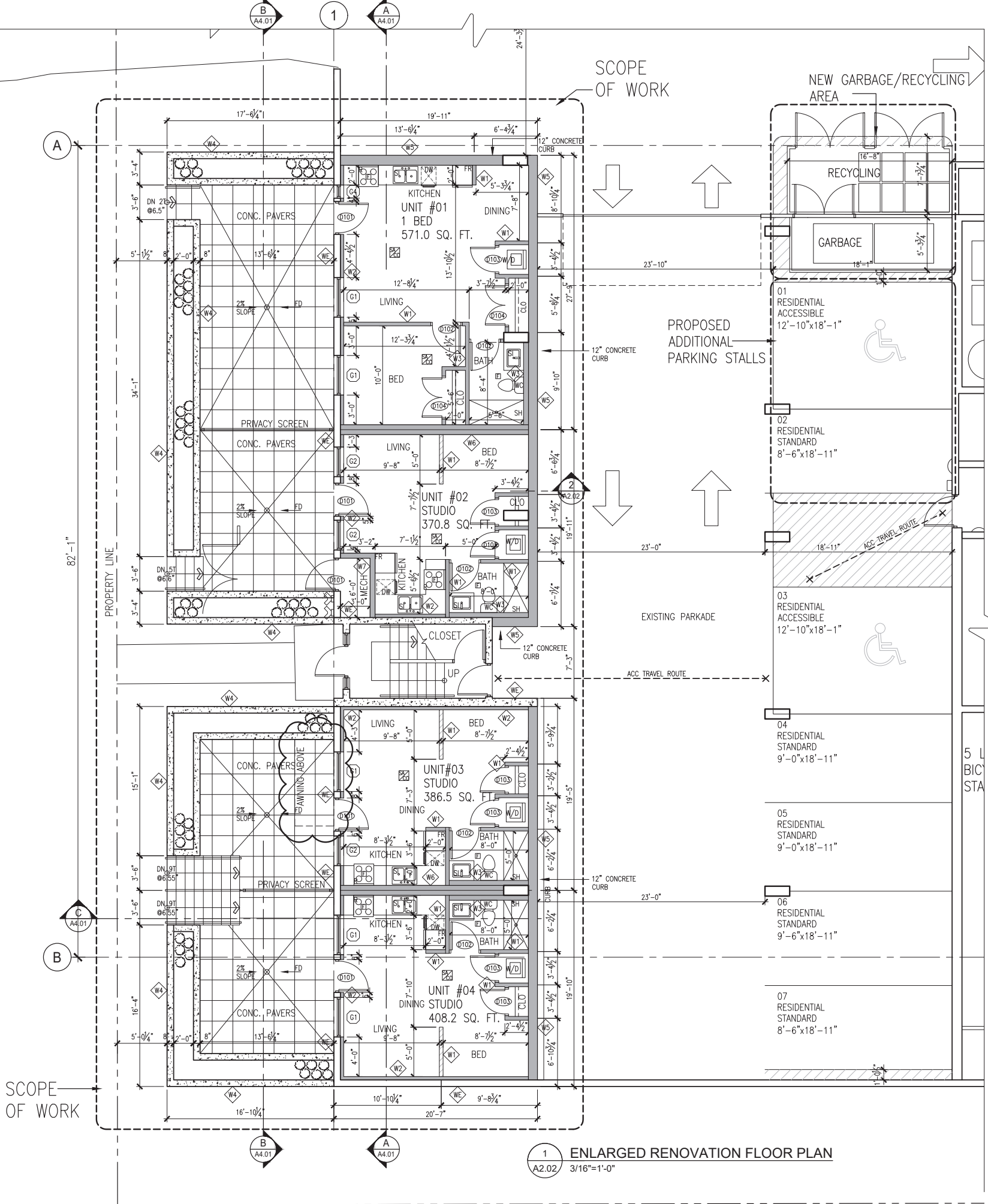
ENLARGED  
RENOVATION  
FLOOR PLAN &  
EXTERIOR WALL  
CURB DETAIL

SCALE: 3/16"=1'-0"  
DRAWN BY: SHITZ  
CHECKED BY: RB

A2.02  
Page 74 of 208

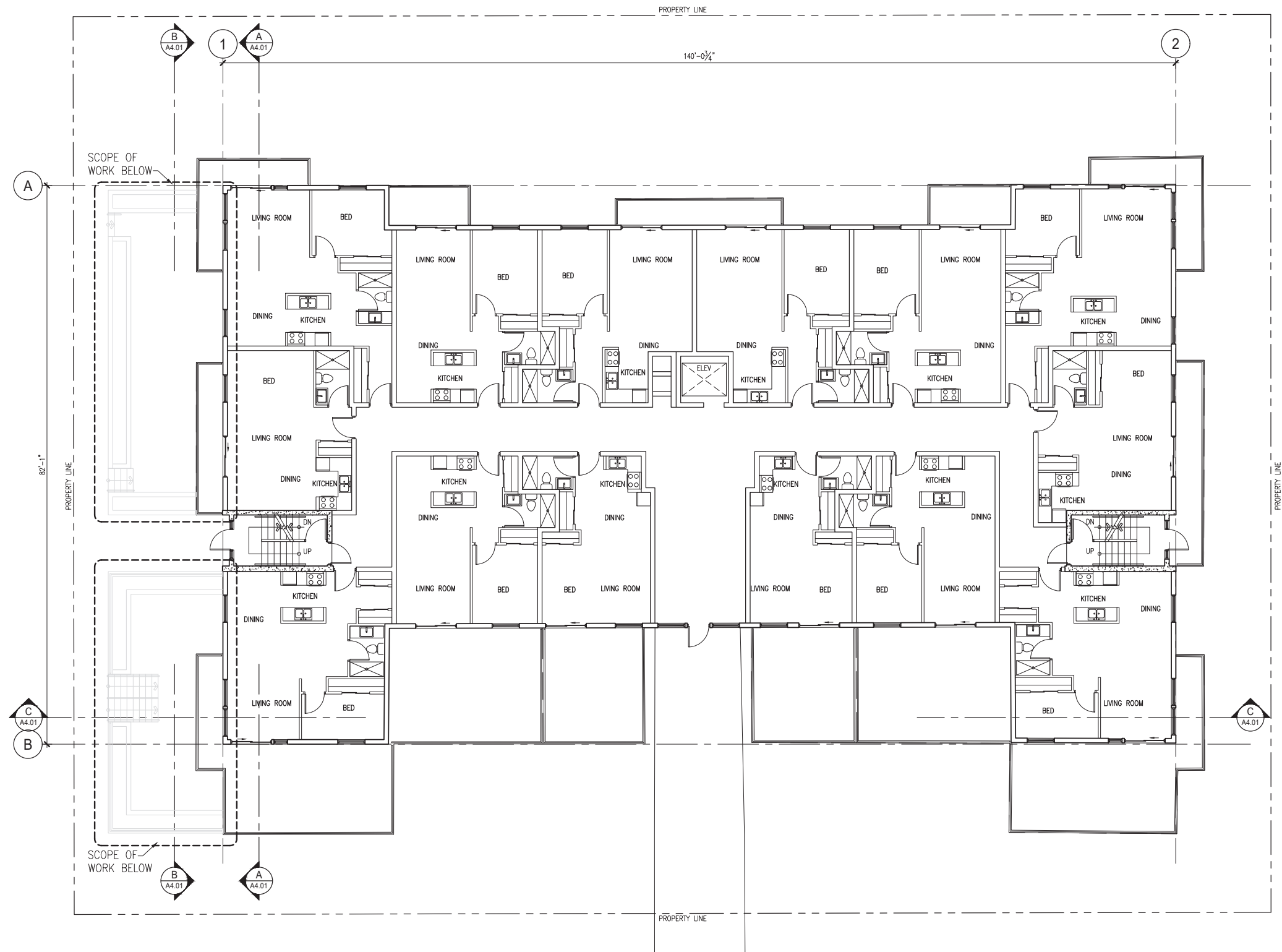


2 EXTERIOR WALL CURB DETAIL  
1"=1'-0"

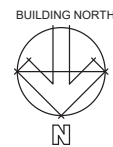


1 ENLARGED RENOVATION FLOOR PLAN  
3/16"=1'-0"





1 EXISTING MAIN FLOOR PLAN (NO WORK)  
A2.10 1/8"=1'-0"



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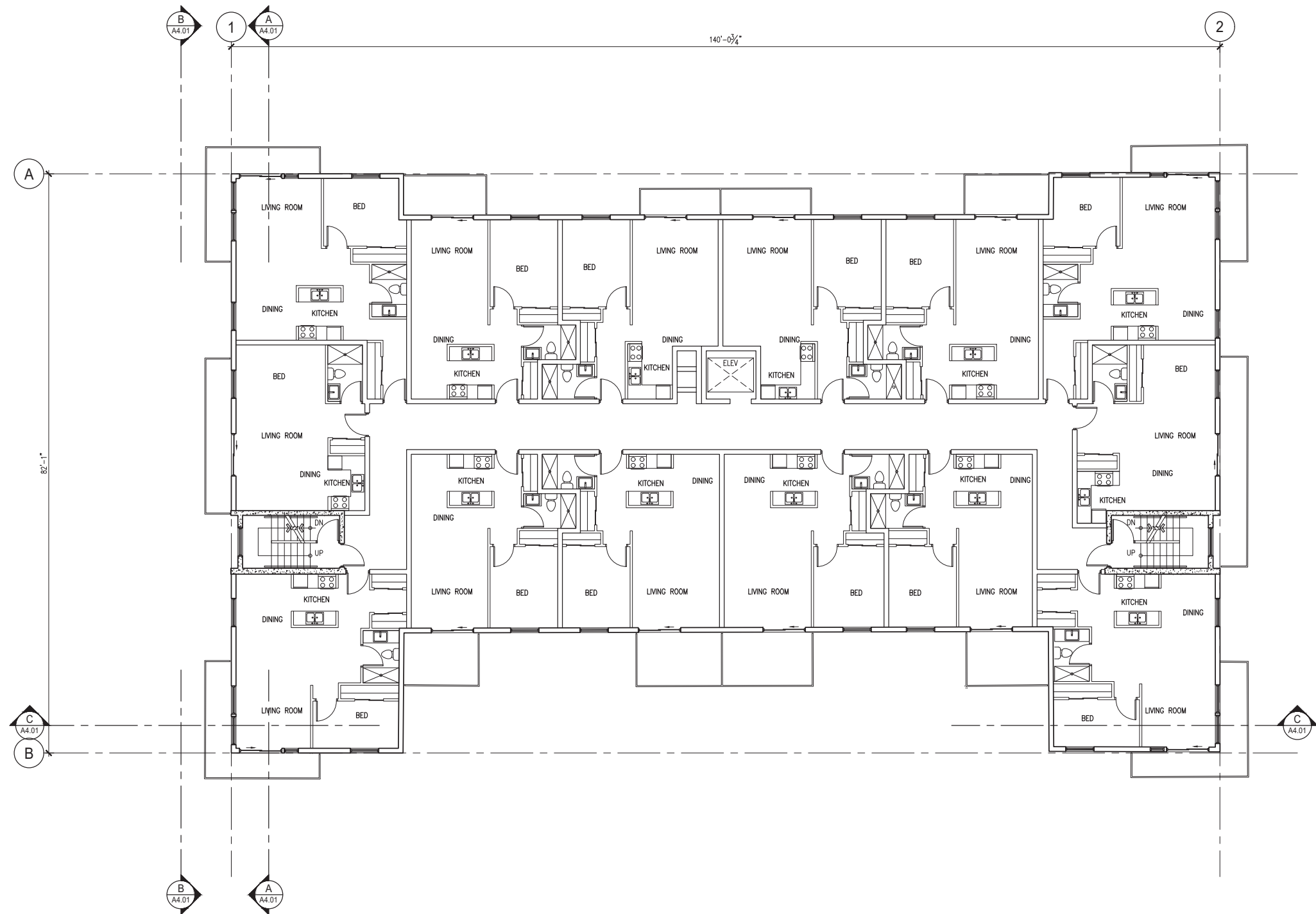
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PROJECT  
508 - EIGHT ST  
RENOVATION  
NEW WESTMINSTER, BC

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SHEET TITLE  
EXISTING MAIN  
FLOOR PLAN

SCALE: 1/8"=1'-0"	SHEET NO. A2.10
DRAWN BY: SHITZ	PROJECT NO. FILE: 20BA10
CHECKED BY: RB	



1 EXISTING SECOND & THIRD FLOOR PLAN (NO WORK)  
A2.20 1/8"=1'-0"



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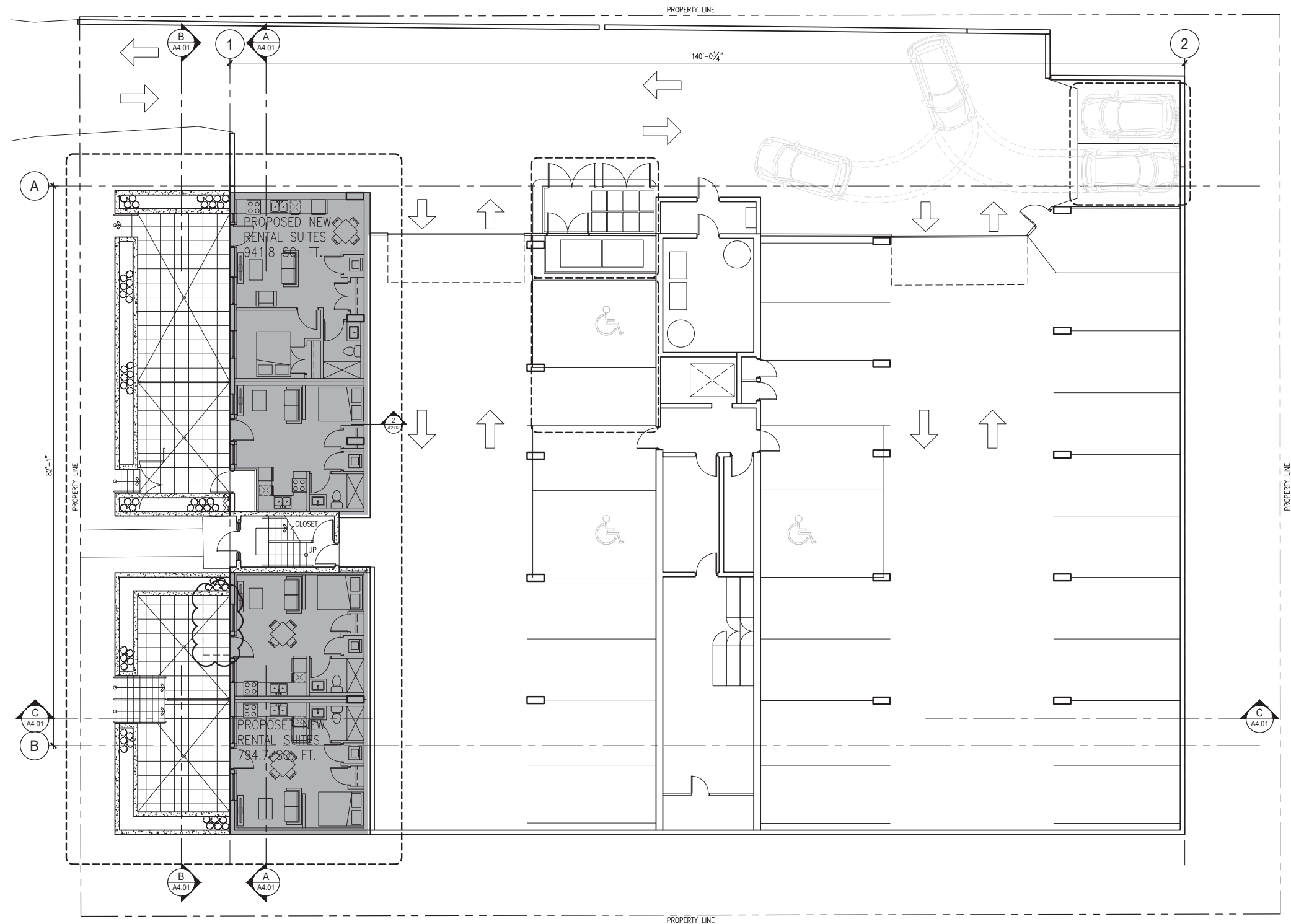
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SHEET TITLE

EXISTING SECOND  
& THIRD FLOOR  
PLAN

SCALE: 1/8"=1'-0"	SHEET NO. A2.20
DRAWN BY: SHITZ	PROJECT NO. 208A10
CHECKED BY: RB	



1 PROPOSED RENOVATION FLOOR PLAN - FSR OVERLAY  
A2.30 1/8"=1'-0"

PROPOSED P1 PARKADE  
NEW RENTAL SUITES  
1736.5 GROSS FLOOR AREA



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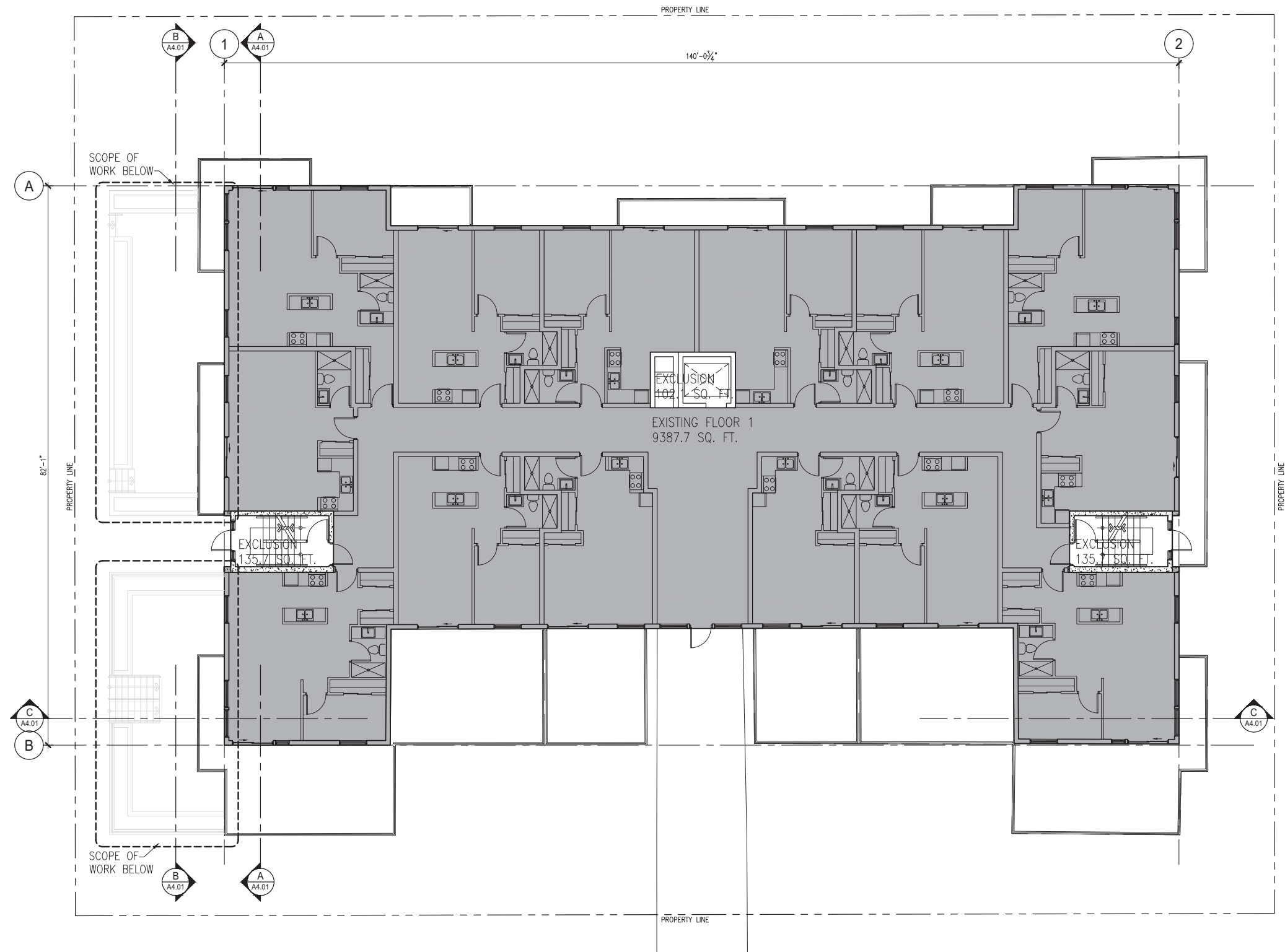
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RENOVATION  
  
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SHEET TITLE  
  
PROPOSED  
RENOVATION  
FLOOR PLAN - FSR  
OVERLAY

SCALE: 1/8"=1'-0"	SHEET NO. <b>A2.30</b>
DRAWN BY: SHITZ	PROJECT FILE: 20BA10
CHECKED BY: RB	



EXISTING FLOOR 1  
9387.7 SQ. FT.  
EXCLUSIONS – 373.5 SF  
9014.2 GROSS FLOOR AREA

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2	2021.06.16	ISSUE FOR D.P. & D.V.P. REVISION1
1	2021.04.12	ISSUE FOR D.P. & D.V.P.
NO.	DATE	REVISION

DESIGN CONSULTANT



#701 - 625 Fifth Avenue  
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V3M 1X4  
(604) 619-0529  
[info@billardarchitecture.ca](mailto:info@billardarchitecture.ca)  
[www.billardarchitecture.ca](http://www.billardarchitecture.ca)

SEAL

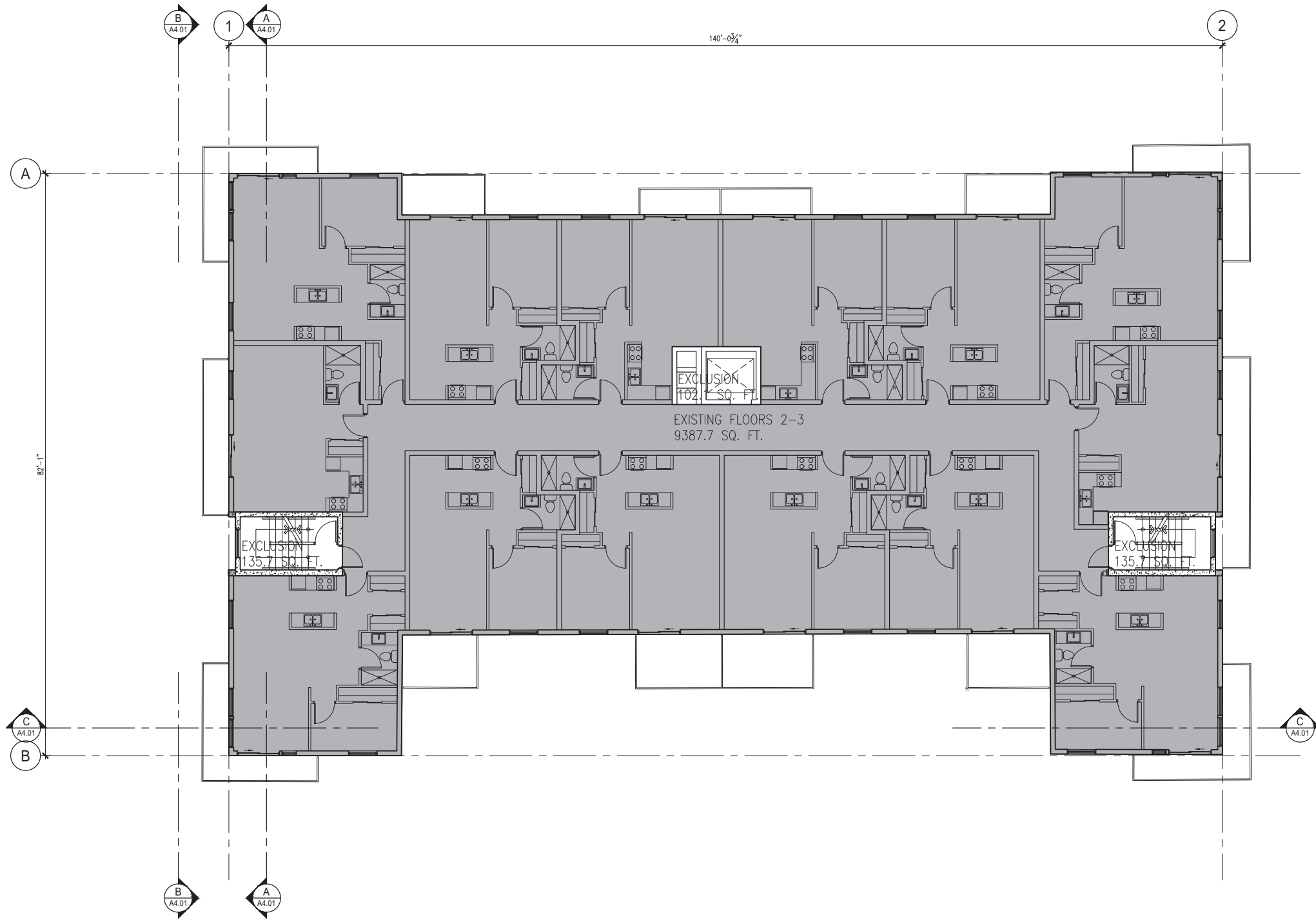
PROJECT  
508 - EIGHT ST  
RENOVATION  
NEW WESTMINSTER, BC

THIS ADDRESS IS LOCATED ON THE TRADITIONAL  
TERRITORY OF THE QAYQAYT FIRST NATION AND  
THE COAST SALISH PEOPLE

SHEET TITLE  
EXISTING MAIN  
FLOOR PLAN - FSR  
OVERLAY

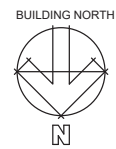
SCALE: 1/8"=1'-0"	SHEET NO. A2.31
DRAWN BY: SHITZ	PROJECT NO. 2020A10
CHECKED BY: RB	





EXISTING FLOORS 2-3  
9387.7 SQ. FT.  
EXCLUSIONS - 373.5 SF  
9014.2 GROSS FLOOR AREA

1 EXISTING SECOND & THIRD FLOOR PLAN - FSR OVERLAY  
A2.32 1/8"=1'-0"



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SEAL

PROJECT  
  
508 - EIGHT ST  
RENOVATION  
-----  
NEW WESTMINSTER, BC

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TERRITORY OF THE QAYQAYT FIRST NATION AND  
THE COAST SALISH PEOPLE

SHEET TITLE  
  
EXISTING SECOND  
& THIRD FLOOR  
PLAN - FSR  
OVERLAY

SCALE: 1/8"=1'-0"	SHEET NO. <b>A2.32</b>
DRAWN BY: SHITZ	PROJECT NO. 20BA10
CHECKED BY: RB	

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SEAL

PROJECT  
  
508 - EIGHT ST  
RENOVATION  
  
NEW WESTMINSTER, BC

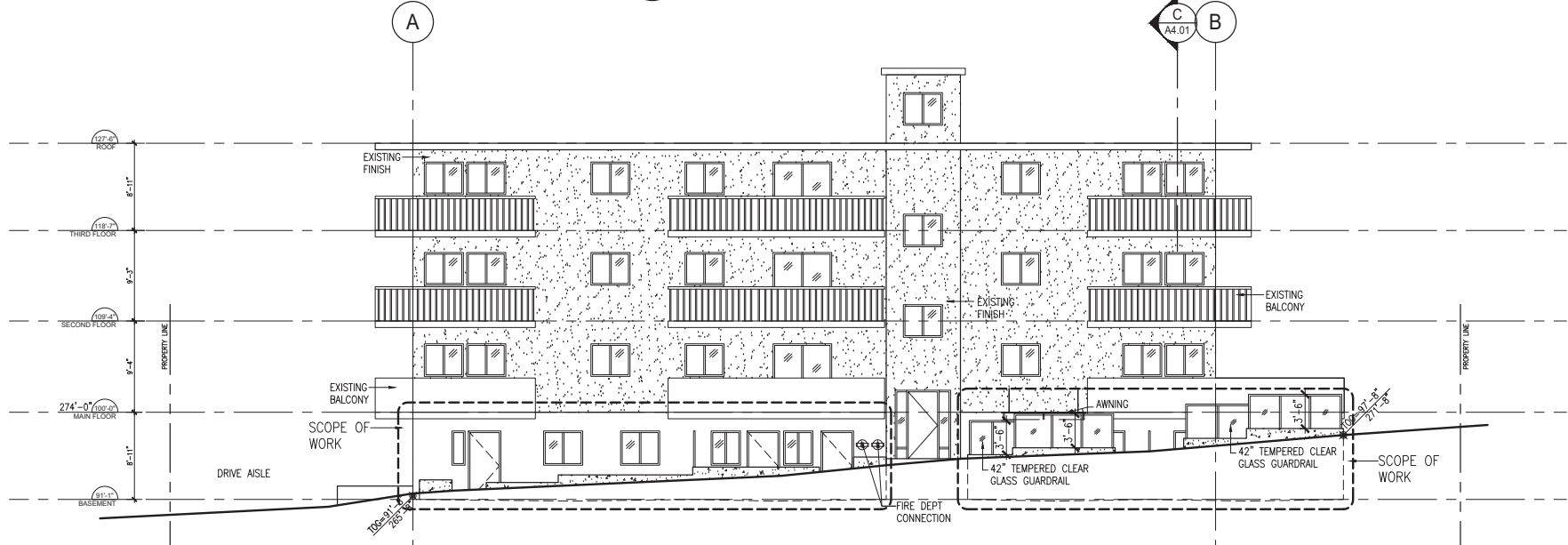
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SHEET TITLE  
  
NORTH & EAST  
ELEVATIONS

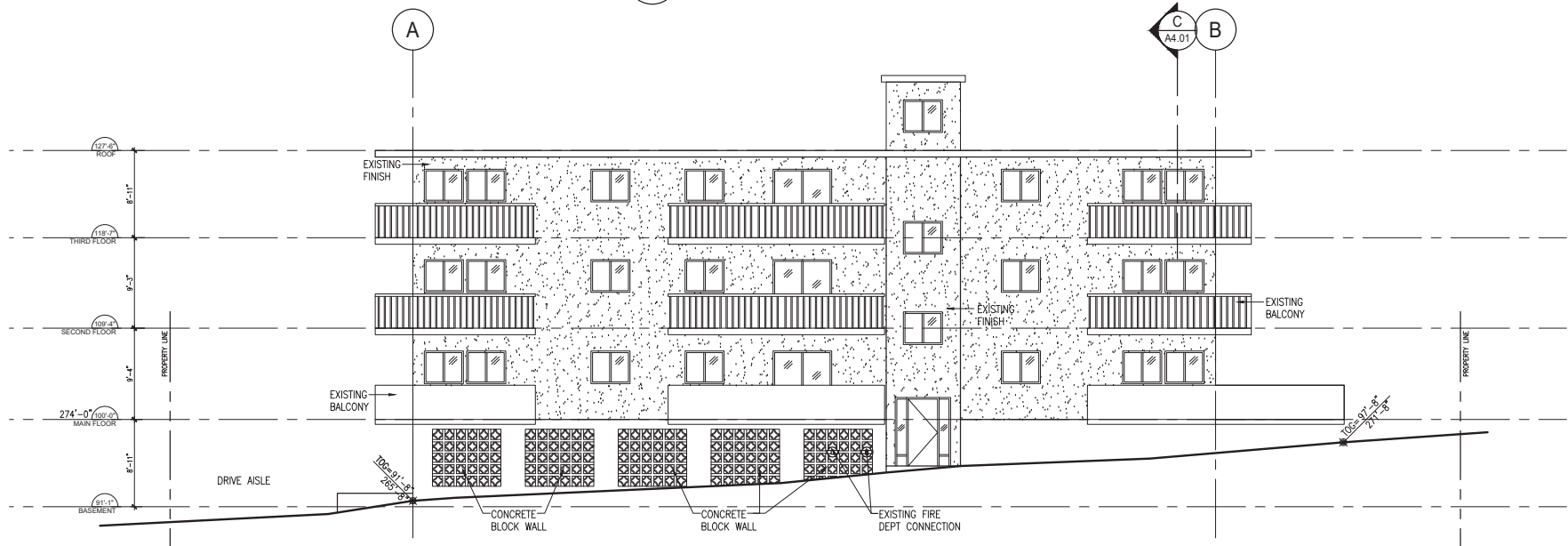
SCALE: 1/8"=1'-0"	SHEET NO. A3.01
DRAWN BY: SHITZ	PROJECT FILE: 20BA10
CHECKED BY: RB	



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A3.01 1/8"=1'-0"

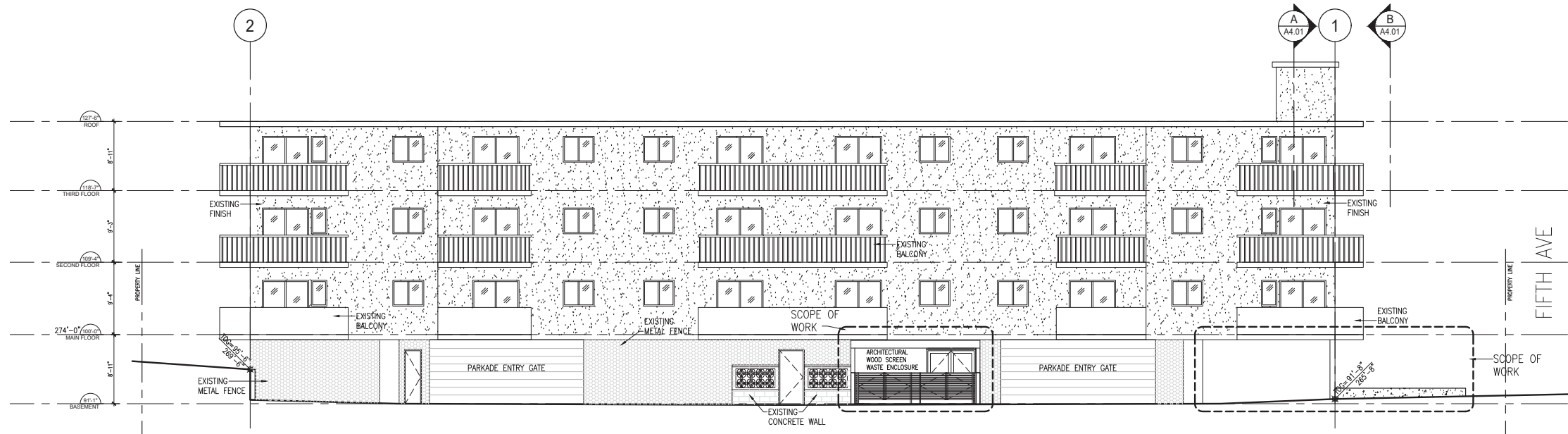


2 PROPOSED EAST ELEVATION  
A3.01 1/8"=1'-0"



3 EXISTING EAST ELEVATION  
A3.01 1/8"=1'-0"





1  
A3.02  
PROPOSED SOUTH ELEVATION  
1/8"=1'-0"



2  
A3.02  
WEST ELEVATION (NO WORK)  
1/8"=1'-0"

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PROJECT

508 - EIGHT ST  
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NEW WESTMINSTER, BC

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THE COAST SALISH PEOPLE

SHEET TITLE

SOUTH & WEST  
ELEVATIONS

SCALE:

1/8"=1'-0"

SHEET NO.

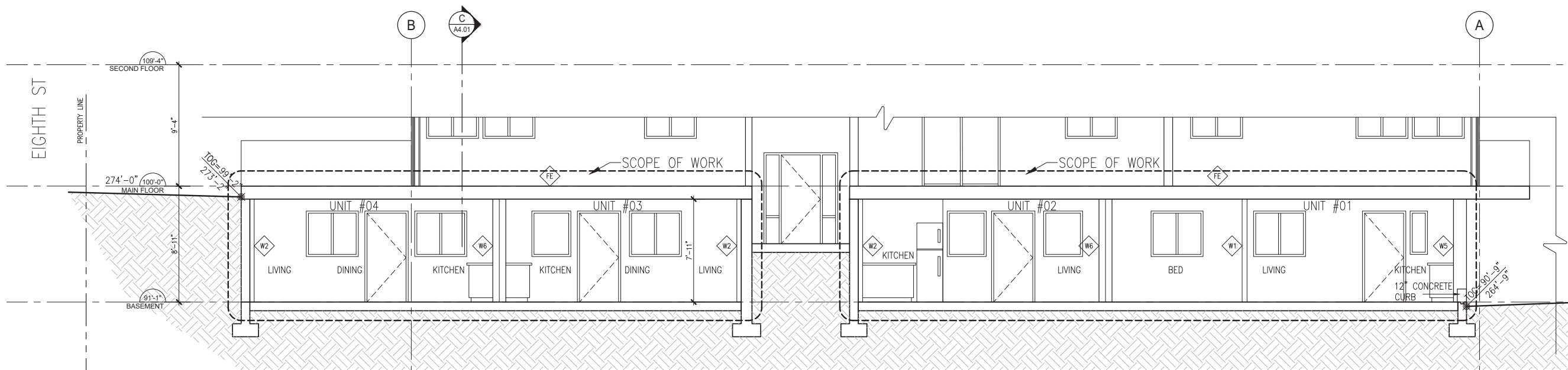
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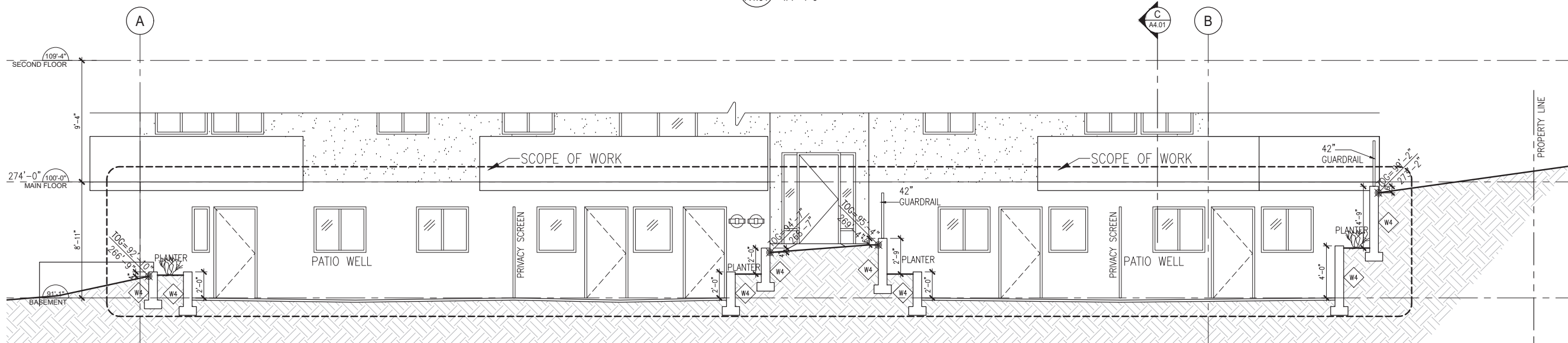
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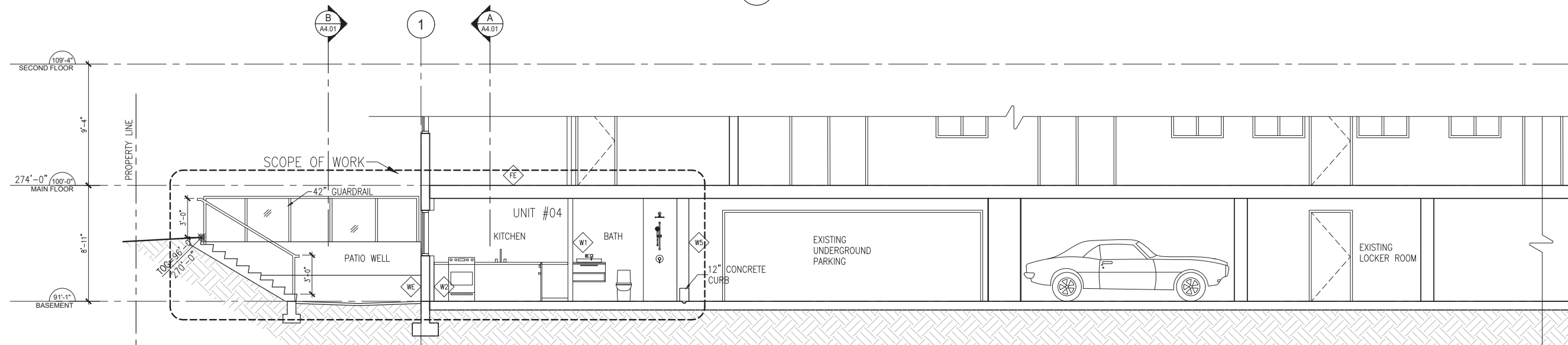
A3.02  
Page 81 of 208  
PROJECT FILE: 20BA10



AA  
A4.01  
BUILDING SECTION  
1/4"=1'-0"



BB  
A4.01  
BUILDING SECTION  
1/4"=1'-0"



CC  
A4.01  
BUILDING SECTION  
1/4"=1'-0"

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SHEET TITLE  
AA, BB & CC  
BUILDING  
SECTIONS

SCALE: 1/4"=1'-0"	SHEET NO. A4.01
DRAWN BY: SHITZ	Page 82 of 208
CHECKED BY: RB	PROJECT NO. 20BA10



## Attachment 3

### *Site Context and Project Statistics*

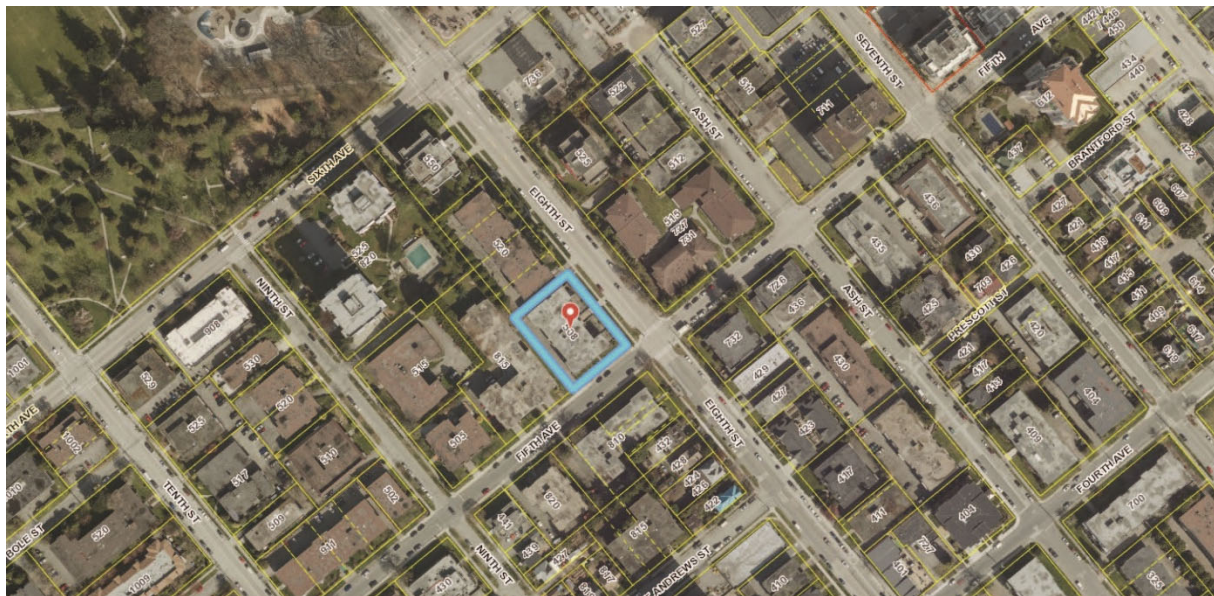
## SITE CONTEXT

### **Site Characteristics and Context**

The site is located on the corner of the Eighth Street and Fifth Avenue. The current three level building, which consists of 42 residential rental units, was built in 1967. The site is surrounded by older high- and mid-rise buildings, ranging from 3 to 14 storeys in height, and is in close proximity to Moody Park and commercial uses along Sixth Street.

### **Proximity to Transit Service and Other Sustainable Transportation Options**

The site is well serviced by transit and within walking distance of multiple bus stops located along the Eighth Street Frequent Transit Network (FTN) and Sixth Avenue. These stops provide bus service to/from SkyTrain stations including New Westminster Station, 22nd Street Station, and Braid Station. The site is surrounded by a complete sidewalk network that is fully accessible. Car share services, for one-way (i.e., EVO) and two-way operations (i.e., Modo), are available in the neighbourhood.



*Figure 1: Site Context Map with 508 Eighth Street highlighted in Blue*

Existing Active Transportation and Sustainable Modes	
<b>Cycling Network</b>	<ul style="list-style-type: none"> <li>• &lt; 300m from Rotary Crosstown Greenway</li> <li>• &lt; 300m from Fourth Street, a primary bike route</li> <li>• &lt; 300m from Tenth Street, a primary bike route</li> </ul>
<b>Transit Network</b>	<ul style="list-style-type: none"> <li>• Well-served by transit (#123 FTN on Eighth Street, #101 and #155 on Sixth Avenue)</li> <li>• &lt; 150m walking distance to north and southbound FTN transit stops on Eighth Street</li> <li>• &lt; 150m walking distance to east and westbound transit stops on Sixth Avenue</li> <li>• Bench and transit shelter provided at stops on Eighth Street and Sixth Avenue</li> </ul>
<b>Sustainable Modes</b>	<ul style="list-style-type: none"> <li>• 1 Modo car located approximately 400 m from site</li> <li>• Dedicated EVO parking on the 600 block of Belmont Street</li> </ul>

## PROJECT STATISTICS

	Existing Site	Proposed 4 unit Addition
Existing Site Are (gross)	2,156 sqm (23,212 sqft)	Unchanged
Site Frontage	53.64 m (175.98 ft)	Unchanged
Existing Site Depth	40.21 m (131.92 ft)	Unchanged
Floor Space Ratio	1.19	1.24
Floor Area (gross)	2,582 sqm (27,792 sqft)	2,743.3 sqm (29,528.5 sqft)
Residential Units	42	46
Parking	32	26

**Attachment #4**

**Housing Agreement Bylaw 8279, 2022**

**THE CITY OF NEW WESTMINSTER**

**HOUSING AGREEMENT (508 Eighth Street) BYLAW NO. 8279, 2022**

**A BYLAW TO ENTER INTO A HOUSING AGREEMENT UNDER SECTION 483 OF THE *LOCAL GOVERNMENT ACT***

---

**GIVEN THAT:**

- A. The owner of the land (the “Owner”) within the City of New Westminster, British Columbia legally described as:

PID: 012-972-282

LOT "F" OF LOT 11 SUBURBAN BLOCK 10 PLAN 29943

(the “**Land**”)

wishes to construct dwelling units on the Land.

- B. In connection with such construction, the Owner has agreed to use the Land for rental housing in accordance with the terms of the Section 219 Covenant and Housing Agreement attached hereto as Schedule “A” (the “Housing Agreement”).

The Council of the City of New Westminster, in open meeting assembled,

**ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as “Housing Agreement (508 Eighth Street) Bylaw No. 8279, 2022”.
2. Council hereby authorizes the City of New Westminster to enter into the Housing Agreement with the Owner, substantially in the form attached hereto as Schedule “A”.

3. The Mayor and the Corporate Officer of the City of New Westminster are authorized to execute the Housing Agreement, substantially in the form attached hereto as Schedule "A", and the Corporate Officer is authorized to sign and file in the Land Title Office a notice of the Housing Agreement, as required by section 483 of the *Local Government Act*.

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

---

Jonathan X Cote, Mayor

---

Jacqueline Killawee, City Clerk

**Schedule "A"**  
**Section 219 Covenant and Housing Agreement**



1. Application

**Alexandra Greenberg  
YOUNG ANDERSON  
1616 808 Nelson Street  
Vancouver BC V6Z 2H2  
6046897400**

File No. 239-1209  
508 8th St. - Housing Agreement

2. Description of Land

PID/Plan Number	Legal Description
<b>012-972-282</b>	<b>LOT "F" OF LOT 11 SUBURBAN BLOCK 10 PLAN 29943</b>

3. Nature of Interest

Type	Number	Additional Information
<b>COVENANT</b>		
<b>PRIORITY AGREEMENT</b>		<b>Granting the Covenant herein priority over Mortgage CA8396730 and Assignment of Rents CA8396731</b>

4. Terms

Part 2 of this instrument consists of:  
**(b) Express Charge Terms Annexed as Part 2**

5. Transferor(s)

**508 EIGHTH STREET NOMINEE LTD., NO.BC1162975**  
**CANADA ICI CAPITAL CORPORATION (AS TO PRIORITY), NO.A0067505**

6. Transferee(s)

**THE CORPORATION OF THE CITY OF NEW WESTMINSTER**  
511 ROYAL AVENUE  
NEW WESTMINSTER BC V3L 1H9

7. Additional or Modified Terms



8. Execution(s)

This instrument creates, assigns, modifies, enlarges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Witnessing Officer Signature

Execution Date

Transferor Signature(s)

\_\_\_\_\_

YYYY-MM-DD

**508 EIGHTH STREET NOMINEE LTD.**

By their Authorized Signatory

(as to both signatures)

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

**Officer Certification**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Witnessing Officer Signature

Execution Date

Transferor Signature(s)

\_\_\_\_\_

YYYY-MM-DD

**THE CORPORATION OF THE CITY OF  
NEW WESTMINSTER**

By their Authorized Signatory

(as to both signatures)

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

**Officer Certification**

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Witnessing Officer Signature

Execution Date

Transferor Signature(s)

YYYY-MM-DD

**CANADA ICI CAPITAL CORPORATION**

By their Authorized Signatory

\_\_\_\_\_  
(as to both signatures)

\_\_\_\_\_  
**NAME:**

\_\_\_\_\_  
**NAME:**

**Officer Certification**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**Electronic Signature**

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

**PART 2 – TERMS OF INSTRUMENT**

**HOUSING AGREEMENT AND COVENANT**  
**(Section 483 *Local Government Act* and Section 219 *Land Title Act*)**

**THIS AGREEMENT** is dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2022:

**BETWEEN:**

**508 EIGHTH STREET NOMINEE LTD., INC.NO. BC1162975**  
201 - 1367 West Broadway, Vancouver, British Columbia, V6H 4A7

(the “Owner”)

**AND:**

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

(the “City”)

**WHEREAS:**

- A. Section 483 of the *Local Government Act* (British Columbia) permits the City to enter into housing agreements for the provision of affordable and special needs housing, which may include conditions in respect to the form of tenure of housing units;
- B. Section 219 of the *Land Title Act* (British Columbia) permits the registration of a covenant of a positive or a negative nature in favour of the City in respect of the use of and subdivision of land;
- C. The Owner owns the Land (hereinafter defined) and the Building thereon, which currently contains 42 rental Dwelling Units, and it wishes to construct four additional rental Dwelling Units;
- D. As a condition of approving the construction of the Dwelling Units, the City requires the Owner to enter into this Agreement to, among other requirements, ensure all Dwelling Units located on the Land are used only as rental Dwelling Units; and
- E. The City adopted Housing Agreement (508 Eighth Street) Bylaw No. 8279, 2022, authorizing the City to enter into this Agreement.

In consideration of \$10.00 and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by both parties), and in consideration of the promises exchanged below, the Owner and the City covenant and agree pursuant to section 483 of the *Local Government Act* and section 219 of the *Land Title Act* as follows:

## ARTICLE 1      DEFINITIONS AND INTERPRETATION

**1.1 Definitions** –In this Agreement, the following words have the following meanings:

- (a) **“Agreement”** means this agreement together with all LTO forms, schedules, appendices, attachments and priority agreements attached hereto;
- (b) **“Building”** means, as at the reference date of this Agreement, the residential building constructed on and forming part of the Land;
- (c) **“Dwelling Unit”** means a residential dwelling unit or units located or to be located on the Land, and includes single family detached dwellings, duplexes, townhouses, auxiliary residential dwelling units, apartments and condominiums and includes, where the context permits, the Secured Rental Units;
- (d) **“Land”** means the land identified in section 2 of Part 1 of this Agreement;
- (e) **“LTO”** means the New Westminster Land Title Office or its successor;
- (f) **“Secured Rental Unit”** means a Dwelling Unit that is designated as a Secured Rental Unit in accordance with section 2.1 of this Agreement;
- (g) **“Subdivide”** or **“Subdivided”** means to divide, apportion, consolidate or subdivide the Land or any building on the Land, or the Ownership or right to possession or occupation of the Land or any building on the Land, into two or more lots, strata lots, parcels, parts, portions or shares, whether by plan, descriptive words or otherwise, under the *Land Title Act*, the *Strata Property Act*, or otherwise, and includes the creation, conversion, organization or development of “cooperative interests” or a “shared interest in land” as defined in the *Real Estate Development Marketing Act*;
- (h) **“Tenancy Agreement”** means a tenancy agreement, lease, license or other agreement granting rights to occupy a Secured Rental Unit as a residence; and
- (i) **“Tenant”** means an occupant of a Secured Rental Unit.

## ARTICLE 2      USE OF LAND AND SUBDIVISION

**2.1 Designation** – The Owner agrees that:

- (a) every Dwelling Unit located on the Land on the date this Agreement is registered in the LTO and every Dwelling Unit constructed after such date on the Land is designated as a Secured Rental Unit; and
- (b) a Secured Rental Unit may only be used as a permanent residence for a Tenant.

**2.2 Restriction on Subdivision** – The Owner covenants and agrees with the City that none of the Land nor any building on the Land shall be Subdivided by any means whatsoever. Without limiting

the foregoing, the Owner acknowledges that the City will not support applications for Subdivision in any manner that would allow the Secured Market Rental Units to be sold independently of each other.

**2.3 City Authorized to Make Inquiries** – The Owner hereby irrevocably authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.

**2.4 Requirement for Statutory Declaration** – Within 30 days after receiving notice from the City, the Owner must, in respect of each Secured Rental Unit, provide to the City a statutory declaration, substantially in the form (with, in the City’s discretion, such further amendments or additions as deemed necessary or desirable) attached as Appendix A, sworn by an authorized signatory of the Owner, containing all of the information required to complete the statutory declaration. The City may request such statutory declaration in respect to each Secured Rental Unit no more than once in any calendar year; provided, however, notwithstanding that the Owner may have already provided such statutory declaration in the particular calendar year, the City may request and the Owner shall provide to the City such further statutory declarations as requested by the City in respect to a Secured Rental Unit if, in the City’s absolute determination, the City believes that the Owner is in breach of any of its obligations under this Agreement.

### **ARTICLE 3 OPERATION OF SECURED RENTAL UNITS**

**3.1 Application of Article** – The City and the Owner acknowledge and agree that the obligations imposed upon and covenants made by the Owner under sections 3.3 and 3.4 will apply to tenancies and Tenancy Agreements created or entered into on or after the date that this Agreement is registered by the LTO.

**3.2 Short Term Rentals Prohibited** – The Owner agrees that no Secured Rental Unit will be rented to or occupied by any person for a term of less than 30 consecutive days.

**3.3 Occupancy and Tenure of Secured Rental Units** – The Owner must not rent, lease, license or otherwise permit occupancy of a Secured Rental Unit except in accordance with the following conditions:

- (a) the Secured Rental Unit will be used or occupied only pursuant to a Tenancy Agreement;
- (b) the term of a Tenancy Agreement will not be less than 30 days;
- (c) the Owner will not require a Tenant or any permitted occupant of a Secured Rental Unit to pay any extra charges or fees for property or similar tax; and
- (d) the Owner will forthwith deliver a certified true copy of any Tenancy Agreement to the City upon demand.

**3.4 Attach Copy of Tenancy Agreement** – The Owner will attach a copy of this Agreement, or at a minimum Articles 2 and 3 of this Agreement, to every Tenancy Agreement.

## ARTICLE 4      TERM AND DEMOLITION

**4.1      Expiry of Housing Agreement** – The City covenants and agrees with the Owner that this Agreement shall cease to apply from and after that date which is the later of: (i) the 60<sup>th</sup> anniversary of the date this Agreement is registered in the LTO; or (ii) the date that all buildings located on the Land have been demolished. Upon expiry, the Owner may provide to the City a discharge of this Agreement, which the City shall execute and return to the Owner for filing in the LTO.

**4.2      Demolition** – The Owner will not demolish a Secured Rental Unit or a building on the Land unless:

- (a) the Owner has obtained the written opinion of a professional engineer or architect, who is at arm's length to the Owner, indicating that it is no longer reasonable or practical to repair or replace any structural component of the Secured Rental Unit or building, and the Owner has delivered to the City a copy of the engineer's or architect's report; or
- (b) 40% or more of the value of the building above its foundations is damaged or destroyed, as determined by the City, in its sole discretion,

and, in each case, a demolition permit for the Secured Rental Unit or the building has been issued by the City and the Secured Rental Unit or building has been demolished under that permit.

## ARTICLE 5      MISCELLANEOUS

**5.1      Housing Agreement** – The Owner acknowledges and agrees that:

- (a) this Agreement includes a housing agreement entered into under section 483 of the *Local Government Act* and a covenant under section 219 of the *Land Title Act*; and
- (b) the City may file notice of, and register, this Agreement in the LTO pursuant to section 483(5) of the *Local Government Act* against the title to the Land.

**5.2      Modification** – This Agreement may be modified or amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.

**5.3      Management** – The Owner covenants and agrees with the City that:

- (a) The Owner shall obtain and maintain during the term of this Agreement a business licence from the City of New Westminster for the operation of the Secured Rental Units.
- (b) the Owner will manage the Secured Rental Units, and without limiting the foregoing, the Owner may engage the services of a third-party property manager to manage the Building;
- (c) the Owner shall permit representatives of the City to inspect the Secured Rental Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act* (British Columbia);

- (d) the Owner shall maintain the Secured Rental Units in a good state of repair and fit for habitation in accordance with the requirements of the *Residential Tenancy Act*, reasonable wear and tear excepted; and
- (e) the Owner shall comply with all laws, including, without limitation, the City of New Westminster Business Regulation and Licencing (Rental Units) Amendment Bylaw No. 8310, 2019 and all other City bylaws, and any health and safety standards applicable to the Land.

**5.4 Indemnity** – The Owner, on its behalf, will indemnify and save harmless the City and each of its elected officials, officers, directors, and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:

- (a) any negligent act or omission of the Owner, or its officers, directors, agents, contractors or other persons for whom at law the Owner is responsible relating to this Agreement;
- (b) the construction, maintenance, repair, ownership, lease, license, operation, management or financing of the Land or any Secured Rental Unit or the enforcement of any Tenancy Agreement; or
- (c) without limitation, any legal or equitable wrong on the part of the Owner or any breach of this Agreement by the Owner.

**5.5 Release** – The Owner, on its behalf, hereby releases and forever discharges the City and each of its elected officials, officers, directors, and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of or which would not or could not occur but for the:

- (a) construction, maintenance, repair, Ownership, lease, license, operation or management of the Land or any Secured Rental Unit under this Agreement; or
- (b) except to the extent arising from the negligence or wilful misconduct of the City or those for whom it is at law responsible, the exercise by the City of any of its rights under this Agreement.

**5.6 Survival** – The indemnity and release set out in this Agreement will survive termination or discharge of this Agreement.

**5.7 Registration & Priority** – The Owner will cause this Agreement to be registered as a covenant under section 219 of the *Land Title Act* against title to the Land in priority to all charges and encumbrances registered or pending registration against title to the Land save and except those in favour of the City or specifically approved in advance in writing by the City, and will cause a notice of this Agreement under section 483(5) of the *Local Government Act* to be filed in the Land Title Office and shown as a legal notation on title to the Land.

**5.8 City's Powers Unaffected** – This Agreement does not:

- (a) affect, fetter or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Land;
- (b) impose on the City 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 or subdivision of the Land; or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.

**5.9 Agreement for Benefit of City Only** – The Owner and the City agree that:

- (a) this Agreement is entered into only for the benefit of the City;
- (b) this Agreement is not intended to protect the interests of the Owner, any Tenant, or any future Owner, lessee, occupier or user of the Land or the building or any portion thereof, including any Secured Rental Unit; and
- (c) the City may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.

**5.10 No Public Law Duty** – Where the City is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the City is under no public law duty of fairness or natural justice in that regard and agrees that the City may do any of those things in the same manner as if it were a private party and not a public body.

**5.11 Notice** – Any notice required to be served or given to a party herein pursuant to this Agreement will be sufficiently served or given if delivered, to the postal address of the Owner set out in the records at the LTO, and in the case of the City addressed to:

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

or to the most recent postal address provided in a written notice given by each of the parties to the other. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery.

**5.12 Enuring Effect** – This Agreement will extend to and be binding upon and enure to the benefit of the parties hereto and their respective successors and permitted assigns.



**5.13 Severability** – If any provision of this Agreement is found to be invalid or unenforceable, such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.

**5.14 Waiver** – All remedies of the City will be cumulative and may be exercised by the City in any order or concurrently in case of any breach and each remedy may be exercised any number of times with respect to each breach. Waiver of or delay in the City exercising any or all remedies will not prevent the later exercise of any remedy for the same breach or any similar or different breach.

**5.15 Whole Agreement** – This Agreement, and any documents signed by the Owner contemplated by this Agreement, represent the whole agreement between the City and the Owner respecting the use and occupation of the Secured Rental Unit, and there are no warranties, representations, conditions or collateral agreements made by the City except as set forth in or contemplated by this Agreement.

**5.16 Further Assurance** – Upon request by the City the Owner will forthwith do such acts and execute such documents as may be reasonably necessary in the opinion of the City to give effect to this Agreement.

**5.17 Agreement Runs with Land** – This Agreement burdens and runs with the Land and every parcel into which it is Subdivided in perpetuity. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its personal administrators, successors and assigns, and all persons who after the date of this Agreement acquire an interest in the Land.

**5.18 Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for any breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.

**5.19 No Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.

**5.20 Applicable Law** – The laws of British Columbia (including, without limitation, the *Residential Tenancy Act*) will apply to this Agreement and all statutes referred to herein are enactments of the Province of British Columbia.

**5.21 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) 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;

- (d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (f) the provisions of section 25 of the *Interpretation Act* (British Columbia) with respect to the calculation of time apply;
- (g) time is of the essence;
- (h) all provisions are to be interpreted as always speaking;
- (i) reference to a “party” is a reference to a party to this Agreement and to that party’s respective successors, assigns, trustees, administrators and receivers. Wherever the context so requires, reference to a “party” also includes a Tenant, agent, officer and invitee of the party;
- (j) reference to a “day”, “month”, or “year” is a reference to a calendar day, calendar month, or calendar year, as the case may be, unless otherwise expressly provided; and
- (k) 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”.

**5.22 Execution in Counterparts & Electronic Delivery** – This Agreement may be executed in any number of counterparts and delivered by e-mail, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument, provided that any party delivering this Agreement by e-mail shall also deliver to the other party an originally executed copy of this Agreement.

**IN WITNESS WHEREOF** the parties hereto have executed this Agreement on the *Land Title Act* Form C which is attached to and forms part of this Agreement.

## Appendix A to Housing Agreement

## STATUTORY DECLARATION

## CANADA

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**IN THE MATTER OF A HOUSING  
AGREEMENT WITH THE CITY OF NEW  
WESTMINSTER**

**PROVINCE OF BRITISH COLUMBIA**

**(“Housing Agreement”)**

TO WIT:

I, \_\_\_\_\_ of \_\_\_\_\_, British Columbia, do solemnly declare that:

1. I am an authorized signatory of the Owner of the land located at \_\_\_\_\_, New Westminster (the “**Land**”), and make this declaration to the best of my personal knowledge.
2. This declaration is made pursuant to the Housing Agreement in respect of the Land.
4. I confirm that the Owner has complied with the Owner’s obligations under the Housing Agreement.
5. I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at the City of \_\_\_\_\_, in the Province of British Columbia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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## A Commissioner for Taking Affidavits in the Province of British Columbia

DECLARANT

### CONSENT AND PRIORITY AGREEMENT

WHEREAS the CANADA ICI CAPITAL CORPORATION (INCORPORATION NO. A0067505) (the "Chargeholder") is the holder of a Mortgage and Assignment of Rents (the "Charges") registered in the Land Title Office under numbers CA8396730 and CA8396731, respectively, encumbering the land identified in the *Land Title Act* Form C attached to and forming part of the Housing Agreement and Covenant attached hereto.

THEREFORE THIS CONSENT AND PRIORITY AGREEMENT IS EVIDENCE THAT IN CONSIDERATION OF \$1.00 AND OTHER GOOD AND VALUABLE CONSIDERATION PAID BY THE TRANSFEREE TO THE CHARGEHOLDER:

1. The Chargeholder hereby consents to the granting and registration of the Section 219 Covenant attached hereto (the "Covenant") and the Chargeholder hereby agrees that the Covenant shall be binding upon its interest in and to the Land.
2. The Chargeholder hereby grants to the transferee described in item 6 of the *Land Title Act* Form C attached hereto priority for the Covenant over the Chargeholder's right, title and interest in and to the Land, and the Chargeholder does hereby postpone the Charges and all of its right, title and interest thereunder to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution, delivery and registration of the Charges.

IN WITNESS WHEREOF, the Chargeholder has executed and delivered this Consent and Priority Agreement by executing the *Land Title Act* Form C above which is attached hereto and forms part of this Agreement.

**END OF DOCUMENT**

Attachment #5

*Housing Agreement Principles*

*Letter*

508 Eighth Street Nominee Ltd

135-1991 Savage Rd  
Richmond, BC  
V6V 0A4

# 508 Eighth St Housing Agreement Principles Letter

We, the owners of the property at 508 Eighth St, agree to the following principles that will form a housing agreement for the property:

- 1) The owner(s) will operate the building located at 508 Eighth St, New Westminster (the "Building"), and all dwelling units therein, for rental purposes only and will obtain a business licence from the City of New Westminster for the operation of these rental units. The management and maintenance of the rental units will be expected to comply with all relevant provisions of the *Residential Tenancy Act* and any other applicable provincial legislation and City bylaws, including *The City of New Westminster Business Regulations and Licensing (Rental Units) Amendment Bylaw No 8130 (2019)*.
- 2) Article 2 (Use and Construction of Lands and Secured Rental Units) and Article 3 (Disposition and Acquisition of Secured Rental Units) of any Housing Agreement registered against title to 508 Eighth St will be attached to every tenancy agreement created at or after the time of execution of such Housing Agreement by the City and the owner(s).
- 3) All units in the Building must be owned and managed by one entity.
- 4) All dwelling units in the Building shall be rented for long-term rental uses and all tenancies beginning on or after the time of execution of a Housing Agreement by the City and the owner(s) must be one month or longer.
- 5) The owner(s) will not require a tenant(s) or any permitted occupant of the Building to pay any extra charges or fees for property or similar tax.
- 6) All principles of this housing agreement will apply to existing rental units and any subsequent rental units developed within this property, including the four market rental units that are proposed to be developed as part of the building permit application for this project.
- 7) The rental tenure will be guaranteed for 60 years or the life of the building.
- 8) The Owner(s) will operate the housing as market rental units. The Housing Agreement will not provide restrictions on eligibility or market rent.

Name of land owner/developer company (please write here): 508 Eighth Street Nominee Ltd

\_\_\_\_\_  
Name of person signing this letter on behalf of company (please write here): Zvonimir Duric

DIRECTOR

\_\_\_\_\_  
Personal Information Removed

Signature of person signing this letter (please sign here): \_\_\_\_\_

Date of signature (please write the date here – month, day, year): August 31 / 2021

# REPORT

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**File:** 01.0160.20

**Item #:** 2022-250

**Subject:** Port Authority Referral: 820 Dock Road, City of Delta, Wallenius  
Wilhelmsen Solutions, Annacis Auto Terminal Optimization – Information  
Report

## RECOMMENDATION

**THAT** Council receive this report on the Annacis Auto Terminal Optimization located at 820 Dock Road in the City of Delta for information.

**THAT** Council direct staff to provide the feedback outlined within this report directly to the Vancouver Fraser Port Authority as a response to the referral letter.

## PURPOSE

The purpose of this report is to provide Council with information regarding the Annacis Auto Terminal Optimization Port Authority referral project located at 820 Dock Road in the City of Delta.

## BACKGROUND

The City is in receipt of a referral letter (**Attachment 1**) from the Vancouver Fraser Port Authority (VFPA) regarding a Project and Environmental Review (PER No. 21-019) for the Annacis Auto Terminal Optimization located at 820 Dock Road in the City of Delta. As such, City staff is working towards providing a formal response to the Port Authority regarding the project.



## Summary of Proposal

The Port Authority is in partnership with the Applicant (Wallenius Wilhelmsen Solutions – also known as WW Solutions), who is leading the proposed Annacis Auto Terminal Optimization Project. The Applicant would undertake works to consolidate the two existing auto terminal operations, Annacis Auto Terminal and Richmond Auto Terminal (RT). The consolidated operations would be located at the Annacis Auto Terminal site at 820 Dock Road, which is on federal land managed by the VFPA (see **Attachment 2** – Site Context Map). In summary, the improvements include:

- Expanding two existing terminal rail yards;
- Installing electric vehicle charging stations; and
- Replacing some terminal buildings with a new vehicle processing facility.

A project site plan is attached to this report as **Attachment 3**. The project would improve efficiency of the terminal's existing operations and increase its capacity to handle a greater volume of automobile imports in the future. The project has also been identified as a priority by the Greater Vancouver Gateway 2030 Strategy, which recommends ways to improve the region's trade network, while addressing community impacts of goods movement (see **Attachment 4** – Project Fact Sheet).

For detailed information on the Annacis Auto Terminal Optimization project, visit:

<https://www.portvancouver.com/permitting-and-reviews/per/project-and-environment-review-applicant/status-of-permit-applications/vancouver-fraser-port-authority-annacis-auto-terminal-optimization-project/>

## Project Timeline

The project was initiated in 2019 and is expected to be completed in Fall, 2023. The project review is currently at the public engagement review stage (see **Figure 1**: Port Authority Project Timeline).



Figure 1: Port Authority Project Timeline

## Public Engagement

The Port Authority is working with Indigenous groups, municipalities, and stakeholders to better understand their interests as they relate to the project. This work includes technical studies and engagement, advancing project design and planning for project construction, should the project be approved.

The engagement period is from February 23, 2022 to March 29, 2022. This includes a survey, virtual information session, video recording, telephone and written feedback (i.e. email/mail). The City will be providing its feedback as a response to the Port Authority's referral letter following the April 11, 2022 Council meeting.

Supporting documentation regarding the public engagement can be viewed at:

<https://portvancouver.civilspace.io/en/projects/annacis-auto-terminal-optimization-project>

## **DISCUSSION**

### **Parks and Recreation Comments**

Staff from the Parks and Recreation Department has reviewed the project, and suggests that there are opportunities for the project to contribute to climate action and site sustainability (i.e. reduction of impervious surfaces, stormwater management, increase to the canopy cover and foreshore improvements, etc.) Specifically, given the current focus on the climate emergency and the extent of impervious surfaces (i.e.

building and pavement) for this project, it is recommended that the Port and/or Applicant explore opportunities for integrating green infrastructure such as raingardens, bioswales, foreshore improvements and tree plantings.

### **Bylaw Comments**

City staff recognize that City jurisdictional lands are located approximately 200 metres (656 feet) across the Fraser River and further recognize that given the nature of the automobile operation, it is anticipated that the project may have very little or no negative impact on noise for the residents of Queensborough.

The City's Construction Noise Bylaw permits construction noise within the hours of 7am to 8pm on weekdays and 9am to 6pm on Saturdays (not including Sundays or Statutory holidays). City staff recommend that as part of the Port Authority's project review process, that it notify the Applicant of this for their consideration.

No further staff comments were provided by other City Departments.

### **INTERDEPARTMENTAL LIAISON**

An interdepartmental review including staff from the Climate Action, Planning and Development (Planning and Bylaws), Engineering, and Parks and Recreation Departments has been completed. Staff comments from the Parks and Recreation Department and Bylaw Division have been incorporated in this staff report. There were no concerns identified by staff in the Engineering Department nor Transportation Division.

### **OPTIONS**

The following options are available for Council's consideration:

1. That Council receive this report on the Annacis Auto Terminal Optimization located at 820 Dock Road in the City of Delta for information.
2. That Council direct staff to provide the feedback outlined within this report directly to the Vancouver Fraser Port Authority as a response to the referral letter.
3. That Council provide staff with alternative direction.

Staff recommend options 1 and 2.

**ATTACHMENTS**

- Attachment 1: Vancouver Fraser Port Authority Referral Letter (dated March 9, 2022)  
Attachment 2: Site Context Map and Aerial Photo  
Attachment 3: Project Site Plan  
Attachment 4: Port Authority Project Fact Sheet

**APPROVALS**

This report was prepared by:  
Hardev Gill, Planning Technician

This report was reviewed by:  
Jackie Teed, Senior Manager, Climate Action, Planning and Development

This report was approved by:  
Emilie K Adin, Director, Climate Action, Planning and Development  
Lisa Spitale, Chief Administrative Officer

## Attachment 1

*Vancouver Fraser Port Authority*

*Referral Letter*



March 9, 2022

Jackie Teed  
Senior Manager of  
Development Services  
City of New Westminster  
511 Royal Avenue  
New Westminster, BC V3L 1H9  
[jteed@newwestcity.ca](mailto:jteed@newwestcity.ca)

Dear Jackie Teed:

Re: **Referral - PER No. 21-019 – Wallenius Wilhelmsen Solutions -  
Annacis Auto Terminal Optimization at 820 Dock Rd, Delta, British Columbia, V3M 6A3**

Vancouver Fraser Port Authority (VFPA) has received a project permit application from the Vancouver Fraser Port Authority – Development (the Applicant) to undertake works to consolidate the two existing auto terminal operations, Annacis Auto Terminal and Richmond Auto Terminal (RT), to the Annacis Auto Terminal site at 820 Dock Rd, Delta, BC.

As part of the Project and Environmental Review of this application, we are writing to invite your comments on this proposed Project. Attached is a copy of the application and location map for your information. Please refer to VFPA's website for all drawings, studies, and additional details submitted as part of the project permit application: <https://www.portvancouver.com/permitting-and-reviews/per/project-and-environment-review-applicant/status-of-permit-applications>

In addition to this formal consultation letter, you will have already received correspondence from the port authority's Applicant team to notify you of the Project. Please note that any feedback that you may have on the proposed project should be directed to the PER team using the contact details noted below.

### Project Description

The purpose of the Project is to consolidate the two existing auto terminal operations – Annacis Auto Terminal (AAT) and Richmond Auto Terminal (RT) – to the AAT site within the Port of Vancouver. The consolidated auto terminal at Annacis Island would be optimized to accommodate the combined operations and serve forecasted demand for auto imports and exports.

### Proposed Works and Activities

The proposed project has three main components: rail expansion, electric charging stations, and building demolition/replacement.

1. Rail Expansion - expansion of the Rail Side 1 and Rail Side 2 railyards, by:
  - Extending Tracks 1, 2 and 3 on Rail Side 1 to accommodate an additional twelve (12) rail cars on each extension, with loading pads positioned between blocks of six (6) rail cars; and

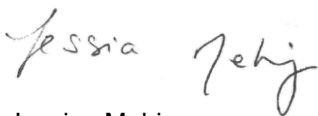
- Adding four new tracks and switches to Rail Side 2 that will accommodate six (6) additional rail cars on each track, to run parallel to existing Tracks 5 through 8. The new Tracks will be built to the east and parallel to Track 8.
2. Electric Charging Stations
- The installation of the infrastructure and equipment to support up to eight (8) electric car charging stations and the installation of four (4) electric car charging stations.
3. Demolition and replacement of existing facilities and addition of facilities, including:
- Demolition of Building Accessory Shop #2;
  - Demolition of Building Mechanical Shop #1;
  - Demolition of the Paint and Body Shop to slab level, with the exception of the electrical enclosure at the northwest corner of the building which would remain.;
  - Demolition of the Shed and Canopy attached to the Parts Warehouse;
  - Construction of a New Processing Building and associated ground improvement works, to be located between the existing Parts Warehouse and Accessory Shop #1;
  - Replacement of the asphalt floor in the Parts Warehouse with a concrete floor;
  - Pavement resurfacing and utilities as required for the above items; and
  - Miscellaneous yard rehabilitation, including but not limited to pavement resurfacing, drainage and other utility adjustments, access control, security, and pavement markings.

We would appreciate your comments on the proposed Project by **Wednesday, April 6<sup>th</sup>, 2022**. Should you wish to meet to discuss this application or require an extension to the comment period, please contact me by **Wednesday, March 23<sup>rd</sup>, 2022**.

Should you have any questions, please contact me at 604.665.9047 or [jessica.mehigan@portvancouver.com](mailto:jessica.mehigan@portvancouver.com)

Yours truly,

Vancouver Fraser Port Authority



Jessica Mehigan  
Senior Planner, Project Lead

cc Emily Williamson- Development Planner, Vancouver Fraser Port Authority  
Chris Bishop, Manager, Project and Environmental Review, Vancouver Fraser Port Authority  
Ram Chung, Manager, Municipal and Stakeholder Relations, Vancouver Fraser Port Authority  
Rupinder Basi, Supervisor of Dev Planning, New Westminster, [rbasi@newwestcity.ca](mailto:rbasi@newwestcity.ca)  
Hardev Gill, Planning Technician, New Westminster, [hgill@newwestcity.ca](mailto:hgill@newwestcity.ca)

encl PER No. 21-019 Location Map

## Attachment 2

### *Site Context Map and Aerial Photo*





**PER #21-019**

**AATO Site Location**

— Project Location

▭ VFPA Boundary

Vancouver Fraser Port Authority:  
This drawing has been reviewed by Vancouver Fraser Port Authority solely for the purpose of VFPA's issuance of a Project Permit. This Permit in no way denotes design, engineering, or structural approval or endorsement.

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**PORT of vancouver**

Vancouver Fraser Port Authority

Date: March 07, 2022

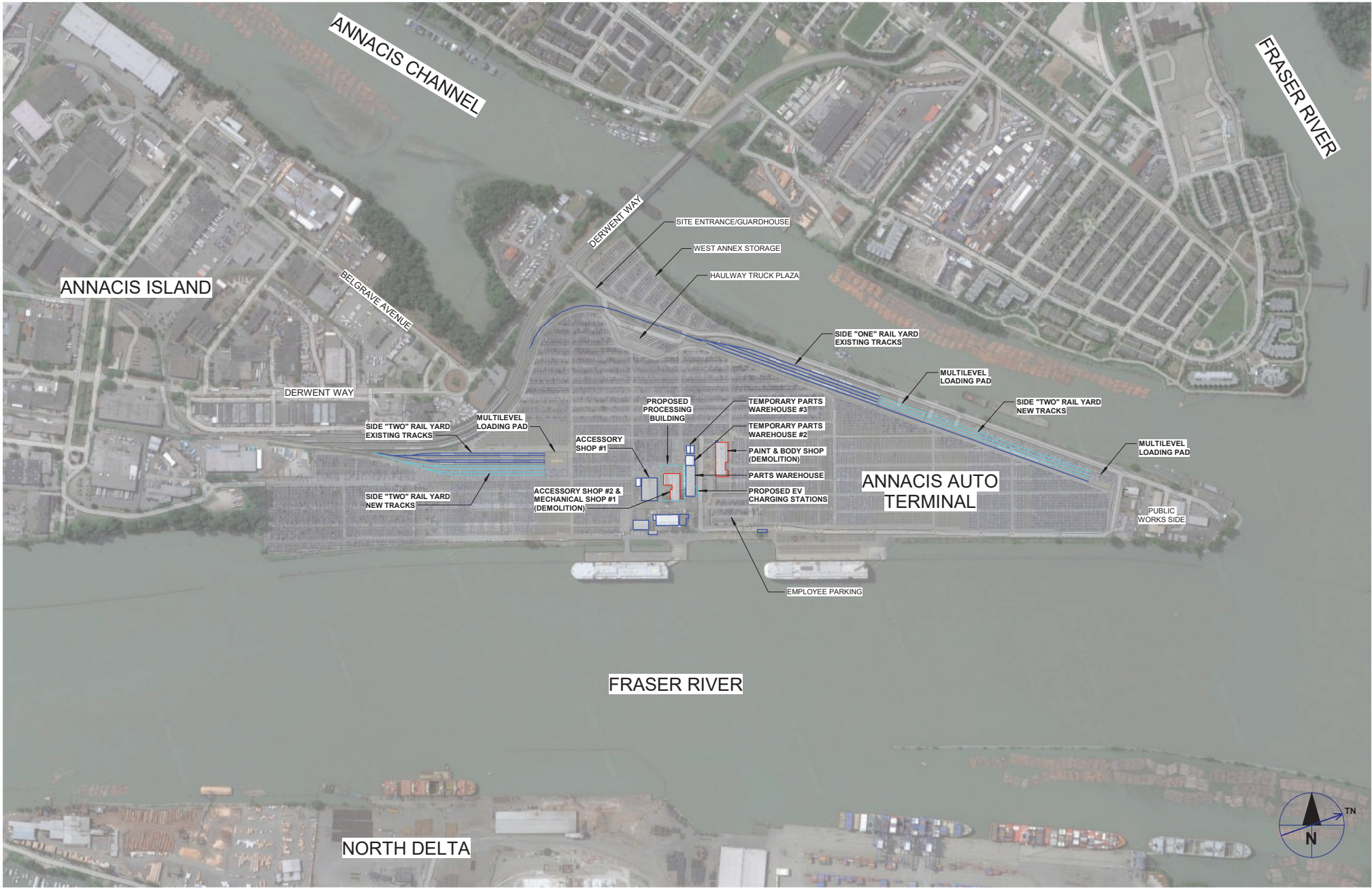
Service Layer Credits: Orthos2020:

Attachment 3  
*Project Site Plan*



# ANNACIS AUTO TERMINAL OPTIMIZATION PROJECT

VANCOUVER FRASER PORT AUTHORITY (VFPA)  
WALLENIUS WILHELMSSEN VEHICLE SERVICES (WWS)



## 1 | SITE PLAN

G-000 REF: A-105 SCALE: 1 : 5000

### LEGEND

- EXISTING
- DEMOLITION
- NEW CONSTRUCTION/ EXPANSION

THIS DRAWING TO BE PRINTED IN COLOR

PRELIMINARY

DO NOT USE FOR  
CONSTRUCTION

LEAD CONSULTANT

AECOM



DESIGN BY ST  
DRAWN BY NM  
APPROVED TH  
DATE 2021-10-27  
SCALE As indicated  
P/W SITE 365-039  
SIZE D

ANNACIS AUTO TERMINAL  
SITE PLAN

Attachment 4

*Port Authority Project*

*Fact Sheet*

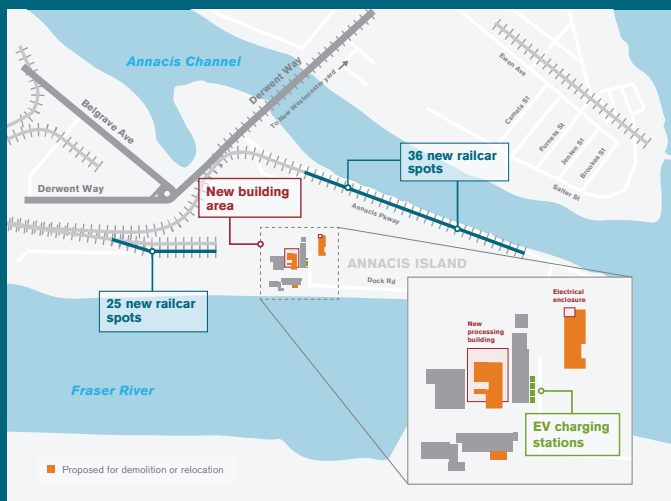




The Port of Vancouver is Canada's largest port. Each day, commodities and goods from across Canada arrive at the port by rail and road for export, and consumer and manufactured goods from around the world are imported to Canada. This trade is growing, which means more trade-related traffic through the Lower Mainland.

The Vancouver Fraser Port Authority has a federal mandate to enable Canada's trade through the Port of Vancouver and is working with partners on infrastructure projects to improve supply-chain efficiency and the movement of trade-related cargo through the region.

The port authority's role is to ensure the Port of Vancouver is ready to handle Canada's growth in trade, including the forecasted increase in the auto sector. The Port of Vancouver receives nearly 100% of Asian-manufactured vehicles destined for the Canadian market and serves more than a dozen of the world's top auto manufacturers.



## About the project

Automobile imports have increased in recent years due to consumer demand for hybrid and more fuel-efficient vehicles. The Annacis Auto Terminal and Richmond Auto Terminals are operating at maximum capacity and modifications are needed to improve existing operations and accommodate growth in demand for auto imports.

The proposed Annacis Auto Terminal Optimization Project will allow the port authority to consolidate the two existing port automobile terminals into a single terminal at the Annacis site and repurpose the Richmond Auto Terminal for other port-related activities.

### The terminal improvements include:

- Expanding two existing terminal rail yards
- Installing electric vehicle charging stations
- Replacing selected terminal buildings with a new vehicle processing facility

The port authority is working with Indigenous groups, municipalities, and stakeholders to better understand their interests as they relate to this project. This work includes technical studies and engagement, advancing project design and planning for project construction, should the project be approved.

In partnership with terminal operator WWL Vehicle Services Canada Ltd, the port authority is leading proposed improvements to the Annacis Auto Terminal in Delta, B.C. The Annacis Auto Terminal Optimization Project will improve the efficiency of the terminal's operations within the existing footprint, increase its ability to handle a greater volume of automobile imports in the future, and help meet emerging climate change targets by responding to increased demand for electric vehicles.

At the same time—and independent of the terminal works—the port authority will undertake separate maintenance works to enhance shoreline protection, which will help safeguard the terminal lands against erosion.

From February 23 to March 29, 2022, the port authority invites everyone with an interest in this proposed project to learn more and provide their feedback. Find out how on the project webpage.

## Project benefits

The port authority has a strong track record of delivering high-quality projects based on best practices in environmental sustainability and protection, and community engagement. Benefits of the Annacis Auto Terminal Optimization Project include:



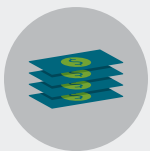
**Improving efficiency and capacity** of the auto terminal to support Canada's growing auto sector



**Supporting climate change resilience** by responding to increased demand for electric vehicles and enhancing shoreline protection



**Increasing the resilience of the transportation system** by reducing the extent of switching and train building required within the existing yard, leading to smoother operations and increased capacity



**Supporting further economic development** by allowing for auto terminal expansion and freeing up valuable trade-enabling industrial land to be re-purposed in for other port-related activities

For more information about project impacts, visit the project webpage.

## Project partner roles

### Vancouver Fraser Port Authority

The port authority will lead technical assessments, design development, and stakeholder, Indigenous, and public engagement.

### Transport Canada

The Government of Canada is a funding partner through the National Trade Corridors Fund.

### WWL Vehicle Services Canada, Ltd.

WW Solutions is a partial funding partner.

## Timeline

- 2019**  
Project submitted to the National Trade Corridors Fund for funding
- 2021**  
Preliminary design and project definition report
- 2022**  
Project and environmental review, public engagement and Indigenous consultation
- Spring 2022**  
Anticipated Project and Environmental Review decision
- Fall 2022**  
Construction begins
- Fall 2023**  
Project completion

*\*Timelines are subject to change.*

## About the Vancouver Fraser Port Authority

The Vancouver Fraser Port Authority is responsible for the stewardship of the federal port lands and waters in and around Vancouver, British Columbia. It is financially self-sufficient and accountable to the federal minister of transport, and operates pursuant to the *Canada Marine Act*. The port authority's mandate is to facilitate Canada's trade objectives, ensuring goods are moved safely through the Port of Vancouver, while protecting the environment and considering local communities.

## For more information

Sign up [online](#) for the project newsletter to receive email notifications of project updates.

### Online

 [portvancouver.com/annacisautoterminal](http://portvancouver.com/annacisautoterminal)

### Email

 [annacisautoterminal@portvancouver.com](mailto:annacisautoterminal@portvancouver.com)

### Newsletter

 [Sign up to receive project updates](#)

## **REPORT**

### ***Office of the Chief Administrative Officer***

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Lisa Spitale  
Chief Administrative Officer      **File:**

**Item #:** 2022-249

**Subject:** **Public Art Program Update**

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#### **RECOMMENDATION**

THAT Council receive this report regarding the Public Art Program for information.

#### **PURPOSE**

To provide Council with an update on the Public Art Program.

#### **BACKGROUND**

In 2012, the City of New Westminster adopted its first Public Art Policy. The goal of the Policy was to promote and encourage opportunities to animate the urban landscape, nurture civic dialogue and support the development and growth of the arts in the City.

In 2021, with guidance from the Public Art Advisory Committee and in response to recommendations included in the City's Arts Strategy, staff initiated a review of the Public Art Policy.

The resulting revised Policy, adopted by Council in February 2022, included key changes intended to diversify the way in which artists are engaged, address barriers and systemic inequities and allowing for a more responsive Program.

#### **ANALYSIS**

##### **Current Public Art Projects**

Following is a brief summary of current projects:

### təməsewtx<sup>w</sup> Aquatic and Community Centre

Prior to the Policy revision, the City of New Westminster's Public Art Advisory Committee recognized the need to centre Indigenous artists and honour commitments to Truth and Reconciliation. For the təməsewtx<sup>w</sup> public art project, an open call to Indigenous artists and/or artist teams was developed. Following a two-stage selection process, the commission was awarded to James Harry, a Coast Salish artist from Vancouver. The work is a large-scale sculpture referencing traditional Coast Salish design motifs and the Glenbrook Ravine, which will be installed on the grounds of the Centre adjacent to the main entrance.

#### Project status:

- Design details are currently being finalized prior to fabrication;
- Project completion is planned for fall of 2023.

### Artist Roster (2022-2024)

An Artist Roster is a list of artists pre-qualified to create public art throughout the city. The Roster allows for a streamlined selection process and positions the Program to better respond to emerging projects and community partnership opportunities.

For the 2022-2024 Roster, seventeen (17) artists were selected and will be eligible for projects as opportunities arise in the next two (2) years. All artists live or work in the Lower Mainland, three (3) reside in New Westminster.

Current Roster projects include the following:

#### Agnes Greenway

- Artist Rain Pierre, a local artist from the Katzie First Nation, has been identified from the Artist Roster for a design-only contract to develop artworks for two crosswalks in school zones adjacent to Qayqayt Elementary School;
- Informed by Pierre's previous *Legacy Projects*, the Agnes Greenway will include a youth art competition based on the theme of reconciliation;
- Final installation is expected in summer/fall of 2022.

#### Street Banners

- Three (3) artists from the Artist Roster have been invited to submit artworks to enliven the urban realm;
- The new banners will be installed in June 2022.

### Capture Photography Festival 2023

The City and Capture Photography Festival are working together to commission a lens-based artist for the glass façade at the Anvil Centre. The project will be curated by Capture Photography Festival's Executive Director, Emmy Lee Wall. This invitational approach, where select artists are invited to submit materials for consideration allows staff to work with curators, advisory bodies, Elders or Knowledge Keepers to identify artists.



Project status:

- Studio visits have been conducted with three (3) BIPOC (Black, Indigenous and People of Colour) lens-based artists and invitations have been extended to the artists to develop site-specific concept proposals;
- One artist will be selected in fall 2022;
- The work is planned for installation as part of the 10th annual Capture Photography Festival taking place throughout Metro Vancouver in April 2023.

Boundary Road Drainage Pump Station

In 2018, artist Hanna Benihoud was commissioned for a design-only contract for an integrated public art work at the Boundary Road Drainage Pump Station. Design-only opportunities allow for artists to collaborate with the design team to include public art in the overall concept of the space. A design-only contract also broadens the opportunity to engage artists who may not have construction or project management experience.

The artwork will consist of a series of small sculptures and painted horizontal and vertical surfaces surrounding the pump station.

Project status:

- Shop drawings will be created by the fabricator;
- Installation will coincide with the completion of the overall construction project.

New Westminster Public Library

A one-stage open call has been launched to select the artist for the Library project. In this process, the artist is selected based on qualifications, past work and an interview, before developing their concept.

Project status:

- Call to artist was issued in March, closing on April 29, 2022;
- The selected artist will work with City, Library and stakeholders to develop their final project.

Artist-Initiated Public Art Project

Generally, public art opportunities are determined by the percent for art funding mechanism from eligible construction projects or other City planning priorities. An Artist-Initiated Public Art opportunity, funded through the Public Art Reserve, allows for grassroots, artist-led initiatives and reverses the normal processes, giving artists the ability to identify where art could be sited and to determine the goals of the project based on their practice and interests. Artist-initiated public art projects support experimentation and build capacity.

A Call to Artists was issued for a two-stage process. Three (3) artists were shortlisted, and were engaged to develop and present concept proposals to the Selection Panel.

The selected artist, Emilie Crewe is North Vancouver-based artist who will develop and install a temporary and interactive LED installation on the façade of City Hall which

references the City of New Westminster's response to a request for submissions by the Province on police reform.

Project status:

- Community engagement will take place over the coming months to refine the concept;
- The work is planned for installation in May 2023.

### **Public Art Plan**

A strategy for a Public Art Plan is being developed in consultation with the Arts Advisory Committee, to be brought to Council for direction. The development of a Public Art Plan is an opportunity to engage, build and renew relationships with artists, cultural communities, local Indigenous communities as well as local businesses, organizations and private industry to ensure that the public art program sets a direction that is intentional, responsive, respectful and inclusive. The Plan will inform both the direct delivery of civic projects and how the City can best support community-led projects.

### **FINANCIAL IMPLICATIONS**

Current public art projects are funded through the City's approved capital plan.

### **OPTIONS**

Council is asked to consider the following options:

1. Receive this report regarding the Public Art Program for information;
2. Provide staff with other direction.

Staff recommend option 1.

### **APPROVALS**

This report was prepared by:  
Quyen Hoang, Public Art Coordinator

This report was reviewed by:  
Todd Ayotte, Manager, Community Arts and Theatre

This report was approved by:  
Lisa Spitale, Chief Executive Officer

# REPORT

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Land Use and Planning Committee      **File:** REZ00223

**Item #:** 2022-262

**Subject:** Rezoning and Development Permit Applications for Secured Market Rental  
High-rise: 616-640 Sixth Street – Preliminary Report

## 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 properties at 616 – 640 Sixth Street, including initial Land Use and Planning Committee discussion.

## EXECUTIVE SUMMARY

The properties at 616 and 640 Sixth Street have recently been sold to PC Urban Properties. Prior to the sale the City approved an application for rezoning and issued a subsequent Development Variance Permit to allow a 29 storey mixed use development consisting 237 secured market rental units with retail at grade fronting Sixth Street.

The new owner has submitted an application to rezone the site which would generally maintain the previously approved site plan, including the height of the residential tower at 29 storeys. The revised proposal also continues to provide grade level retail, a privately owned and publicly accessible plaza at the corner of Sixth Street and Seventh Avenue, and off-site improvements associated with the implementation the Sixth Street Great Street and the Seventh Avenue Crosstown Greenway. The current proposal includes the following key revisions:

- increase in the number of secured market rental housing units from 237 to 338 (increase of 101 units);
- increase in density from 6.46 FSR to 7.80 FSR (increase of 1.34 FSR);

- an increase in the maximum tower floorplate size by 8.9% (from 689 square metres (7,414 sq. ft.) to 750 square metres / 8,073 square feet); and
- increase in the height of podium from three to four storeys with the proposed fourth storey being set back by 3 metres (10 feet).

The increased number of rental units would support Council's affordable housing priorities. The increased density would remain consistent with the Official Community Plan land use designation. The Land Use and Planning Committee has recommended that the application as proposed proceed through the development application review process.

### **COMMENTS AND ANALYSIS**

At its meeting held on March 28, 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):

- There is a real need for rental accommodation and the mix of rental housing in this proposal makes it a strong project for the City;
- This discussion is about the efficiency of the building and for it to have better rental unit layouts and better space, in general, for residents;
- Committee members expressed that it is acceptable to have a larger floorplate with the minor change to the podium if it means providing a better and more efficient living space for residents;
- Going back to the community with these significant changes may raise concerns and see pushback from residents as we initially approved the project and are now coming back for a third time with expansions; therefore, the proponent must be prepared to prove out what benefits these changes will bring to the neighbourhood; and,
- There is value in having purpose built rental units in the Uptown area and the small business commercial exposure will be good for this diverse community.

The LUPC passed the following motions regarding the project:

***THAT the Land Use and Planning Committee instruct staff to advise the applicant that their application proceed to next steps with the proposed 750 square metres (8,073 sq. ft.) tower floor plate, four storey podium, and 29 storey tower as outlined in the March 28, 2022 report titled, "Rezoning and Development Permit (616-640 6<sup>th</sup> Street) – Preliminary Report; and,***

***THAT that Land Use and Planning Committee endorse the review process included in the Application Review Process and Next Steps Section of the report dated March 28, 2022, and instruct staff to proceed with next steps once feedback provided by the Committee has been addressed.***

## **APPLICATION REVIEW PROCESS AND NEXT STEPS**

As noted in the report to the LUPC, and revised to reflect this Council review, the anticipated review steps for this application are:

1. Staff Review and Internal Circulation (ongoing);
2. Land Use and Planning Committee Report;
3. Report to Council from Land Use and Planning Committee (**WE ARE HERE**);
4. Applicant-led public information / consultation on updated project design;
5. New Westminster Design Panel Review of revised design;
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 Rezoning and Housing Agreement Bylaws and issue notice of waiving Public Hearing;
8. Public Hearing (if Council does not waive);
9. Council consideration of Third Reading and Adoption Rezoning and Housing Agreement Bylaws.
10. Adoption of Zoning Amendment Bylaw
11. Issuance of Development Permit by Director of Climate Action, Planning and Development

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.

## **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 March 28, 2022

Attachment 2: DRAFT LUPC Meeting Minutes except dated March 28, 2022

## **APPROVALS**

This report was prepared by:

Mike Watson, Acting Supervisor of Development Planning

This report was reviewed by:

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:

Emilie Adin, Director of Climate Action, Planning and Development

Lisa Spitale, Chief Administrative Officer

## Attachment 1

*Report to LUPC dated March 28, 2022*

## **REPORT**

### ***Climate Action, Planning and Development***

**To:** Land Use and Planning Committee      **Date:** March 28, 2022

**From:** Jackie Teed, Acting Director, Climate Action Planning and Development      **File:** 13.2675.05

**Item #:** 2022-234

**Subject:** Rezoning and Development Permit (616 - 640 6th Street) – Preliminary Report

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#### **RECOMMENDATION**

**THAT** the Land Use and Planning Committee instruct staff regarding the optional approaches summarized in Section 8 of this report, and provide staff with any other feedback; and,

**THAT** the Land Use and Planning Committee endorse the review process included in the Application Review Process and Next Steps Section of this report, and instruct staff to proceed with next steps once feedback provided by the Committee has been addressed.

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#### **EXECUTIVE SUMMARY**

The properties at 616 & 640 Sixth Street have recently been sold to PC Urban Properties. Prior to the sale the City approved an application for rezoning and issued a subsequent Development Variance Permit to allow a 29 storey mixed use development consisting 237 secured market rental units with retail at grade fronting Sixth Street.

The new owner has submitted an application to rezone the site which would generally maintain the previously approved site plan, including the height of the residential tower at 29 storeys and continue to provide grade level retail, a privately owned and publicly accessible plaza at the corner of Sixth Street and Seventh Avenue, and off-site improvements associated with the implementation the Sixth Street Great Street and also the Seventh Avenue Crosstown Greenway. The current proposal includes the following key revisions:



- increase the number of secured market rental housing units from 237 to 338 (increase of 101 units);
- increase in density from 6.46 FSR to 7.80 FSR (increase of 1.34FSR);
- an increase in the maximum tower floorplate size by 8.9% (from 689 square metres (7,414 sq. ft.) to 750 square metres/ 8,073 square feet); and
- increase in the height of podium from three to four storeys with the proposed fourth storey being setback 3 metres (10 feet).

The increased number of rental units would support Council's affordable housing priorities. The increased density would be appropriate to the Official Community Plan land use designation. The increase in the tower floorplate and podium height is not consistent with key principles which framed negotiation of the previous tower massing partially in exchange for a 29 storey building with is taller than adjacent buildings (22 to 24 storeys), but is consistent with Development Permit Area Design Guidelines. Staff is seeking LUPC instruction on whether to explore a taller tower to achieve the additional units rather than change the floorplate or podium height.

Since the original proposal, Rental Tenure Only Zoning (RTOZ) has been created by the Province, which protect a property for rental use in perpetuity, or until a future Council should choose to approve a change to the zoning on that site. The market rental housing in this proposal would need to be secured with either a Housing Agreement and Rental Tenure Only Zoning and staff would continue to assess these options thorough the application review process.

## **1. PURPOSE**

This report is intended to provide Council with preliminary information on the proposed rezoning of the properties at 616 and 640 Sixth Street, to seek direction on key optional approaches for the application which are not consistent with approaches previously negotiated and to outline the application review process for endorsement.

## **2.0 BACKGROUND**

### **2.1 Previous Applications**

#### **Previously Approved Rezoning and Housing Agreement (2019)**

The subject site was rezoned through the adoption of Zoning Amendment Bylaw No. 7997, 2019 on October 7, 2019 to facilitate the development of a 29 storey mixed use development consisting of 142 market strata residential units, 95 secured market rental units, and 1,150 square metres (12,384 sq. f.) of commercial retail at grade fronting Sixth Street. The 95 secured market rental units were secured by Housing Agreement Bylaw No. 8131, 2019 which was adopted by Council on September 20, 2019 and has been registered at the Land Title Office with a no-stratification covenant

### Previous Development Variance Permit and Housing Agreement Amendment (2020)

A Development Variance Permit and Housing Agreement Amendment were subsequently approved for the subject site to facilitate converting the previously approved development from a mix of condo and secured market rental units to a 100% secured market rental project with funding from the Canadian Mortgage and Housing Corporation (CMHC). Variances were approved by Council through DVP00685 to increase the maximum floorplate from 650.5 square metres (7,000 sq. ft.) to 689 square metres (7,414 sq. ft.) and regularize the parking requirements with the standard bylaw parking requirements for secured market rental housing units. Housing Agreement Amendment (616 - 640 Sixth Street) Bylaw No. 8242, 2020 was adopted November 30, 2020 to allow the conversion of all 237 units to secured market rental units.

### Development Permit

The previous applicant submitted a concurrent Development Permit at the time the initial rezoning application, which was never finalized and issued. This application has now transferred to the new owners.

## **2.2 Site Characteristics and Context**

The subject sites are two lots with frontages along Sixth Street, Princess Street and Seventh Avenue in the Uptown neighbourhood as shown in Figure 1 below. Additional site characteristics and context information is included in Attachment 1.

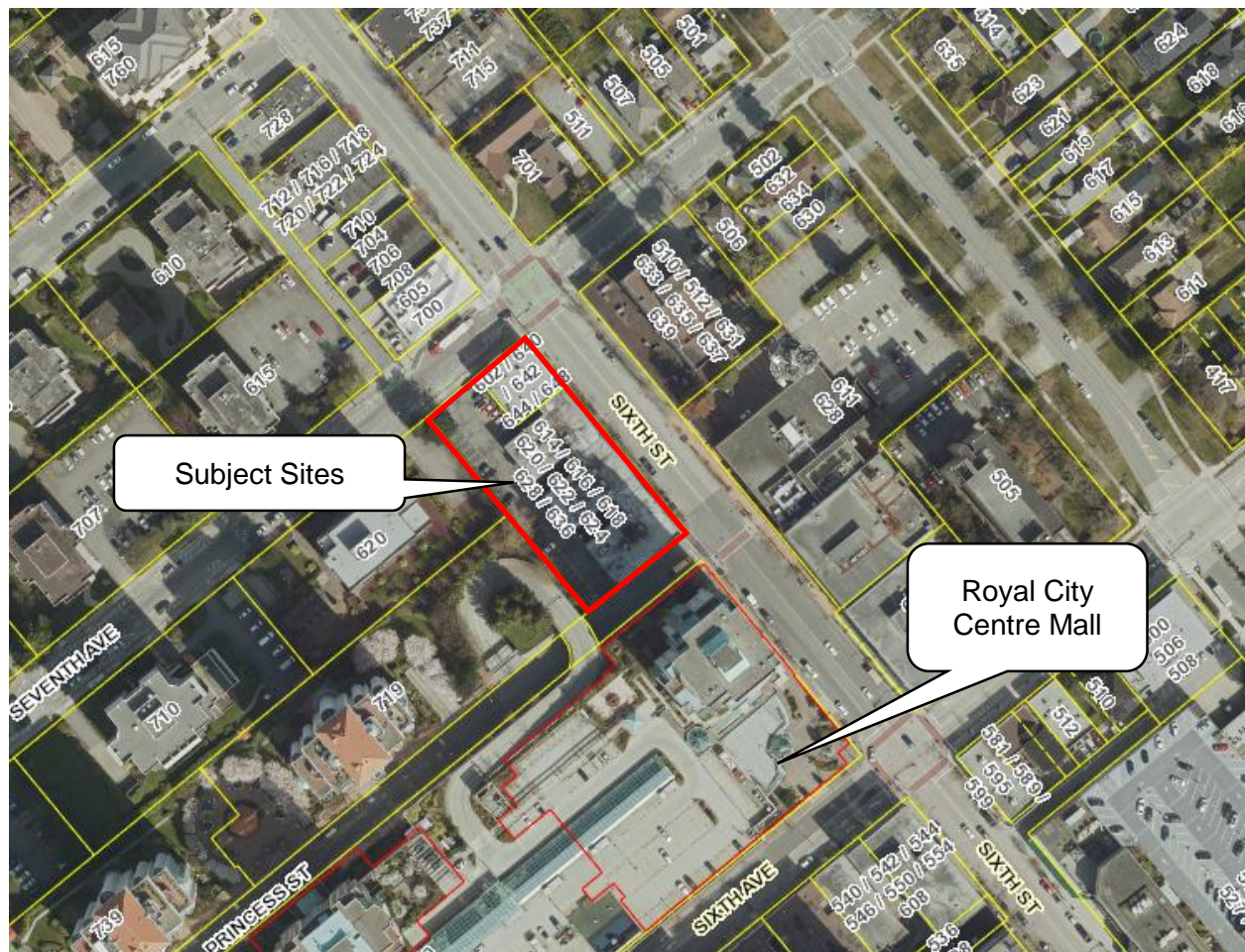


Figure 1: Site Location

### **3.0 POLICY AND REGULATIONS**

The current proposal is consistent with the Official Community Plan land use designation for the site: (MH) Mixed Use - High Rise. The current zoning is Comprehensive Development District (616 and 640 Sixth Street) (CD-80), which would need to be amended to accommodate the proposal through rezoning. A summary of related City policies and regulations, which includes the Official Community Plan (OCP) Land Use Designation, Development Permit Area (DPA), and Zoning, is included in Attachment 2.

### **4.0 CURRENT PROPOSAL**

The current proposal consists of 29 storey building with 338 secured market rental housing units (increase of 101 units), 10,442 square feet (970.09 square meters) of commercial retail along Sixth Street (decrease of 1,942 square feet / 180 square meters). The building would have an overall density of 7.80 FSR (increase of 1.34 FSR), and a floorplate of 750 square metres / 8,073 square feet (increase of 61 square metres / 659 square feet). The applicant proposes 10 units (2.9%) would be offered at 10% (or more) below CMHC median rents all years for New Westminster, and that all

units would be secured with a Housing Agreement for a period of 60 years or the life of the building. the proposal continues to include a privately owned, publicly accessible plaza and off-site improvement associated with Sixth Street Great Street and the Seventh Avenue Greenway. The application includes 60 studio (18%), 158 one-bedroom (47%), 92 two-bedroom (27%) and 28 three-bedroom (8%) units, which is consistent with the requirements of the City's Family Friendly Housing requirements.

The form and character of the project would generally be consistent with what was approved by Council through the earlier rezoning application other than the noted changes. The entire building would be owned and managed by one entity; would no longer have separate entrances, lobbies, or elevators; and all shared amenity areas would be available to all residents. The revisions to the proposal are summarized in the table below.

	<b>Proposed</b>	<b>Previous</b>	<b>Difference</b>
<b>Residential Units</b>	338 Secured Market Rental Units	237 Secured Market Rental Units	101 unit increase
<b>Density</b>	7.80 FSR	6.46 FSR	1.34 FSR increase
<b>Height</b>	29 storeys	29 storeys	No change
<b>Tower Floorplate</b>	750 square metres (8,073 square feet)	689 square metres (7,414 sq. ft.)	61 square metres (657 sq. ft.)
		<u>Prior to DVP:</u> 650.5 square metres (7,000 sq. ft.)	<u>Prior to DVP:</u> 99.5 square metres (1,071 sq. ft.)
<b>Off-Street Parking</b>	271 spaces*	313 spaces	42 space decrease

\*Does not comply with bylaw requirements and requires staff review

The applicant has provided a project rationale letter, drawings submission, and project statistics, which have been included in Attachment 3.

## **5.0 DISCUSSION**

### **5.1 Density**

The current application proposes to increase the density from 6.46 to 7.80 FSR (increase of 1.34 FSR / 21%). The proposed density is considered reasonable as the subject site is located in the Residential High-Rise designated area of the Uptown Local Centre, as identified in the Official Community Plan.

## 5.2 Tower Floorplate, Podium and Building Height

Generally, the City seeks to negotiate for taller buildings with smaller floorplates and shorter podiums than permitted by design guidelines to support livability and a highly walkable, pedestrian-scale streetscape (e.g. ensuring light and air to the public streets, open space, residential units; creating pedestrian scale at the street, etc.). This was the case for the building originally approved for this site in 2019, which was negotiated and approved by Council to be taller than adjacent buildings (29 storeys vs. 22 to 24 storey adjacent buildings), partially in exchange for having a smaller tower floorplate of 650.3 square metres (7,000 sq. ft.) and podium height of three storeys. This negotiated outcome supported the Sixth Street Great Street and responded to livability comments provided by adjacent residents.

In 2020 the City subsequently supported a variance of the floorplate size to 689 square metres (7,414 sq. ft.) in support of converting the building to 100% rental units. Staff considered that the 6% increase in size would still realize the streetscape/livability principles, while achieving over 200 new rental units.

The current proposal is for a four storey podium with a three metre / 10 foot setback for the top floor, and a tower floorplate of 750 square metres (8,073 sq. ft.). These are permitted by the design guidelines, and would be a cost effective way of adding density. As the tower would remain at 29 storeys, with a higher podium and a floorplate that is 15% larger than originally approved, staff considers that the changes no longer meet the intent of the previously approved project: i.e. to allow 29 storeys partially in exchange for a smaller podium and floorplate to achieve goals related to the Sixth Street Great Street and liveability.

An optional approach to achieve the additional 101 new rental units, as well as the streetscape/livability goals, would be to add additional storeys to the tower, with a three storey podium, and floorplate around the currently approved size of 689 square metres (7,414 sq. ft.).

***Either:*** Does the LUPC support that staff work with the applicant to reduce the floorplate close to the currently approved 689 sq.m./7,414 sq.ft. and the podium to three storeys, and instead increase the building height to achieve additional rental units, prior to proceeding to public consultation; or,

***Or:*** Does the LUPC support that the application proceed to next steps with the proposed 750 square metres (8,073 sq. ft.) floorplate, four storey podium, and 29 storey tower?

### **5.3 Secured Market and Affordable Rental Housing**

Consistent with the previous proposal authorized by Council through the Development Variance Permit in 2020, this project would be 100% secured market rental housing. The applicant has proposed an increase in the number of units from 237 to 338, and increase of 101 (30%) units, supporting Council's affordable housing priorities. The entire building would be owned and managed by one entity. All entrances, lobbies, elevators, and amenity areas would be available to all residents.

The applicant proposes 10 units (2.9%) would be offered at 10% (or more) below CMHC median rents all years for New Westminster. The applicant has not indicated whether or not they are working through CMHC's Rental Construction Financing Initiative (RCFi) as the previous owners were. The RCFi would offer low interest loans for development of projects which achieve social outcomes in relation to affordability, accessibility, and energy efficiency.

The applicant proposes the units continue to be secured through the current Housing Agreement registered on title, which would be amended to cover all 338 units, securing them for 60 years or the life of the building, after which non-rental housing could be constructed without any rezoning required. Since the time of the original application, Rental Tenure Only Zoning has been created by the Province. This option is open to the City for all rental zoning applications, and would protect the property for rental use in perpetuity, or until a future Council should choose to approve a change to the zoning on the site. Market rental housing would need to be secured with either a Housing Agreement and Rental Tenure Only Zoning and staff would continue to assess these options thorough the application review process.

### **5.4 Transportation and Off-Street Parking**

Given the site is bounded by Sixth Street Great Street on one side, and Seventh Avenue Greenway on the other, access must be taken from Princess Street. Princess Street provides access to a number of other residential towers, as well as loading access to the Royal City Centre mall, including for very large transport trucks. As such, a comprehensive transportation review including bicycle and vehicle parking, transportation demand management measures, and loading configuration and functionality was required to be produced and accepted by the City for the previous rezoning to add 237 new units.

Adding an additional 101 units will require a similar level of analysis, and a fully updated review under the current proposal would be required which would need to take into account significant proposed reductions from existing general Zoning Bylaw requirements for market rental housing as well as walking proximity to transit, cycling routes, services and amenities.



## **6.0 REVIEW PROCESS AND NEXT STEPS**

Since the initial intake of this application, the City has formalized a streamlined interim review process. The anticipated next steps for review of this project are outlined below:

1. Staff Review and Internal Circulation (on-going);
2. Land Use and Planning Committee Report (**WE ARE HERE**)
3. Report to Council from Land Use and Planning Committee;
4. Applicant-led public information / consultation on updated project design;
5. New Westminster Design Panel Review of revised design;
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 Rezoning and Housing Agreement Bylaws and issue notice of waiving Public Hearing;
8. Public Hearing (if Council does not waive);
9. Council consideration of Third Reading and Adoption Rezoning and Housing Agreement Bylaws.
10. Adoption of Zoning Amendment Bylaw
11. Issuance of Development Permit by Director of Development Services

## **7.0 INTERDEPARTMENTAL LIAISON**

The City has a team-based approach for reviewing development proposals. Staff from various departments, including Climate Action, Planning and Development; Engineering Services; and Parks and Recreation, has conducted an initial review of this preliminary application review inquiry.

## **8.0 FEEDBACK FROM THE LAND USE AND PLANNING COMMITTEE**

Staff is seeking general feedback from the Land Use and Planning Committee (LUPC) on the proposal, as well as instruction from the LUPC on the following optional approaches:

*That the LUPC instruct staff to:*

1. *Either: Work with the applicant to reduce the floorplate close to the currently approved 689 sq.m./7,414 sq.ft. and the podium to three storeys, and instead increase the building height to achieve additional rental units, prior to proceeding to public consultation; or,*

*Or: Advise the applicant that their application proceed to next steps with the proposed 750 square metres (8,073 sq. ft.) tower floor plate, four storey podium, and 29 storey tower.*

## **9.0 OPTIONS**

The following options are available for the Land Use and Planning Committee's consideration:

1. That the Land Use and Planning Committee instruct staff regarding the optional approaches summarized in Section 8 of this report, and provide staff with any other feedback; and,
2. That the Land Use and Planning Committee endorse the review process included in the Application Review Process and Next Steps Section of this report, and instruct staff to proceed with next steps once feedback provided by the Committee has been addressed.
3. That the Land Use and Planning Committee forward the application to Council for their feedback on the options provided in Section 8 of this report.
4. That the Land Use and Planning Committee provide staff with alternative instructions.

Staff recommends Options 1 and 2.

## **ATTACHMENTS**

Attachment 1 – Policy and Regulation Context  
Attachment 2 – Site Characteristics and Context  
Attachment 3 – Preliminary Project Drawings

## **APPROVALS**

This report was prepared by:  
Michael Watson, Acting Development Planning Supervisor

This report was reviewed by:  
Jackie Teed, Senior Manager of Climate Action, Planning and Development

This report was approved by:  
Jackie Teed, Acting Director, Climate Action, Planning and Development



**Attachment #1**

*Policy and Regulation Context*

**Attachment 1:  
POLICY AND REGULATIONS****Official Community Plan (OCP):**

The subject property is designated (MH) Mixed Use - High Rise. The purpose of this designation is to provide for low-mid-and high-rise commercial or commercial and mixed use buildings which would create active and engaging streets. This proposal would be consistent with the designation.

**Development Permit Area:**

The subject property is located within the Uptown Mixed Use Node Development Permit Area. The intent of this DPA designation is to “facilitate new commercial and mixed use development, with active commercial uses oriented towards the principal streets: Sixth Street, Sixth Avenue and Belmont Street. This area is designated with the following purposes:

- Establishment of objectives for the form and character of commercial, mixed use and multi-family development,
- Protection of the natural environment, its ecosystems, and biological diversity,
- Establishment of objectives to promote energy conservation.”

A copy of the proposed DPA guidelines for the Uptown Mixed Use Node can be accessed at the following weblink below:

[https://www.newwestcity.ca/database/files/library/DPAs\\_4.1\\_Uptown.pdf](https://www.newwestcity.ca/database/files/library/DPAs_4.1_Uptown.pdf)

**Zoning Bylaw:**

The subject property was previously zoned Comprehensive Development District (616 and 640 Sixth Street) (CD-80). The intent of this zone was to “allow for a 29 storey development having commercial uses on the ground, secured market residential unit secured through a housing agreement, and market residential units above. Although the building would be decreasing in height and going to rental residential building with commercial at grade, it still fits within the general intent of the neighbourhood. However, variances are required to allow for the increased site coverage (tower floorplate) above the podium level and to reduce the parking requirements to Zoning Bylaw rates for a secured market residential building with commercial at grade, including varying the amount of required car share spaces from 4 to 0 as the car share is no longer needed in order for the project to meeting minimum parking requirements of the Zoning Bylaw (previously required due to higher parking requirement for strata residential).

**Family Friendly Housing Policy:**

The proposed building would need to provide for family-friendly housing units in accordance with the Family-Friendly Housing Bylaw for both the secured market rental and market condominium portions of the project. As noted in the Proposal Data, the project exceeds the requirements of the Family-Friendly Housing Bylaw in regards to the amount of two and three bedroom units which are included within the development.

**Master Transportation Plan:**

Sixth Street is identified as a “Great Street” within the Master Transportation Plan (MTP). As per the MTP, Great Streets “require planning and design that goes beyond the typical street function of supporting through traffic. Planning and designing Great Streets means providing characteristics that make streets destinations – places for people to be, instead of places to move through.” The project has been considered in light of the MTP objectives of making Sixth Street a “Great Street” in regards to streetscape improvements (sidewalks, landscaped boulevards, etc.), building setbacks, and other design aspects.

Seventh Avenue is also identified as a Greenway within the MTP and Trail & Greenway Master Plan which includes policies to provide safe and comfortable bicycle facilities for people of all ages and abilities.

### **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 housing units as secure market rental housing are exempt from the policy.

### **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. Rental developments are required to provide 5% three bedroom units and 25% two and three bedroom units. The proposal includes 28 (8%) three bedroom units and 92 (27%) two and three bedroom units.

Attachment #2

*Site Characteristics and Context*



Network (FTN) bus services to/from multiple SkyTrain stations including New Westminster Station, Columbia Station, Lougheed Station, MetroTown Station, Surrey Central Station and Braid Station. The site also fronts the Rotary Crosstown Greenway (7th Avenue), and is surrounded by a complete sidewalk network.

Transit Facility	Frequency	Distance
Bus Routes #101, #105, #106, #123, #155 and #N19	Frequent Transit Network: 5-6 minutes (Peak Hours), 6 minutes Midday and Evening, 8-10 minutes Late Night and Weekends	Adjacent to site and within 400 metres (Sixth Street, Eighth Street, and Sixth Avenue)

Car share services, for one-way and two-way operations, are available in the neighbourhood. Five car share vehicles and stalls will be added with excellent access for tenants and other users within the secured commercial and visitor parking area on P1. Council should be aware that each new and successive tenant of the building will receive a membership the car share service for the duration of their residency at 616-640 6<sup>th</sup> Street.

Attachment #3  
*Architectural Drawings*





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NO.	ISSUANCE	STATUS	DATE
1	ZONING BY-LAW TEST AMENDMENT APPLICATION	ISSUED	10/22/2022

ISSUES

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SUB CONSULTANT

PRIME CONSULTANT

IBI

IBI GROUP

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Vancouver BC V6E 4B1 Canada

tel 604 683 8797 fax 604 683 0492

ibigroup.com

PROJECT

MIXED USE DEV.

616 - 640 6TH STREET,

NEW WESTMINSTER, B.C.

V3L 3C3

PROJECT NO:

136749

DRAWN BY:

Author

CHKD' BY:

Checker

SCALE:

DATE:

02/03/22

SHEET TITLE

RENDERINGS

SHEET NUMBER

ISSUE

A5.01

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PROJECT NO:

136749

DRAWN BY:

Author

CHK'D BY:

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SCALE:

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02/03/22

SHEET TITLE

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PROJECT

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ISSUE

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Planning Rationale

IBI Group is pleased to resubmit a Development Permit application for the site at 616-640 6<sup>th</sup> Street in New Westminster.

Policy Context

The 34,800.9 sf site is located on the west side of 6<sup>th</sup> Street, north of Princess St. and south of Seventh Ave. Currently the block is composed of a two-storey commercial block with street-fronting retail and services at ground level and offices above.

**Land Use Designation:** Mixed Use Highrise  
**Zoning Provision:** Comprehensive Development 80

The CD zoning for this site outlines the parameters for a 29-storey residential building with activated commercial at ground level under the C-3 High Rise zone. Conditions of this provision are 95 secured market rental residential units, a maximum of 237 units, and a maximum density of 6.46 floor space ratio.

Proposed Zoning

The proposed concept for 616-640 6<sup>th</sup> Street offers an entirely rental residential component, with a larger rental housing provision than available in the current zoning with minimal increase to the overall density. Parking stall rates are reduced as well, in accordance with the City's environmental priorities, walkable nature of the neighbourhood, and transit network options available.

Located within a Local Centre

The compact, efficient footprint with a mixed use program contributes to the City of New Westminster's goals for "Local Centres". Local Centres play an important role in accommodating growth, promoting use of existing transit networks, and maintaining neighbourhood character in urban areas outside of downtown. Local-serving retail and services make the Local Centres complete communities and well utilized nodes.

Design Response

The 616-640 6<sup>th</sup> Street design has been adjusted to better respond to the context, the city's goals for Sixth Street, and opportunity at this site. This includes an increased housing offering, adaptable units, reduced parking, and minor design changes. 616-640 6<sup>th</sup> St positions the City well to attract and retain new residents with a meaningful rental housing offering of 338 residential units, over 100 of which are 2 and 3 bedrooms ideal for families.

Relationship to the Street

The site, which takes up the entire block of frontage along Sixth Street, allows for the design to be carefully crafted to best respond to the street and shape the block in an integrated, cohesive way. The block interface will activate the street with permeable retail spaces and associated amenities along the street. The streetwall prioritizes pedestrian comfort and a strong, unified block along this main street. The ground-level experience will blend with the surrounding Sixth Street characteristics and enhance the overall Uptown mixed-use node. This will be achieved by using high quality materials, glass commercial frontages, clear and welcoming entrances, and landscaped podium base. Black brick cladding will add to the brick character in the corridor, and create a striking, modern appearance contrasted with the window walls and concrete.

Project Benefits

- Purpose built, secured rental homes
- Below market housing provided
- Accessible rental units provided
- Car share for use of the public and building
- Electric vehicle parking and charging
- Energy efficiency and sustainable design
- LEED Gold equivalent design

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PROJECT

MIXED USE DEV.

616 - 640 6TH STREET,  
NEW WESTMINSTER, B.C.  
V3L 3C3

PROJECT NO:

136749

DRAWN BY:

Author

CHKD' BY:

Checker

SCALE:

DATE:

02/03/22

SHEET TITLE

DESIGN RATIONALE

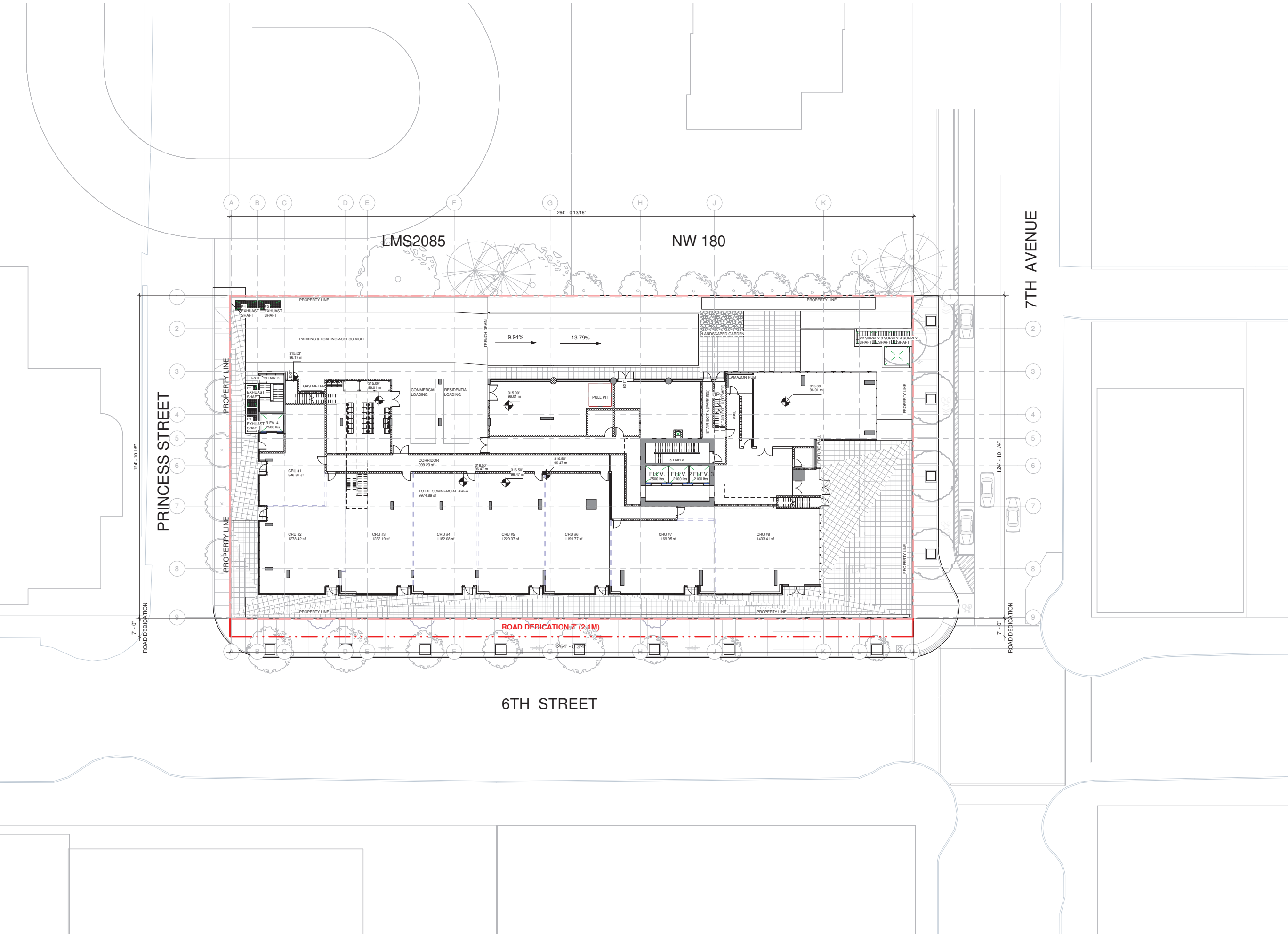
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PROJECT NO:

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DATE:

02/03/22

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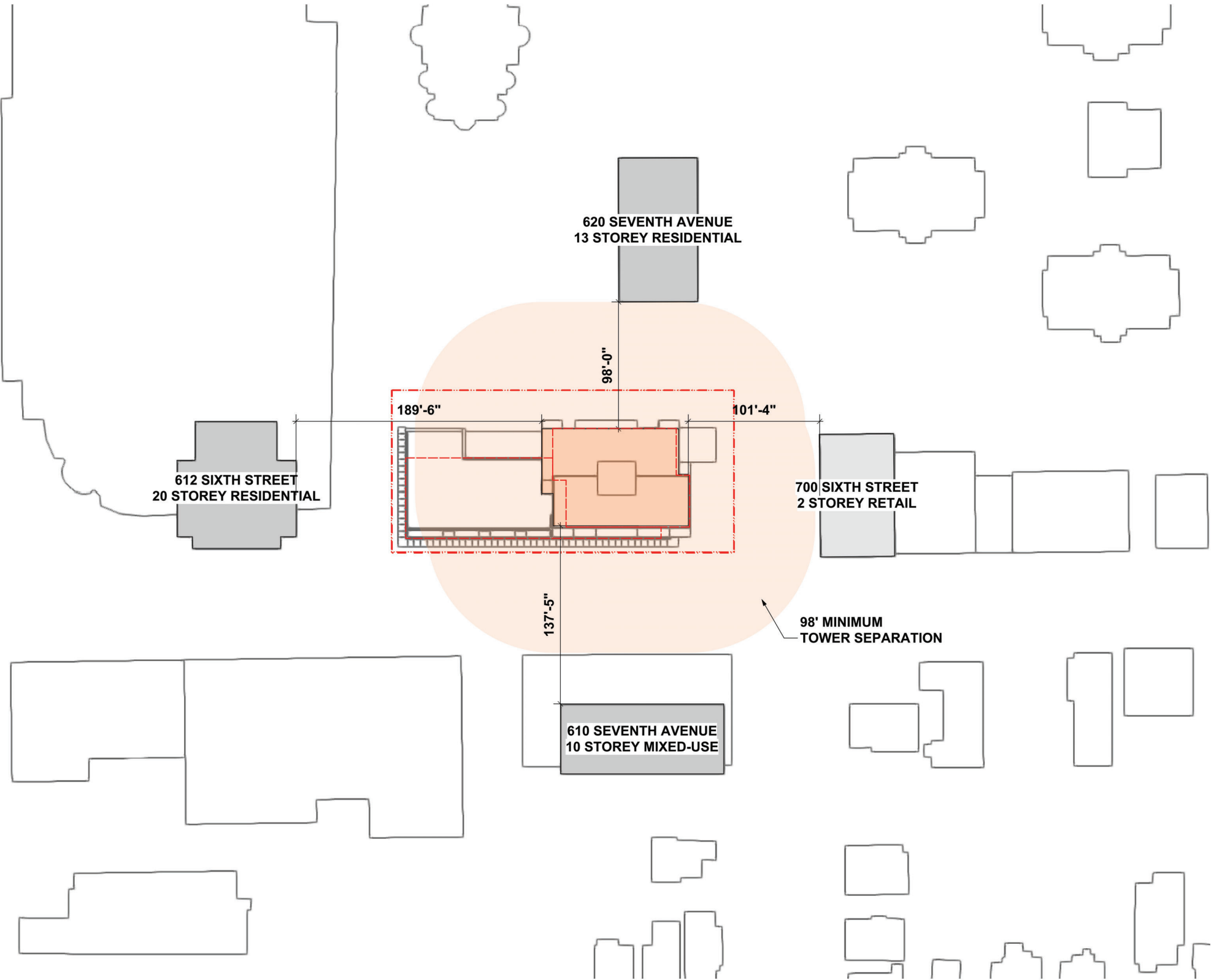
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ISSUE

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Tower Placement & Design

The tower placement is sensitive to the surroundings, and sited to achieve appropriate separation and setback from the street and other buildings. This ensures privacy for residents, mitigates crowding of new development, and lessens shadow impact through tower orientation and sculpting. A small increase in the tower floorplate and storeys allows for more units than previously proposed without decreasing unit size and bedroom mix. Adjustments to the dimensions and massing have been made accordingly to create a well-proportioned podium and tower that are consistent with the Sixth Street corridor and surrounding built form.

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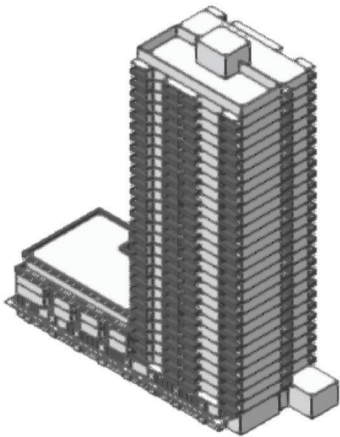
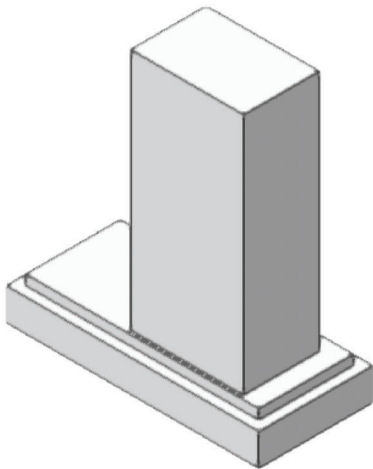
TOWER SEPERATION

SHEET NUMBER

ISSUE

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	CD-80 ZONING	CURRENT PROPOSAL	CHANGE FROM CD-80 ZONING
HEIGHT	29 LEVELS	29 LEVELS	— + 0 LEVELS
DENSITY (FSR)	6.46	7.8	▲ + 1.34
RENTAL UNIT COUNT MINIMUM	95	338	▲ + 243
PARKING STALL COUNT MINIMUM	313	271	▼ - 42
COMMERCIAL FLOOR SPACE	12,944 SF	10,442 SF	▼ - 2,402 SF

Changes from the original package:

- Minor stats adjustments
- Increased unit count
- 40% adaptable units provided
- Reduced parking rates (reference TDM included in separate package)
- Minor dimensional changes to massing
- We have included an overlay on our drawings indicating the original footprint in plan and elevations
- Tower footprint increased to 750SQM (8073 sqft)

Building design changes

- Simplified and reduced balconies because of step code
- Material changes as related to building envelope
- L1 retail street edge configuration is simplified as related to leasing requirements

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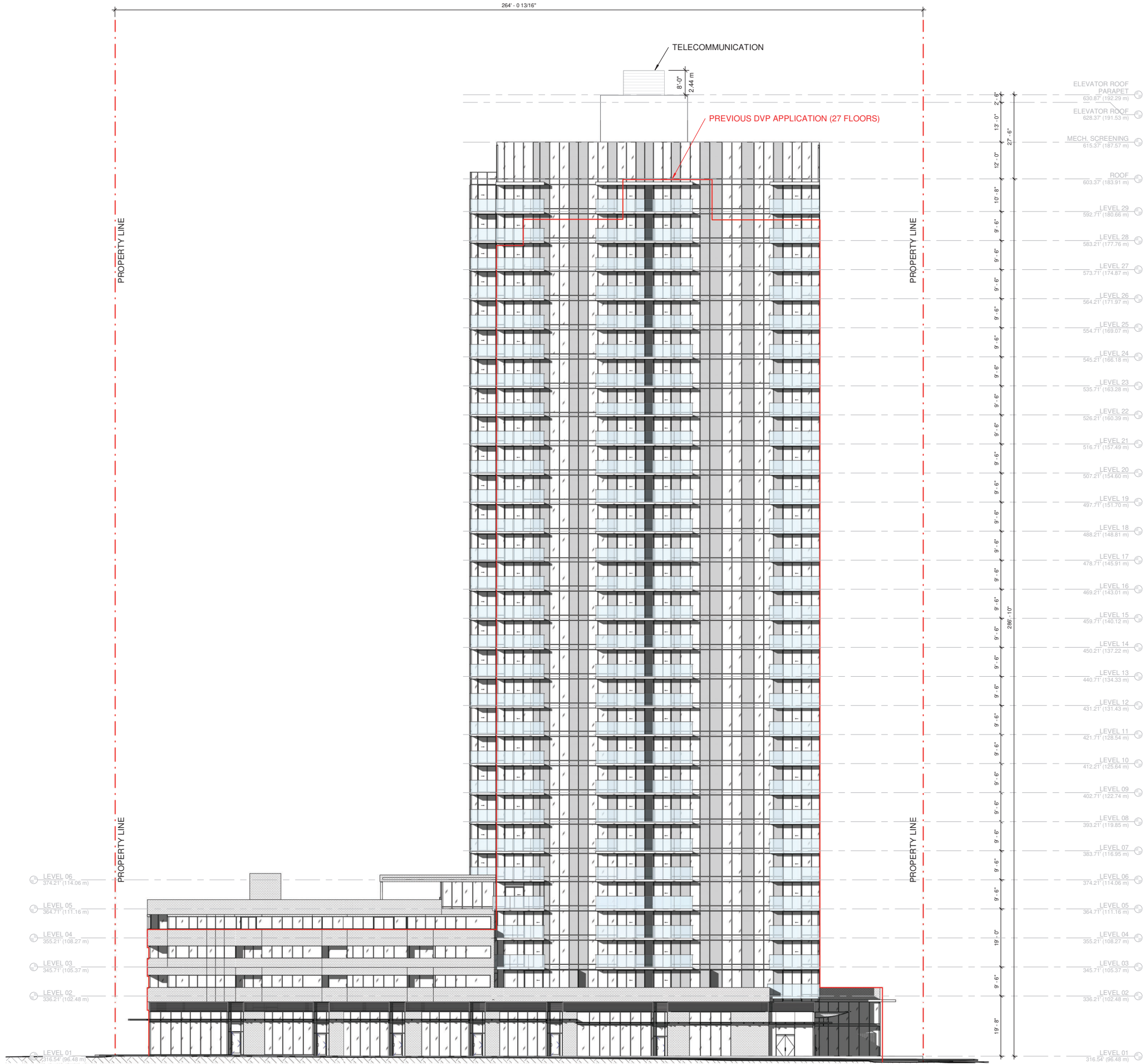
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ORIGINAL PACKAGE

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A0.14

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1 EAST ELEVATION  
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EAST ELEVATION

SHEET NUMBER

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A3.01

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## Attachment 2

### *DRAFT March 28, 2022 LUPC Minutes (Excerpt)*

### 5.3 Rezoning and Development Permit (616 - 640 6th Street) – Preliminary Report

Mike Watson, Acting Supervisor, Development Planning, Climate Action, Planning and Development, shared a PowerPoint presentation which outlined the project history and the current proposal for 616-640 6<sup>th</sup> Street.

In response to questions from the Committee, Mr. Watson, and John Reid, Senior Development Manager, PC Urban Properties Corp., provided the following comments:

- Reduction of the floor plate size would result in an increase from 29 storeys to 33 or 34 storeys and may not be the most efficient way to move forward as that height may necessitate the need for an additional elevator and result in less than ideal unit floorplans;
- The previously required land dedication of two metres along Sixth Street has been removed by the Engineering Department resulting in a change in the floor space ratio (FSR) to 7.1;
- In the Uptown, towers would be expected to be 20 to 24 storeys and this proposal was initially for 29 storeys;
- The current proposal aims to maximize the Transportation Demand Management (TDM) for the project which is in close proximity to public transit and to reduce the parking to 171 parking stalls from what was previously proposed, maximize the number of bicycle parking stalls, and include five car share parking stalls;
- Legal requirements for a revision on this site include a rezoning application and the public consultation that comes with that and, likely, an amendment to the existing Housing Agreement on site. It is possible that a Public Hearing could be waived in lieu of City-led public consultation;
- The previous property owner advised all tenants in a letter in 2021 that, assuming that their proposal was going forward, that they would be starting work on the development at the beginning of 2022. Since then, the property has been purchased by the applicant and on February 14, 2022, communication went out to all tenants who were informed that they could stay until the end of this year;
- Currently, the building has approximately 40% tenancy on the ground floor with the second floor being almost completely vacant;
- The proponent will be conducting developer-led public consultation using the Pooni Group to inform the community about the proposed changes to the project. This consultation could occur as early as April 20, 2022, with notice of the engagement going out to the community on Wednesday, March 20, 2022. All feedback received during this consultation will be shared with staff and Council; and,
- The LUPC report regarding this project will go to Council at the April 11, 2022 Council meeting so that they are aware of it before it goes out to public consultation.

Emilie Adin, Director, Climate Action, Planning and Development, clarified that the City often use the terms “rezoning” and “zoning text amendment” interchangeably; however, it is recognized in the fee that a text amendment to an existing Comprehensive Development (CD) or other zone is lower. In other municipalities these are recognized differently whereas in New Westminster they are treated as one. As such, there may be the expectation in other regions that a text amendment could take less time and involve less engagement, including, potentially, waiving the Public Hearing.

Discussion ensued and Committee members provided the following comments:

- There is a real need for rental accommodation and the mix of rental housing in this proposal makes it a strong project for the City;
- This discussion is about the efficiency of the building and for it to have better rental unit layouts and better space, in general, for residents;
- Committee members expressed that it is acceptable to have a larger floorplate with the minor change to the podium if it means providing a better and more efficient living space for residents;
- Going back to the community with these significant changes may raise concerns and see pushback from residents as we initially approved the project and are now coming back for a third time with expansions; therefore, the proponent must be prepared to prove what benefits these changes will bring to the neighbourhood; and,
- There is value in having purpose built rental units in the Uptown area and the small business commercial exposure will be good for this diverse community.

MOVED AND SECONDED

**THAT** the Land Use and Planning Committee instruct staff to advise the applicant that their application proceed to next steps with the proposed 750 square metres (8,073 sq. ft.) tower floor plate, four storey podium, and 29 storey tower as outlined in the March 28, 2022 report titled, “Rezoning and Development Permit (616-640 6<sup>th</sup> Street) – Preliminary Report; and,

**THAT** that Land Use and Planning Committee endorse the review process included in the Application Review Process and Next Steps Section of the report dated March 28, 2022, and instruct staff to proceed with next steps once feedback provided by the Committee has been addressed.

**Carried.**

All members of the Committee present voted in favour of the motion.

## **REPORT**

### ***Office of the Chief Administrative Officer***

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Lisa Spitale  
Chief Administrative Officer      **File:** 2062069

**Item #:** 2022-247

**Subject:** The Poet Laureate Digital Poetry Project

---

#### **RECOMMENDATION**

THAT Council receive this report for information.

---

#### **PURPOSE**

The purpose of this report is to inform Council regarding the Poet Laureate's digital poetry project entitled "Common Threads" developed for National Poetry Month.

#### **BACKGROUND**

Elliott Slinn began his term as the City's fifth Poet Laureate in 2021. Through public readings and direct community engagement, Slinn strives to make poetry accessible, connect community and inspire creativity.

#### **ANALYSIS**

For National Poetry Month, Slinn has developed a digital poetry project entitled "Common Threads" where a rotation of four (4) of his one-line poems will appear on the electronic signs located around the City.

Following is Slinn's statement about the project:

*My hope is that these lines connect us as a community. We're all the same. Whether we are alone or together, in company or as individuals – I hope they can be a common thread of connection in our shared humanity.*

The four (4) one-line poems Slinn created for this project are as follows:

*Rebuild as many times as you need.*

*We're here briefly; let's spend our time in love.*

*Let the space between us be connected by peace.*

*It starts with us: Developed inwardly – Expressed outwardly.*

The poems will be in rotation on the electronic signs through the month of April.

### **OPTIONS**

Council is asked to consider the following options:

1. That Council receive this report for information;
2. Provide staff with other direction.

Staff recommend Option 1.

This report was prepared by:

Todd Ayotte, Manager, Community Arts and Theatre

This report was approved by:

Lisa Spitale, Chief Administrative Officer

## **REPORT**

### ***Parks and Recreation Department***

**To:** Mayor Cote and Members of Council      **Date:** April 11, 2022

**From:** Dean Gibson  
Director of Parks and Recreation      **File:** 2062389

**Item #:** 2022-246

**Subject:** Update on Mayor's 50 Ideas Parks & Recreation Initiatives #3 & #18

---

#### **RECOMMENDATION**

THAT Council receive this report for information.

---

#### **PURPOSE**

The purpose of this report is to provide an update on Parks and Recreation activities completed in 2020 and 2021 as related to from the Mayor's '50 Ideas in 50 Days' initiative.

#### **BACKGROUND**

Over the last 50 days leading up to the 2018 municipal election, ideas were presented outlining opportunities to enhance existing, or provide new, amenities or services for the benefit of the community.

In the September 30, 2019 open report to Council, staff identified ideas that were implemented or initiated in 2019, and ideas that were to be completed in 2020-2021. The proposed approach for 2020/2021 and associated resources for the remaining ideas related to Parks and Recreation were outlined as:

Reference	Idea Description	Financial Implication
<b>A.</b>	<b>Expanded Loonie program</b> Additional low cost options to the swim and skate schedule have been approved in the 2020 Fees and Charges Bylaw. These are being implemented as a pilot to evaluate impact that will inform potential additional low cost options for other program areas (i.e. drop-in sports, fitness, and wellness) for consideration in the proposed 2021 Fees and Charges Bylaw.	To be evaluated during 2020 pilot program
<b>B.</b>	<b>More Public Seating</b> (engagement and implementation) Engage a group of stakeholders from each neighbourhood to workshop locations for new public seating opportunities. Location and seating typology to be implemented upon Council approval.	\$20,000 (annual capital budget request for 2020-2024 period)

As the Parks & Recreation Department is continually working to improve park amenities and recreational services, the following ideas have been implemented, or initiated, in 2020-2021 within existing and budgeted resources:

- #3 More Public Seating -Work with the community to provide more comfortable public seating opportunities in city parks and streetscapes.
- #18 Loonie Program – Expand the City’s Loonie Recreation Program to offer a \$1 drop-in recreational program every day of the week.

The ideas presented in the ‘50 ideas in 50 days’ are intended to enhance public spaces, park amenities, and recreational services to help meet the needs of the City’s growing and diverse community. This report outlines the approaches taken and outcomes of the completed initiatives: More Public Seating, and Expanded Loonie Program.

## **DISCUSSION**

### **Public Seating**

The Parks and Recreation department, through the ‘50 ideas in 50 days’ initiative #3 – More Public Seating, were asked to work with the community to provide more comfortable public seating opportunities in the city parks and streetscapes. In the current climate of COVID-19, parks and outdoor amenities were highly utilized by the community. Accordingly, enhancements were made to outdoor spaces to accommodate needs for more public seating and small group gathering/social spaces.

Through the COVID response survey, the Parks and Open Space division added outdoor seating and opportunities for temporary sheltered spaces within parks and open spaces as funded through the 2021 Capital program.



Additional seating was integrated in parks, open spaces, and along streetscapes; refer to Attachment “A” for images of public realm seating added in 2021. Recent projects with public seating are listed in the table below:

Location	# of additional seats
Ryall Therapeutic Garden 2021	<ul style="list-style-type: none"> <li>• 6 Adirondack Chairs</li> </ul>
Connaught Heights Pollinator Meadow (2021)	<ul style="list-style-type: none"> <li>• 1 bench seat</li> </ul>
Alcohol in Parks Program (2021)	<p>Various parks throughout the city which included additional picnic tables in parks:</p> <ul style="list-style-type: none"> <li>• Sapperton: 1</li> <li>• Hume: 2</li> <li>• Queen's Park: 6 + 1 kids'</li> <li>• Port Royal: 2 + 1 kids'</li> <li>• Grimston: 1</li> <li>• Moody Park: 4</li> <li>• Westminster Pier Park: 4</li> </ul> <p>20 picnic tables and 2 kids tables = 22 altogether.</p>
Moody Park (2021)	<ul style="list-style-type: none"> <li>• 1 Accessible Picnic Table (ADA compliant)</li> </ul>
Rivermarket (2021)	<ul style="list-style-type: none"> <li>• 2 picnic tables</li> </ul> <p>Installed along the Riverfront Esplanade adjacent to the River Market.</p>
Quayside Tugger Gathering Space (2021)	<ul style="list-style-type: none"> <li>• Perimeter bench seat</li> </ul>
Westminster Pier Park Play Area at 6 <sup>th</sup> Street Overpass/ Ramp (2021)	<ul style="list-style-type: none"> <li>• 3 hammocks</li> <li>• 8 Adirondack chairs</li> <li>• 2 picnic tables</li> <li>• 2 benches</li> </ul>

Parks continues to look for opportunities and works towards the advancement of this initiative of expanding and adding more comfortable seating within the public realm either as integrated into existing capital projects or as smaller stand-alone initiatives. Although many of the locations are to be determined for 2022, the following projects that include seating are currently underway by Parks staff or in collaboration with the Engineering Department:

- Riverside Adventure Park
- Victory Park
- Agnes Street Greenway

### Loonie Program Expansion

The Department has a long history of offering low-cost drop-in services with fees that promote affordable participation. As per the '50 ideas in 50 days' campaign initiative #18 – Loonie Expansion Program, the department was asked to expand the city's Loonie Recreation Program to offer a \$1 dollar drop-in recreational program every day of the week to promote affordable participation.

In the July 8, 2019 Fees and Charges Bylaw Amendment, which set the 2020 Parks and Recreation user fees, Council endorsed a significant increase to the number of low cost drop-in opportunities for public skating and public swimming. Concurrent with the adoption of this Bylaw, Mayor and Council directed staff to develop options to expand the low cost drop-in service offerings beyond swimming and skating. With this direction, the “Loonie” program evolved over 2020 and 2021 into the much more broadly based \$2 “Try-It” program. The program offers any participant an affordable \$2.00 admission fee to approximately 30 drop-in services per week that expand across services including group fitness, swimming, skating, drop-in sports, gymnastics, and drop-in children’s services. In order to incentivize the public to try new and different services, it is intended that the discounted pricing is applied on a quarterly rotational basis across a variety of services, days and times in order to be as accessible as possible to the broadest cross section of the local population.

In 2020 Council also adopted new Access and Inclusion Policies and Procedures aimed at streamlining and reducing barriers to the application and administration processes associated with persons accessing the Parks and Recreation Department’s Financial Assistance Program. The Access and Inclusion Services brochure is included as Attachment “B” to this report. As the Access and Inclusion Financial Assistance Program does not apply to single admission visits, the \$2.00 “Try-It” fee also helps to bridge this service gap.

The full scope of department access and inclusion services are outlined on the city’s website at <https://www.newwestcity.ca/parks-and-recreation/access-and-inclusion> .

The advent of the COVID-19 pandemic in early 2020 has disrupted the normal offering of many parks and recreation services. As a result, the implementation of the Access and Inclusion policy and introduction of the “Try-It” services has been slower than originally anticipated. As public health orders continue to relax and the public feels comfortable returning to parks and recreation services, the full impact of the new policy and service offering will become more evident.

## **FINANCIAL IMPACTS**

### **Loonie Program Expansion**

#### Public Seating Initiative

Allowances for projects planned for 2022 are included in the approved 2022 Capital budget.

#### Loonie Program Expansion

As public health orders continue to relax and the public feels comfortable returning to parks and recreation services, the full impact and benefits of the new policy and service offering will become more evident and addressed in subsequent departmental operating budgets if required.

**OPTIONS**

Options for Council's consideration include:

1. That Council receive this report for information; or
2. Provide staff with alternate direction.

Option #1 is recommended.

**ATTACHMENTS**

Attachment A – Images of types of seating added in 2021.

Attachment B – Access & Inclusion Services brochure

**APPROVALS**

This report was prepared by:

Sonia Parmar, Administrative Services Assistant

Erika Mashig, Manager of Parks & Open Space Planning, Design and Construction

Jason Haight, Manager Business Operations

This report was approved by:

Dean Gibson, Director of Parks and Recreation

Lisa Spitale, Chief Administrative Officer

## Attachment A:

Images of types of seating added in 2021







## Attachment B:

### Access & Inclusion Services brochure

# Access & Inclusion SERVICES







## Access & Inclusion

New Westminster's Parks and Recreation Access and Inclusion program aims to enable as many people in our community to participate in our programs as possible. We do this by removing barriers to participation in our programs and facilities, offering financial assistance for those in need, and consistently providing low-cost activities.

### Financial Assistance

New Westminster residents can receive a 50% discount on eligible registered programs and the Active 10 Visit membership.

### To Apply:

Present the following documentation to any recreation facility customer services staff representative:

1. Parks and Recreation Financial Assistance Referral Form completed by any social service, school or government agency staff member OR proof that the household income is below \$50,000 using a Canada Revenue Agency Tax Assessment or Child Benefit Notice dated within the past 12 months;
2. Proof of New Westminster residency dated within the past three months (e.g. a utility bill).

With the correct and complete information, you will be approved immediately. Each household members (two adults and dependents) will be granted \$1,000 non-transferable credits that have an expiry date. The credits, attached to your Parks and Recreation customer account, can be used to reduce eligible services fees by up to 50%. Registered Programs do not include private lessons. In general, you can re-apply for financial assistance two months prior to your expiry date if you have run out of credits.

### Questions?

Parks and Recreation Access & Inclusion Policy and Program: [newwestcity.ca/access](http://newwestcity.ca/access)  
Facilities & Hours of Operation: [newwestcity.ca/parks-and-recreation/facilities](http://newwestcity.ca/parks-and-recreation/facilities)

# Financial Assistance Referral Form

This New Westminster resident, and applicable household family members, are experiencing financial limitations and the agency below is endorsing their access to the Parks and Recreation Financial Assistance Program.

## Client Information

Full Name	
Date of Birth (YYYY/MM/DD)	
Address	
Phone Number	

## Additional Eligible Family Members (Dependents under 18 and one additional adult)

Full Name	Date of Birth (YYYY/MM/DD)

## Social Service Agency Referral Information

Referring Person	
Referring Person Title	
Agency Name	
Agency Phone Number	
Agency Address	
Date	

### FOR STAFF:

- ☐ Proof of New Westminster residency dated within 3 months.
- ☐ Proof of household income as alternative to Social Service Agency Referral.

## Referral Form Submission Process

To apply, bring this completed form and proof of New Westminster residency to any recreation facility during regular customer service front desk operating hours. Purchase of discounted services is available immediately upon application completion by staff.

## Questions?

Parks and Recreation Access & Inclusion Policy and Program: [newwestcity.ca/access](http://newwestcity.ca/access)

Facilities & Hours of Operation: [newwestcity.ca/parks-and-recreation/facilities](http://newwestcity.ca/parks-and-recreation/facilities)



# Inclusion Support Offerings

## Access Tickets

Support for residents in the care of New Westminster social service agencies through a 50% discount on admission fees. These tickets are sold to agencies, not individuals.

## Support Person (Aquatics)

Customers unable to independently participate in admission based programs may be accompanied by a Support Person. The customer is required to pay the applicable admission fee but the support person is granted free admission. The support person must actively assist and not participate independently. Eligibility is determined by an Aquatics Supervisor.

## Support Person (Non-Aquatics)

Parks and Recreation works with community partners to match funding, staff or volunteers to help customers that need support to participate in our services. Despite our best efforts, we cannot accommodate all needs or requests due to limitations on equipment, training or funding. Please direct your questions and needs to the service programmer by calling the recreation facility

## Support Opportunities

Based on resources and grants, may include a Participant Assistant for resident customers for:

- A one week summer day camp
- Up to two weeks of half day summer camps
- A registered program offered anytime

## Try It!

Each season we offer new opportunities at our \$2.00 Try It! rate. Try-It offerings change seasonally and the reduced fee applies to everyone. For complete and accurate Try-It information visit [newwestcity.ca/try-it](http://newwestcity.ca/try-it)

## Contact Information

Canada Games Pool & Fitness Centre  
Centennial Community Centre  
Queen's Park Sportsplex  
Moody Park Arena  
Queensborough Community Centre

65 East Sixth Avenue	604.526.4281
65 East Sixth Avenue	604.777.5100
First Street & Third Avenue	604.777.5121
701 Eighth Avenue	604.525.5301
920 Ewen Avenue	604.525.5388



# P R O C L A M A T I O N

CITY OF NEW WESTMINSTER

## PREVENTION OF VIOLENCE AGAINST WOMEN WEEK April 10 – 16, 2022

- WHEREAS** Violence against women has serious adverse physical, psychological, sexual, financial, cultural, and spiritual impacts; and
- WHEREAS** Violence against women has serious consequences for the health and well-being of children, families and communities; and
- WHEREAS** Women must know that they are not alone and that information and support is available to help prevent and address violence against them; and
- WHEREAS** Women have the right to feel safe and live free from violence, to reach their full potential and to contribute fully to their family and their society; and
- WHEREAS** The right to security of person and equality is fundamental to the Universal Declaration of Human Rights, and the Canadian Charter of Rights and Freedoms.
- NOW THEREFORE** I, Jonathan Cote, Mayor of the City of New Westminster do hereby proclaim the week of April 10 – 16, 2022 as **“Prevention of Violence Against Women Week”** in the City of New Westminster, Province of British Columbia.

Jonathan X. Cote  
MAYOR





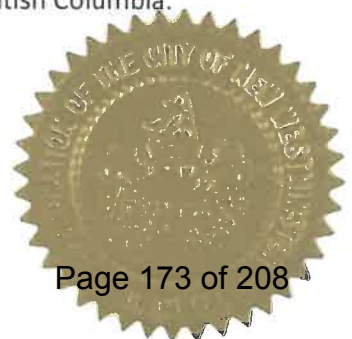
# P R O C L A M A T I O N

CITY OF NEW WESTMINSTER

## NATIONAL VOLUNTEER WEEK April 24 – 30, 2022

- WHEREAS** National Volunteer Week is celebrated across Canada to recognize the empathy and generosity of its 24 million volunteers who contribute close to 5 billion volunteer hours per year; and
- WHEREAS** Volunteers in New Westminster are individuals, families, workers, retirees, and community members of all ages and backgrounds who mentor our children, support those feeling isolated, enhance our public realm, advise Council on its work, and promote sustainable living to preserve our environment. They bring innovative strategies, creative ideas, and a deep sense of empathy to their work, enabling our community to grow and thrive; and
- WHEREAS** New Westminster's volunteers have stepped up during the COVID-19 pandemic and the climate emergency to support families, friends, neighbours, and strangers; and have stood up to systemic racism and shared insights on how to create a more just and equitable society; and
- WHEREAS** The collective result of work done by our city's volunteers is that New Westminster is a vibrant, compassionate, sustainable City that includes everyone and is a better and brighter place to live; and
- WHEREAS** During National Volunteer Week, the City of New Westminster joins other service organizations, non-profits, faith-based organizations, and communities across the nation to give thanks to all volunteers: ordinary people who give their time, talents, creativity, skills, leadership, and passion to accomplish remarkable things. Volunteers connect people, energize and unite communities, and bring hope and inspiration for a better future.
- WHEREAS** We encourage citizens of all ages and abilities to follow the example of our neighbours, friends, and family to volunteer, as by volunteering, we become more compassionate citizens, and more connected to our neighbourhoods, our community, and each other.
- NOW THEREFORE** I, Jonathan Cote, Mayor of New Westminster, do hereby proclaim April 24 to 30, 2022 as **National Volunteer Week**, in the City of New Westminster, Province of British Columbia.

Jonathan X. Cote  
MAYOR





# P R O C L A M A T I O N

CITY OF NEW WESTMINSTER

## **PARKINSON'S AWARENESS MONTH** **April 2022**

- WHEREAS** Parkinson's disease, for which there is no known cause or cure, is a progressive, degenerative neurological disorder which causes tremor or trembling of the arms and legs, muscular rigidity, slowness of movement, and difficulty with speaking and swallowing, and
- WHEREAS** Parkinson's affects approximately 15,000 adults in the Province of British Columbia; and
- WHEREAS** Parkinson's Society British Columbia is providing information, consultation, support services and educational seminars for people with Parkinson's and their families; and is promoting a better understanding of this disorder; and
- WHEREAS** It is desirable to increase the level of understanding of Parkinson's and the needs of persons living with Parkinson's.
- NOW THEREFORE** I, Jonathan Coté, Mayor of the City of New Westminster do hereby proclaim the month of April 2022 as **Parkinson's Awareness Month** in the City of New Westminster, Province of British Columbia.

Jonathan X. Cote  
MAYOR







# P R O C L A M A T I O N

CITY OF NEW WESTMINSTER

## EMERGENCY PREPAREDNESS WEEK May 1 - 7, 2022

- WHEREAS** The City of New Westminster recognizes the importance of Emergency Preparedness Week to raise the public's awareness of how everyone can increase their personal preparedness to cope with emergencies; and
- WHEREAS** Emergency Preparedness is a shared responsibility where each of us can reduce the risks we face by better understanding proper emergency procedures and learning how to better prepare ourselves, our families and our communities, especially our vulnerable population and seniors, for possible emergencies; and
- WHEREAS** The City of New Westminster acknowledges and supports all those involved in the Emergency Preparedness Program; and
- WHEREAS** The success of Emergency Preparedness is ultimately the responsibility of each and every one of us.
- THEREFORE** I, Jonathan Coté, Mayor of the City of New Westminster do hereby proclaim May 1<sup>st</sup> to 7<sup>th</sup>, 2022, as **Emergency Preparedness Week** in the City of New Westminster, Province of British Columbia.

Jonathan X. Coté  
MAYOR





**THE CITY OF NEW WESTMINSTER**

**HOUSING AGREEMENT (508 Eighth Street) BYLAW NO. 8279, 2022**

**A BYLAW TO ENTER INTO A HOUSING AGREEMENT UNDER SECTION 483 OF THE *LOCAL GOVERNMENT ACT***

---

**GIVEN THAT:**

- A. The owner of the land (the “Owner”) within the City of New Westminster, British Columbia legally described as:

PID: 012-972-282

LOT "F" OF LOT 11 SUBURBAN BLOCK 10 PLAN 29943

(the “**Land**”)

wishes to construct dwelling units on the Land.

- B. In connection with such construction, the Owner has agreed to use the Land for rental housing in accordance with the terms of the Section 219 Covenant and Housing Agreement attached hereto as Schedule “A” (the “Housing Agreement”).

The Council of the City of New Westminster, in open meeting assembled,

**ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as “Housing Agreement (508 Eighth Street) Bylaw No. 8279, 2022”.
2. Council hereby authorizes the City of New Westminster to enter into the Housing Agreement with the Owner, substantially in the form attached hereto as Schedule “A”.

3. The Mayor and the Corporate Officer of the City of New Westminster are authorized to execute the Housing Agreement, substantially in the form attached hereto as Schedule "A", and the Corporate Officer is authorized to sign and file in the Land Title Office a notice of the Housing Agreement, as required by section 483 of the *Local Government Act*.

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2022.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

---

Jonathan X Cote, Mayor

---

Jacqueline Killawee, City Clerk

**Schedule "A"**  
**Section 219 Covenant and Housing Agreement**



1. Application

**Alexandra Greenberg  
YOUNG ANDERSON  
1616 808 Nelson Street  
Vancouver BC V6Z 2H2  
6046897400**

File No. 239-1209  
508 8th St. - Housing Agreement

2. Description of Land

PID/Plan Number	Legal Description
<b>012-972-282</b>	<b>LOT "F" OF LOT 11 SUBURBAN BLOCK 10 PLAN 29943</b>

3. Nature of Interest

Type	Number	Additional Information
<b>COVENANT</b>		
<b>PRIORITY AGREEMENT</b>		<b>Granting the Covenant herein priority over Mortgage CA8396730 and Assignment of Rents CA8396731</b>

4. Terms

Part 2 of this instrument consists of:  
**(b) Express Charge Terms Annexed as Part 2**

5. Transferor(s)

**508 EIGHTH STREET NOMINEE LTD., NO.BC1162975**  
**CANADA ICI CAPITAL CORPORATION (AS TO PRIORITY), NO.A0067505**

6. Transferee(s)

**THE CORPORATION OF THE CITY OF NEW WESTMINSTER**  
511 ROYAL AVENUE  
NEW WESTMINSTER BC V3L 1H9

7. Additional or Modified Terms

## 8. Execution(s)

This instrument creates, assigns, modifies, enlarges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Witnessing Officer Signature

Execution Date

Transferor Signature(s)

---

(as to both signatures)

YYYY-MM-DD

**508 EIGHTH STREET NOMINEE LTD.**

By their Authorized Signatory

---

**NAME:**

---

**NAME:****Officer Certification**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Witnessing Officer Signature

Execution Date

Transferor Signature(s)

---

(as to both signatures)

YYYY-MM-DD

**THE CORPORATION OF THE CITY OF  
NEW WESTMINSTER**

By their Authorized Signatory

---

**NAME:**

---

**NAME:****Officer Certification**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.



Witnessing Officer Signature

Execution Date

Transferor Signature(s)

YYYY-MM-DD

**CANADA ICI CAPITAL CORPORATION**

By their Authorized Signatory

\_\_\_\_\_  
(as to both signatures)

\_\_\_\_\_  
**NAME:**

\_\_\_\_\_  
**NAME:**

**Officer Certification**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**Electronic Signature**

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

**PART 2 – TERMS OF INSTRUMENT**

**HOUSING AGREEMENT AND COVENANT**  
**(Section 483 *Local Government Act* and Section 219 *Land Title Act*)**

**THIS AGREEMENT** is dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2022:

**BETWEEN:**

**508 EIGHTH STREET NOMINEE LTD., INC.NO. BC1162975**  
201 - 1367 West Broadway, Vancouver, British Columbia, V6H 4A7

(the “Owner”)

**AND:**

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

(the “City”)

**WHEREAS:**

- A. Section 483 of the *Local Government Act* (British Columbia) permits the City to enter into housing agreements for the provision of affordable and special needs housing, which may include conditions in respect to the form of tenure of housing units;
- B. Section 219 of the *Land Title Act* (British Columbia) permits the registration of a covenant of a positive or a negative nature in favour of the City in respect of the use of and subdivision of land;
- C. The Owner owns the Land (hereinafter defined) and the Building thereon, which currently contains 42 rental Dwelling Units, and it wishes to construct four additional rental Dwelling Units;
- D. As a condition of approving the construction of the Dwelling Units, the City requires the Owner to enter into this Agreement to, among other requirements, ensure all Dwelling Units located on the Land are used only as rental Dwelling Units; and
- E. The City adopted Housing Agreement (508 Eighth Street) Bylaw No. 8279, 2022, authorizing the City to enter into this Agreement.

In consideration of \$10.00 and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by both parties), and in consideration of the promises exchanged below, the Owner and the City covenant and agree pursuant to section 483 of the *Local Government Act* and section 219 of the *Land Title Act* as follows:



## ARTICLE 1      DEFINITIONS AND INTERPRETATION

**1.1 Definitions** –In this Agreement, the following words have the following meanings:

- (a) **“Agreement”** means this agreement together with all LTO forms, schedules, appendices, attachments and priority agreements attached hereto;
- (b) **“Building”** means, as at the reference date of this Agreement, the residential building constructed on and forming part of the Land;
- (c) **“Dwelling Unit”** means a residential dwelling unit or units located or to be located on the Land, and includes single family detached dwellings, duplexes, townhouses, auxiliary residential dwelling units, apartments and condominiums and includes, where the context permits, the Secured Rental Units;
- (d) **“Land”** means the land identified in section 2 of Part 1 of this Agreement;
- (e) **“LTO”** means the New Westminster Land Title Office or its successor;
- (f) **“Secured Rental Unit”** means a Dwelling Unit that is designated as a Secured Rental Unit in accordance with section 2.1 of this Agreement;
- (g) **“Subdivide”** or **“Subdivided”** means to divide, apportion, consolidate or subdivide the Land or any building on the Land, or the Ownership or right to possession or occupation of the Land or any building on the Land, into two or more lots, strata lots, parcels, parts, portions or shares, whether by plan, descriptive words or otherwise, under the *Land Title Act*, the *Strata Property Act*, or otherwise, and includes the creation, conversion, organization or development of “cooperative interests” or a “shared interest in land” as defined in the *Real Estate Development Marketing Act*;
- (h) **“Tenancy Agreement”** means a tenancy agreement, lease, license or other agreement granting rights to occupy a Secured Rental Unit as a residence; and
- (i) **“Tenant”** means an occupant of a Secured Rental Unit.

## ARTICLE 2      USE OF LAND AND SUBDIVISION

**2.1 Designation** – The Owner agrees that:

- (a) every Dwelling Unit located on the Land on the date this Agreement is registered in the LTO and every Dwelling Unit constructed after such date on the Land is designated as a Secured Rental Unit; and
- (b) a Secured Rental Unit may only be used as a permanent residence for a Tenant.

**2.2 Restriction on Subdivision** – The Owner covenants and agrees with the City that none of the Land nor any building on the Land shall be Subdivided by any means whatsoever. Without limiting

the foregoing, the Owner acknowledges that the City will not support applications for Subdivision in any manner that would allow the Secured Market Rental Units to be sold independently of each other.

**2.3 City Authorized to Make Inquiries** – The Owner hereby irrevocably authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.

**2.4 Requirement for Statutory Declaration** – Within 30 days after receiving notice from the City, the Owner must, in respect of each Secured Rental Unit, provide to the City a statutory declaration, substantially in the form (with, in the City’s discretion, such further amendments or additions as deemed necessary or desirable) attached as Appendix A, sworn by an authorized signatory of the Owner, containing all of the information required to complete the statutory declaration. The City may request such statutory declaration in respect to each Secured Rental Unit no more than once in any calendar year; provided, however, notwithstanding that the Owner may have already provided such statutory declaration in the particular calendar year, the City may request and the Owner shall provide to the City such further statutory declarations as requested by the City in respect to a Secured Rental Unit if, in the City’s absolute determination, the City believes that the Owner is in breach of any of its obligations under this Agreement.

### **ARTICLE 3 OPERATION OF SECURED RENTAL UNITS**

**3.1 Application of Article** – The City and the Owner acknowledge and agree that the obligations imposed upon and covenants made by the Owner under sections 3.3 and 3.4 will apply to tenancies and Tenancy Agreements created or entered into on or after the date that this Agreement is registered by the LTO.

**3.2 Short Term Rentals Prohibited** – The Owner agrees that no Secured Rental Unit will be rented to or occupied by any person for a term of less than 30 consecutive days.

**3.3 Occupancy and Tenure of Secured Rental Units** – The Owner must not rent, lease, license or otherwise permit occupancy of a Secured Rental Unit except in accordance with the following conditions:

- (a) the Secured Rental Unit will be used or occupied only pursuant to a Tenancy Agreement;
- (b) the term of a Tenancy Agreement will not be less than 30 days;
- (c) the Owner will not require a Tenant or any permitted occupant of a Secured Rental Unit to pay any extra charges or fees for property or similar tax; and
- (d) the Owner will forthwith deliver a certified true copy of any Tenancy Agreement to the City upon demand.

**3.4 Attach Copy of Tenancy Agreement** – The Owner will attach a copy of this Agreement, or at a minimum Articles 2 and 3 of this Agreement, to every Tenancy Agreement.

## ARTICLE 4      TERM AND DEMOLITION

**4.1      Expiry of Housing Agreement** – The City covenants and agrees with the Owner that this Agreement shall cease to apply from and after that date which is the later of: (i) the 60<sup>th</sup> anniversary of the date this Agreement is registered in the LTO; or (ii) the date that all buildings located on the Land have been demolished. Upon expiry, the Owner may provide to the City a discharge of this Agreement, which the City shall execute and return to the Owner for filing in the LTO.

**4.2      Demolition** – The Owner will not demolish a Secured Rental Unit or a building on the Land unless:

- (a) the Owner has obtained the written opinion of a professional engineer or architect, who is at arm's length to the Owner, indicating that it is no longer reasonable or practical to repair or replace any structural component of the Secured Rental Unit or building, and the Owner has delivered to the City a copy of the engineer's or architect's report; or
- (b) 40% or more of the value of the building above its foundations is damaged or destroyed, as determined by the City, in its sole discretion,

and, in each case, a demolition permit for the Secured Rental Unit or the building has been issued by the City and the Secured Rental Unit or building has been demolished under that permit.

## ARTICLE 5      MISCELLANEOUS

**5.1      Housing Agreement** – The Owner acknowledges and agrees that:

- (a) this Agreement includes a housing agreement entered into under section 483 of the *Local Government Act* and a covenant under section 219 of the *Land Title Act*; and
- (b) the City may file notice of, and register, this Agreement in the LTO pursuant to section 483(5) of the *Local Government Act* against the title to the Land.

**5.2      Modification** – This Agreement may be modified or amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.

**5.3      Management** – The Owner covenants and agrees with the City that:

- (a) The Owner shall obtain and maintain during the term of this Agreement a business licence from the City of New Westminster for the operation of the Secured Rental Units.
- (b) the Owner will manage the Secured Rental Units, and without limiting the foregoing, the Owner may engage the services of a third-party property manager to manage the Building;
- (c) the Owner shall permit representatives of the City to inspect the Secured Rental Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act* (British Columbia);

- (d) the Owner shall maintain the Secured Rental Units in a good state of repair and fit for habitation in accordance with the requirements of the *Residential Tenancy Act*, reasonable wear and tear excepted; and
- (e) the Owner shall comply with all laws, including, without limitation, the City of New Westminster Business Regulation and Licencing (Rental Units) Amendment Bylaw No. 8310, 2019 and all other City bylaws, and any health and safety standards applicable to the Land.

**5.4 Indemnity** – The Owner, on its behalf, will indemnify and save harmless the City and each of its elected officials, officers, directors, and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:

- (a) any negligent act or omission of the Owner, or its officers, directors, agents, contractors or other persons for whom at law the Owner is responsible relating to this Agreement;
- (b) the construction, maintenance, repair, ownership, lease, license, operation, management or financing of the Land or any Secured Rental Unit or the enforcement of any Tenancy Agreement; or
- (c) without limitation, any legal or equitable wrong on the part of the Owner or any breach of this Agreement by the Owner.

**5.5 Release** – The Owner, on its behalf, hereby releases and forever discharges the City and each of its elected officials, officers, directors, and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of or which would not or could not occur but for the:

- (a) construction, maintenance, repair, Ownership, lease, license, operation or management of the Land or any Secured Rental Unit under this Agreement; or
- (b) except to the extent arising from the negligence or wilful misconduct of the City or those for whom it is at law responsible, the exercise by the City of any of its rights under this Agreement.

**5.6 Survival** – The indemnity and release set out in this Agreement will survive termination or discharge of this Agreement.

**5.7 Registration & Priority** – The Owner will cause this Agreement to be registered as a covenant under section 219 of the *Land Title Act* against title to the Land in priority to all charges and encumbrances registered or pending registration against title to the Land save and except those in favour of the City or specifically approved in advance in writing by the City, and will cause a notice of this Agreement under section 483(5) of the *Local Government Act* to be filed in the Land Title Office and shown as a legal notation on title to the Land.

**5.8 City's Powers Unaffected** – This Agreement does not:

- (a) affect, fetter or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Land;
- (b) impose on the City 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 or subdivision of the Land; or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.

**5.9 Agreement for Benefit of City Only** – The Owner and the City agree that:

- (a) this Agreement is entered into only for the benefit of the City;
- (b) this Agreement is not intended to protect the interests of the Owner, any Tenant, or any future Owner, lessee, occupier or user of the Land or the building or any portion thereof, including any Secured Rental Unit; and
- (c) the City may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.

**5.10 No Public Law Duty** – Where the City is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the City is under no public law duty of fairness or natural justice in that regard and agrees that the City may do any of those things in the same manner as if it were a private party and not a public body.

**5.11 Notice** – Any notice required to be served or given to a party herein pursuant to this Agreement will be sufficiently served or given if delivered, to the postal address of the Owner set out in the records at the LTO, and in the case of the City addressed to:

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

or to the most recent postal address provided in a written notice given by each of the parties to the other. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery.

**5.12 Enuring Effect** – This Agreement will extend to and be binding upon and enure to the benefit of the parties hereto and their respective successors and permitted assigns.

**5.13 Severability** – If any provision of this Agreement is found to be invalid or unenforceable, such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.

**5.14 Waiver** – All remedies of the City will be cumulative and may be exercised by the City in any order or concurrently in case of any breach and each remedy may be exercised any number of times with respect to each breach. Waiver of or delay in the City exercising any or all remedies will not prevent the later exercise of any remedy for the same breach or any similar or different breach.

**5.15 Whole Agreement** – This Agreement, and any documents signed by the Owner contemplated by this Agreement, represent the whole agreement between the City and the Owner respecting the use and occupation of the Secured Rental Unit, and there are no warranties, representations, conditions or collateral agreements made by the City except as set forth in or contemplated by this Agreement.

**5.16 Further Assurance** – Upon request by the City the Owner will forthwith do such acts and execute such documents as may be reasonably necessary in the opinion of the City to give effect to this Agreement.

**5.17 Agreement Runs with Land** – This Agreement burdens and runs with the Land and every parcel into which it is Subdivided in perpetuity. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its personal administrators, successors and assigns, and all persons who after the date of this Agreement acquire an interest in the Land.

**5.18 Equitable Remedies** – The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for any breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.

**5.19 No Joint Venture** – Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.

**5.20 Applicable Law** – The laws of British Columbia (including, without limitation, the *Residential Tenancy Act*) will apply to this Agreement and all statutes referred to herein are enactments of the Province of British Columbia.

**5.21 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) 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;

- (d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (f) the provisions of section 25 of the *Interpretation Act* (British Columbia) with respect to the calculation of time apply;
- (g) time is of the essence;
- (h) all provisions are to be interpreted as always speaking;
- (i) reference to a “party” is a reference to a party to this Agreement and to that party’s respective successors, assigns, trustees, administrators and receivers. Wherever the context so requires, reference to a “party” also includes a Tenant, agent, officer and invitee of the party;
- (j) reference to a “day”, “month”, or “year” is a reference to a calendar day, calendar month, or calendar year, as the case may be, unless otherwise expressly provided; and
- (k) 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”.

**5.22 Execution in Counterparts & Electronic Delivery** – This Agreement may be executed in any number of counterparts and delivered by e-mail, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument, provided that any party delivering this Agreement by e-mail shall also deliver to the other party an originally executed copy of this Agreement.

**IN WITNESS WHEREOF** the parties hereto have executed this Agreement on the *Land Title Act* Form C which is attached to and forms part of this Agreement.



## Appendix A to Housing Agreement

## STATUTORY DECLARATION

## CANADA

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

**IN THE MATTER OF A HOUSING  
AGREEMENT WITH THE CITY OF NEW  
WESTMINSTER**

**PROVINCE OF BRITISH COLUMBIA**

) ) )

**(“Housing Agreement”)**

TO WIT:

I, \_\_\_\_\_ of \_\_\_\_\_, British Columbia, do solemnly declare that:

1. I am an authorized signatory of the Owner of the land located at \_\_\_\_\_, New Westminster (the “**Land**”), and make this declaration to the best of my personal knowledge.
2. This declaration is made pursuant to the Housing Agreement in respect of the Land.
4. I confirm that the Owner has complied with the Owner’s obligations under the Housing Agreement.
5. I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at the City of \_\_\_\_\_, in the Province of British Columbia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

)
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)
)
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)
)
)

DECLARANT

## A Commissioner for Taking Affidavits in the Province of British Columbia

### CONSENT AND PRIORITY AGREEMENT

WHEREAS the CANADA ICI CAPITAL CORPORATION (INCORPORATION NO. A0067505) (the "Chargeholder") is the holder of a Mortgage and Assignment of Rents (the "Charges") registered in the Land Title Office under numbers CA8396730 and CA8396731, respectively, encumbering the land identified in the *Land Title Act* Form C attached to and forming part of the Housing Agreement and Covenant attached hereto.

THEREFORE THIS CONSENT AND PRIORITY AGREEMENT IS EVIDENCE THAT IN CONSIDERATION OF \$1.00 AND OTHER GOOD AND VALUABLE CONSIDERATION PAID BY THE TRANSFEREE TO THE CHARGEHOLDER:

1. The Chargeholder hereby consents to the granting and registration of the Section 219 Covenant attached hereto (the "Covenant") and the Chargeholder hereby agrees that the Covenant shall be binding upon its interest in and to the Land.
2. The Chargeholder hereby grants to the transferee described in item 6 of the *Land Title Act* Form C attached hereto priority for the Covenant over the Chargeholder's right, title and interest in and to the Land, and the Chargeholder does hereby postpone the Charges and all of its right, title and interest thereunder to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution, delivery and registration of the Charges.

IN WITNESS WHEREOF, the Chargeholder has executed and delivered this Consent and Priority Agreement by executing the *Land Title Act* Form C above which is attached hereto and forms part of this Agreement.

**END OF DOCUMENT**

## 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.

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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 28th day of March 2022.

GIVEN THIRD READING this 28th day of March 2022.

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

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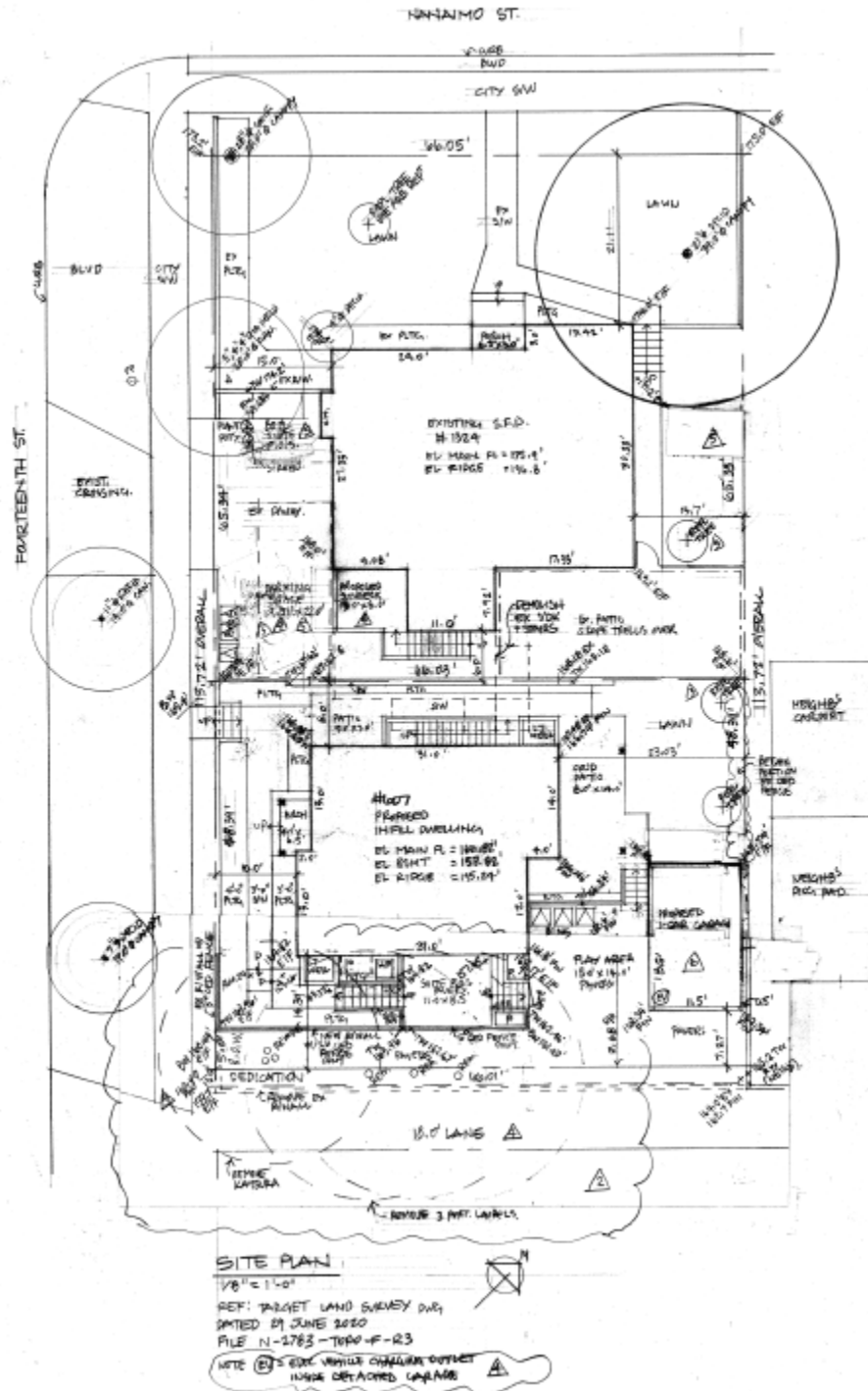
MAYOR JONATHAN X. COTE

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JACQUE KILLAWEE, CITY CLERK

## SCHEDULE A

### SKETCH



## 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.

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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 28th day of March 2022.

GIVEN THIRD READING this 28th day of March 2022.

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

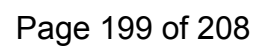
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MAYOR JONATHAN X. COTE

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JACQUE KILLAWEE, CITY CLERK

## SKETCH



**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 28th day of March 2022.

GIVEN SECOND READING THIS 28th day of March 2022.

GIVEN THIRD READING THIS 28th day of March 2022.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Mayor Jonathan X. Cote

\_\_\_\_\_  
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 7<sup>th</sup> day of March, 2022.


GIVEN SECOND READING this 7<sup>th</sup> day of March, 2022.

PUBLIC HEARING waived under section 464(2) of the Local Government Act.

Bylaw No. 8317, 2022

GIVEN THIRD READING this 28<sup>th</sup> day of March, 2022.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2022.

Approved pursuant to section 52(3)(a) of the Transportation Act	
this <u>5<sup>th</sup></u> day of <u>April</u> , 20 <u>22</u>	
 for Minister of Transportation	Sally Case Development officer

\_\_\_\_\_  
MAYOR JONATHAN X. COTE

\_\_\_\_\_  
JACQUE KILLAWEE, CITY CLERK

Certified to be a true and correct copy of  
Zoning Amendment Bylaw  
No. 8317, 2022 at Third Reading  
Date Certification March 29, 2022

  
Jacque Killawee, City Clerk

# REPORT

<b>To:</b>	Mayor Cote and Members of Council	<b>Date:</b>	April 11, 2022
<b>From:</b>	Jacque Killawee City Clerk	<b>File:</b>	05.1025.02-2022
		<b>Item #:</b>	2022-259
<b>Subject:</b>	<b>Recruitment 2022: Appointments to the Community Heritage Commission (CHC) and the Restorative Justice Committee (RJC)</b>		

## RECOMMENDATION

THAT Council receive the report titled, “ Recruitment 2022: Appointments to the Community Heritage Commission (CHC) and the Restorative Justice Committee (RJC),” for information.

## PURPOSE

To release the Closed Council decisions to rescind the appointment of Jill Davy as Representative, New Westminster Heritage Preservation Society to the Community Heritage Commission (CHC), appoint Jennifer Crews as the Representative, New Westminster Heritage Preservation Society to the Community Heritage Commission (CHC) for the term ending January 31, 2023, and to appoint Robert Nahanee, Squamish Nation Elder, as Representative from the Indigenous Community to the Restorative Justice Committee (RJC) for the term ending January 31, 2023.

## BACKGROUND

At the April 11, 2022 Closed meeting, New Westminster City Council approved the following motions in relation to the Community Heritage Commission (CHC) and the Restorative Justice Committee (RJC):

THAT Council rescind the appointment of Jill Davy as Representative, New Westminster Heritage Preservation Society to the Community Heritage Commission (CHC); and,

THAT Council appoint Jennifer Crews as Representative, New Westminster Heritage Preservation Society to the Community Heritage Commission (CHC) for the term ending January 31, 2023;

THAT Council appoint Robert Nahanee, Squamish Nation Elder, as Representative from the Indigenous Community to the Restorative Justice Committee (RJC) for the term ending January 31, 2023; and

THAT the appointments be released to the public.

### **OPTIONS**

**Option 1:** THAT Council receive the report titled, "Recruitment 2022: Appointments to the Community Heritage Commission (CHC) and the Restorative Justice Committee (RJC)," for information; or

**Option 2:** Please provide Staff with other direction.

Staff recommends Option 1.

### **APPROVALS**

This report was prepared by: Carilyn Cook, Committee Clerk

This report was reviewed by: Nicole Ludwig, Assistant City Clerk

This report was approved by:

Jacque Killawee, City Clerk

Lisa Spitale, Chief Administrative Officer