



## **CITY COUNCIL MEETING AGENDA**

**Monday, May 30, 2022, Immediately following the Public Hearing that begins at 6:00 p.m.**

**Meeting held electronically and open to public attendance**

**Council Chamber, City Hall**

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

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

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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. BYLAWS CONSIDERED AT THE PUBLIC HEARING**

##### **3.1. Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022**

**7**

To subdivide one lot into two and enable the construction of an infill house on the new lot. Primary relaxations to the proposed HRA include relaxations to the lot size (both lots), density (heritage house) and minor siting or site design ones related to the panhandle lot configuration. This bylaw is on the agenda for **THIRD READING** and **ADOPTION**.

##### **3.2. Heritage Designation Bylaw (328 Second Street) No. 8310, 2022**

**92**

To designate the 1889 house at 328 Second Street as a protected heritage property. This bylaw is on the agenda for **THIRD READING**.

#### **4. CONSENT AGENDA**

If Council decides, all the recommendations in the reports on the Consent

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

**Recommendation:**

THAT Council adopt the recommendations for items # on consent.

**4.1. British Columbia Electoral Boundaries Commission Reform Submission - May 2022 97**

This report will outline the work of and submission to the BC Electoral Boundaries Commission regarding the need for increased Provincial representation in New Westminster.

**Recommendation:**

That Council accept this report for information on the submission to the British Columbia Electoral Boundaries Commission.

**4.2. Budget 2023: Proposed Framework and Timelines 102**

To seek Council's endorsement of the 2023 budget framework and timelines.

**Recommendation:**

*THAT Council endorse the 2023 budget framework and timelines.*

**4.3. Construction Noise Bylaw Exemption Request: 330 East Columbia Street (Royal Columbian Hospital Redevelopment Project) 106**

To request that Council grant an exemption from the Construction Noise Bylaw to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 to enable specialized concrete slab surface finishing to meet operational specifications in the facility within the ongoing construction of the Royal Columbian Hospital Redevelopment Project at 330 East Columbia Street, New Westminster.

**Recommendation:**

THAT Council grant an exemption extension to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 from 8 PM to 11:59 PM from Monday to Friday and 6 PM to 11:59 PM on Saturdays starting May 30, 2022 to January 31, 2023 (excluding Sundays, Statutory Holidays, and the period from December 24, 2022 to January 1, 2023) an average of 6 evenings per month, to enable concrete slab surface finishing within the ongoing construction of the Royal Columbian Hospital Redevelopment Project at 330 East Columbia Street, New Westminster.

**4.4. Construction Noise Bylaw Exemption Request: New Westminster Interceptor – Columbia Sewer Rehabilitation 116**



To request that Council grant an exemption from the Construction Noise Bylaw for Metro Vancouver's contractor, Oscar Renda Contracting of Canada (ORCC), to conduct sewer maintenance, slip-lining, excavation and installation of new sewer pipes for two nights per week from Wednesday June 1st 2022 to Wednesday, November 30, 2022.

**Recommendation:**

**THAT** Council grant an exemption to Oscar Renda Contracting of Canada (ORCC) from Construction Noise Bylaw No. 6063, 1992 for two nights per week between Wednesday June 1, 2022 and Wednesday November 30, 2022, excluding Sundays and Statutory Holidays, to conduct maintenance of the existing sewer, slip-lining, excavation, and installation of new sewer pipes along the 100 Block to 300 Block of Columbia Street.

**4.5. Development Variance Permit for Works & Services Security (823-841 Sixth Street Affordable Housing Project) – Notice of Consideration of Issuance** 126

The purpose of this report is to request that Council issue notice that it will consider varying the definition of "Security" in the Subdivision and Development Control Bylaw No. 7142, 2007, as amended, by including an Indemnification Servicing Agreement from BC Housing and Management Commission, plus a reduced letter of credit from the Developer, as an acceptable form of security for the affordable housing project located at 823-841 Sixth Street.

**Recommendation:**

**THAT** Council provide notice that it will consider issuance of Development Variance Permit No. DVP00699 to vary the definition of "Security" in the *City's Subdivision and Development Control Bylaw No. 7142, 2007, as amended*, to include the use of an Indemnification Agreement from British Columbia Housing Management Commission (BCHMC) and a reduced letter of credit from the Developer, for Works and Services Agreement, and to proceed to Public Notification.

**4.6. Downtown Livability Strategy - Update** 134

To provide an update on the continued implementation of the Downtown Livability Strategy, previously presented January 10, 2022.

**Recommendation:**

**THAT** Council receive this report for information.

**4.7. Regional Growth Strategy Update: Metro 2050 Acceptance** 142

To seek Council acceptance of the updated Regional Growth Strategy, Metro 2050.

**Recommendation:**

1. **THAT** the proposed Metro 2050 Regional Growth Strategy

(Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022) be accepted, as presented, pursuant to section 436 of the *Local Government Act*;

2. **THAT** staff be directed to forward the Council resolution of acceptance of Metro 2050 Regional Growth Strategy (*Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022*) to Metro Vancouver Regional District; and
3. **THAT** staff be directed to include in the letter conveying acceptance of Metro 2050 that the City of New Westminster encourages further consideration of including municipal-scale population and housing targets in regional plans going forward.

- 4.8. **Rezoning and Development Permit for Infill Townhouses: 102 – 128 East Eighth Avenue and 721 Cumberland Street – Preliminary Report** 163
- To seek Council support for proceeding with processing a proposal for an infill townhouse development in the McBride-Sapperton neighbourhood.

**Recommendation:**

**THAT** Council instruct staff to process the proposed Zoning Bylaw Amendment and Development Permit applications for 102-128 East Eighth Avenue and 721 Cumberland Street as outlined in the Application Review Process and Next Steps section of this report.

- 4.9. **Staffing Resource Challenges and Implications on Departments' Service Delivery Work Plans** 184
- To inform City Council and the community of adjustments being made within the organization to address staff resourcing challenges. Departments are adjusting work plans in order to continue prioritizing core services and Council's Strategic Priorities.

**Recommendation:**

**THAT** Council receive this report for information.

- 4.10. **Zoning Bylaw Text Amendment and Event-Driven Liquor Primary Licence: 735 Eighth Avenue (Massey Theatre) – Bylaw for First and Second Readings** 200
- To request that Council consider the proposed zoning amendment bylaw, which would allow a Liquor Primary licence as a permitted use on the subject property.

**Recommendation:**

**THAT** Council consider Zoning Amendment Bylaw No. 8341, 2022 for First and Second Readings, and forward the Bylaw to a Public Hearing.

- 4.11. **Minutes for Adoption**
- a. **May 9, 2022 City Council Meeting (9:00 a.m.)** 223
  - b. **May 9, 2022 City Council Meeting (6:00 p.m.)** 226
  - c. **May 16, 2022 Special City Council Meeting (11:30 a.m.)** 242

5. BYLAWS

5.1. Bylaws for readings

- a. **Zoning Amendment Bylaw (735 Eighth Avenue) No. 8341, 2022** 248  
To allow a Liquor Primary licence as a permitted use at 735 Eighth Avenue (Massey Theatre). This bylaw is on the agenda for **TWO READINGS**.  
  
A Public Hearing will be held for this bylaw.
- b. **Zoning Amendment Bylaw (122 Eighth Avenue) No. 8325, 2022** 250  
To enable construction of a duplex at 122 Eighth Avenue. This bylaw is on the agenda for **THIRD READING**.
- c. **Zoning Amendment Bylaw (337 and 339 Keary Street) No. 8324, 2022** 257  
To enable construction of a 9 unit infill townhouse project at 337 and 339 Keary Street. This bylaw is on the agenda for **THIRD READING**.
- d. **Zoning Amendment Bylaw (817 St. Andrews Street) No. 8323, 2022** 263  
To enable construction of a triplex at 817 St. Andrews Street. This bylaw is on the agenda for **THIRD READING**.

6. NEW BUSINESS

- 6.1. **ON TABLE Recruitment 2022: Appointments to the Arts Advisory Committee (AAC)** 271  
To release the Closed Council decisions to rescind the appointment of Stephen O'Shea as Representative, Arts Council New Westminster to the Arts Advisory Committee, appoint Laura Grady as the Representative, Arts Council New Westminster to the Arts Advisory committee for the term ending January 31, 2024, and to appoint Stephen O'Shea as Artist, New Westminster Based, to the Arts Advisory Committee for the term ending January 31, 2024.

**Recommendation:**

THAT Council receive the report titled, "Appointments to the Arts Advisory Committee (AAC)" for information.

7. ANNOUNCEMENTS FROM MEMBERS OF COUNCIL

8. END OF THE MEETING

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

**THE CORPORATION OF THE CITY OF NEW WESTMINSTER  
HERITAGE REVITALIZATION AGREEMENT (328 Second Street)  
BYLAW NO. 8309, 2022**

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

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WHEREAS the City of New Westminster and the owners of the property located at 328 Second Street in New Westminster wish to enter into a Heritage Revitalization Agreement in respect of the property;

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

**Citation**

1. This Bylaw may be cited as “Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022”.

**Heritage Revitalization Agreement**

2. The City of New Westminster enters into a Heritage Revitalization Agreement with the registered owner of the property located at 328 Second Street legally described as PID: 013-420-828; PARCEL “C” (529635E) OF LOT 44 SUBURBAN BLOCK 6 PLAN 2620.
3. The Mayor and City Clerk are authorized on behalf of the City of New Westminster Council to sign and seal the Heritage Revitalization Agreement attached to this Bylaw as Schedule “A”.

READ A FIRST TIME this   9th   day of   May  , 2022.

READ A SECOND TIME this   9th   day of   May  , 2022.

PUBLIC HEARING held this                      day of                     , 2022.

READ A THIRD TIME this                      day of                     , 2022.

ADOPTED this                      day of                     , 2022.

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MAYOR JONATHAN X. COTE

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JACQUE KILLAWEE, CITY CLERK

**SCHEDULE "A"****HERITAGE REVITALIZATION AGREEMENT (328 Second Street)**

THIS AGREEMENT dated for reference the 28<sup>th</sup> day of April 2022 is

BETWEEN:

**JAMES MICHAEL GARBUTT and DIANA SOARES MARTINS-GARBUTT**, 328 Second Street, New Westminster, BC, V3L 2K8.

(the "Owner")

AND:

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

(the "City")

WHEREAS:

- A. The Owner is the registered owner in fee simple of the land and all improvements located at 328 Second Street, New Westminster, British Columbia, legally described as PID: 013-420-828; PARCEL "C" (529635E) OF LOT 44 SUBURBAN BLOCK 6 PLAN 2620. (the "Land");
- B. There is one principal building situated on the Land, known as the Larson House (the "Heritage Building"), which is shown on the site plan attached as Appendix 1 (the "Site Plan") labeled "328 Second Street Heritage House";
- C. The City and the Owner agree that the Heritage Building has heritage value and should be conserved;
- D. The Owner wishes to make certain alterations to restore and rehabilitate the Heritage Building (the "Work");
- E. The Owner intends to apply to the City's Approving Officer for approval to file a subdivision plan (the "Subdivision Plan") in the Land Title Office in order to subdivide the Land into two separate parcels, generally as shown on the Site Plan;
- F. If the proposed subdivision of the Land is approved by the City's Approving Officer, the Owner wishes to construct a new residential building (the "New Building") on that portion of the Land labeled on the Site Plan as "Infill House";
- G. Section 610 of the *Local Government Act*, RSBC 2015, Chapter 1 authorizes a local government to enter into a Heritage Revitalization Agreement with the owner of heritage property, and to

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

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

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

### **Conservation of Heritage Building**

1. Upon execution of this Agreement, the Owner shall promptly commence the restoration and revitalization of the Heritage Building (the "Work") in accordance with the Site Plan, the heritage conservation plan prepared by Elana Zysblat, dated February 2021, a copy of which is attached hereto as Appendix 2 (the "Conservation Plan"), and the design plans and specifications prepared by D3 Dimension Drafting Design Inc. dated April 20, 2022 a copy of which is attached hereto as Appendix 5 (the "Approved Plans"), full-size copies of which plans and specifications are on file at the New Westminster City Hall.
2. Prior to commencement of the Work, the Owner shall obtain from the City all necessary permits and licenses, including a heritage alteration permit, building permit, and tree permit.
3. The Owner shall obtain written approval from the City's Director of Climate Action, Planning and Development for any changes to the Work, and obtain any amended permits that may be required for such changes to the Work, as required by the City.
4. The Owner agrees that the City may, notwithstanding that such permits may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a heritage alteration permit or building permit applied for in respect of the Heritage Building if the work that the Owner wishes to undertake is not in accordance with the Conservation Plan or the Approved Plans.
5. The Work shall be done at the Owner's sole expense in accordance with generally accepted engineering, architectural, and heritage conservation practices. If any conflict or ambiguity arises in the interpretation of Appendix 2, the parties agree that the conflict or ambiguity shall be resolved in accordance with the "Standards and Guidelines for the Conservation of Historic Places in Canada", 2<sup>nd</sup> edition, published by Parks Canada in 2010.
6. The Owner shall, at the Owner's sole expense, erect on the Land and keep erected throughout the course of the Work, a sign of sufficient size and visibility to effectively notify contractors and tradespersons entering onto the Land that the Work involves protected heritage property and is being carried out for heritage conservation purposes.

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

### **Role of Registered Professional**

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

### **Heritage Designation**

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



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

#### **Damage to or Destruction of Heritage Building**

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

#### **Construction of New Buildings**

15. The Owner shall construct the New Building in strict accordance with the Site Plan and the Approved Plans prepared by D3 Dimension Drafting Design Inc. dated April 20, 2022, a copy of which is attached hereto as Appendix 5, full-size copies of which plans and specifications are on file at the New Westminster City Hall.
16. Prior to commencement of construction of the New Building, the Owner shall obtain from the City all necessary approvals, permits, and licenses, including a heritage alteration permit, building permit, tree permit, and approval of the City's Approving Officer to file the Subdivision Plan in the Land Title Office.
17. The Owner shall obtain written approval from the City's Director of Climate Action, Planning and Development for any changes to the New Building, and obtain any amended permits that may be required for such changes to the New Building, as required by the City.
18. The Owner agrees that the City may, notwithstanding that such permits may be issuable under the City's zoning and building regulations and the BC Building Code, withhold a heritage alteration permit or building permit applied for in respect of the New Building if the work that the Owner wishes to undertake is not in accordance with the Approved Plans.
19. The construction of the New Building shall be done at the Owner's sole expense and in accordance with generally accepted engineering and architectural practices.

### **Timing and Phasing**

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

### **Subdivision**

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

### **Inspection**

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

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

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

### **Conformity with City Bylaws**

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

### **No Application to Building Interiors**

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

### **Enforcement of Agreement**

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

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

### **Statutory Authority Retained**

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

### **Indemnity**

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

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

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

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

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

#### **No Waiver**

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

#### **Interpretation**

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

#### **Headings**

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

#### **Appendices**

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

#### **Number and Gender**

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

### Joint and Several

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

### Successors Bound

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

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

Signed, Sealed and Delivered in the  
presence of:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

\_\_\_\_\_  
**JAMES MICHAEL GARBUTT**

\_\_\_\_\_  
**DIANA SOARES MARTINS-GARBUTT**

### THE CORPORATION OF THE CITY OF NEW WESTMINSTER

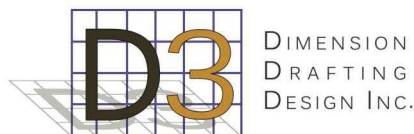
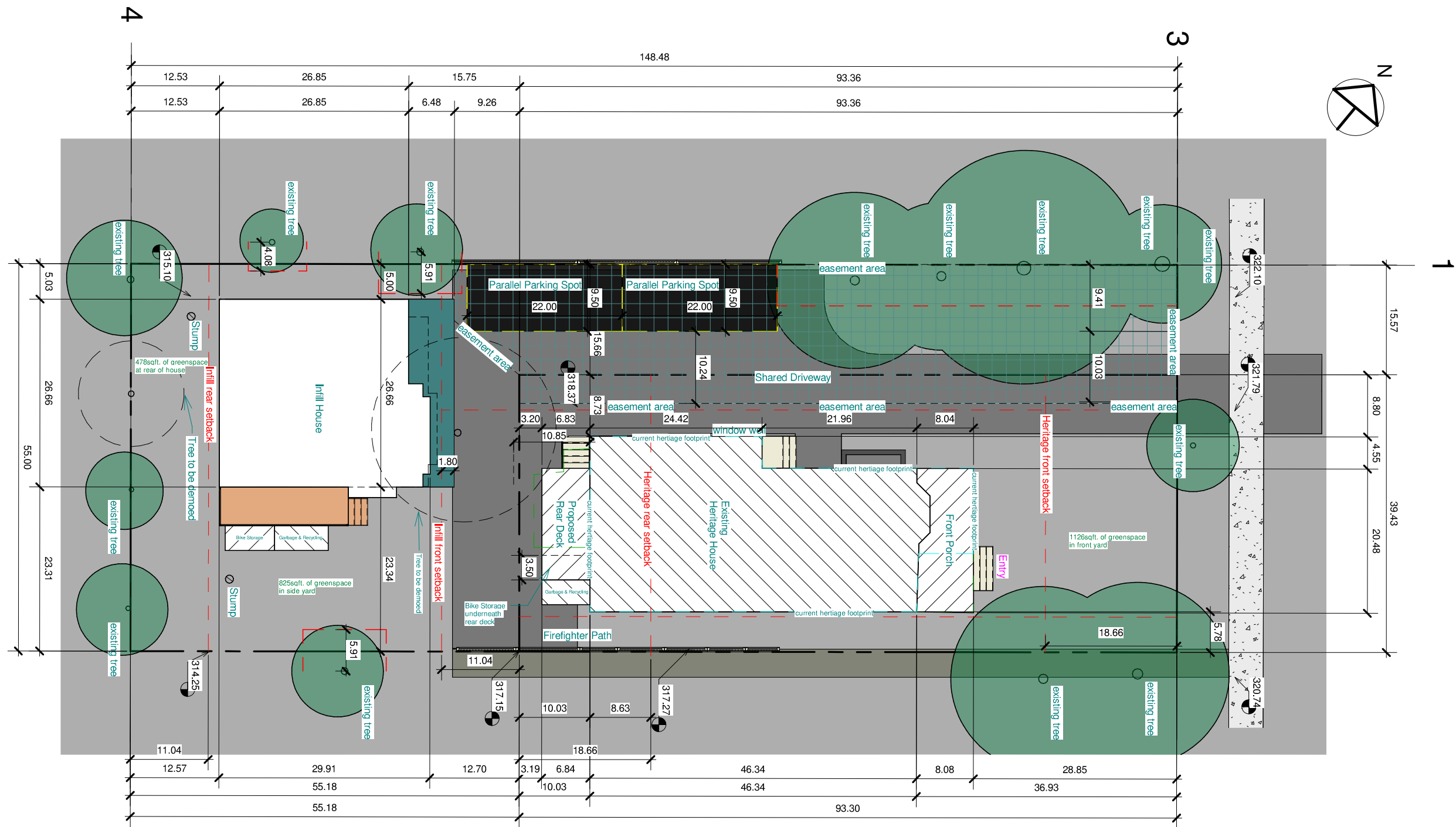
by its authorized signatories:

\_\_\_\_\_  
Mayor Jonathan X. Cote

\_\_\_\_\_  
Jacqueline Killawee, City Clerk

## **APPENDIX 1**

### **SITE PLAN**



928 Thirteen Street, New Westminster, BC V3M4N2  
www.d3design.ca

Diana Martins and James Garbutt  
328 Second Street New West

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
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|     |             |      |
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## Site Plan

|                |                |
|----------------|----------------|
| Project number | 1499           |
| Date           | April 20, 2022 |
| Drawn by       | Author         |
| Checked by     | Checker        |

A103

Scale 1/16" = 1'-0"  
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**APPENDIX 2**  
**CONSERVATION PLAN**

# Heritage Conservation Plan

328 Second Street, New Westminster BC :: H.H. & Jane Mackenzie House - 1889



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

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## **Description of Historic Place**

The H. H. & Jane Mackenzie House is a two-storey, wood-framed house with a gabled roof and an enclosed front porch located in the middle of the western side of the 300 Block of Second Street in the Queen's Park neighbourhood of New Westminster, BC.

## **Heritage Values**

Constructed in 1889, the H. H. & Jane Mackenzie House is associated with the late 1880s development boom in New Westminster, sparked in response to the announcement of the arrival of the Canadian Pacific Railway to the area.

It is further valued for its historical connection to two pioneer British Columbia families – the Mackenzie and Jennings families. For 50 years, it was home to Hugh Henry & Jane Mackenzie - H. H. Mackenzie's family were early pioneers in Clover Valley in Langley, and his wife Jane's family (née Jennings), were pioneers in Victoria in the 1860s. Built on land owned by Jane's mother, Mrs. A.M. Johnson, the house is valued for its local connections to the properties between it and the corner of 4th Avenue, where Mrs. Johnson ran a grocery store, later to be known as the Mackenzie Brothers Grocery. This house is remembered as a 50-year home to Hugh Henry and Jane Mackenzie where in 1939 they celebrated their 'at home' 50th anniversary and residence in the house, just shortly before they both passed away.

Physically, the H. H. & Jane Mackenzie House is important historically for the contribution it makes to the integrity of the Queen's Park neighbourhood, which encompasses one of the oldest collections of residential buildings in Western Canada. Its form, siting and architectural details provide an illustration of a typical, vernacular working-class family home of the Victorian-era. The house can also be seen as being an embodiment of the social, cultural, and demographic changes of the neighbourhood over the last 130 years. Its shift from being the single-family home of a pioneer family for 50 years, to shorter-term accommodations and even its division into suites for a series of working-class couples and families, to becoming a valued and important heritage resource in the community is a direct reflection of the historical changes and developments of the Queen's Park neighbourhood since its earliest establishment.

## **Character-Defining Elements**

- Continuous residential use since 1889
- Original location on Second Street in the Queen's Park neighbourhood
- Original siting in line with other historic homes on the block
- Residential design, scale and massing as expressed in its two storey height (plus basement)
- Steep pitch gable roof with overhang
- Full width front porch with hip roof (recently partially enclosed with glazing)
- Original window openings on side elevations with projecting wood sills



## Current Photos



**Above:** front elevation. **Below:** rear elevation





**Left :** side (southeast) elevation.

**Below:** side (northwest) elevation





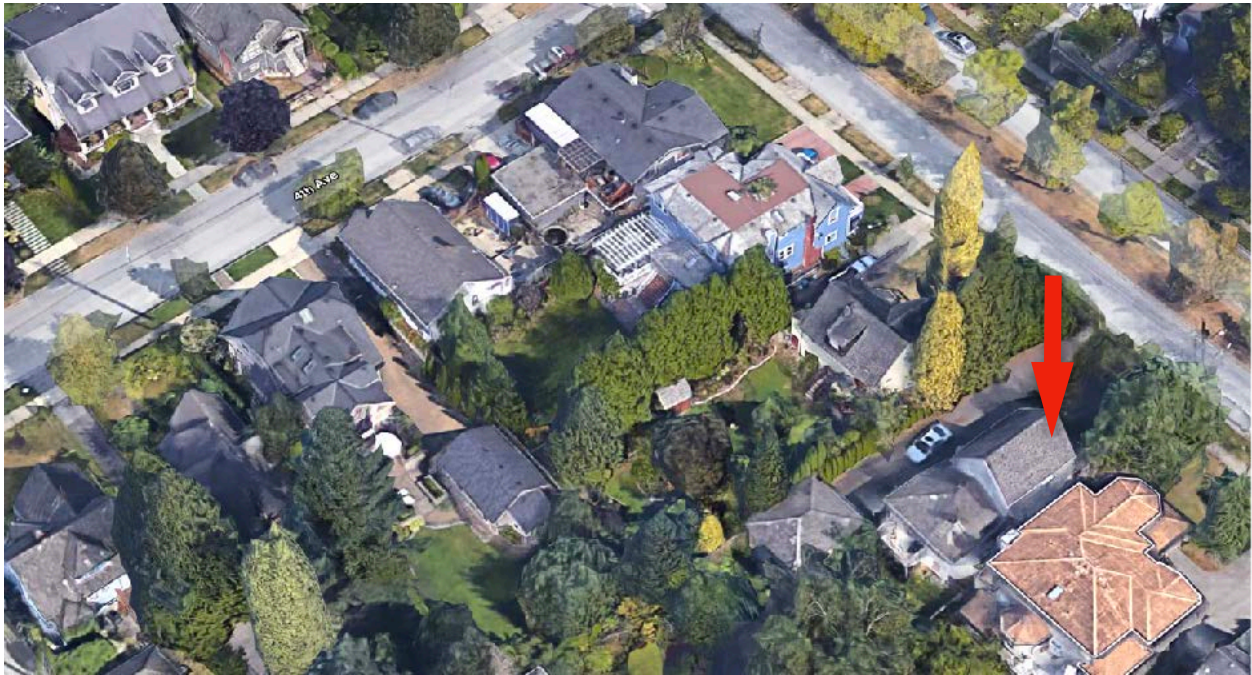


Surviving elements from 1889

**Above:** the original exterior wood cladding within the enclosed porch, which likely survives underneath the stucco.

**Left:** the original 1889 banister leading upstairs.





Google satellite 3D view  
**above:** from southeast **below:** from northeast.  
Subject house marked with an arrow





## Research Findings

**Civic Address:** 328 Second Street (known as 340 Second Street until 1905)

Source: NWPL Fire insurance maps 1897-1915

**Legal Description:** Parcel C Lot 44 Sub Block 6 Plan NWP2620 Land District 36 (529635E)

**Date of Construction:** 1899

Source: City of New Westminster 1890 tax roll and 1939 Vancouver Sun newspaper article

**Original Owner:** Mrs. A.M. Johnson

Source: City of New Westminster 1890 and 1892 tax rolls

**Architect:** n/a

**Builder:** unknown

**Owners\* and residents over the years:**

Source: City directories, tax rolls

**1889-1892:** Mrs. A.M. Johnson\* with daughter and son in law - H.H. & Jane Mackenzie

**1892-1894:** Neil Nicholson, stone mason (renter)

**1895-1939:** Hugh Henry McKenzie/MacKenzie (canneryman, 1909; carpenter, 1911; proprietor Royal City Rabbitry, 1927; retired, 1928; laborer, 1929; retired, 1931), married to Jane R. McKenzie\*

**1940-1947:** W. Powell, painter at the Provincial Mental Hospital, married to Clara E. Powell

**1948:** Tom Aidsworth, logger, married to Muriel C. Aidsworth

**1949:** Robert J. Morton [no occupation mentioned], married to Violet G. Morton

**1950:** Walter Radomske, salesman at Black & Co, married to Lonnie

**1951-1954:** Paul Fossen, carpenter, married to Marie Fossen

**1955:** MacFloyd/MacCloud[?]

**1956-1957:** Ernest Dahling, retired; Thos Spearing welder at Premier Mines, married to Irene Spearing

**1958-1966:** Paul I. Engum, carpenter, married to Kristine Engum

**1958-1961:** Julius Javor\*, carpenter, married to Anna Javor; Albert Bloser, cook at Aristocratic, married to Lydia Bloser (reside)

**1962-1963:** Mrs. Marie A. Schneider\*, widow to R.M. Schneider, maid at G Derby H&O Centre (reside)

**1965-1966:** Arthur W. Penney\*, clerk at CNR (resides)

**1967-1968:** Doug V. Turner, laborer at Domtar Chemicals, married to Sheila M. Turner

**1967:** Theo G. Grainger\*, apprentice at Lamb Cargate Ind, married to Bonita Grainger (reside)

**1968:** Tony MacMillan\*, mill worker MB Ltd, married to Sandra MacMillan (reside)

**1969:** Occupied

## 50 Years in One House for Royal City Pair

In celebration of the fiftieth anniversary of their wedding, Mr. and Mrs. H. H. MacKenzie were "at home" at their residence, 328 Second Street, New Westminster, today from 3 to 6.

Mr. and Mrs. MacKenzie were the first couple to be married in the historic Christ Church in Surrey Centre, March 18, 1889, and have lived in their Second Street home in New Westminster ever since.

Mr. MacKenzie was born in Kincardine, County of Bruce, Ontario, and came to British Columbia in 1882 by way of San Francisco. He is a son of the late Duncan and Isabella MacKenzie, one of the first pioneer families to take up a homestead in Surrey.

Mrs. MacKenzie was born in Victoria, and is a grand-daughter of the late William Holmes, one of the first citizens of New Westminster.

Mrs. R. L. Reid, Vancouver, a sister of the groom, was bridesmaid, and is the only surviving attendant of the wedding party.

Mr. MacKenzie was well known in connection with the salmon canning industry on the Fraser River for many years in the '80's and '90's, and was at one time an active member of the commercial firm of MacKenzie Brothers, with his brother, D. E. MacKenzie, New Westminster.

Mr. and Mrs. MacKenzie had four children, three of whom are living, a son, W. E. (Ted), in Detroit; another son, J. H. (Jack), in Los Angeles, and one daughter, Mrs. J. (Jean) Ellis, in Cranbrook, B.C.

**1970:** No return

**1971:** Victor Chandar, mechanic at ABC Muffler, married to Joyce Chandar

**1972:** No return

**1973:** S. Smiley [no occupation mentioned]; Orval G. Smiley, laborer at Bby Corp; Antoni Gouglas, employee at Alcan, married to Brenda Gouglas

**1974:** Vacant

**1975-1981:** Dennis A. Broughton, shipper at Jan Eden's Ltd, married to B. Joan Broughton

**1982:** Vacant

**1983-1984:** Don Bayard, roofer at Sears, married to Jo-Ann Bayard

**1985:** Bio Force Can Ltd

**1986-1998:** Norman Rev Baugh, pastor, married to Kathy Baugh

**\*1994:** Peggy A. Schmitz, student (resides)

The Vancouver Sun newspaper - March 18, 1939.

Source: [newspapers.com](http://newspapers.com)

## Archival Photos



The subject house in 1982. Source: NWMA IHP14365



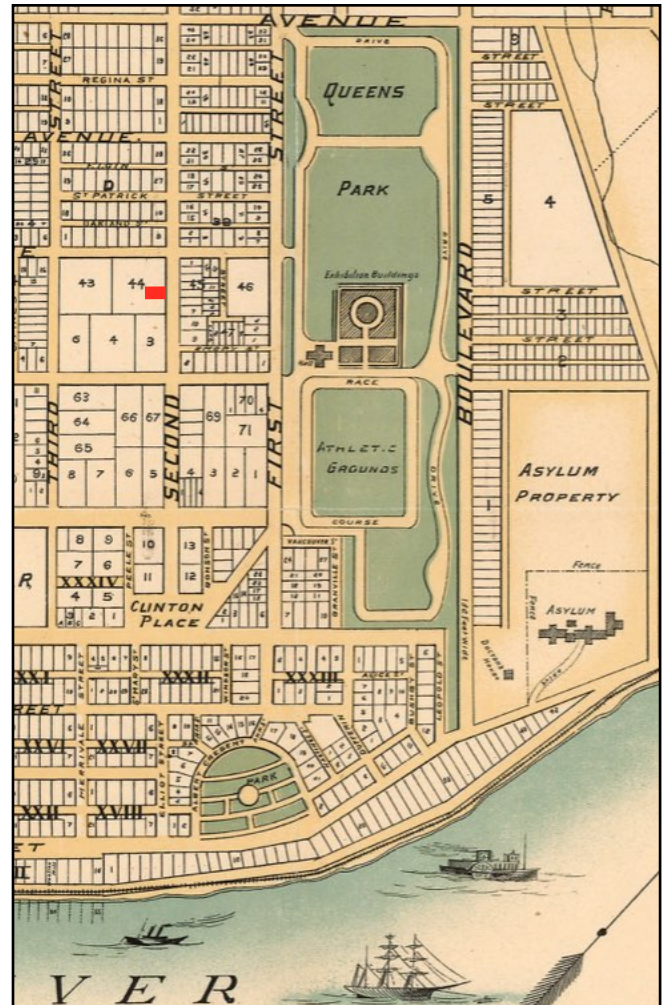
Interior of Mackenzie Brothers Grocery circa 1900. This store was founded by H.H. Mackenzie's mother-in-law, Mrs. A. M. Johnson in 1893, and operated at the corner of Second and 4th Avenue under multiple owners and names (last remembered as Mel-Gordon Grocery) until 1969. Source: NWMA IHP7599-013

## Historic Brief

Although parks and public plazas were allocated in New Westminster's first plan drawn by the Royal Engineers in the early 1860s, there was almost no development beyond the Royal City's original northern boundary of Royal Avenue until the 1880s. The announcement of the arrival of the CPR to Vancouver, with a branch line to New Westminster caused a huge building boom between 1887-1898, transforming the small town into a real city.

At the time this map (right) was drawn in 1892, New Westminster had not only a train station but a streetcar system, electric street lights, and expanded boundaries well beyond Royal Avenue to include suburbs such as Queen's Park, Sapperton and Queensborough. Queen's Park was refined and designed with public gardens, walkways and sports fields.

It was during this Victorian-era growth and investments in infrastructure that residential development really began in the streets around Queen's Park which would become a neighbourhood named after the park. Numerous late 1880s and early 1890s grand homes were built in the Queen's Park neighbourhood, establishing its reputation as a prestigious area located at a commanding distance from the industrial riverfront and busy downtown core.



City of New Westminster map, by R.J. Williams, Ottawa. 1892. Source: City of Vancouver Archives Map 617

The subject house is directly linked to this development period. The blocks in the vicinity of the subject property (marked in red) were fully subdivided at this time, although this map doesn't yet illustrate the individual lots. These blocks were desired for being close to the streetcar line which came from downtown along Columbia, Leopold, Royal, Park Row, up 1st Street, 3rd Avenue, Pine Street, 4th Avenue and then out along 6th Street. Built on land owned by Jane's mother, Mrs. A.M. Johnson, the house also has connections to the properties between it and the corner of 4th Avenue, where once a grocery store stood for many decades. The store was initially operated by Mrs. Johnson and a brother of Hugh Mackenzie, and eventually became known as the Mackenzie Brothers grocery in the 1890s when Hugh joined the business in place of his mother-in-law. Queen's Park was spotted with corner businesses until mid 20th century.

## Conservation Objectives

**Restoration** is the overall conservation objective for the historic house, except at the rear elevation where the objective is **Rehabilitation**.

**Rehabilitation** is the overall conservation objective for the property.

The H.H. & Jane Mackenzie House will be conserved on its original site, with its detached residential use, and restored to an 1889 exterior appearance.

To meet the development potential of the property without impacting the heritage values and Character Defining Element of the historic building, the allowable FSR will be added in the form of an infill house at the rear of this longer and wider than average neighbourhood lot. The infill house design (which meets the Queen's Park Design Guidelines) as well as its low visibility siting, do not detract from the prominence and character of the H.H. & Jane Mackenzie House. It fits in with the surrounding homes's scale and materials while being subtly distinguishable as a contemporary building. To accommodate the space for the infill building at the rear, the heritage house will be slightly relocated about 5' toward the street. Additionally, the property will be reconfigured so that each of the two buildings will have its own lot to avoid strata act warranty requirements that could impede the application of conservation treatments as per the Canadian Standards & Guidelines for Conservation.

A low-visibility change to the heritage house will be introduced to improve its viability and liveability in the context of contemporary living standards and costs:

- The rear elevation will be extended by about 7' at the basement and main levels and by about 12' at the upper level.

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

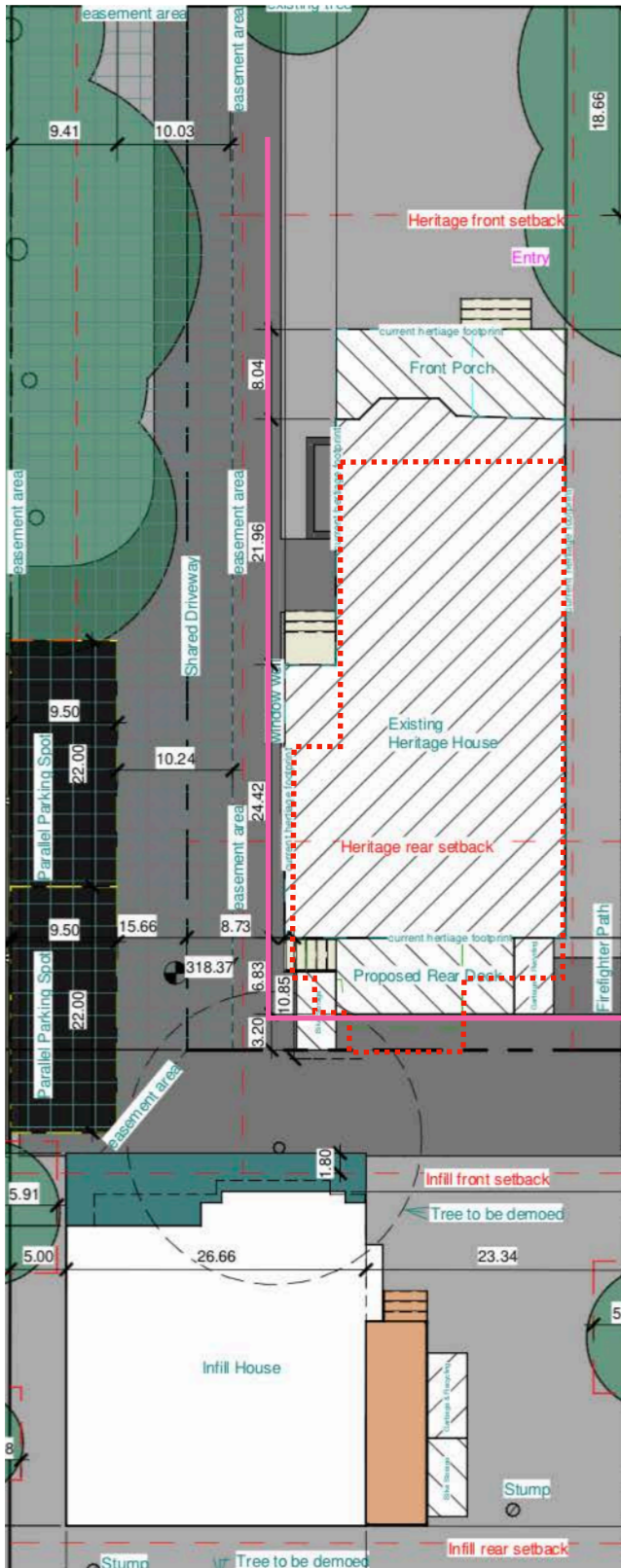
**Restoration:** *The action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.*

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

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



## Site Plan



The relatively large lot can comfortably accommodate two separate dwellings and families. The ideal reconfiguration of the lot involves the slight relocation of the heritage house towards the street (in line with the existing house next door at 326 Second, illustrated in light blue) and the subdivision of the property into two freehold



lots rather than two strata titles, to avoid strata act warranty requirements that could impede the application of conservation treatments for the heritage house as per the Canadian Standards & Guidelines for Conservation. The proposed subdivision line is pink. The existing heritage house footprint is a red dashed outline. The proposed heritage house and infill building are white.

Site plan source: D3 Dimension Drafting Design Inc. with next door house added by author based on aerial imagery.

The infill house design (which meets the Queen's Park Design Guidelines) as well as its low visibility siting, do not detract from the prominence and character of the H.H. & Jane Mackenzie House. See below renders of the relocated and conserved heritage house with the proposed infill house at the rear. Source: D3 Dimension Drafting and Design Inc.





## Condition Assessment

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

### a. Structure

The building lines are true to the eye - there is no visual evidence of structural distortion. The structural heavy timber posts in the basement show no damage, deterioration or distortion.

### b. Foundation

The visible portions of the concrete foundation on the interior appear in ***good*** condition, but a full assessment of the foundation is not possible as the basement walls are finished to the ground as is the exterior cladding.

### c. Exterior Wood Elements

The fascia boards at the roof are in ***fair*** condition, showing areas of moisture damage and failing paint. The soffits have been clad in plywood, likely at the time the building was stuccoed in mid-century. The plywood soffits are in ***good*** condition but are not original to the building. The window and front porch sills are mostly in ***good*** condition, but beginning to show signs of paint failure. A section of original 1889 wood drop siding (installed at a 4" exposure) survives in ***good*** condition on the interior of the front porch. The condition of the wood shingles likely cladding the gable, and the wood front porch columns are not known as they are covered in stucco.

### d. Stucco cladding

The bottle-dash, unpainted stucco cladding, which was likely introduced in mid-century (the earliest documentation of its presence is in 1967, in a City field inspection report) is showing signs of moisture ingress at various points around the building and is thus considered to be in ***fair*** condition. The spot deterioration of the stucco will have allowed





moisture into the wood siding and shingles below, in certain areas, so it is assumed the earliest wood cladding will likely exhibit **fair** condition when exposed.

#### **e. Roofing and gutters**

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

#### **f. Chimney**

One interior brick chimney which survives in the rear single-storey kitchen area, is in **poor** condition, showing evidence of moisture in the mortar joints, the use of incompatible mortar and structural failure. This chimney has never been visible from the street.



### **g. Windows and Doors**

All of the window and door openings appear to be original or early (tall vertical openings in Victorian-era dimensions), except for the front gable window and the front porch windows which are not of 1889 proportions and were likely altered at the time the stucco was applied to the house. Wood window sills survive throughout, but the window sashes themselves have been replaced either with aluminum or vinyl sashes. All the window sashes are in **fair** condition, towards the end of their life expectancy. The glazed wood enclosure of the front porch dates from post 1982 and is in **good** condition. The front, side and back door openings are early or original but all the doors themselves are replacement doors from recent decades.



### **h. Front porch**

The front porch is original in its layout but has been cosmetically altered through the application of stucco which hides any evidence of Victorian-era details such as wood columns and brackets (which an 1889 porch would have had). The glazed enclosure also hides the fact that this porch was used a full-width open porch for over 100 years of its life until recently.

### **h. Finishes**

An inspection of the never-stuccoed wood siding and trim piece in the front porch area, revealed that the earliest paint layers on the house were a mid-tone grey body colour and a cream trim.

## **Recommended Conservation Treatments**

### **a. Structure - Rehabilitation**

Lift the wood frame structure off of its existing foundation and relocate it on top of a new seismic foundation as per architectural plans. Expand structure height at basement area and foot print on all three levels towards the rear, as per architectural plans. Selected areas of the wood framing to be repaired, upgraded and adapted for improved integrity and Code compliance only where exposed at the rear and where reconnecting to the new foundation at the basement level to complete the work as defined on the Building Permit drawings.

### **b. Foundation - Rehabilitation**

Demolish existing concrete foundation, and excavate for a new foundation at proposed relocated spot. Install a new insulated, seismic concrete foundation on which to position the conserved timber structure.

### **c. Exterior Wood Elements - Preservation and Restoration**

Preserve the fascia boards in situ, unless certain boards are determined by a finishing carpenter to be damaged beyond repair. Boards that cannot be preserved are to be restored (replaced in-kind relocating the same dimension and profile in smooth finish wood).

Remove the plywood from the roofline soffits to expose and preserve (or restore) the earliest wood soffits, likely tongue & groove boards, depending on the conditions observed during construction. Consult with heritage consultant once plywood is removed to determine how to proceed.

### **d. Stucco removal and exterior wood elements (continued from above)**

Stucco to be removed entirely from the building. Heritage consultant to meet on site with contractor BEFORE stucco removal begins to inspect together test removal areas to understand and document how the stucco was applied (with or without mesh for example) and how thick it is. Whether the removal process is to be conducted by a demolition crew or by experienced carpenters, on-site guidance of the trades by heritage consultant must happen first to determine the appropriate tools and removal process. Stucco removal is to be conducted with extreme caution so that the wood cladding below is not damaged. Part of the removal process will involve the documentation, assessment and measuring of the original wood cladding below, whether it is siding or shingles. Look for and document evidence of trim board widths and trim board design, likely visible in the form of shadows on the wood cladding under the stucco. Consult again with heritage consultant once all stucco is removed to determine the final conservation treatment (preservation or restoration) for the surviving 1889 wood drop siding, any wood shingles the gable, front porch columns and front porch ceiling and to finalize the design and dimensions for trim boards, water table board, brackets and other exterior wood details identified for restoration.

**e. Roof and gutters - *Rehabilitation***

Reroof in duroid roofing shingles (an acceptable alternative for cedar shakes). Install new rainworks system.

**f. Chimney**

Remove surviving rear chimney for its deteriorated condition and obsolete function.

**g. Windows and Doors - *Restoration and Rehabilitation***

**Windows:**

Restore replica wood sash horned double-hung windows in the below original openings:



Proposed side  
(northwest) elevation



Proposed side  
(southeast) elevation

Source: D3  
Dimension Drafting  
and Design Inc.

Restore replica wood sash horned double-hung windows in the below restored openings:



Proposed front  
elevation

Source: D3  
Dimension Drafting  
and Design Inc.

Install new (Rehabilitation) wood windows, matching the sash profile and style of the original windows, in all the remaining new openings, as per the proposed architectural elevations and window schedule in the D3 Dimension Drafting and Design HRA package.



**Front door:**

Restore a replica solid wood glazed door in a design and glazing proportion appropriate to the late 1880s early 1890s with a large light that takes up 2/3 or 3/4 of the door surface.

Install replica Victorian-era door hardware such as the (right) pictured Fenwick set by Baldwin Hardware, either in bronze or black.



All other doors as per D3 Dimension Drafting and Design HRA package door schedule.

**h. Front porch**

Restore front porch to a full-width open porch (remove glazed enclosure). Restore porch window to a canted bay as typical of picture windows on late 1880 homes in proper Victorian-era proportions (tall vertical windows). Expose columns and porch ceiling beneath stucco and restore correct finishing details for this style and age using wood porch balustrades and decorative brackets (as per architectural drawings) and any other evidence of moulding or frieze shadows that may be found underneath the stucco, in consultation with heritage consultant after stucco removal.


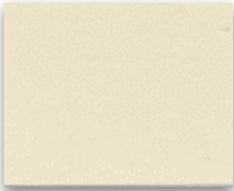
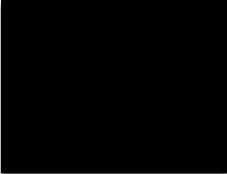


Render of proposed front porch. Source: D3 Dimension Drafting and Design Inc.

## h. Finishes

The current colour scheme is dominated by the bottle-dash stucco and texture which is in contrast to the dark, glossy and smooth painted finish an 1889 house would have featured.

The below proposed colour scheme is based on spot-scraping of original siding and trim elements.

|   | <u>Building area</u>   | <u>Historic Colour</u> | <u>Sheen</u>                 |
|---|--|------------------------|------------------------------|
|    | <b>body (horizontal siding<br/>gable shingles, porch<br/>gable)</b>  | Harris Grey VC-25      | Low luster                   |
|   | <b>All trim boards and fascia,<br/>porch columns, brackets,<br/>railing, porch ceiling,<br/>soffits, Stairs and porch<br/>floors</b> | Harris Cream VC-4      | Semi-gloss or<br>satin pearl |
|  | <b>Window sashes and doors</b>   | Gloss Black VC-135     | High gloss                   |

## **Maintenance Plan**

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

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

Establish a maintenance plan using the information below:

## **Maintenance Checklist**

### **a. Site**

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

### **b. Foundation**

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



**d. Wood Elements**

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

**e. Windows and Doors**

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

**f. Roofing and Rainwater Works**

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

**g. General Cleaning**

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

## Research Resources

Ancestry.ca

BC and National Archives

Indexes to births (1854-1903), marriages (1872-1938), deaths (1872-1993), colonial marriages (1859-1872) and baptisms (1836-1888). Archival photographs. Government of Canada  
Censuses for BC

City of New Westminster

Building permit records - CityViews database, City of New Westminster. Barman, Burton & Cook. 2009. Queen's Park Historical Context Statement prepared for the City of New Westminster.

New Westminster Archives

Field Inspection card 1962-1977, building file, tax rolls, 1931-1947 Fire Insurance map, archival photographs.

New Westminster Public Library

Historic directories, Fire insurance maps, Municipal Voters Lists  
Columbian Daily newspaper - 1880s-1890s

Freund-Hainsworth, Katherine & Hainsworth, Gavin. 2005. A New Westminster Album: Glimpses of the City As It Was. Dundurn. pages 46-47

Gottfried, Herbert & Jennings, Jan. 1985. American Vernacular Building and Interiors 1870-1960. Norton & Co. New York.

Hayes, Derek. 2005. Historical Atlas of Vancouver and the Lower Fraser Valley. Douglas & McIntyre.

Roy, Patricia E. 1989. A White Man's Province: BC Politicians and Chinese and Japanese Immigrants 1858-1914. UBC Press. pages 111-112

Vancouver Daily World Newspaper. various archival editions 1888-1924

Vancouver Archives and Vancouver Public Library - archival photographs

Wolf, Jim. 2005. Royal City: A Photographic History of New Westminster. Heritage House.

### APPENDIX 3

#### CONFIRMATION OF COMMITMENT BY REGISTERED PROFESSIONAL

Date: \_\_\_\_\_

**City of New Westminster**

511 Royal Avenue

New Westminster, BC

V3L 1H9

Attention: Director of Climate Action, Planning and Development

Re: Heritage Revitalization Agreement for 328 Second Street

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

\_\_\_\_\_  
Registered Professional's Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone No.

Signature or Seal

## APPENDIX 4

### CERTIFICATION OF REGISTERED PROFESSIONAL

Date: \_\_\_\_\_

**City of New Westminster**

511 Royal Avenue

New Westminster, BC

V3L 1H9

Attention: Director of Climate Action, Planning and Development

Re: Heritage Revitalization Agreement for 328 Second Street

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

\_\_\_\_\_  
Registered Professional's Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone No.

Signature or Seal

**APPENDIX 5**  
**APPROVED PLANS**

# GENERAL NOTES

These drawings have been prepared by D3 Dimension Drafting and Design Inc. to conform to the current residential standards of the BCBC (2018).

The Builder is responsible for ensuring that all construction conforms to provincial and local codes and bylaws.

Dimensions take precedence to scale drawings.

Dimensions to be taken from outside face of sheathing for exterior walls and face of studs for interior walls as shown.

Place footings to undisturbed, sound bearing soil below frostline (2' below grade).

Structural lumber to be No.2 SPF or better

Between all exterior top plates and double plates, require 6 MIL poly.

6 MIL poly is required at all connection points between interior and exterior walls.

Floor assembly to be constructed with manufacture I-Joist

Lumber in contact with concrete to be damproofed (sill gasket) , and anchored with 1/2" anchor bolts at 16" O.C. max

Lintels to be #2-2x10 U.N.O TYP.

Double joists at parallel partitions (opt. 2x10 blocking at 24" O.C.)

Dwelling must meet current B.C. ventilation code

All operable windows to be standard sliding glazing, U.N.O.

Waterproof wallboard required on bathroom walls

Provide a bond-breaking material between foundation or rock and slabs.

Exterior dimensions to be measured from outside of sheathing.

All interior dimensions to be measured to the centre of stud, except where otherwise noted.

All Construction and installation of materials and equipment shall be done in accordance with good building practices, following manufacturers instructions and conforming to the BCBC

All Structural specifications to be designed and certified by a structural engineer. Any discrepancies must be brought to D3 Dimension Drafting and Design Inc. attention.

It is the responsibility of the contractor or builder to check and verify all dimensions and to ensure all work conforms to all local bylaws ad regulation, and to the current edition of the BCBC

D3 Dimension Drafting and Design Inc. accepts no liability for error or omissions.

These plans conform to the B.C. Building Code, 2018 ED.

# GENERAL NOTES

- Site Requirements**
- No retaining wall shall be constructed on any lot having an exposed height greater than 4 ft. unless engineered
  - Any exposed concrete over 2 ft in height shall be architecturally treated.
- Exterior Design**
- No exposed concrete block is permitted
  - Exposed concrete foundation walls are not to exceed 1.64 ft in height,
  - In General, the main materials used on the front of the house should be used on all other facades
  - Overhangs to be a minimum of 18" TYP. U.N.O.
  - All gable fascia shall be a minimum fascia of 2x10.
- Roof & Building Materials**
- Any fascia gutter must be properly integrated with wood fascia boards to meet building scheme
  - Exterior vertical walls are to be non-combustible 20min rated
- Driveways & Garages**
- The garage shall have closing doors with raised panels or desired architectural detailing
  - Garage should be painted to match proposed buildings design and colour scheme
  - Garage dimensions are taken from the outside of cladding.
  - Driveways shall be constructed of asphalt, exposed aggregate, stamped concrete, brick or combination.
  - No gravel driveways or parking areas.

No buildings or driveways shall be constructed on the lots unless provisions to reduce storm water run-off from buildings and driveways been made by the run-off from buildings, driveways and any other impervious surfaces constructed on the lot being re-charged back to the ground through suitable subsurface storm water management systems such as rock pits or exfiltration chambers and run-off from driveways which slope to the public road or common property being intercepted at the property line by the provision of suitably designed and constructed absorbent strip such as grass-crete or permeable interlocking concrete pavers.

# PLAN # 1547

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- Are issued with the understanding that D3 Dimension Drafting Design Ltd., will be responsible for their work only to the extent of issuing corrected copies in the event of an error or omission of the same.
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328 Second Street New West

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| General Notes  |                |                      |
|----------------|----------------|----------------------|
| Project number | 1499           | A100                 |
| Date           | April 20, 2022 |                      |
| Drawn by       | Author         |                      |
| Checked by     | Checker        | Scale 1 1/2" = 1'-0" |

| Project Information (HRA) |   |
|---------------------------|---|
| Property Owner            | Diana Martins and James Garbutt   |
| Site Address              | HRA 328 Second St, New West V3L 2K8                                     |
| Project Type              | HRA   |
| Jurisdiction Authority    | City of New Westminster   |
| Legal Description         | Parcel "C" (529635E5) of Lot 44, Suburban Block 6 Group 1 NWD Plan 2620 |
| PID                       | 013-420-828   |
| Zone                      | RS-4  |

| CONSULTANTS       |                           |              |
|-------------------|---------------------------|--------------|
| Surveyor          | Amray Land Surveying Ltd. | 604-620-5299 |
| Designer          | D3 Design                 | 604-603-6747 |
| Engineer          |                           |              |
| Builder           |                           |              |
| Energy Consultant |                           |              |
| Arborist          | Arbor & Co.               | 778-886-1566 |

| Zoning Analysis         |                  |                  |          |
|-------------------------|------------------|------------------|----------|
| Site                    |                  |                  | Notes    |
| Lot Width               | 39.43 ft         |                  |          |
| Lot Depth               | 93.30 ft         |                  |          |
| Lot Size                | 3674.26 ft²      |                  | Variance |
| Step Code               |                  |                  |          |
| Primary Dwelling        |                  |                  |          |
| Coverage                | Required/Allowed | Proposed         | Notes    |
| Principle Site Coverage | 35% (1285.99 SF) | 29% (1070.30 SF) |          |
| Set Backs               | Required/Allowed | Proposed         | Notes    |
| Front:                  | 18.66 ft         | 28.85 ft         |          |
| Front projection        | 4.0 ft           | 0 ft             |          |
| Rear:                   | 18.66 ft         | 10.03 ft         | Variance |
| Rear projection:        | 4.0 ft           | 2.8 ft           | Variance |
| Right Side:             | 4.0 ft           | 5.59 ft          |          |
| Left Side:              | 4.0 ft           | 8.80 ft          |          |

| Zoning Analysis Cont'd  |                  |                    |          |
|-------------------------|------------------|--------------------|----------|
| Floor Area              | Required/Allowed | Proposed           | Notes    |
| Basement                |                  | 1041.87 SF         |          |
| First Floor             |                  | 1070.73 SF         |          |
| Second Floor            |                  | 789.61 SF          |          |
| Total                   | 2575.17 SF (70%) | 2902.21 SF (78.9%) | Variance |
| Secondary Suite Area    | N/A              | N/A                |          |
| Off street parking      | 1                | 1 (off site)       | Variance |
| Attached Accessory Area | Required/Allowed | Proposed           | Notes    |
| Front Porch             |                  | 149.80 SF          |          |
| Back Deck               |                  | 107.70 SF          |          |
| Basement Entry          |                  | 107.70 SF          |          |
| Total                   | 367.8 SF (10%)   | 365.2 SF (10%)     |          |
| Detached Accessory Area | Required/Allowed | Proposed           | Notes    |
| Carport                 |                  | N/A                |          |
| Total                   | 400 SF (10%)     | 0 SF (0%)          |          |
| Height                  | Required/Allowed | Proposed           | Notes    |
| Left Front Elevation    |                  | 321.79 ft          |          |
| Right Front Elevation   |                  | 318.23 ft          |          |
| Left Rear Elevation     |                  | 326.23 ft          |          |
| Right Rear Elevation    |                  | 317.15 ft          |          |
| Average Grade           |                  | 319.48 ft          |          |
| U/S Eave Elevation      |                  | 337.01 ft          |          |
| Roof Peak Elevation     |                  | 349.29 ft          |          |
| Roof Peak from AG       | 35 ft            | 29.82 ft           |          |
| Roof Eave From AG       |                  | 17.35 ft           |          |
| Midpoint Elevation      | 25 ft            | 23.67 ft           |          |
| Greenspace              | Required/Allowed | Proposed           | Notes    |
| Front of House          |                  | 1126 SF            |          |
| Total                   |                  | 31% (1126 SF)      |          |



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Zoning Table Heritage

Project number1499

DateApril 20, 2022

Drawn byAuthor

Checked byChecker

A101

Scale1 1/2" = 1'-0"

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| Project Information (SFD) |                                 |
|---------------------------|---------------------------------|
| Property Owner            | Diana Martins and James Garbutt |
| Site Address              | 330 Second Street               |
| Project Type              | New SFD                         |
| Jurisdiction Authority    | City of New Westminster         |
| Legal Description         | TBD                             |
| PID                       | TBD                             |
| Zone                      | RS-5                            |

| CONSULTANTS       |                           |              |
|-------------------|---------------------------|--------------|
| Surveyor          | Amray Land Surveying Ltd. | 604-620-5299 |
| Designer          | D3 Design                 | 604-603-6747 |
| Engineer          |                           |              |
| Builder           |                           |              |
| Energy Consultant |                           |              |
| Arborist          | Arbor & Co.               | 778-847-0669 |

| Zoning Analysis         |                          |                 |          |
|-------------------------|--------------------------|-----------------|----------|
| Site                    |                          |                 | Notes    |
| Lot Width               | Irregular Shape          |                 |          |
| Lot Depth               | Irregular Shape          |                 |          |
| Lot Size                | 4488.67 ft²              |                 | Variance |
| Step Code               | Step Code 3              |                 |          |
| Primary Dwelling        |                          |                 |          |
| Coverage                | Required/Allowed         | Proposed        | Notes    |
| Principle Site Coverage | 35% (1570.65 SF)         | 17% (757.84 SF) |          |
| Set Backs               | Required/Allowed         | Proposed        | Notes    |
| Front:                  | 20% (11.03)              | 12.70 ft        |          |
| Front projection        | 4.0 ft                   | 1.80 ft         |          |
| Rear:                   | 20% (11.03)              | 12.53 ft        |          |
| Right Side:             | 5.0 ft                   | 23.31 ft        |          |
| Left Side:              | 5.0 ft                   | 5.0 ft          |          |
| Lot width (Frontage)    | 406.96 ft x 10%= 40.7 ft | 15.57 ft        | Variance |

| Zoning Analysis Cont'd  |                  |                    |       |
|-------------------------|------------------|--------------------|-------|
| Floor Area              | Required/Allowed | Proposed           | Notes |
| Basement                |                  | 694.91 SF          |       |
| First Floor             |                  | 757.84 SF          |       |
| Second Floor            |                  | 790.04 SF          |       |
| Total                   | 2243.79 SF (50%) | 2242.79 SF (49.9%) |       |
| Secondary Suite Area    | N/A              | N/A                |       |
| Parking sec.140.46 A    | Required/Allowed | Proposed           | Notes |
|                         | 1                | 1                  |       |
| Attached Accessory Area | Required/Allowed | Proposed           | Notes |
| Front Porch             |                  | 124.92SF           |       |
| Rear Deck               |                  | >2' from grade     |       |
| Total                   | 448.76 SF (10%)  | 124.92 SF          |       |
| Detached Accessory Area | Required/Allowed | Proposed           | Notes |
| Total                   | 448.76 SF (10%)  | 0 SF               |       |
| Height                  | Required/Allowed | Proposed           | Notes |
| Left Front Elevation    |                  | 316.96 ft          |       |
| Right Front Elevation   |                  | 317.15 ft          |       |
| Left Rear Elevation     |                  | 315.10 ft          |       |
| Right Rear Elevation    |                  | 314.10 ft          |       |
| Average Grade           |                  | 315.83 ft          |       |
| U/S Eave Elevation      |                  | 334.94 ft          |       |
| Roof Peak Elevation     |                  | 345.24 ft          |       |
| Roof Peak Height        | 35 ft            | 29.41 ft           |       |
| Roof Eave Height        |                  | 19.11 ft           |       |
| Midpoint Height         | 25 ft            | 24.26 ft           |       |
| Green Space             | Required/Allowed | Proposed           | Notes |
| Side Yard               |                  | 825 SF             |       |
| Rear of Infill          |                  | 478 SF             |       |
| Total                   |                  | 29% (1303 SF)      |       |



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Zoning Table Infill

Project number1499

DateApril 20, 2022

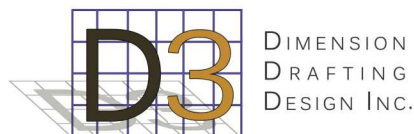
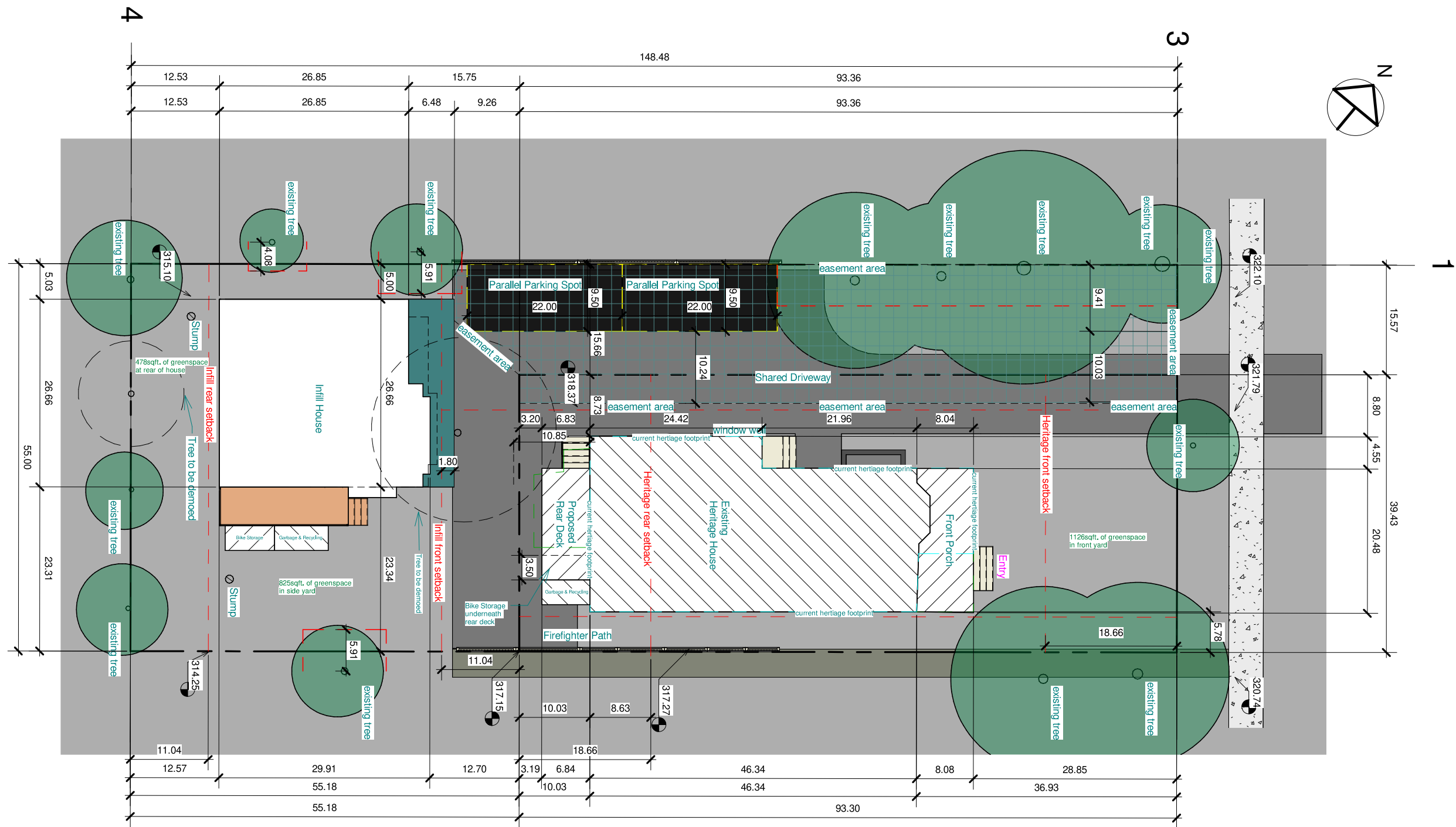
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Checked byChecker

A102

Scale1 1/2" = 1'-0"

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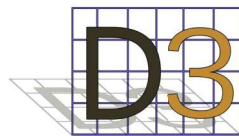
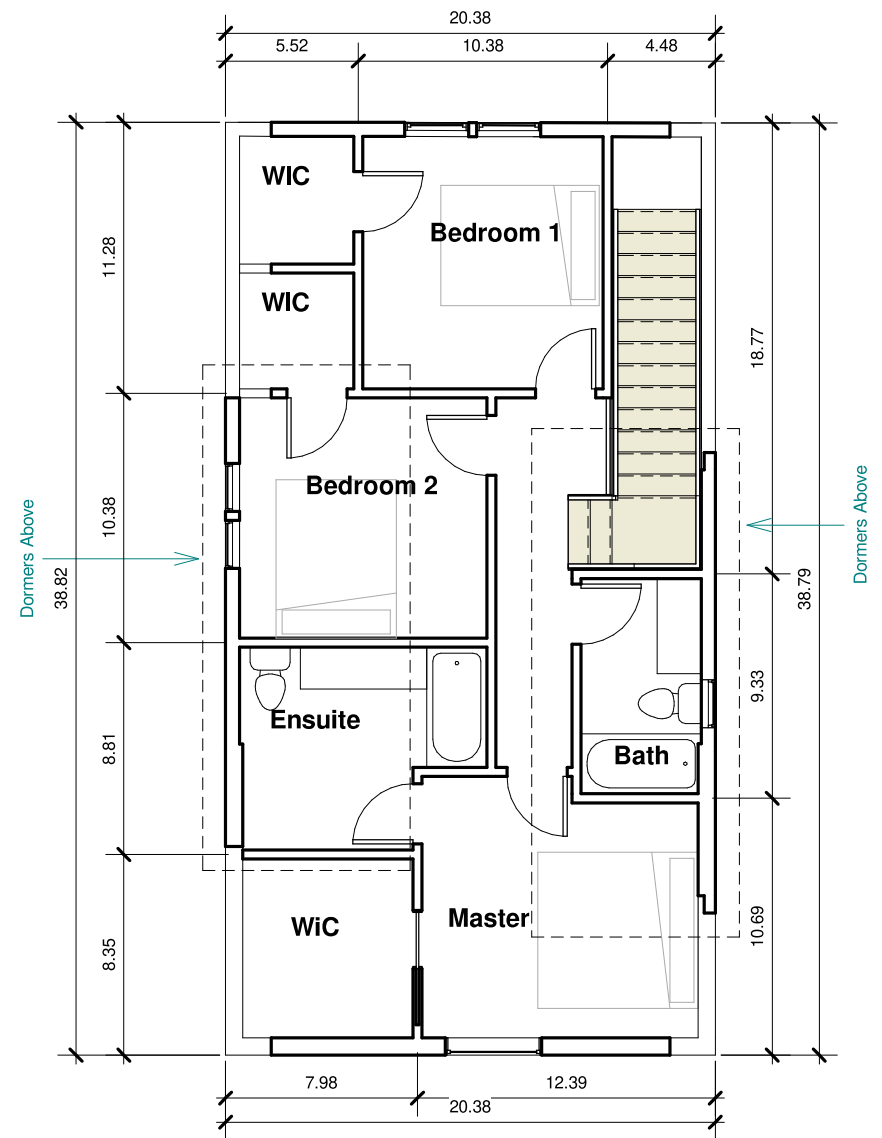
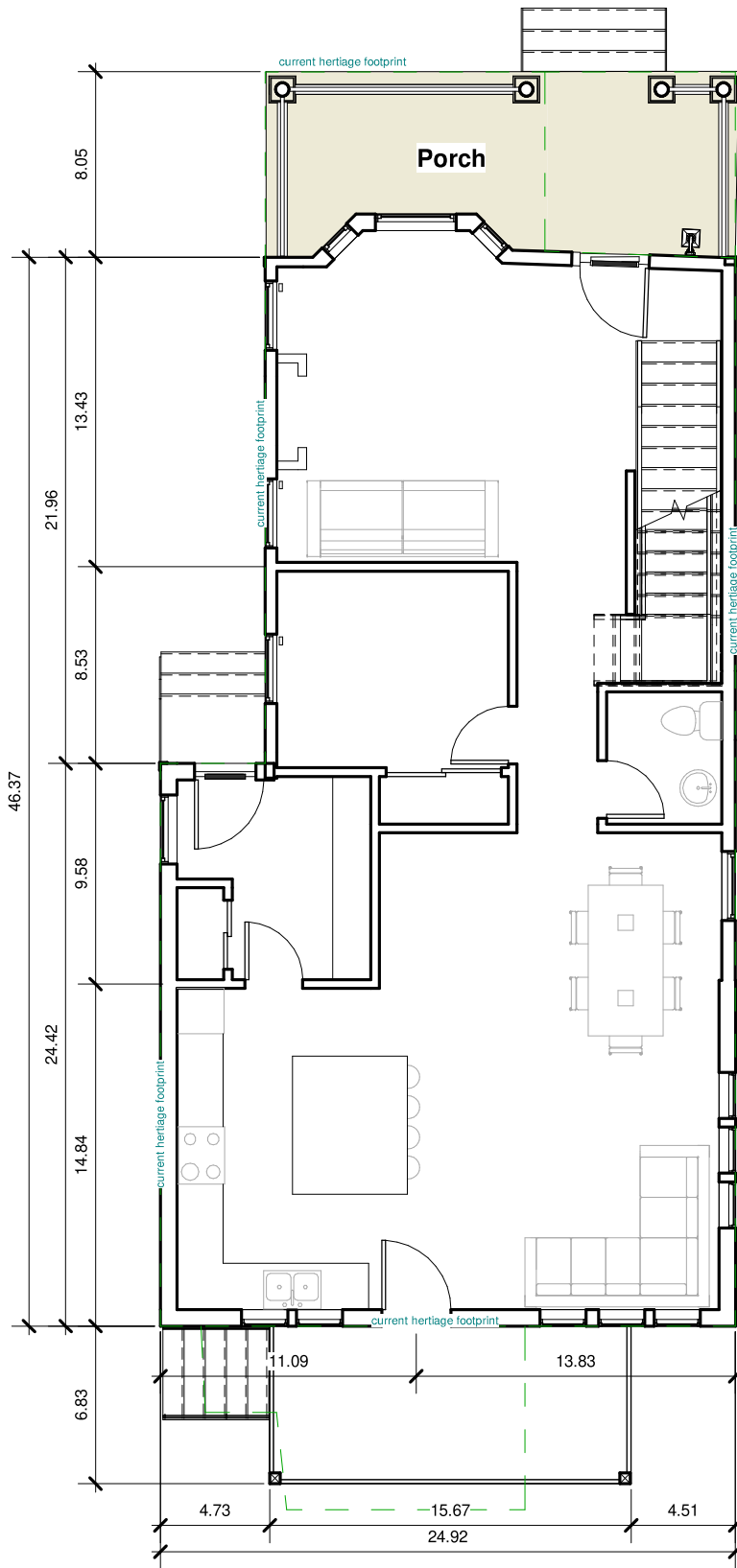
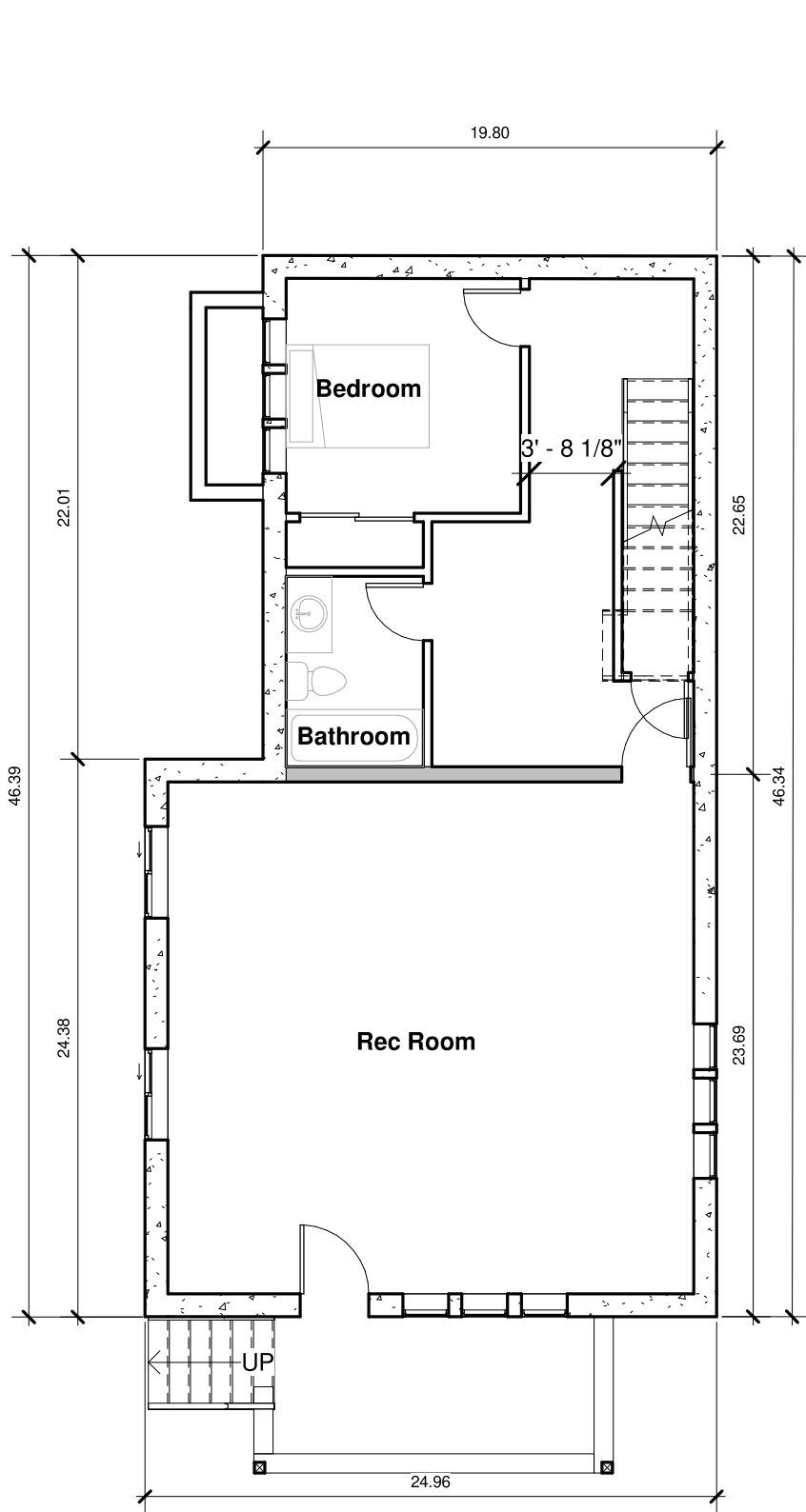


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| Site Plan           |                |                |
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| Project number      | 1499           | A103           |
| Date                | April 20, 2022 |                |
| Drawn by            | Author         |                |
| Checked by          | Checker        |                |
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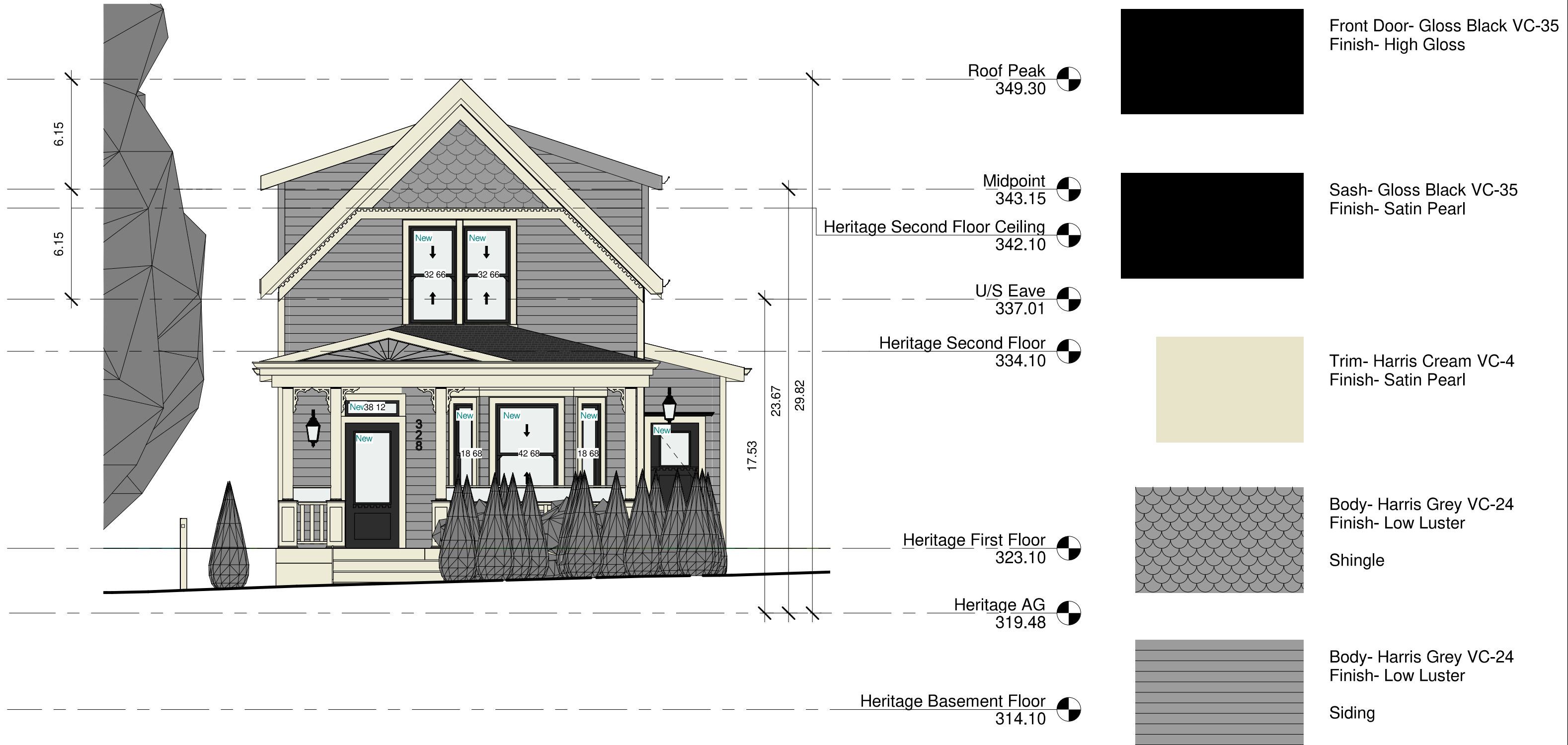
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## Heritage Floor Plans

Project number 1499  
Date April 20, 2022  
Drawn by Author  
Checked by Checker

A104

Scale 1/8" = 1'-0"  
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| Heritage Front Elevation |                |                     |
|--------------------------|----------------|---------------------|
| Project number           | 1499           | A105                |
| Date                     | April 20, 2022 |                     |
| Drawn by                 | Author         |                     |
| Checked by               | Checker        | Scale 3/16" = 1'-0" |



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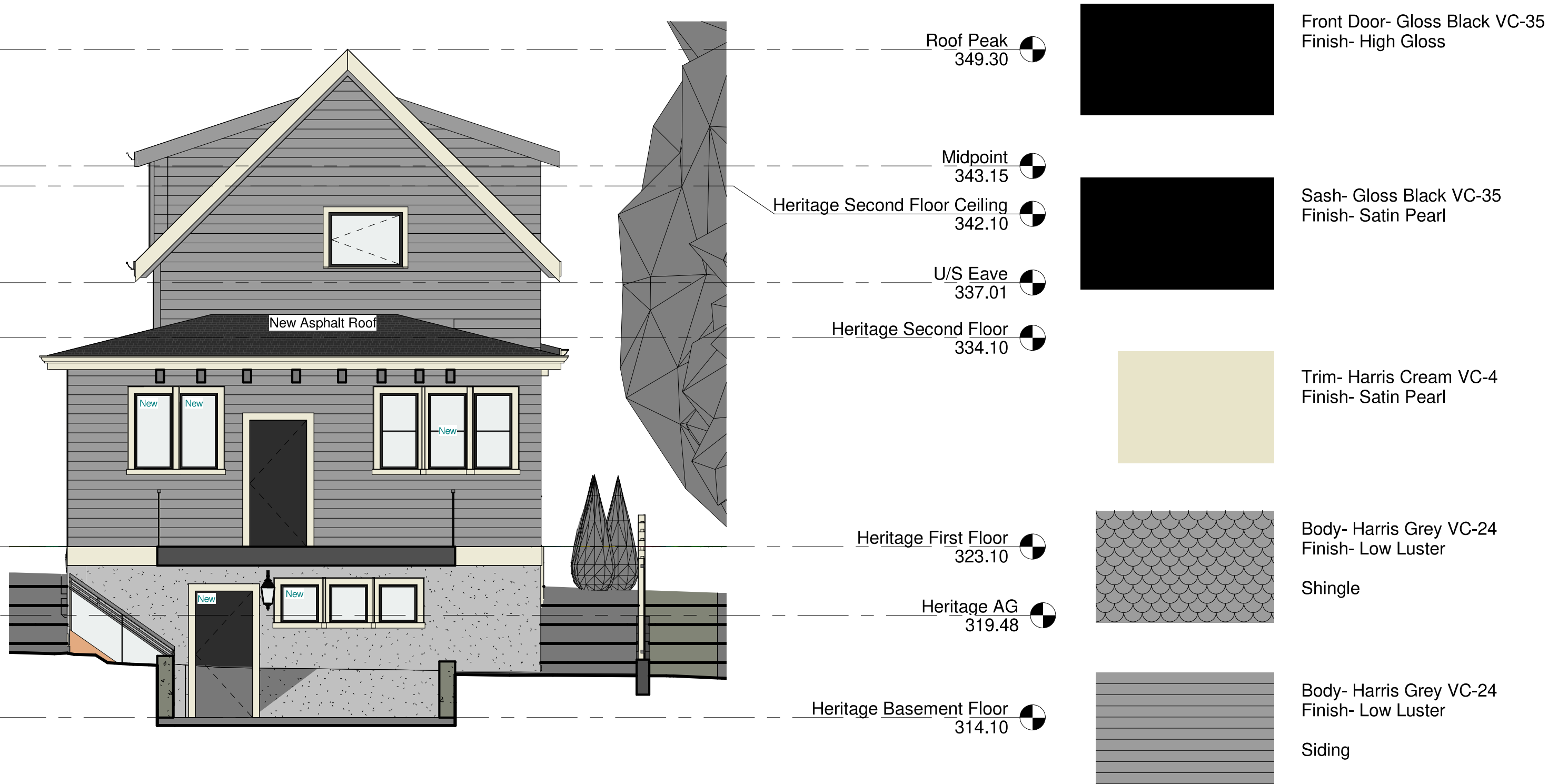
## Heritage Left Elevation

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| Project number | 1499           |
| Date           | April 20, 2022 |
| Drawn by       | Author         |
| Checked by     | Checker        |

A106

Scale 3/16" = 1'-0"  
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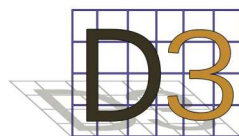


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328 Second Street New West

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| Heritage Rear Elevation |                |                     |
|-------------------------|----------------|---------------------|
| Project number          | 1499           | A107                |
| Date                    | April 20, 2022 |                     |
| Drawn by                | Author         |                     |
| Checked by              | Checker        | Scale 3/16" = 1'-0" |



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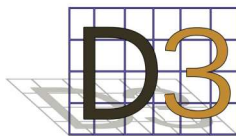
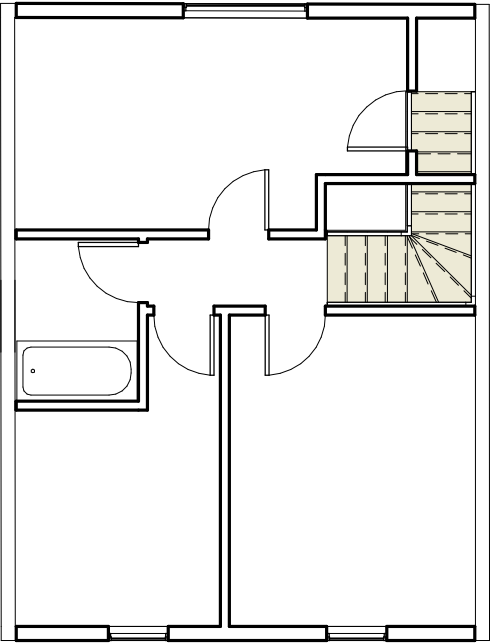
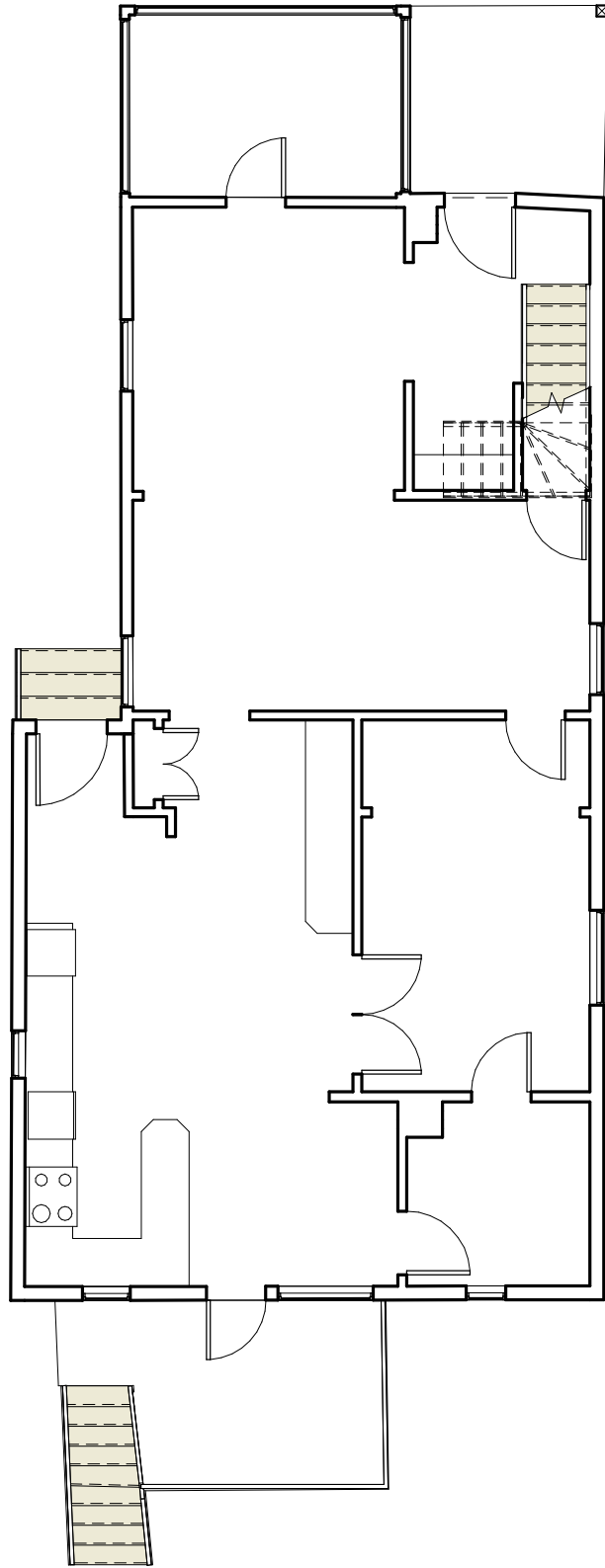
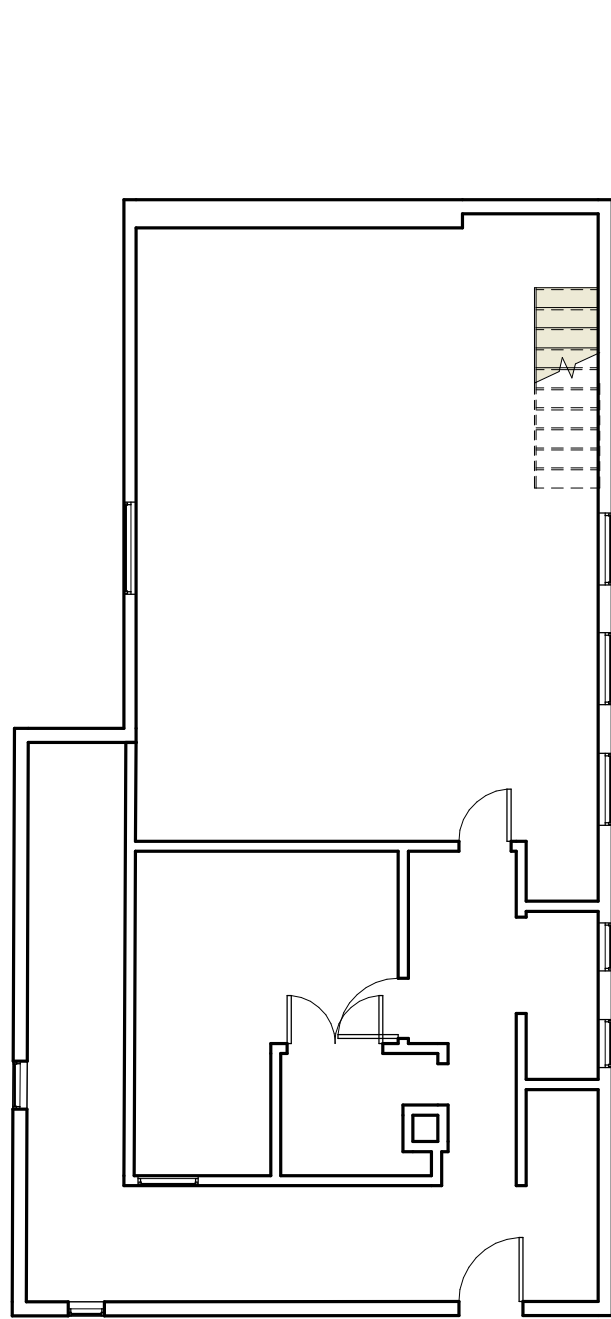
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## Heritage Right Elevation

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| Project number | 1499           |
| Date           | April 20, 2022 |
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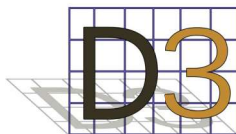
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| Heritage Existing Floor Plans |                |                    |
|-------------------------------|----------------|--------------------|
| Project number                | 1499           | A109               |
| Date                          | April 20, 2022 |                    |
| Drawn by                      | Author         |                    |
| Checked by                    | Checker        | Scale 1/8" = 1'-0" |
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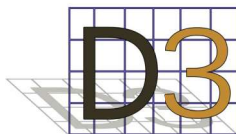
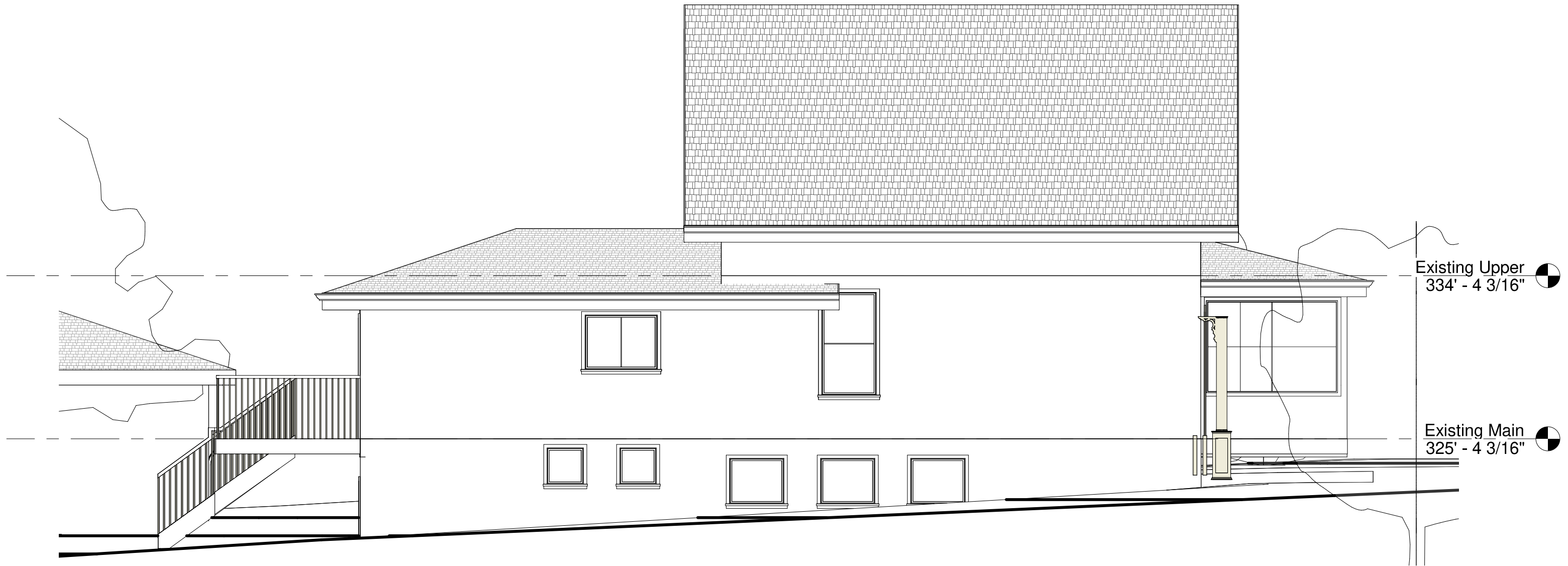
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| Heritage Existing Elevation |                |                     |
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| Project number              | 1499           | A110                |
| Date                        | April 20, 2022 |                     |
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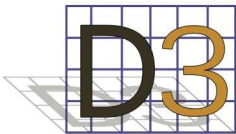
Heritage Existing Elevation

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Scale 3/16" = 1'-0"  
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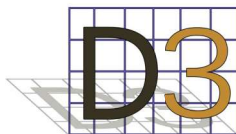
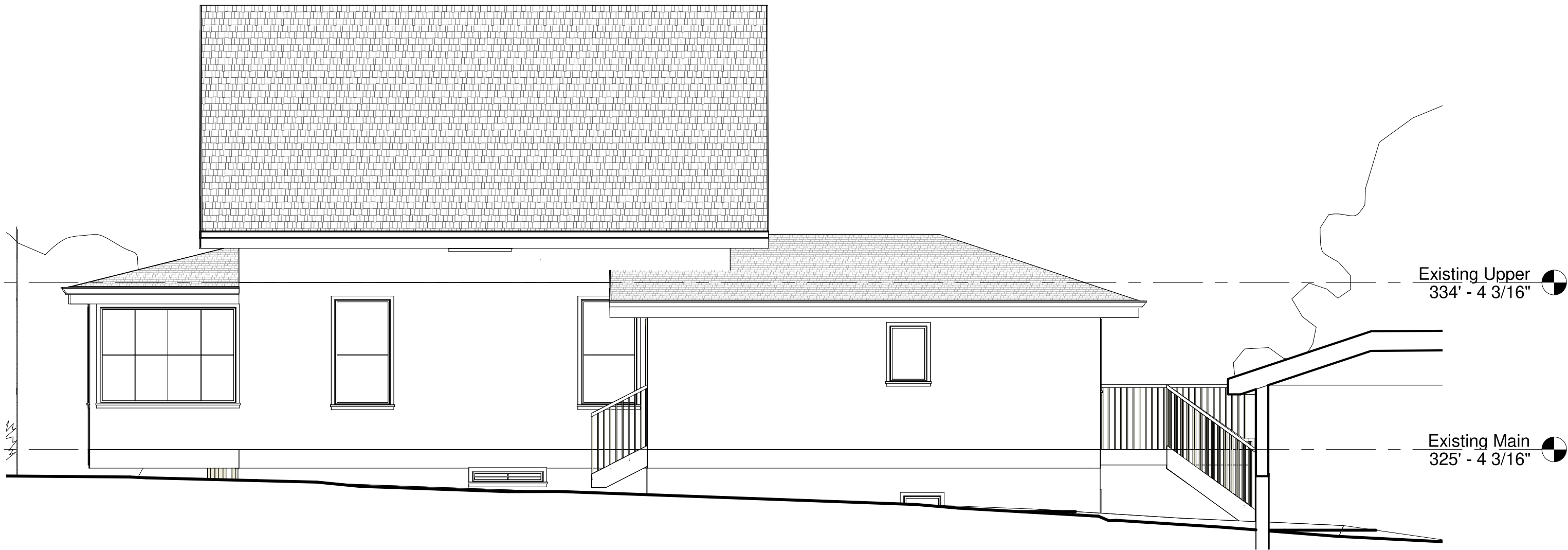
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| Heritage Existing Elevation |                |                     |
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| Project number              | 1499           | A112                |
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Heritage Existing Elevation

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| Date           | April 20, 2022 |
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Scale 3/16" = 1'-0"  
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Existing Pictures





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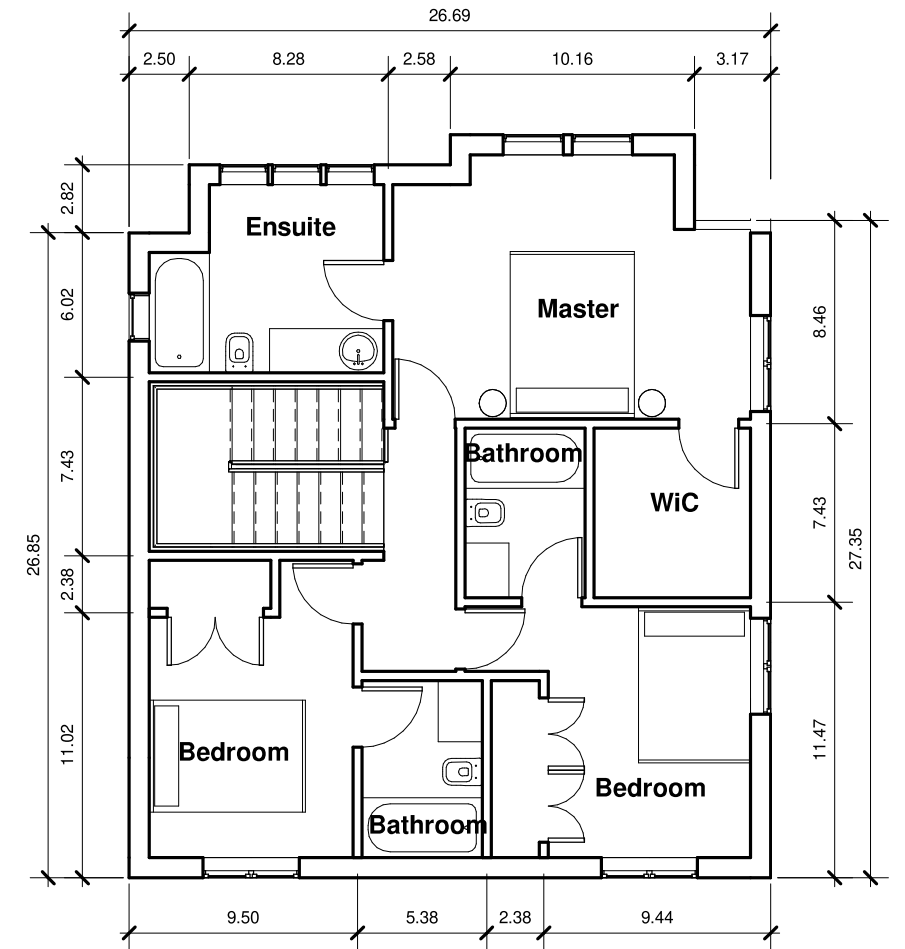
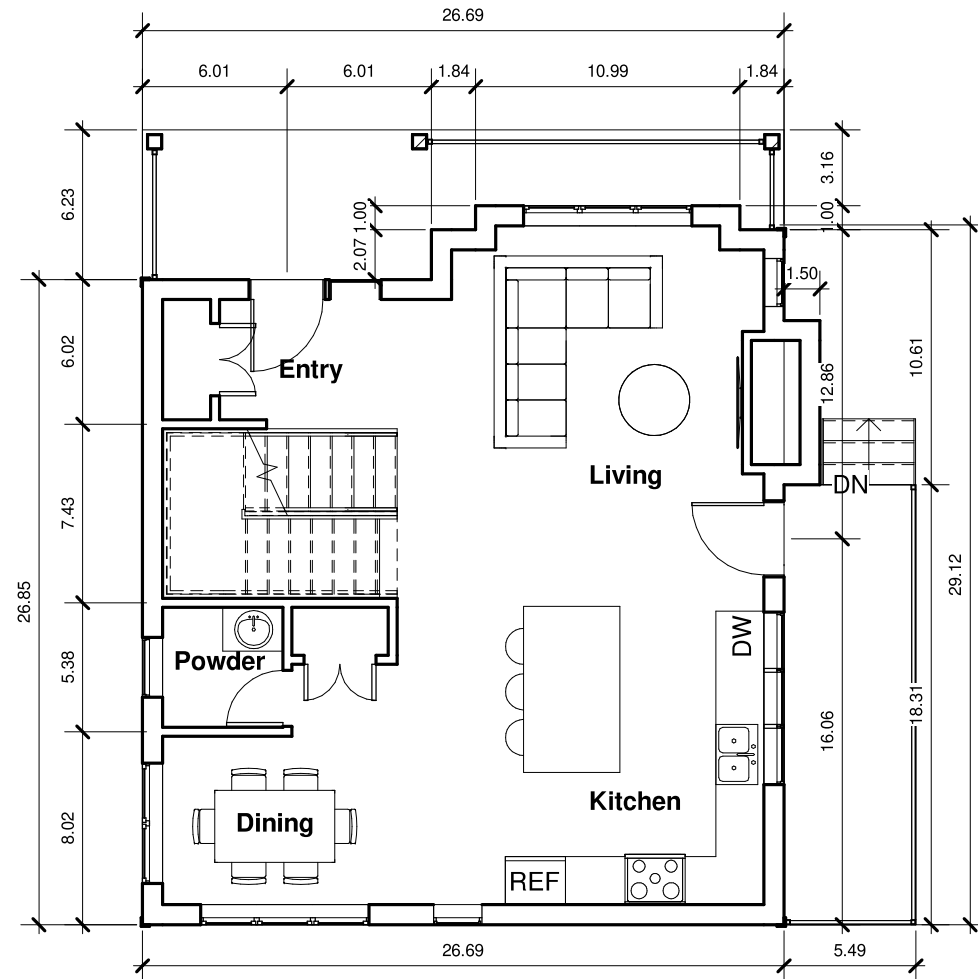
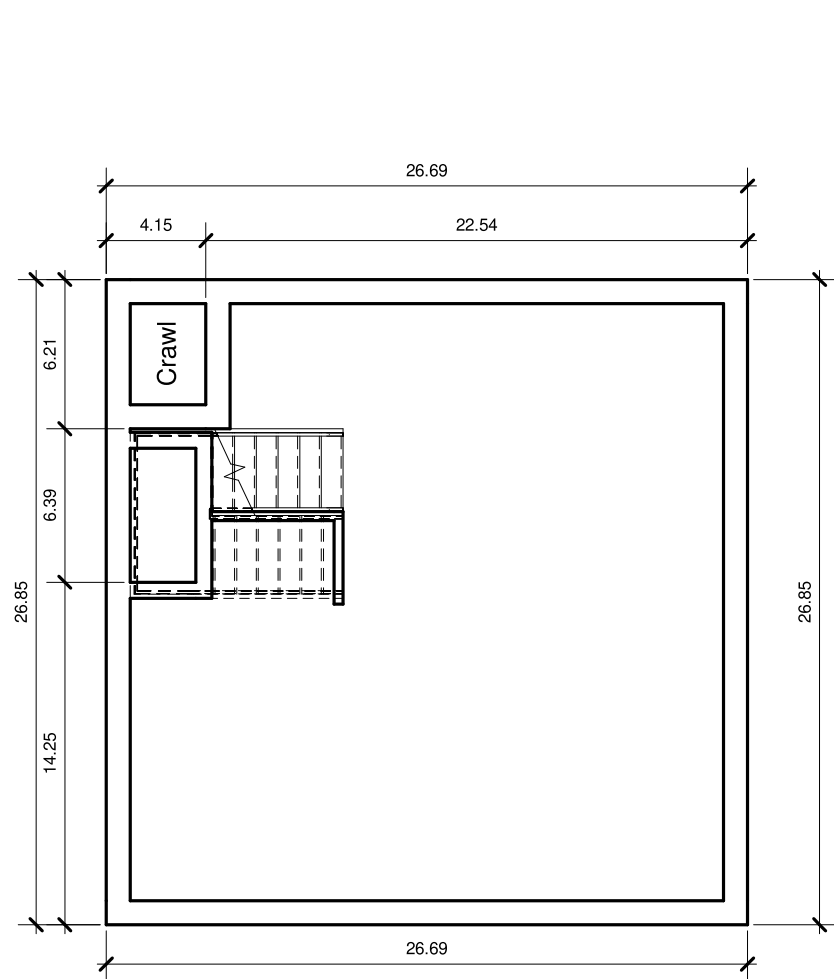
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| Heritage Existing Photos |                |                |
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| Infill Floor Plans |                |                |
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| Project number     | 1499           | <b>A115</b>    |
| Date               | April 20, 2022 |                |
| Drawn by           | Author         |                |
| Checked by         | Checker        |                |
| Scale 1/8" = 1'-0" |                | Page 64 of 272 |





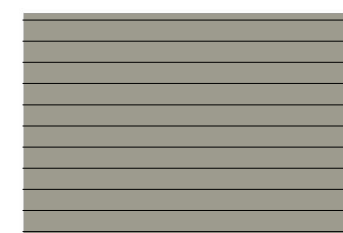
Front Door- Wrought Iron 2124-10  
Finish- High Gloss



Sash- Wrought Iron 2124-10  
Finish- Satin Pearl

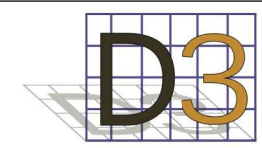


Trim- Wrought Iron 2124-10  
Finish- Satin Pearl



Body- Dunbar Grey VC-14  
Finish- Low Luster

Siding

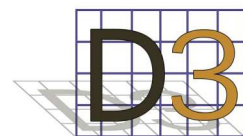


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| Infill Front Elevation |                |                     |
|------------------------|----------------|---------------------|
| Project number         | 1499           | A116                |
| Date                   | April 20, 2022 |                     |
| Drawn by               | Author         |                     |
| Checked by             | Checker        | Scale 3/16" = 1'-0" |



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| Infill Left Elevation |                |                     |
|-----------------------|----------------|---------------------|
| Project number        | 1499           | A117                |
| Date                  | April 20, 2022 |                     |
| Drawn by              | Author         |                     |
| Checked by            | Checker        | Scale 3/16" = 1'-0" |
|                       |                | Page 66 of 272      |



● Infill Roof Peak  
345.24

● Infill Midpoint  
340.09

● Infill Ceiling  
335.49  
● Infill U/S Eaves  
334.94

● Infill Upper  
327.41

● Infill Main  
317.41

● Infill AG  
315.83



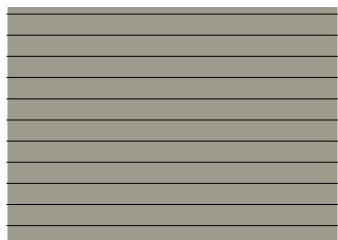
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Finish- High Gloss



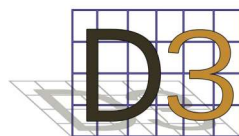
Sash- Wrought Iron 2124-10  
Finish- Satin Pearl



Trim- Wrought Iron 2124-10  
Finish- Satin Pearl



Body- Dunbar Grey VC-14  
Finish- Low Luster  
Siding



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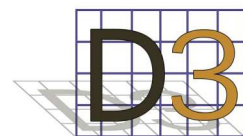
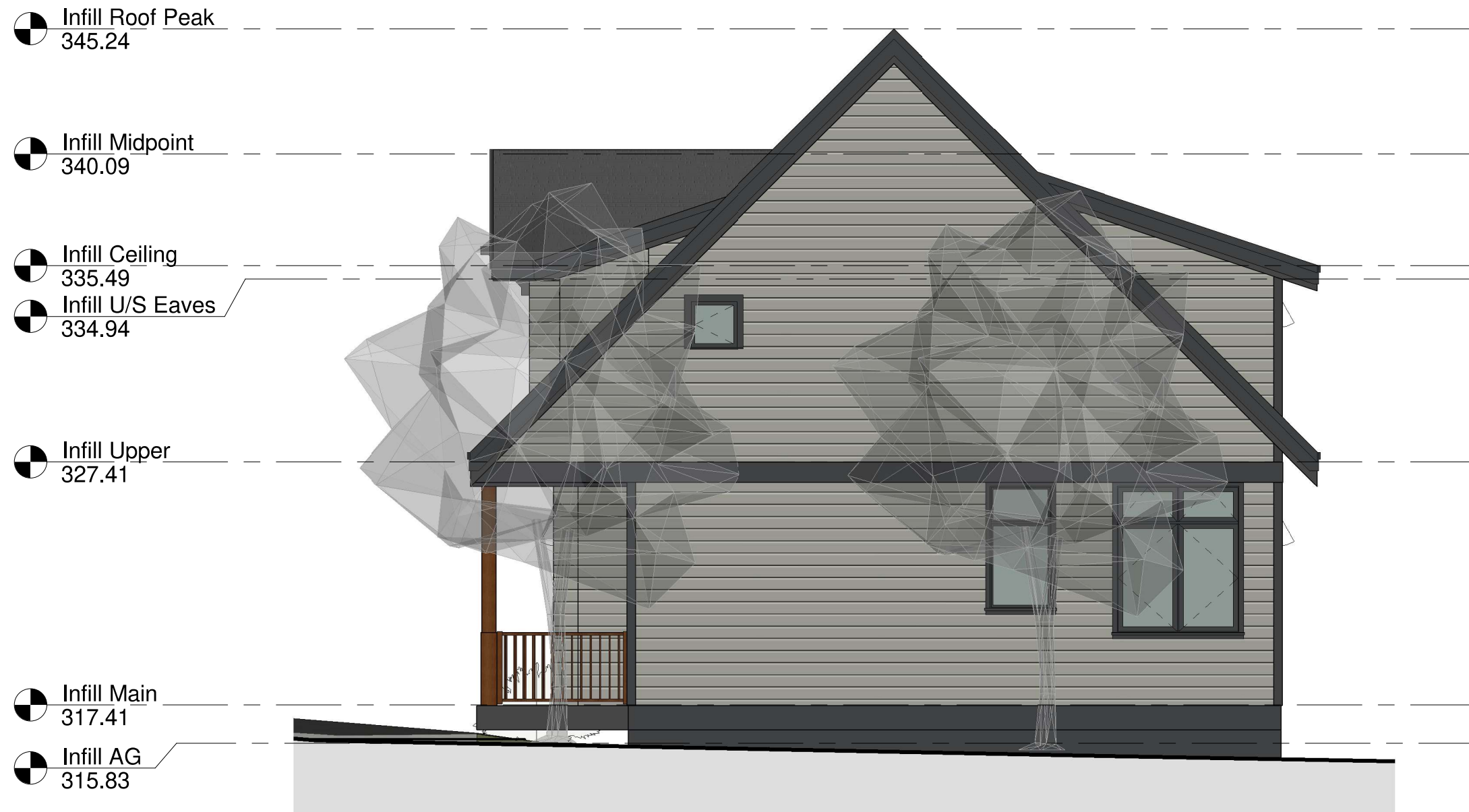
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## Infill Rear Elevation

Project number 1499  
Date April 20, 2022  
Drawn by Author  
Checked by Checker

A118

Scale 3/16" = 1'-0"  
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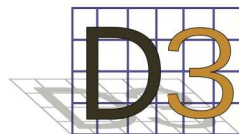
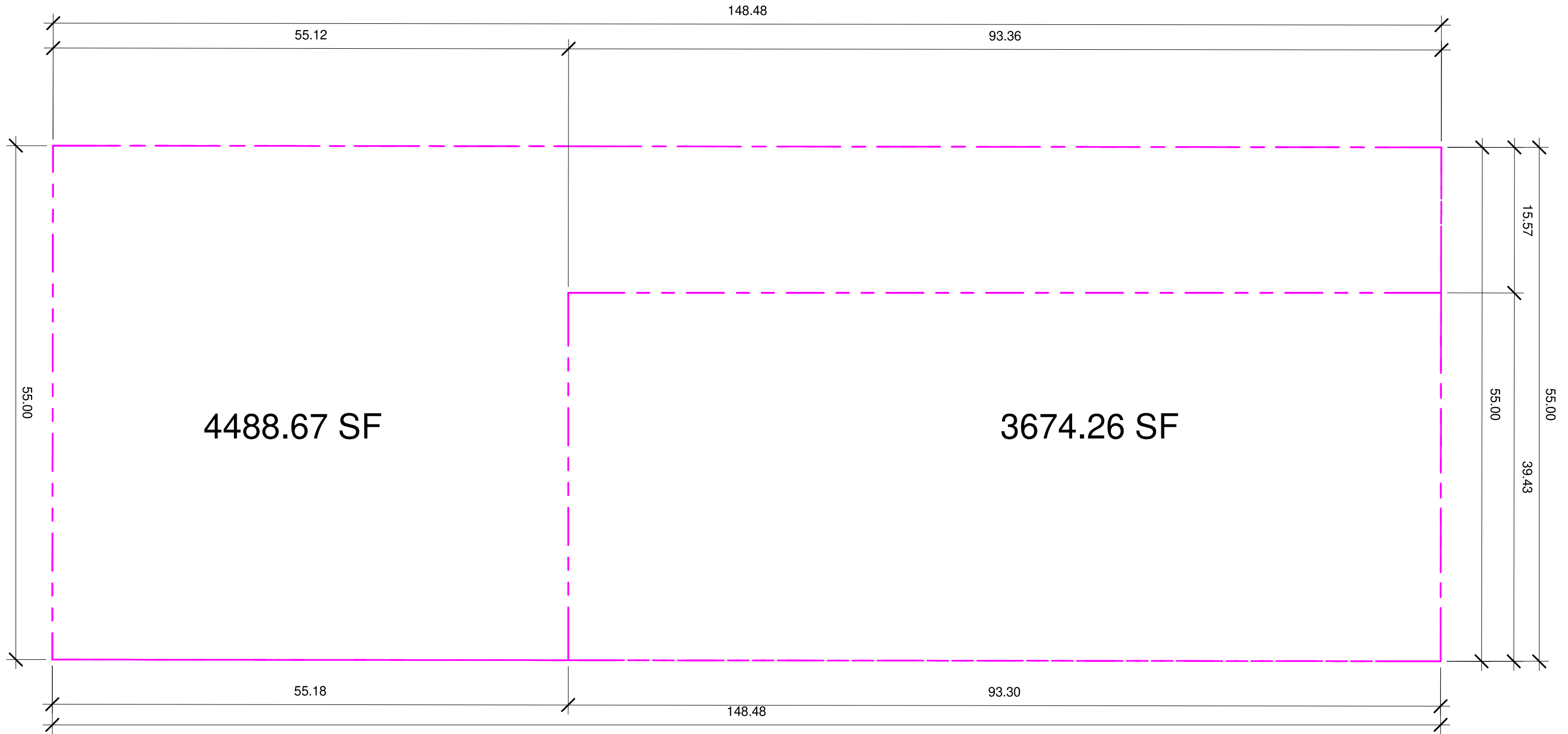


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| Infill Right Elevation |                |                |
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| Project number         | 1499           | A119           |
| Date                   | April 20, 2022 |                |
| Drawn by               | Author         |                |
| Checked by             | Checker        |                |
| Scale 3/16" = 1'-0"    |                | Page 68 of 272 |



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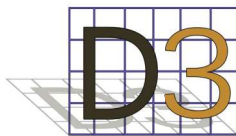
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## Property Lines

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| Project number | 1499           |
| Date           | April 20, 2022 |
| Drawn by       | Author         |
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Scale 3/32" = 1'-0"  
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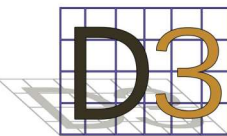
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Renders

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Renders

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| Date           | April 20, 2022 |
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Heritage Area Plans

Project number1499

DateApril 20, 2022

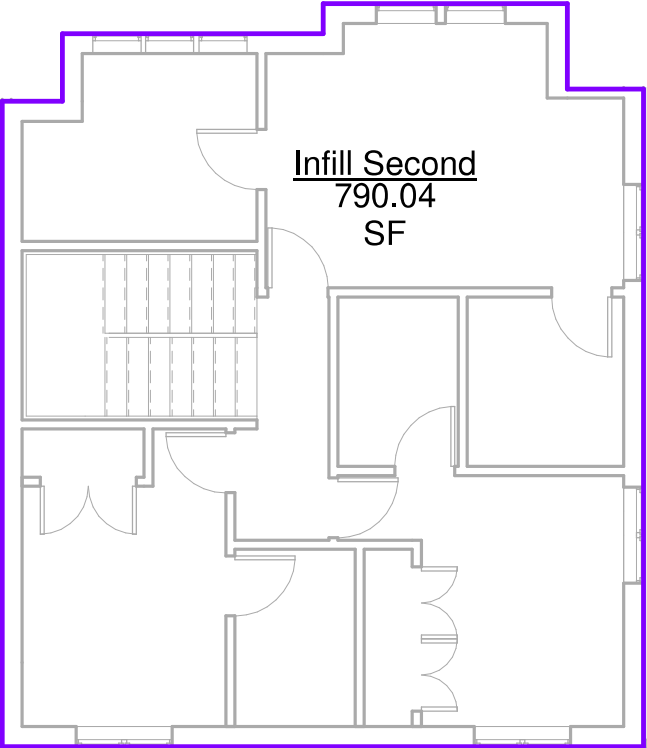
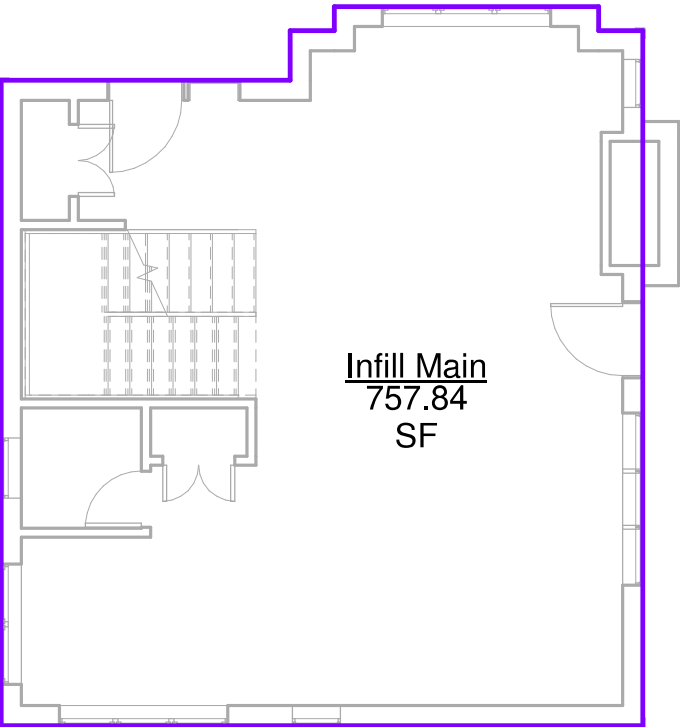
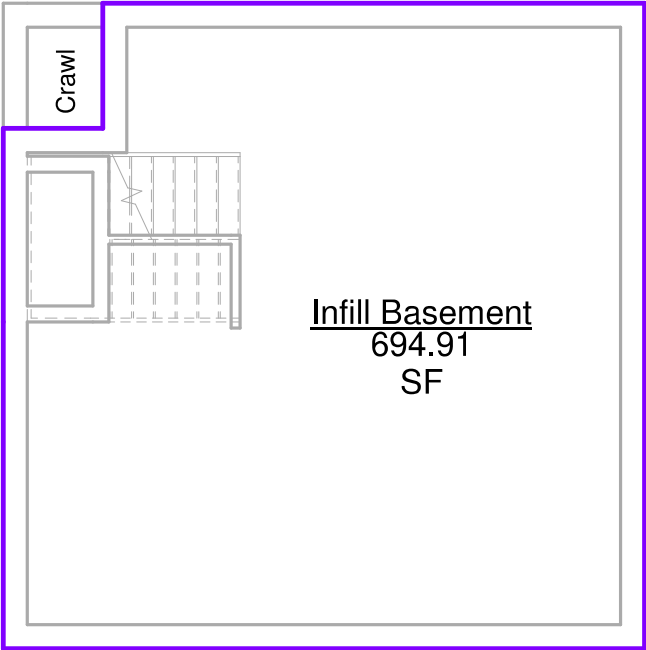
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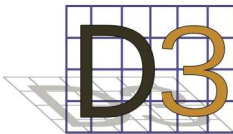
A123

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Infill Area Plans

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| Project number | 1499           |
| Date           | April 20, 2022 |
| Drawn by       | Author         |
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**A124**  
Scale 1/8" = 1'-0"  
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The image displays architectural drawings of window and door layouts for two levels of a building: the Main Level and the Upper Level. Each level is shown as a horizontal strip with various openings and their dimensions.

**Main Level:**

- Living Room Count 1:** Three windows, each 3600 wide and 8'-0" high. The top 3'-0" is labeled "Ceiling Height".
- Hallway Count 1:** Three windows, each 3600 wide and 8'-0" high. The top 3'-0" is labeled "Ceiling Height".
- Den/Bedroom Count 1:** Two windows, each 3042 wide and 8'-0" high. The top 4'-6" is labeled "SH".
- Bathroom Count 1:** One window, 2424 wide and 8'-0" high. The top 6'-0" is labeled "SH".
- Kitchen Count 1:** One window, 6048 wide and 8'-0" high. The top 4'-0" is labeled "SH".
- Dining Count 1:** Three windows, each 2424 wide and 8'-0" high. The top 6'-0" is labeled "SH".
- Living Room Count 1:** Two windows, each 3600 wide and 8'-0" high. The top 3'-0" is labeled "SH".
- Living Room Count 1:** Two windows, each 2424 wide and 8'-0" high. The top 6'-0" is labeled "SH".
- Living Room Count 1:** One window, 2424 wide and 8'-0" high. The top 6'-0" is labeled "SH".

**Upper Level:**

- Master Bedroom Count 1:** One window, 6048 wide and 8'-0" high. The top 4'-0" is labeled "SH".
- Bedroom Count 1:** One window, 6048 wide and 8'-0" high. The top 4'-0" is labeled "SH".
- Stairwell Count 1:** One window, 3048 wide and 8'-0" high. The top 4'-0" is labeled "SH".
- Bedroom Count 1:** One window, 6048 wide and 8'-0" high. The top 4'-0" is labeled "SH".
- Bedroom Count 1:** One window, 6048 wide and 8'-0" high. The top 4'-0" is labeled "SH".

Human figures are included for scale in both sections.

The architectural drawings are organized into three horizontal sections: Main Level, Upper Level, and Basement Level. Each section contains multiple window and door details with associated dimensions and room labels.

**Main Level:** This section shows details for various rooms including Wing Suite 1, Living Count 1, Den/Bedroom Count 1, Laundry Count 1, Kitchen Count 1, Dining Count 1, and Family Room Count 1. Dimensions include ceiling height (10'-0" and 8'-1"), window height (8'-1"), and sill height (SH). Human figures are shown for scale.

**Upper Level:** This section shows details for Bedroom Count 1, Master Bedroom Count 1, and Bathroom Count 1. Dimensions include ceiling height (8'-0" and 7'-0") and window height (7'-0"). Human figures are shown for scale.

**Basement Level:** This section shows details for Bedroom Count 1, Living/Kitchen Count 1, Living Count 1, and Rec Room/Stairwell Count 1. Dimensions include ceiling height (8'-0" and 7'-0") and window height (7'-0"). Human figures are shown for scale.



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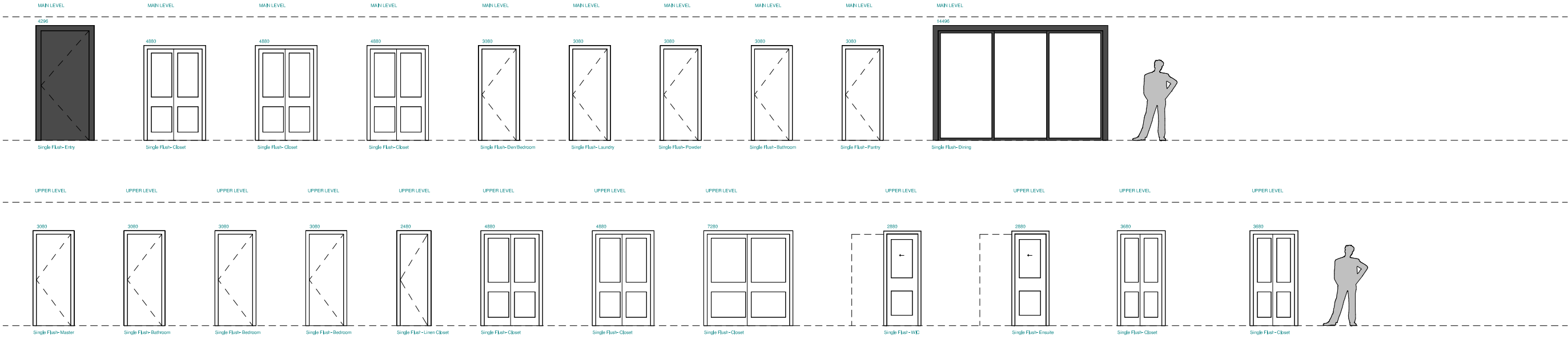
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| Project number | 1499           |
| Date           | April 20, 2022 |
| Drawn by       | Author         |
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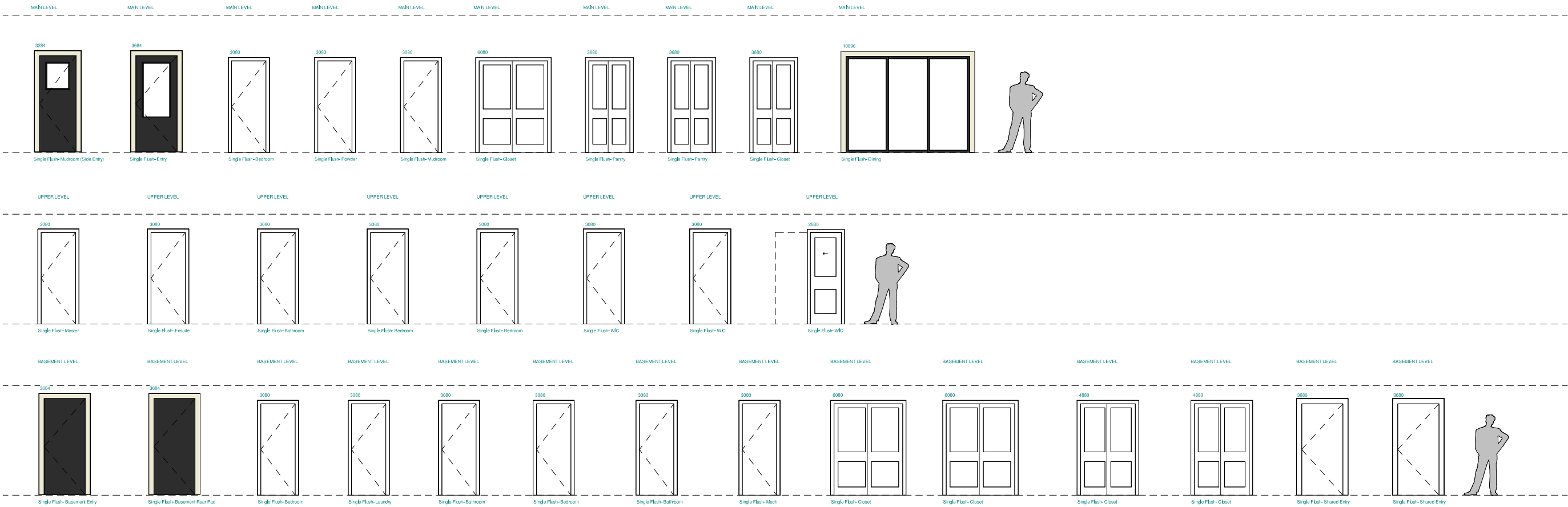
# A125

Scale  $\frac{1}{8}" = 1'-0"$  Page 74 of 272

NEW BUILD



HERITAGE HOUSE



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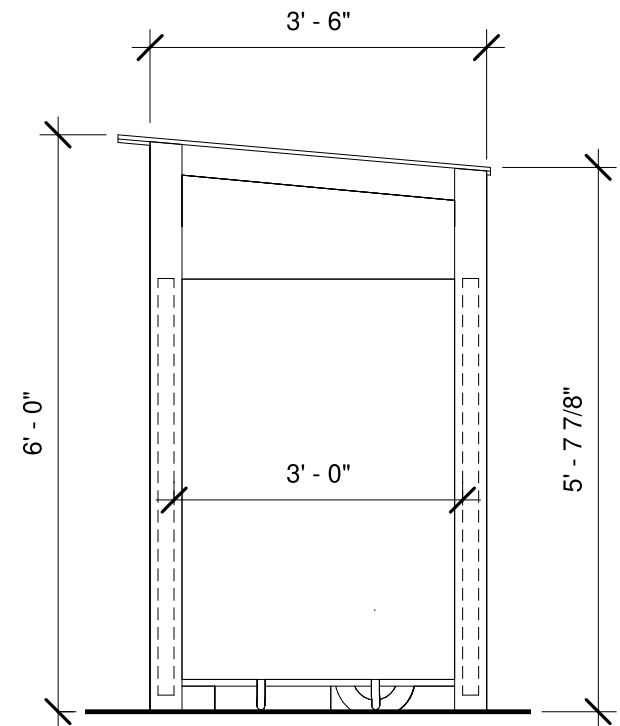
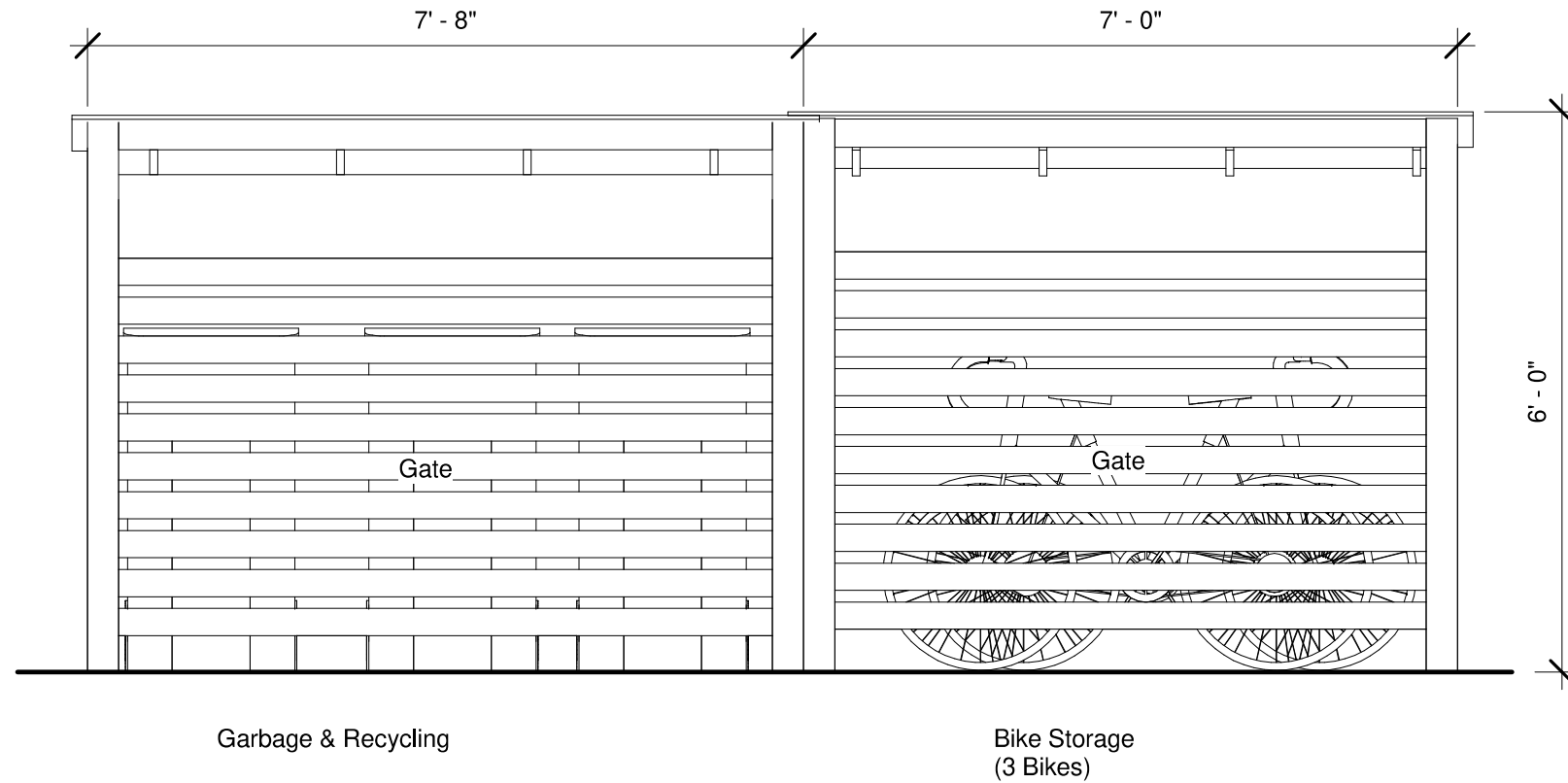
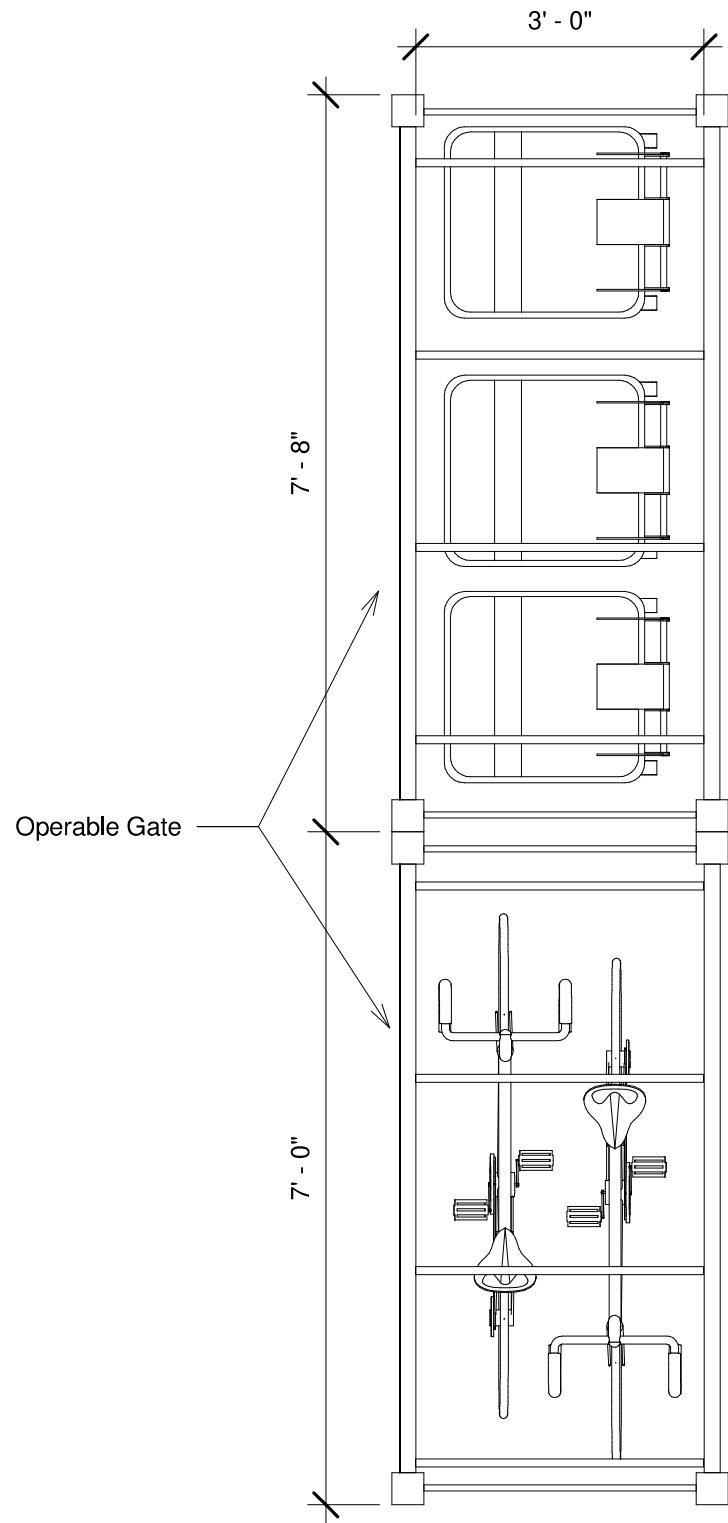
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Door Schedule

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| Project number | 1499           |
| Date           | April 20, 2022 |
| Drawn by       | Author         |
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| Bike Storage & Garbage |                |   |
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| Project number         | 1499           | <b>A127</b><br>Scale 1/2" = 1'-0"<br>Page 76 of 272 |
| Date                   | April 20, 2022 |   |
| Drawn by               | Author         |   |
| Checked by             | Checker        |   |

## **328 SECOND STREET LANDSCAPE CONCEPT DRAWING**

### **DESIGN NOTES**

**STYLE:** PLANTINGS TO COMPLIMENT THE EXISTING AND NEW STRUCTURES

**LANDSCAPE DRAWING:** SEE ATTACHED DOCUMENT FROM PAGE C11 OF THE HRA PACKAGE

### **EXISTING LANDSCAPING FRONT OF HERITAGE HOUSE**

**EXISTING TREES AROUND THE PROPERTY TO BE KEPT EXCEPT FOR ONE AT THE REAR OF THE PROPERTY TO BE REMOVED AND REPLACED**









## **TREES AND SHRUBS**

### **JAPANESE MAPLE (RED)**

ACCENT FOR FRONT YARD OF THE HERITAGE HOUSE

THE JAPANESE MAPLE IS A SMALL TREE THAT WILL FIT INTO ALMOST ANY YARD. PRIZED FOR THEIR STRIKING LEAVES, THEY PROVIDE VISUAL INTEREST IN FALL AND WINTER THANKS TO THEIR LEAF AND SAMARA COLORS.



### **ACER CAMESTRE (FIELD MAPLE)**

ACCENT TREE BETWEEN THE HERITAGE HOUSE AND THE NEW BUILD

THIS IS A SMALL, LOW-BRANCHED, DENSE, ROUNDED, DECIDUOUS TREE OR LARGE MULTI-STEMMED SHRUB THAT TYPICALLY GROWS IN CULTIVATION TO 25-35' TALL. IT MAY BE PRUNED TO FORM A TALL HEDGE.



### **EMERALD CEDARS (SMARAGD)**

FLANKING THE ENTRANCE TO THE DRIVEWAY ON SECOND STREET

USE TO CREATE A HEDGE OR AS SINGLE TREES THIS FABULOUS LOW-MAINTENANCE, EVERGREEN HEDGING CONIFER. IT CAN ALSO BE PLANTED AS A SPECIMEN CONIFER ON ITS OWN IN BORDERS OR LAWNS.



### **WINTER GEM BOXWOOD**

HEDGING BETWEEN THE DRIVEWAY AND THE HERITAGE HOUSE AND ALONG THE BACK OF THE NEW BUILD

THE SLOW GROWING SHRUB IS IDEAL FOR EDGING AND BORDERS ALONG PATHWAYS OR AROUND FLOWER BEDS. WELL-SUITED FOR TOPIARY AND CONTAINERS. CONSIDERED TO BE THE MOST RESISTANT TO THE BOXWOOD LEAF



### **PLUM YEW**

TO FLANK STAIRS ON THE ENTRY STAIRS OF THE HERITAGE HOUSE AND ACCENTS IN NEW BUILD GARDEN BEDS

CAN BE USED AS AN ACCENT PLANT, FOUNDATION PLANT, BORDER PLANT, OR IN MASS PLANTINGS. THEIR TOLERANCE FOR SHADE MAKES THEM GOOD AS FILLER BENEATH TREES OR IN AREAS SHADED BY BUILDINGS.



### **RHODODENDRON (YELLOW)**

PART OF BED PLANTING AT REAR DECK OF HERITAGE HOUSE TO BRING OUT THE FASCIA.

QUICKLY BECOMING KNOWN AS ONE OF THE BEST HARDY, YELLOW RHODODENDRONS, BLOOM IN MID-SPRING WITH TRUE YELLOW FLOWERS THAT SPORT A FIERY RED BLOTCH. THE DARK GREEN, MILDEW-RESISTANT FOLIAGE MAKES A WONDERFUL CONTRAST TO THE RADIANT BLOOMS AS WELL AS THE ATTRACTIVE RED BUDS THAT PERSIST THROUGHOUT WINTER.



### **SPIREA GOLDMOUND**

BACK DECK OF HERITAGE HOUSE

A DECIDUOUS SHRUB THAT TYPICALLY GROWS 4-6' TALL WITH A SLIGHTLY LARGER SPREAD. TINY PINK FLOWERS IN FLAT-TOPPED CLUSTERS (CORYMBES) COVER THE FOLIAGE FROM LATE SPRING TO MID-SUMMER, WITH SPARSE AND INTERMITTENT REPEAT BLOOM SOMETIMES OCCURRING. FLOWERS ARE ATTRACTIVE TO BUTTERFLIES.



### **FLOWERS AND PLANTS**

#### **VINCA (PERIWINKLE)**

PART OF BORDER FOR DRIVEWAY SIDE AND FRONT LAWN OF THE HERITAGE HOUSE

VERSATILE GROUND COVER FOR SHADY AREAS. GOOD COVER FOR BULBS. EFFECTIVE ON SLOPES OR BANKS TO STABILIZE SOILS AND PREVENT EROSION.



#### **REGULAR ROSE BUSH – COLOUR TBD**

FRONT YARD OF HERITAGE HOUSE

SHRUB ROSES ARE NOTABLE FOR THEIR COLD HARDINESS AND VIGOROUS PRODUCTION OF FLOWER CLUSTERS AND INCLUDES VARIETIES THAT RESEMBLE OLD GARDEN ROSES, WITH RECURRENT BLOOMING AND PLEASANT FRAGRANCE.



### **HOSTA (CHERRY BERRY)**

FRONT AND REAR GARDEN OF HERITAGE HOUSE, DRIVEWAY ACCENT AND SHADE GARDEN OF NEW BUILD

CHERRY BERRY' HOSTA HAS LONG THIN LEAVES WITH A DARK GREEN MARGIN MERGING WITH A GOLDEN YELLOW CENTER THAT EVENTUALLY SEASONS TO WHITE IN SUMMER. VIOLET FLOWERS ON EXTREMELY BRIGHT RED SCAPES PRODUCE HEAVILY SOUGHT AFTER RED SEED PODS THAT LAST WELL INTO THE FALL.



### **HYDRANGEA MACROPHYLLA 'ROBERT'**

TO MATCH EXISTING AT THE FRONT OF THE HERITAGE HOUSE FRONT CORNER OF NEW BUILD NEXT TO THE RHODODENDRON BUSH

A DECIDUOUS SHRUB GROWS ABOUT 2 M TALL BY 2.5 M BROAD WITH LARGE HEADS OF PINK OR BLUE FLOWERS IN SUMMER AND AUTUMN.



## **PATHS AND DRIVEWAY**

### **PERMEABLE HERITAGE ROMAN PAVERS – NEW**

ALL WALKWAYS, DRIVEWAYS AND PARKING AREAS

INSPIRATION IMAGE OF PAVERS



## **FENCING**

### **CEDAR FENCING 6 FEET HIGH**

INSPIRATION IMAGE OF FENCE



**APPENDIX 6**

**TERMS OF INSTRUMENT – PART 2**

**SECTION 219 COVENANT – NO SEPARATE SALE OF SUBDIVIDED PARCELS**



## APPENDIX 6

### TERMS OF INSTRUMENT – PART 2

#### SECTION 219 COVENANT – NO SEPARATE SALE OF SUBDIVIDED PARCELS

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

BETWEEN:

**JAMES MICHAEL GARBUTT and DIANA SOARES MARTINS-GARBUTT**, 328 Second Street, New Westminster, BC, V3L 2K8

(the “Owner”)

AND:

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

(the “City”)

WHEREAS:

- A. The Owners are the registered owners in fee simple of those lands in New Westminster, British Columbia legally described as PID: 013-420-828; PARCEL “C” (529635E) OF LOT 44 SUBURBAN BLOCK 6 PLAN 2620. (together, the “Lands”);
- B. Pursuant to a Heritage Revitalization Agreement between the City and the Owners, dated for reference April 28, 2022 (the “HRA”), the Owners are required to deposit in the Land Title Office, concurrently with the subdivision plan creating the Lands as separate fee simple parcels, a covenant under s.219 of the *Land Title Act* in favour of the City, by which the Owners covenant and agree not to transfer separately the Lands until the Owners have complied with the requirements of the HRA for the preservation, restoration, and rehabilitation of the Heritage Building (as defined in the HRA);
- C. Section 219 of the *Land Title Act* (British Columbia) provides that there may be registered as a charge against the title to any land a covenant in favour of a municipality in respect of the use of land, the use of a building on or to be erected on land, or that parcels of land designated in the covenant are not to be sold or otherwise transferred separately;

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

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

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

(b) if to the City, as follows:

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

Attention: Heritage Planner

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

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

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

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

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

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

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

## CONSENT AND PRIORITY AGREEMENT

WHEREAS:

A. **JAMES MICHAEL GARBUTT and DIANE SOARES MARTINS-GARBUTT**

(the "Owner") is the registered owner of the land described in Item 2 of Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement (the "Land");

B. The Owner granted [*Name of chargeholder*] (the "Prior Chargeholder") a [*identify mortgage or other charge*] which was registered against the title to the Land in the New Westminster Land Title Office under number [*insert registration number*] (the "Prior Charge");

C. The Owner granted to the Corporation of the City of New Westminster (the "Subsequent Chargeholder") a section 219 covenant which is registered against the title to the Land under number one less than this Consent and Priority Agreement (the "Subsequent Charge"); and

D. Section 207 of the *Land Title Act* permits the Prior Chargeholder to grant priority over a charge to a subsequent chargeholder.

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

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

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

END OF DOCUMENT



## APPENDIX 7

### VARIATIONS TO ZONING BYLAW NO. 6680, 2001

|  | <b>RS-4 Single Detached Dwelling Districts (Queen's Park) Requirement</b> | <b>Lot with Heritage Building (328 Second Street)</b> | <b>Lot with New Infill House (330 Second Street)</b> |
|--|---|---|--|
| <b>Minimum Site Area</b>                     | 557 square metres<br>(6,000 square feet)                                  | 341 square metres<br>(3,674 square feet)              | 417 square metres<br>(4,488 square feet)             |
| <b>Maximum Floor Space Ratio*</b>            | 0.51  | 0.79  | --   |
| <b>Lot Frontage</b>                          | 12.4 metres<br>(40.7 feet)  | --  | 4.74 metres<br>(15.57 feet)                          |
| <b>Minimum Rear Setback (south)</b>          | 5.68 metres<br>(18.6 feet)  | 3.05 metres<br>(10 feet)                              | --   |
| <b>Minimum Rear Porch Projection (south)</b> | 1.21 metres<br>(4 feet)   | 0.86 metres<br>(2.84 feet)                            | --   |
| <b>Minimum Off-Street Parking</b>            | 1 space (heritage)<br>1 space (new)                                       | 0 spaces (1 provided on the new lot)                  | --   |

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

## THE CORPORATION OF THE CITY OF NEW WESTMINSTER

### BYLAW NO. 8310, 2022

A bylaw of the Corporation of the City of New Westminster to designate 328 Second Street as protected heritage property.

---

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

AND WHEREAS the registered owner of the land located at 328 Second 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 (328 Second Street) Bylaw No. 8309, 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 328 Second 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 328 Second 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 (328 Second Street) No. 8310, 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 328 Second Street, New Westminster, British Columbia, legally described as PID: 013-420-828; PARCEL "C" (529635E) OF LOT 44 SUBURBAN BLOCK 6 PLAN 2620 and labelled "328 Second Street" (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 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 9th day of May 2022.

GIVEN SECOND READING this 9th day of May 2022.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

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

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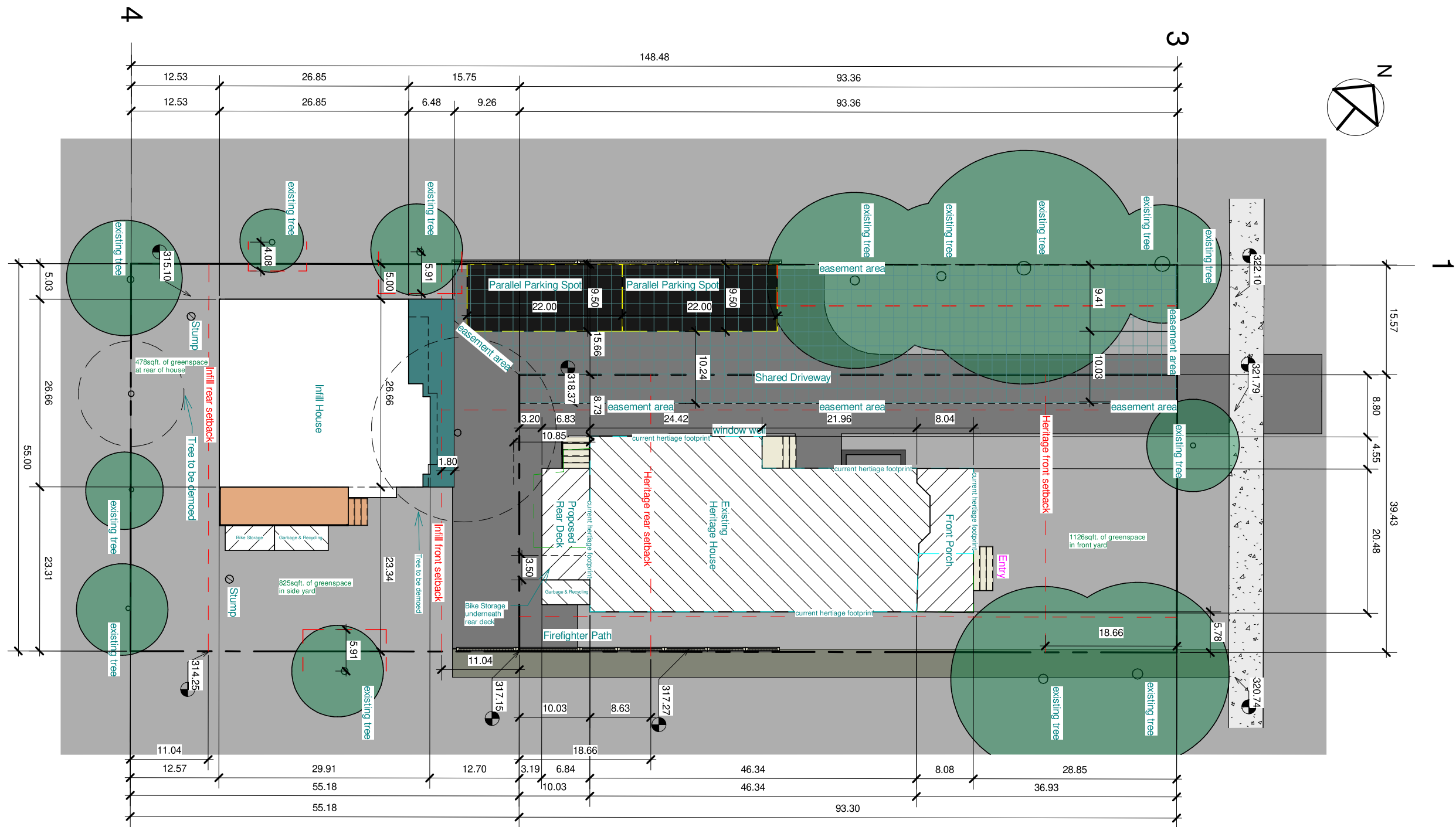
MAYOR JONATHAN X. COTE

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JACQUE KILLAWEE, CITY CLERK

**SCHEDULE A**

**SKETCH**



928 Thirteen Street, New Westminster, BC V3M4N2  
www.d3design.ca

Diana Martins and James Garbutt  
328 Second Street New West

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |
|     |             |      |

## Site Plan

|                |                |
|----------------|----------------|
| Project number | 1499           |
| Date           | April 20, 2022 |
| Drawn by       | Author         |
| Checked by     | Checker        |

A103

Scale 1/16" = 1'-0"  
Page 96 of 272



## **REPORT**

### ***Office of the Mayor***

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

**From:** Denise A Tambellini Intergovernmental  
and Community Relations Manager      **File:**

**Item #:** 2022-394

**Subject:** British Columbia Electoral Boundaries Commission Reform  
Submission - May 2022

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#### **RECOMMENDATION**

That Council accept this report for information on the submission to the British Columbia Electoral Boundaries Commission.

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#### **PURPOSE**

This report will outline the work of and submission to the BC Electoral Boundaries Commission regarding the need for increased Provincial representation in New Westminster.

#### **SUMMARY**

The BC Electoral Boundaries Commission is working on the electoral district boundaries for the next two provincial elections in BC. These boundaries are important because each electoral district is represented by one elected representative in the BC legislature. Based on community feedback and the rapid growth and issues surrounding New Westminster and other urban cities, increased Provincial representation was requested.

#### **BACKGROUND**

The BC Electoral Boundaries Commission is an independent and non-partisan commission appointed to review provincial electoral district boundaries. The Commission makes proposals to the Legislative Assembly on the area, boundaries, and

names of electoral districts to be used in the next two provincial general elections. This ensures that each part of BC has effective representation.

The Legislative Assembly reviews the Commission's proposals and votes to approve them, reject them, or approve them with alterations. If the Commission's proposals are approved or approved with alterations, the government must introduce them as a Bill.

Under the [Electoral Boundaries Commission Act](#), a BC Electoral Boundaries Commission must be appointed within one year of General Voting Day after every second provincial general election. General Voting Day for the 2020 Provincial General Election was October 24, 2020. The three members of the current Commission (the "commissioners") were appointed on October 21, 2021.

The members of the current BC Electoral Boundaries Commission are:

- Justice Nitya Iyer of the Supreme Court of British Columbia (chair)
- Linda Tynan, Local Government Management Consultant, and
- Anton Boegman, British Columbia's Chief Electoral Officer

The Commission may recommend up to 93 electoral districts (there are currently 87 districts in the province).

The Commission wants to hear from British Columbians before publishing its preliminary and final reports. Reports can be made online at this site: <https://bcebc.ca/your-voice/> or in writing to [info@bcebc.ca](mailto:info@bcebc.ca), or by mail to PO Box 9275 Stn Prov Govt Victoria, BC V8W 9J6.

The Commission is accepting input to help it prepare its preliminary report between now and 4:30 p.m. on May 31, 2022. The Commission's preliminary report is expected to be published in fall 2022.

## **ANALYSIS**

Based on community feedback, along with demonstrated rapid growth of 11.2% over the last four years and an increase in complex urban issues in the city of New Westminster, the attached letter was provided to the BC Electoral Boundaries Commission from the Mayor (attachment 1) requesting increased Provincial representation for the city.

## **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**OPTIONS**

1. That Council accept this report for information on the submission to the British Columbia Electoral Boundaries Commission; or
2. Council provide other direction.

**CONCLUSION**

The BC Electoral Boundaries Commission is working on the electoral district boundaries for the next two provincial elections in BC. These boundaries are important because each electoral district is represented by one elected representative in the BC legislature. Based on community feedback, along with demonstrated rapid growth and an increase in complex urban issues in the city of New Westminster, increased Provincial representation was requested. This report is presented for information.

**ATTACHMENTS**

Attachment 1. Letter to the BC Electoral Boundaries Commission

This report was prepared by:

Denise A Tambellini Intergovernmental and Community Relations Manager

This report was approved by:

Denise A Tambellini Intergovernmental and Community Relations Manager

Lisa Spitale, Chief Administrative Officer



**Jonathan X. Côté**  
Mayor

May 11, 2022

British Columbia Electoral Boundaries Commission  
PO Box 9275 Stn, Prov Govt  
Victoria, BC  
V8W 9J6

Dear BC Electoral Commission,

I am honored to be writing on behalf of City Council to request an increase in provincial representation in our city. New Westminister is a multi-ethnic, diverse and densely populated, Metro Vancouver city with a current population of approximately 82,500 residents. The overlapping COVID-19, housing and opioid crisis' has created unique and complex issues exaggerated by the rapidly densifying community. I would like to share some of the unique factors affecting our city to form the basis of our request for increased provincial representation.

New Westminister is in the geographical centre of the Lower Mainland and is the second densest populated city in Canada (next to Vancouver). It is a key urban hub and over 2.5 million vehicles travel through the city per week. The new Pattullo Bridge will be operational within the next few years and will improve accessibility to and from the city. The transportation issues for the city are complex but have significant implications for the Province and the Government of Canada. Along with the five Sky Train Stations, New Westminister also has a regional hospital that serves as a trauma and mental health hub for the Lower Mainland and beyond. The area surrounding Royal Columbian Hospital's two Sky Train Stations continues to attract development. The waterfront along the Fraser River also provides an attractive location for high rise developments with multiple large housing projects. The school district is experiencing significant growth and cannot keep up with the number of students and families in the district and we have seen an increase in marginalized and unsheltered populations.

New Westminister Council has declared a climate emergency. Sustainable transportation and a livable, vibrant city are important for this community to thrive, but there are many factors and stakeholders to consider. The Fraser River, a traditional First Nations fishing territory for many nations, runs through the city. Most railways use the rail track that passes through the city and over \$5 billion in trade is moved this way to the rest of Canada. Almost 100% of vehicles imported from Asia are transported by rail through New Westminister. There are several growing business districts and the Vancouver Fraser Port Authority is expanding operations in the city, along with rail traffic.

With a growth rate of 11.2% over the last four years (Canadian average of 5.2%), the area continues to densify and discourage low density sprawl. New Westminster land is scarce and in 2021, the city had the second highest population density of any census subdivision in Canada at 5,052 people/sq.km, after Vancouver at 5,750 people/sq.km. The Census tract 206.00 (Downtown between 4<sup>th</sup> St and 8<sup>th</sup> St) had the highest population density in Canada in 2021. Between 2016 and 2021, Metro Vancouver grew by 7.3%, while British Columbia grew at a faster rate of 7.6%. New Westminster grew even more quickly at a rate of 11.2% and added 7,920 people. This was the fourth fastest growth rate among 21 Metro Vancouver municipalities.

In response to significant growth, Statistics Canada has increased the number of census tracts to 16 from 13, prior to 2016. Several larger census tracts were divided. These include: Port Royal and most of Queensborough, Quayside, Stewardson Way, Downtown west of 8th Street, Glenbrooke South, and Massey Victory Heights. Population grew fastest in Queensborough and Port Royal had the fastest growth rate of 41.7%. While the change is significant, the current municipal densification is in alignment with the City of New Westminster's Official Community Plan and Metro Vancouver's Regional Growth Strategy.

New Westminster is seeing unprecedented growth with complex and challenging issues. There is a need for increased Provincial representation as the number of members of parliament are not keeping pace with the rapid growth and the complex urban issues facing the city. With the extent of change and a growth rate of 11.2% over the last four years, increased provincial representation in our community is essential.

Please let me know if you have questions or require more information. We hope that you will consider our request.

Respectfully,



Jonathan X. Côté  
MAYOR

# **REPORT**

## ***Office of the Chief Administrative Officer and Finance Department***

To: Mayor J. Cote and Members of Council      Date: May 30, 2022  
in Regular Meeting

From: Lisa Spitale      Item #: 2022-389  
Chief Administrative Officer

Harji Varn  
CFO/Director of Finance

**Subject: Budget 2023: Proposed Framework and Timelines**

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### **RECOMMENDATION**

***THAT*** Council endorse the 2023 budget framework and timelines.

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### **PURPOSE**

To seek Council's endorsement of the 2023 budget framework and timelines.

### **BACKGROUND**

The 2022 Budget and 5 Year Financial Plan was approved in February of this year. Both the Capital and Operating Budget was presented by Strategic Priority which reinforced the alignment of spending to Council's priorities. Staff presented highlights from 2021 and proposed the 2022 capital projects and operational work plan items. This demonstrated commitment to transparency of our services and delivery of the multi-year capital plan.

As stated in previous Council reports, an objective identified by the community through previous budget engagement was to de-mystify the budget process: progress is being



made to explain key components of the budget and decision-making framework. Moreover, the budget process has improved by implementing budget surveys, public engagement workshops and special council workshops over the past couple of years along with the quarterly performance updates throughout the year.

The Budget 101 Webinar, online survey, multiple advisory committee and Council Budget workshops have allowed for continued alignment between the community's input and the City's Senior Management Team's (SMT) recommendations and aimed for budget adoption by the end of the year. This follows a best practice approach where departments have budget clarity early the following year.

The unexpected closure of the Canada Games Pool did slightly delay the final adoption of the 2022 Budget however this allowed staff and Council time to carefully review the impact and to explore the ability to utilize some of the short-term savings that could be realized and support staying within the approved 5 year plan tax rate projections while staff shift and re-prioritize unexpected events throughout the past couple of years.

As part of our commitment to flexibility and transparency, staff continue to report back to Council on a quarterly basis, and seek Council approval for any adjustments where budgets would need to be reset or varied from the original budget targets throughout the year as we acknowledge things can and do change throughout the year.

## **2023 BUDGET PROPOSED FRAMEWORK**

Due to the significant engagement work and with the confirmation of the alignment between Council priorities, public input and with staff in the midst of delivering on the 5 year Capital Plan, staff are proposing that the 2023 Budget be brought to Council in the fall with the focus of continuing the delivery of the existing approved 2022-2026 5 Year Financial Plan.

To support the onboarding of the new Council, staff are proposing the current Council to approve the 2023 User Fee Rate Increases and the 2023 Capital Budget in October as this will provide the critical information required to forecast the impact on the property tax and utility rates for 2023, and it will also allow staff to focus on onboarding the new Council and host a Budget introduction and educational session on the existing 5 Year Financial Plan while staff continue the delivery of major capital projects and programs.

For the final Utility Rates and 2023-2027 5 Year Financial Plan staff are proposing the new Council to approve the Utility Rates in November and to defer the General Funded Operating budget or Property Tax Rate Outlook to January 2023 with a target to have a final approved 5 Year Financial Plan in February of 2023 which includes the 2023 proposed Property Tax Rate Increases.

## **2023 BUDGET PROPOSED TIMELINES**

The table below outlines the key dates around the 2023 Budget and follow a budget best practice approach; working collaboratively with Council and continuing to build on the ongoing feedback from the community.

| <b>Date</b>                                 | <b>Description</b>   |
|---|--|
| 9-May-22                                    | 2021 YEAR END FINANCIAL REPORT   |
| 9-May-22                                    | Quarter 1 Capital & Operating Performance Report   |
| 13-Jun-22                                   | Quarter 1 - Capital Budget Adjustments for Council Approval                                |
| 12-Sep-22                                   | Quarter 2 Capital & Operating Performance Report   |
| 12-Sep-22                                   | 2023 User Fees Report (Three Readings)   |
| 3-Oct-22                                    | 2023 User Fees Report (Adoption)   |
| 3-Oct-22                                    | 2023 Capital Budget Workshop   |
| <b>15-Oct-22</b>                            | <b>Election</b>  |
| <b>7-Nov-22</b>                             | <b>New Council Inaugural Meeting</b>   |
| 14-Nov-22                                   | *Budget Introduction and Overview: 5 Year Financial Plan Education Session for New Council |
| 14-Nov-22                                   | *2023 Utility Budget Workshop  |
| 14-Nov-22                                   | Quarter 3 Capital & Operating Performance Report   |
| 28-Nov-22                                   | Utility Rates (Three Readings)   |
| 12-Dec-22                                   | Utility Rates (Adoption)   |
| Jan 2023                                    | 2023 General Fund Budget Workshop & Proposed Service Enhancements                          |
| Jan 2023                                    | 2023 DRAFT Budget & 5 Year Financial Plan Bylaw (Presentation)                             |
| Jan 2023                                    | 2023 DRAFT Budget & 5 Year Bylaw post on City Website/Paper                                |
| Feb 2023                                    | 2023 DRAFT Budget & 5 Year Financial Plan Bylaw (3 Readings))                              |
| TBD   | 2023 DRAFT Budget & 5 Year Financial Plan Bylaw (Adoption)                                 |
| *November 14 - Special Council Workshop Day |  |

The 2023 Council Budget Workshops will be promoted widely through various channels: email notification to various City email databases, social media posts and advertising, CityPage notices in the newspaper and by email, ad in the Record, etc.

## **OPTIONS**

There are two options for Council's consideration; they are:

Option 1 - Council endorse the 2023 budget framework and timelines

Option 2 – Provide staff with further direction.

*Options 1 is recommended.*

## **INTERDEPARTMENTAL LIAISON**

The Senior Management Team has discussed this approach and supports the process as outlined in this report.

This report was approved by:

Harji Varn  
CFO/Director of Finance

Lisa Spitale  
Chief Administrative Officer

# **REPORT**

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

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

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

**Item #:** 2022-391

**Subject:** **Construction Noise Bylaw Exemption Request: 330 East Columbia Street (Royal Columbian Hospital Redevelopment Project)**

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### **RECOMMENDATION**

**THAT** Council grant an exemption extension to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 from 8 PM to 11:59 PM from Monday to Friday and 6 PM to 11:59 PM on Saturdays starting May 30, 2022 to January 31, 2023 (excluding Sundays, Statutory Holidays, and the period from December 24, 2022 to January 1, 2023) an average of 6 evenings per month, to enable concrete slab surface finishing within the ongoing construction of the Royal Columbian Hospital Redevelopment Project at 330 East Columbia Street, New Westminster.

---

### **PURPOSE**

To request that Council grant an exemption from the Construction Noise Bylaw to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 to enable specialized concrete slab surface finishing to meet operational specifications in the facility within the ongoing construction of the Royal Columbian Hospital Redevelopment Project at 330 East Columbia Street, New Westminster.

### **EXECUTIVE SUMMARY**

Given that this is multi-year billion dollar project, with multiple phases of construction to complete the work, the surface finishing is essential to meet operational specifications in the hospital and expected low noise impacts to neighbouring businesses and residents, City staff consider an exemption of the Construction Noise Bylaw to be reasonable.

**FINANCIAL IMPLICATIONS**

No financial impact to the City is anticipated by granting the exemption. If the exemption is not granted, the project will likely be delayed which may result in financial impacts for the applicant.

**OPTIONS**

There are two options to consider:

1. That Council grant an exemption extension to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 from 8 PM to 11:59 PM from Monday to Friday and 6 PM to 11:59 PM on Saturdays starting May 30, 2022 to January 31, 2023 (excluding Sundays, Statutory Holidays, and the period from December 24, 2022 to January 1, 2023) an average of 6 evenings per month, to enable concrete slab surface finishing within the ongoing construction of the Royal Columbian Hospital Redevelopment Project at 330 East Columbia Street, New Westminster.
2. That Council provide staff with alternative direction.

Staff recommend Option 1.

**ATTACHMENTS**

Appendix A: Background and Discussion

Appendix B: Notification and Noise, and Street Occupancy Impact

Appendix C: Area of Construction Work and Notification

**APPROVALS**

This report was prepared by:

Nav Dhanoya, Construction Impacts Coordinator

This report was reviewed by:

Serena Trachta, Acting Manager of Integrated Services

This report was approved by:

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

Lisa Spitale, Chief Administrative Officer

## Appendix A

### *Background and Discussion*



## **Appendix A**

### **BACKGROUND**

The redevelopment of the Royal Columbian Hospital (RCH) is one of the largest provincial government funded capital health care projects in the history of British Columbia. The capital health care project has an estimated \$1.35 billion contribution from the Province and a substantial multi-million dollar commitment from the Royal Columbian Hospital Foundation.

### **DISCUSSION**

EllisDon Design Build has requested an exemption from the Construction Noise Bylaw for a four to six hour period from *8 PM to 11:59 PM from Monday to Friday and 6 PM to 11:59 PM on Saturdays starting May 30, 2022 to January 31<sup>st</sup>, 2023 (excluding Sundays, Statutory Holidays, and the period from December 24 2022 to January 1 2023)* to facilitate the completion of the redevelopment of the RCH in a timely fashion for the benefit of the community. They have proposed for a total of forty four (44) evenings for concrete slab surface finishing with the average evenings being six (6) evenings per month during the duration from May 30<sup>th</sup> 2022 to January 31<sup>st</sup> 2023.

This construction noise exemption request came in part to a construction noise complaint from a resident that a humming noise was being heard from the construction site at RCH location after 8 PM over few evenings. City staff contacted EllisDon Design Build staff and were advised that two gas powered trowel machines were being used to finish the concrete slab surface finishing at the hospital construction site during after-hours timings of 8:00 PM to 11:59 PM. City staff advised EllisDon Design Build to apply for the construction noise exemption for council's consideration for the purposes of using the two gas powered trowels during after-hours concrete slab surface finishing activities.

EllisDon Design Build has advised that all noisy concrete pour activity will continue to happen during permitted day time hours. Unforeseen conditions such as weather, procurement and delivery issues still arising from global pandemic, production rates and quality can cause construction schedule impacts, evenings concrete slab finishing times are then used to make up for lost time so that the sequence of work on the critical path of the schedule is not majorly affected. Concrete surface finishing needs to be completed from the time the concrete is poured until it 'sets up' or hardens. The length of time it takes concrete to harden depends on many factors including weather, cement quality and time of pour. Due to the size of the slabs, each section pour typically takes the full regular hours of a work day to complete, then the finishing needs to be done while the concrete is still fresh and cannot wait until the following day when the concrete has hardened. Hospital floor slabs need to be precisely finished to later accept flooring and equipment. Also, the work is partially weather dependent. EllisDon Design Build sometimes has to move concrete pour dates due to rain, when it is forecasted a week in

advance, but sometimes EllisDon Design Build has done concrete pour in the rain occasionally. EllisDon Design Build would notify the City staff and local residents when concrete slab pour dates are changed due to rain or other weather events.

### **ANALYSIS**

As EllisDon Design Build have multi-storey buildings to build for the hospital project, there are a number of concrete surface slabs that need to be finished using two gas powered trowels. EllisDon Design Build has given assurances that they understand the potential impact an exemption to the bylaw would have on nearby residents. They have stated they are committed to following “good neighbour” protocol. Fraser Health representatives on behalf of EllisDon Design Build have communicated with representatives of the Sapperton Residents Association (SRA) and local residents to discuss the request for a construction noise exemption.

Previously, Council has granted EllisDon Design Build an exemption from the construction noise bylaw for a period of one year with opportunity for annual renewals for Saturday morning 7 AM to 9 AM construction activity. The current Saturday morning construction noise exemption ends on Saturday 29<sup>th</sup> April 2023.

## Appendix B

### *Notification and Noise, and Street Occupancy Impact*

## **Appendix B**

### **NEXT STEPS**

#### **Notification and Noise**

If the evening exemption is granted, Fraser Health Authority will send notification to all affected businesses and residents (including the SRA) informing them about the exemption for evening construction work and providing them with contact information should they have questions or concerns.

Residents living in the vicinity of the Royal Columbian Hospital have been aware of the construction project at the hospital since it was announced by the Provincial government a few years ago. All complaints about the construction noise are handled by Fraser Health Authority and the City's Integrated Services team. Fraser Health Authority Public Affairs staff have responded to the inquiries and all construction related complaints in a timely way.

### **INTER-DEPARTMENTAL LIAISON**

#### **Street Occupancy Impact**

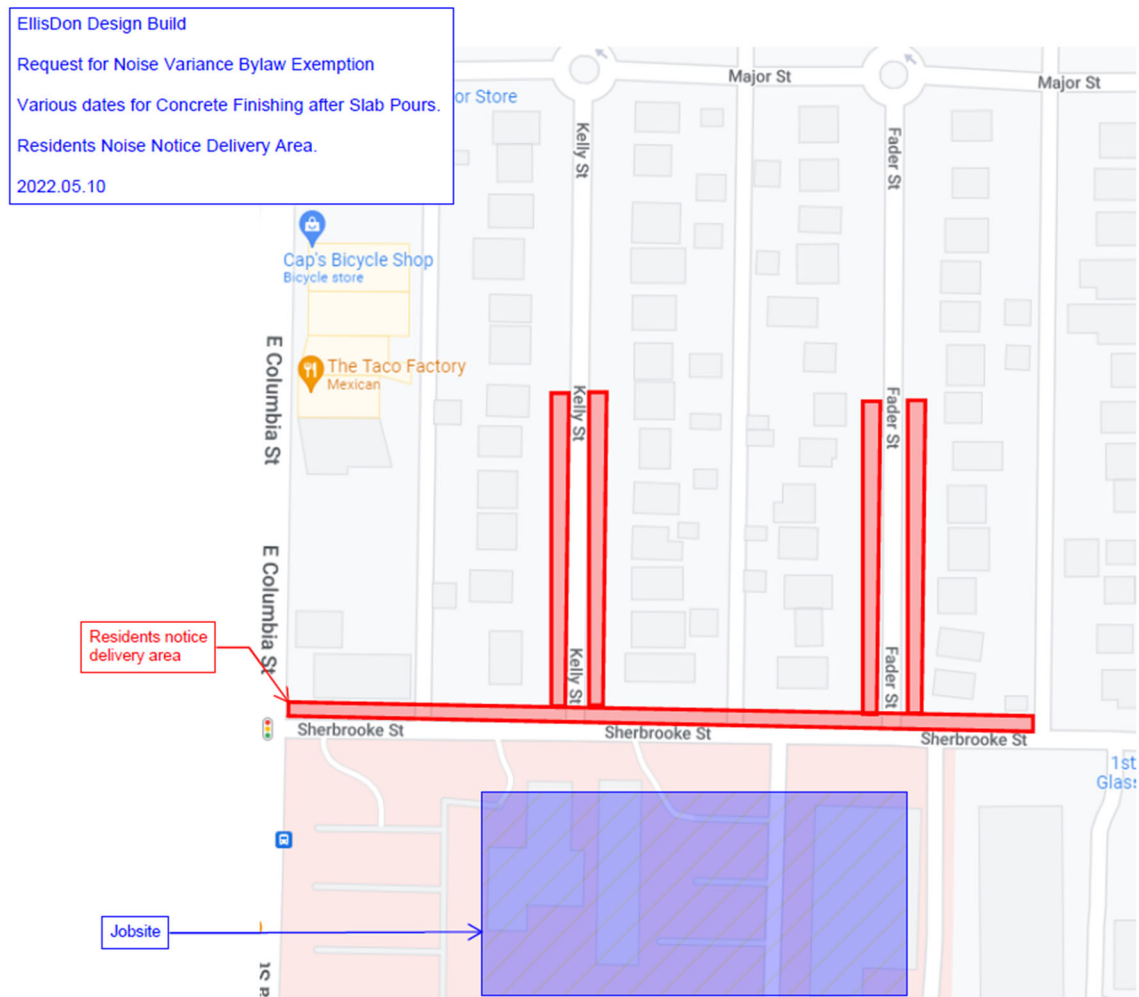
EllisDon Design Build has applied and received a Street Occupancy Permit (SOP) from the City's Engineering Transportation Division. This SOP has been reviewed by Engineering Transportation Division. Any changes to approved traffic management plans resulting from the project work will be handled by Engineering Transportation staff through the normal review and permitting process. Any parking violations in the area will be addressed by Engineering's parking enforcement division.

## Appendix C

### *Area of Construction Work and Notification*

## Appendix C

### Area of Construction work and notification





**NOTE***Climate Action, Planning and Development***To: Mayor and Council****Date/Time:** 30 May 2022**From:** Emilie Adin | Director of Climate  
Action, Planning and Development**Subject:** Change to Recommendation for Construction Noise Bylaw Exemption Request:  
330 East Columbia Street (Royal Columbian Hospital Redevelopment Project)

**Reason:** EllisDon Design Build have done a community consultation on Thursday 26<sup>th</sup> May 2022 and are requesting a Construction Noise Exemption changes from average of six evenings a month to now three evenings a month until 11 PM instead of 11:59 PM. EllisDon Design Build will respect the community's request to not do any evening after-hours construction work on Fridays/Saturdays during a long weekend.

**New Recommendation:**

**THAT** Council grant an exemption extension to EllisDon Design Build from Construction Noise Bylaw No. 6063, 1992 from 8 PM to 11:00 PM from Monday to Friday and 6 PM to 11:00 PM on Saturdays starting May 30, 2022 to January 31, 2023 (excluding Sundays, Statutory Holidays, and the period from December 24, 2022 to January 1, 2023) an average of three (3) evenings per month, to enable concrete slab surface finishing within the ongoing construction of the Royal Columbian Hospital Redevelopment Project at 330 East Columbia Street, New Westminster.

## **REPORT**

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

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

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

Lisa Leblanc,  
Director of Engineering

**Item #:** 2022-390

**Subject:** **Construction Noise Bylaw Exemption Request: New Westminster  
Interceptor – Columbia Sewer Rehabilitation**

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#### **RECOMMENDATION**

**THAT** Council grant an exemption to Oscar Renda Contracting of Canada (ORCC) from Construction Noise Bylaw No. 6063, 1992 for two nights per week between Wednesday June 1, 2022 and Wednesday November 30, 2022, excluding Sundays and Statutory Holidays, to conduct maintenance of the existing sewer, slip-lining, excavation, and installation of new sewer pipes along the 100 Block to 300 Block of Columbia Street.

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#### **PURPOSE**

To request that Council grant an exemption from the Construction Noise Bylaw for Metro Vancouver's contractor, Oscar Renda Contracting of Canada (ORCC), to conduct sewer maintenance, slip-lining, excavation and installation of new sewer pipes for two nights per week from Wednesday June 1st 2022 to Wednesday, November 30, 2022.

**EXECUTIVE SUMMARY**

City staff consider an exemption of the Construction Noise Bylaw to be reasonable for the following four reasons:

1. Given that this is fourth and fifth phase of the project;
2. Given the limited weather window to complete the work;
3. Given expected low noise impacts, and
4. Given that a shorter Columbia Street closure duration would lessen impacts to neighbouring businesses and residents.

**FINANCIAL IMPLICATIONS**

No financial impact to the City is anticipated by granting the exemption. If the exemption is not granted, the project will likely be delayed which may result in financial impacts for the applicant.

For more background on the application, including a discussion of the four reasons laid out above, refer to the attachments to this report.

**OPTIONS**

There are two options to consider:

1. That Council grant an exemption to Oscar Renda Contracting of Canada (ORCC) from Construction Noise Bylaw No. 6063, 1992 for two nights per week between Wednesday June 1, 2022 and Wednesday November 30, 2022, excluding Sundays and Statutory Holidays, to conduct maintenance of the existing sewer, slip-lining, excavation, and installation of new sewer pipes along the 100 Block to 300 Block of Columbia Street.
2. That Council provide staff with alternative direction.

Staff recommend Option 1.

**ATTACHMENTS**

Appendix A: Background and Discussion

Appendix B: Notification and Noise, and Street Occupancy Impact

Appendix C: Area of Construction work

## **APPROVALS**

This report was prepared by:

Nav Dhanoya, Construction Impacts Coordinator

Kanny Chow, Transportation Engineer

This report was reviewed by:

Serena Trachta, Acting Manager of Integrated Services

Mike Anderson, Acting Manager of Transportation

This report was approved by:

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

Lisa Leblanc, Director of Engineering

Lisa Spitale, Chief Administrative Officer

## Appendix A

### *Background and Discussion*

## **Appendix A**

### **BACKGROUND**

The New Westminster Interceptor Columbia Section sewer is a section of a Metro Vancouver sanitary collection system that runs from McBride Boulevard at the upstream end to the junction of Columbia Street and Front Street at the downstream end totaling approximately 1,600 m. The existing condition of the sewer is poor and it has had numerous minor, localized repairs completed in the last few years. Due to its condition the sewer's entire length is undergoing rehabilitation. The rehabilitation work consists of slip-lining the majority of the existing sewer with small sections of open cut replacement, replacement of lateral connections, and installation of new utility holes.

### **DISCUSSION**

Since early 2021 the New Westminster Interceptor Columbia Replacement project has been ongoing in the downtown core along Columbia Street with slip-lining, sewer pipe maintenance, excavation, shoring and backfilling of open work sections along Columbia Street. During this time, Oscar Renda Contracting Inc. (ORCC) has requested and received council approval for multiple construction noise exemption extensions due to delays related to weather (i.e. heavy rains and construction delays) and underground obstructions. The project in the downtown core requires additional work, however ORCC has agreed to temporarily terminate operations in that area from mid-May 2022 through September 2022 in order to provide relief to local businesses in the area. Work in the downtown core will resume in the Fall until project completion.

The work area has shifted to the fourth and fifth phases of the project located in the 100 Block to 300 Block of Columbia Street. ORCC is proposing to do the construction work between Wednesday 1<sup>st</sup> June 2022 and Wednesday 30<sup>th</sup> November 2022 with two nights per week of construction work consisting of slip-lining, excavation, shoring, sewer maintenance, and backfilling. No construction noise will occur on Sundays and Statutory Holidays during this time. Equipment including slip-pipes, excavators and loaders will be stored along Columbia Street in designated locations for use towards the project.

ORCC may encounter construction delays due to weather or underground obstructions during this construction activity with over-night hours (from 8:00 PM to 7:00 AM Monday to Friday, 8:00 PM Friday to 9:00 AM Saturday and 6:00 PM Saturday to 11:59 PM Saturday) and is asking for some flexibility as they may work one night a week or three nights a week during some weeks with the average being two nights a week during this exemption request. A few extra nights are being requested for any weather-related or unexpected construction delays. The noise exemption is to accommodate slip-lining, excavation, maintenance of pipe and work along approximately 450 meters of the existing sewer line located in the 100 Block to 300 Block of Columbia Street.



**ANALYSIS**

Having the ability to work continuously through the night has significant advantages:

- This construction work is weather dependent, and the work revolves around the existing sewer line surcharging, which occurs during heavy rain events. During this period of high levels, no work can occur. Any rain over 10 mm may make the ground conditions too muddy to work regardless of the construction activity. As such, continual work through nighttime hours will reduce the number of continuous dry days needed, thereby allowing ORCC to schedule this activity within a smaller weather window.
- The faster completion of the sewer maintenance/construction work will reduce the number of required construction days, especially during daytime hours, and thereby reduce impacts to nearby residents and businesses.

## Appendix B

### *Notification and Noise, and Street Occupancy Impact*

## **Appendix B**

### **NEXT STEPS**

#### **Notification and Noise**

Updated construction notification will be provided to residents and businesses in the area by the contractor ORCC and Metro Vancouver. Noise will be kept to a minimum during the construction work activity. There will be no dump truck delivery or soil removal during the overnight work. Noise may occur from excavators, a loader, a rubber tire backhoe, small generator, small tools, and a cut off saw used during the overnight work hours.

### **INTER-DEPARTMENTAL LIAISON**

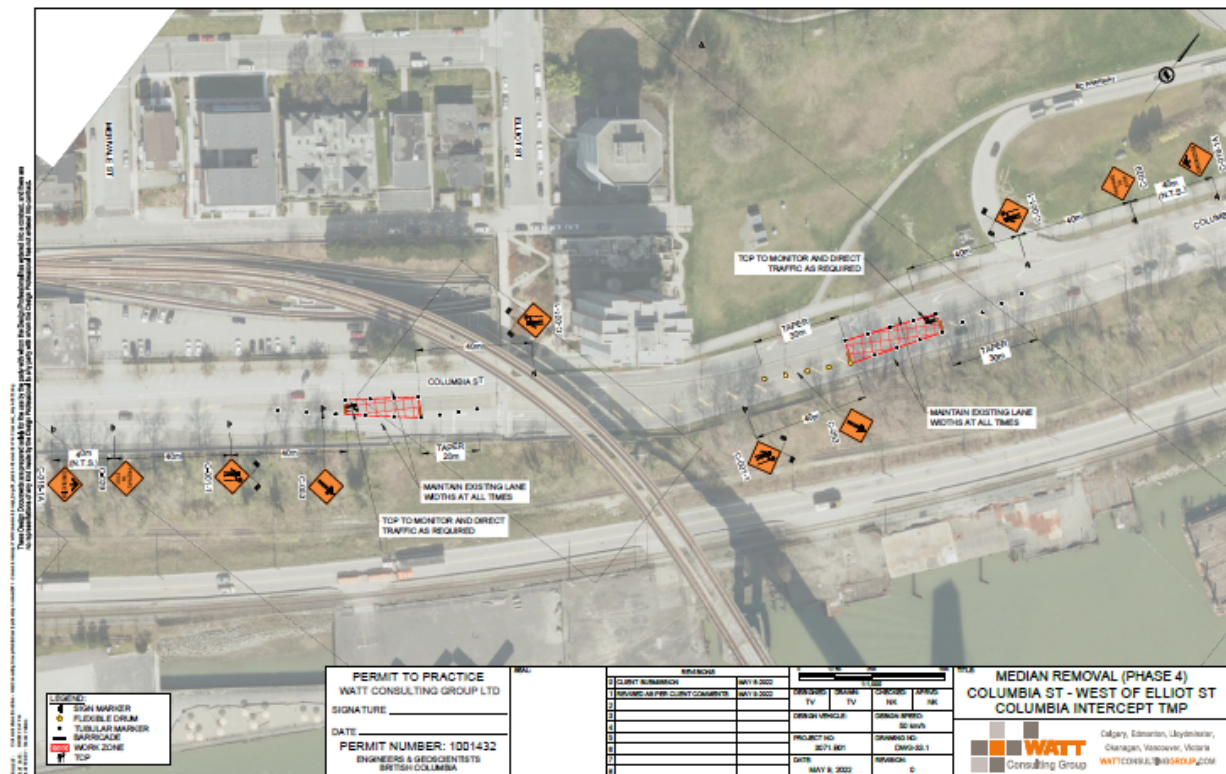
#### **Street Occupancy Impact**

ORCC has applied for a Street Occupancy Permit (SOP) from the City's Engineering Transportation Division. This SOP is currently under review. Based on a current understanding of the work, this exemption is expected to have similar transportation impacts as the previous road closures and can be accomplished under new traffic management plans provided by ORCC. Any changes to approved traffic management plans resulting from the project work will be handled by Engineering Transportation staff through the normal review and permitting process. Metro Vancouver's Project team is also in communication with the Pattullo Bridge Project team to avoid conflicts between these construction projects both occurring along Columbia Street.

## Appendix C

### *Area of Construction Work*

## Area of Construction work



## **REPORT**

### ***Engineering Services***

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

**From:** Lisa Leblanc      **File:** 09.1715.20-21  
Director of Engineering Services

**Item #:** 2022-379

**Subject:** **Development Variance Permit for Works & Services Security (823-841 Sixth Street Affordable Housing Project) – Notice of Consideration of Issuance**

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#### **RECOMMENDATION**

**THAT** Council provide notice that it will consider issuance of Development Variance Permit No. DVP00699 to vary the definition of “Security” in the *City’s Subdivision and Development Control Bylaw No. 7142, 2007, as amended*, to include the use of an Indemnification Agreement from British Columbia Housing Management Commission (BCHMC) and a reduced letter of credit from the Developer, for Works and Services Agreement, and to proceed to Public Notification.

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#### **PURPOSE**

The purpose of this report is to request that Council issue notice that it will consider varying the definition of “Security” in the Subdivision and Development Control Bylaw No. 7142, 2007, as amended, by including an Indemnification Servicing Agreement from BC Housing and Management Commission, plus a reduced letter of credit from the Developer, as an acceptable form of security for the affordable housing project located at 823-841 Sixth Street.

#### **BACKGROUND**

British Columbia Housing and Management Commission (“BCHMC”) is providing a loan to the Aboriginal Land Trust Society (“Society”) for the construction of the affordable housing project at 823 – 841 Sixth Street including offsite servicing. The

Society is entering into a Works and Services Agreement with the City and is required under the Subdivision and Development Control Bylaw No. 7142, 2007 to provide a security in the form of cash, certified cheque or an irrevocable Letter of Credit (LOC) in the amount of 120% of the estimated value of the offsite works. In lieu of the Society providing the specified security to the City, BCHMC has offered to indemnify the City with respect to the installation of the offsite works under the Works and Services Agreement.

### **EXISTING POLICY/PRACTICE**

The acceptable forms of Security Deposit under a Works and Services Agreement for offsite works as regulated by the Subdivision and Development Control Bylaw No. 7142, 2007, Section 4.4 and 4.5 are cash, certified cheque or an irrevocable Letter of Credit in favour of the City.

### **ANALYSIS**

The City has identified the need for affordable and supportive housing in the Housing Needs Report (Understanding Housing and Housing Needs in New Westminster: Housing Needs Report 2021-2031). The Report identified existing and projected gaps, and estimated the need for additional housing units in the community given available resources, senior government funding and competing municipal priorities.

City staff are reviewing various regulatory approaches to facilitate the delivery of the affordable and supportive housing developments where the primary function meets the funding requirements of British Columbia Housing Management Commission.

The City's Subdivision and Development Control Bylaw No. 7142, 2007, as amended, identifies only cash, a certified cheque or an irrevocable Letter of Credit in favour of the City as the only acceptable forms of security. The security is to ensure that the developer fulfils its obligations to complete the required servicing works under the Works and Services Agreement. The security is also a lever to resolve any construction deficiencies or in the event that the developer becomes insolvent.

For the proposed affordable housing development at 823-841 Sixth Street, BCHMC and the project proponent, Aboriginal Land Trust Society (Society), have requested that the City consider an **Indemnification Agreement** in lieu of a letter of credit security under the Works and Services Agreement.



Staff reviewed the current request from BCHMC and the Society within the context of financial constraints facing non-profit societies and the tight competition to secure BCHMC funding. An indemnification agreement with BCHMC provides a high level of commitment that the necessary works will be completed. Other municipalities in the Lower Mainland such as the City of Surrey and District of North Vancouver (DNV) have also entered into a similar Indemnification Agreement with BCHMC (See Attachment 1).

Staff is supportive of piloting the proposed Indemnification Agreement in combination with a reduced letter of credit security for the proposed affordable housing project. This balanced approach<sup>1</sup> would free up working capital for the Society and redirect the savings towards project delivery while the City maintains leverage to address any construction deficiencies that may arise. The balanced approach has been discussed with BCHMC and the Society and they are in agreement.

This pilot approach supports Council's strategic plan and the City's policy to increase housing options and affordability. The proposed project at 823-841 Sixth Street aligns with the vision and values of the Strategic Plan by providing affordable housing for indigenous and newcomer groups. A Development Variance Permit will be required to vary the definition of Security under the Subdivision and Development Control Bylaw No. 7142.

### **FINANCIAL IMPACT**

This balanced approach to pilot the security arrangement with BCHMC and the Society is not anticipated to have financial implication to the City.

### **INTERDEPARTMENTAL LIAISON**

This report has been prepared in consultation with the Office of the CAO, Climate Action, Planning & Development Departments, in-house legal counsel and the Staff Committee on Affordable Housing.

### **OPTIONS**

The following options are presented for Council's consideration:

1. **THAT** Council provide notice that it will consider issuance of Development Variance Permit No. DVP00699 to vary the definition of "Security" in the

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<sup>1</sup> In lieu of a letter of credit security in the amount of 120% of the value of the works, the balanced approach is to have the indemnification agreement from BCHMC for 100% of the value of the works while the Developer provides a letter of credit for 20% of the value of the works.

*City's Subdivision and Development Control Bylaw No. 7142, 2007, as amended*, to include the use of an Indemnification Agreement from British Columbia Housing Management Commission (BCHMC) and a reduced letter of credit from the Developer, for Works and Services Agreement, and to proceed to Public Notification.

2. Provide staff with other direction.

Option 1 is recommended.

### **CONCLUSION**

Staff is supportive of piloting an approach for Security under the Works & Services Agreement using a combination of Indemnification Agreement from BCHMC and a reduced letter of credit from the Aboriginal Land Trust Society. A Development Variance Permit is required to vary the definition of Security under the Subdivision and Development Control Bylaw No. 7142.

### **ATTACHMENTS**

Attachment 1 – Sample Indemnification Agreement between DNV & BCHMC

This report was prepared by:  
Binega Markos, P.Eng., Project Engineer

This report was reviewed by:  
Eugene Wat, P.Eng. PTOE, Manager of Infrastructure Planning

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

## Attachment # 1

### **Sample Indemnification Agreement between DNV & BCHMC**

January 12, 2022

The District of North Vancouver  
355 West Queens Road  
North Vancouver, BC V7N 4N5

Attention: Development Engineering Department

Re: Project at 267 Orwell Street, North Vancouver, BC

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Dear Sirs/Mesdames:

The Corporation of the District of North Vancouver (the "**District**") and Sanford Affordable Housing Society (the "**Society**") will be entering into a lease agreement to be registered in the Land Title Office with respect to the District owned property located at 267 Orwell Street, North Vancouver, BC (the "**Lands**").

The Society intends to construct not for profit housing on the Lands (the "**Project**") and to that end will enter into an Engineering Services Agreement dated for reference the 20<sup>th</sup> day of November, 2021 with the District (the "**Services Agreement**") to ensure completion of the Project.

Pursuant to the Services Agreement, the Society agrees to complete the design and construction of certain off-site works and services related to the Project as set out in the Services Agreement (the "**Works**"). To ensure completion of the Works in accordance with the Services Agreement, the Society has amongst other things, agreed to secure the completion of the Works with an Irrevocable Letter of Credit in the favour of the District (the "**LOC**").

British Columbia Housing Management Commission ("**BCHMC**") has agreed to loan the Society monies for construction of the Project on the Lands, including the Works.

In lieu of the Society providing the LOC in favour of the District, thereby allowing such saved costs to be used to better fund the Project, BCHMC has requested and the District has agreed, that BCHMC indemnify the District with respect to the installation of the Works in accordance with the Services Agreement and the timelines set out therein.

In consideration of the District (i) permitting the construction of the Project, including the Works and (ii) waiving the District's right that the Society provide the LOC, BCHMC hereby agrees to indemnify and save harmless the District against any liabilities, claims, judgments, losses, damages, costs and expenses incurred by the District as a result of the non-completion of the Works in accordance with the Services Agreement within the timelines set out therein.

The Society and BCHMC agree that:

INDEMNITY CLAUSE  
REVISED BY LEGAL SERVICES

*amk* *PC*

- (a) should the Works, or any portion of the Works, not be completed in accordance with the Services Agreement within the timelines set out therein, the District may, in its sole discretion, place a stop work order on the construction of the Project. The Society and BCHMC agree to immediately comply with such stop work order, subject only to resolving issues related to securing the Lands and the safety of the Project. The Society and BCHMC further agree that the District will only be required to lift the stop work order upon the Society or BCHMC providing an irrevocable letter of credit for 150% of the value of the Works that remain to be completed (the "**Outstanding Works at Time of Default**"); or
- (b) should any of the Works not be completed by the date that is one day before the issuance by the District of a certificate of occupancy for any dwelling unit in any building on the Lands, then the District will not issue the occupancy permit and the Society and BCHMC will not insist upon the issuance of the occupancy permit unless and until the Society or BCHMC provides an irrevocable letter of credit for 150% of the value of the Works that remain to be completed (the "**Outstanding Works at Time of Occupancy Request**").

Any irrevocable letter of credit provided pursuant to either of the above will be held by the District on all of the terms and conditions set out in the Services Agreement.

The District, the Society and BCHMC agree to act reasonably in determining the scope and value of the Outstanding Works at Time of Default or the Outstanding Works at Time of Occupancy Request, as the case may be. Despite the preceding sentence, if the District, the Society and BCHMC do not agree on the scope and value of the Outstanding Works at Time of Default or the Outstanding Works at Time of Occupancy Request, as the case may be, the District may, in its sole discretion, determine both the scope and the value of the Outstanding Works at Time of Default or the Outstanding Works at Time of Occupancy Request.

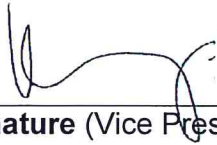
We trust you will find the foregoing acceptable.

Yours truly,



Naomi Brunemeyer, Director of Regional Development, Lower Mainland  
British Columbia Housing Management Commission

By executing this letter agreement, BCHMC commits itself to be bound by the terms set out in this letter agreement.



**Signature** (Vice President, Development and Asset Strategies)

By executing this letter agreement, Sanford Affordable Housing Society commits itself to be bound by the terms set out in this letter agreement.



**Authorized Signatory** Dale N. Clannaghan  
Director & V.P.

## **REPORT**

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

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

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

**Item #:** 2022-378

**Subject:** **Downtown Livability Strategy - Update**

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#### **RECOMMENDATION**

THAT Council receive this report for information.

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#### **PURPOSE**

To provide an update on the continued implementation of the Downtown Livability Strategy, previously presented January 10, 2022.

#### **SUMMARY**

In October 2021, the Downtown Livability Strategy was approved. Staff continue to implement the tactics outlined in the Strategy on an ongoing basis, and continue to find ways to support the goals of the strategy. This report will focus on the successes and challenges related to the areas of focus previously identified: cleanliness and 24-hour public toilets, homeless outreach and added emergency shelter capacity, opioid epidemic and illicit drug response, business support and engagement, and work with Fraser Health to address mental health issues.

Council will note that another Open report was on the May 9<sup>th</sup> agenda. That report addresses strategies and tactics planned that encourage vibrancy and visitation in the downtown neighbourhood as we approach the summer months.

#### **BACKGROUND**

In September 2021, Council passed a motion called the Downtown Livability Strategy.



*Therefore be it resolved:*

*That staff review strategies and regulatory tools available to Council to support the rapid revitalization of underperforming, derelict, and vacant properties on Columbia Street in the historic Downtown, including but not limited to powers under the New Westminster Redevelopment Act (1989), and*

*That Staff provide recommendations for rapid and medium-term actions to support the vibrancy of business, the activation of the streets, and improving the amenity value of the historic Downtown for all residents of New Westminster.*

In response, staff developed a Downtown Livability Strategy that included immediate and short term actions, endorsed by Council on October 18, 2021. The approach is interdepartmental and includes input from Engineering, Police, Fire, Economic Development, Social Planning and Integrated Services. It is based on the City's vision that New Westminster is a vibrant, compassionate, sustainable city that includes everyone.

## **DISCUSSION**

While efforts are underway to increase vibrancy and encourage visitation to the downtown area through a number of people-focused tactics such as events, festivals, street beautification and business supports, there have been a number of challenges with the continued and ongoing implementation of the tactics. The following provides a discussion of these successes and challenges, broken down by area of focus:

### **Business support and engagement:**

Business disengagement and exhaustion is at an all-time high due to the ongoing effects of the pandemic. The opioid educational event, previously scheduled for April 6, was shifted to a recorded version due to low enrolment so that businesses could watch as their capacity allowed. In less than a month, the video has had 28 views. This provided a compassionate approach to business owner's capacity and still allowed for the information to be shared. Economic Development will continue to work with businesses to provide them with support and information as needed, in a way they are able to accept it and will continue to work closely with the Downtown Business Improvement Association to address any concerns.

### **Street cleanliness and 24-hour public toilets**

Engineering Operations continues to prioritize street cleaning in the Downtown, including adding an additional two-person shift for the street cleaning crew in the evening to provide coverage until midnight, and starting earlier in the morning to support litter pick up prior to start of business each weekday. The later shift has been very

challenging to staff due to staff shortages and competing priorities, so it has not been possible to achieve as consistent a service as desired.

In addition to addressing litter and other street cleaning duties, the street cleaning crew had also been tasked with monitoring and responding to needs associated with the portable rental toilet in Hyack Square.

The average monthly costs incurred by Engineering Operations has been over \$19,000, including extra staff to oversee cleanliness in the Downtown as well as cleaning and oversight of the portable toilet, and rental cost for the toilet. There have been numerous ongoing challenges with the toilet, including:

- Near-constant damage from vandalism, graffiti, and ultimately, the unit being burned to the ground. The supplier has since refused to replace the unit, and we have been unable to secure a replacement.
- Washroom being used for purposes other than its intention, often rendering it unavailable to the public.
- Difficulties in hiring and retaining staff for night shift and weekend street cleaning.

The City had applied for grant funding to cover the cost of a free-standing, pre-fabricated toilet, which was estimated at about \$200,000, but the funder deemed it as an ineligible expense as it was not seen as a temporary measure to address the COVID-19 pandemic. The City has since applied for funding to cover portable toilet rental and attendant fees for the period from August 1, 2022 to February 28, 2023. The total amount being requested is \$161,000.

Work continues to design and procure a free-standing, pre-fabricated toilet:

- Procurement is underway to pre-qualify a preferred supplier for the pre-fabricated unit.
- Site selection is underway, in consultation with stakeholders.
- The unit is scheduled to be complete and operational by Q1 of 2023.

It is anticipated that many of the challenges experienced with the portable rental toilet will be experienced with the permanent one as well, so staff are also working on an operational plan that builds on recent experience. It is anticipated that a budget enhancement will be required to address monitoring, maintenance and repair, and this will be included in the 2023 Budget process.

#### Realization of Foundation and Senior Government Grants to Respond to the Needs of the Unsheltered and to Address the Impacts Associated with Homelessness

The City, through the Reaching Home Program, the Strengthening Communities Services Program and the Vancouver Foundation, has realized about \$875,000 in funding to date with another about \$586,000 pending. This funding responds to the

needs of the precariously housed and unsheltered, and addresses the impacts associated with homelessness. Funded initiatives include establishing five food security and resource hubs; enhancing drop-in and outreach services; expanding a micro-street cleaning program which offers supported employment; facilitating care planning; hosting laundry and shower programs; installing portable toilets; and launching an identification bank. With regard to the latest round of funding, the City is proposing to use the funding towards covering the cost of portable toilet rental and attendant fees; to offset the lease cost of two sanitation trailers - bathroom and shower facilities - in support of a new 24/7 shelter; and to continue to support previously funded initiatives as they work towards financial sustainability.

#### Development of Resource Information, including a Food Resources Calendar and a Survival Guide

The City, as part of the COVID-19 At-Risk and Vulnerable Populations Task Force, has developed resource information related to a variety of topics, including a Food Resources Calendar and a Survival Guide. The two cited documents are frequently updated and are circulated to faith-based and non-profit organizations, and provide essential information to those who are food insecure, precariously housed or unsheltered. Given that the pandemic is in a more managed state, plans are underway to disband the task force; however, the two cited documents will continue to be updated.

- [Food Resources Calendar](#)
- [Survival Resource Guide](#)

#### Expanded Homeless Outreach, Referral and Advocacy Services

The City, in response to two funding requests from the COVID-19 At-Risk and Vulnerable Populations Task Force, allocated \$90,000 in 2021/22 and \$90,000 in 2022 for expanded homeless outreach, referral and advocacy services. Based on a request for proposals and a subsequent evaluation, Lookout Housing and Health Society was the successful proponent. More specifically, they have been contracted to provide two homeless outreach workers whose primary responsibility is to work with the Police and Integrated Services (Bylaw Enforcement) in addressing issues related to homelessness, including making referrals to community services and emergency shelter. The two workers have shifts which incorporate evening and weekend hours, and the City is exploring senior government funding opportunities to continue their work beyond the end of 2022.

#### Expanded Hours of Service for Integrated Services (Bylaw Enforcement)

The City, in response to business and resident concerns related to responsiveness outside of City Hall hours, is retaining the services of two Bylaw Enforcement Officers who will have shifts which incorporate evening and weekend hours. Given existing staffing challenges within Integrated Services (Bylaw Enforcement), it will take several months to train and deploy the new Officers, who will be in place for one-year, with the

possibility of extending their term. This service, in combination with expanded homeless outreach and the recently established Fraser Health Integrated Response Team, which operates seven days per week and addresses the mental health needs of the sheltered and unsheltered, should make a significant difference in addressing issues associated with homelessness.

#### Development of a New 24/7 Emergency Response Centre Shelter

The City and BC Housing are working towards a new 24/7 Emergency Response Centre (ERC) shelter, which offers meals and support services, on the lower floor of the former Army and Navy Department Store at 502 Columbia Street. Currently, this space accommodates an Extreme Weather Response Program shelter which operates from November 1 to March 31, and is activated during extreme weather events. To facilitate a 24/7 ERC shelter, there is a need for building upgrades and additional sanitation services. To this end, BC Housing has engaged a Code Consultant and is willing to cover the majority of the costs associated with two sanitation trailers, each containing three sinks and toilets, and two showers, whose maintenance will be the responsibility of the shelter operator. The building owner is also evaluating the extent of the necessary building upgrades.

The 24/7 ERC shelter, if operationalized, will be in place for one-year and will provide 50 beds. Anticipated occupancy is September 2022, with the possibility of a nightly shelter (i.e., 8:00 p.m. to 8:00 a.m.) operating in the interim. The 24/7 ERC shelter will address the increased numbers of unsheltered, with much of this increase attributable to the COVID-19 pandemic, until new supportive housing is developed at 60 to 68 Sixth Street.

#### Development of New Supportive Housing at 60 to 68 Street

BC Housing is moving towards a model of supportive housing, which provides affordable and secure housing for an extended period of time, thus enabling occupants to address issues which may be contributing to their homelessness. To this end, the City and BC Housing have collaborated on 52 units of supportive housing at 60 to 68 Sixth Street. Council has approved the Official Community Plan amendment and Rezoning to permit this housing, with site development work soon to be underway, and occupancy anticipated in 14 to 16 months. Managed by a non-profit agency, preference will be given to the locally unsheltered, with City staff and homeless outreach workers contributing to such decisions.

#### Preparation of New Homelessness Action Strategy

The Homelessness Action Strategy, which will be forwarded to Council for endorsement in principle in July or August 2022, provides a five-year vision and plan for addressing homelessness in New Westminster. More specifically, it incorporates a vision of a desired future where all residents can locate affordable and secure housing; where there is an adequate income and opportunities for employment, including supported, to

maintain this housing; and where there are services and supports to address underlying issues which may jeopardize this housing. It reinforces the sentiment that “everyone needs a home and everyone needs to belong.”

The action plan builds on this vision, and the three components addressed within it. In total, it incorporates about 40 actions, from immediate- and short-term ones that can be achieved with minimal resources and build traction and momentum, to longer-term ones that require significant resources, and necessitate collaboration and partnership with the senior levels of government. Collectively, the actions are intended to meet the diverse needs of the unsheltered; ensuring that facilities, programs, services and supports are responsive to those needs, and that barriers to access are eliminated or significantly reduced.

#### Peer Assisted Crisis Team (PACT) Pilot Project

The Canadian Mental Health Association (CMHA) and the City have received Provincial funding to enable the PACT Pilot Project to be operational with a response team in the summer of 2022. This civilian response team will be comprised of a mental health worker and a peer with lived or living experience to respond to residents experiencing a mental health crisis. The City has hired a project coordinator who is scheduled to begin in May 2022. They will be responsible to conduct resource mapping for the community mental health supports.

The PACT Pilot Project is working toward crisis lines that are integrated with 911 to assess mental health needs and to dispatch supports accordingly, as well as crisis receiving and stabilization facilities that provide a safe place for people to recover and access ongoing supports.

The Provincial Special Committee on Reforming the Police Act released their report last week with key recommendations supporting the direction of the PACT Program. CMHA and the City are currently working with community stakeholders to develop the New Westminster Implementation Plan. A “Provincial Systems Table” has been established which includes several Provincial ministries, Fraser Health, BC Ambulance, Police, E-Comm and others. The team is in place to ensure systems are aligned to implement the PACT Implementation Plans in New Westminster and Victoria, as well as act on gaps in resources required in the community to serve mental health, housing and opioid crisis demands.

Other current actions include:

- A workshop for the Downtown Business Improvement Association, Tourism New West and the Chamber of Commerce is scheduled for May to obtain their feedback on the PACT Program.
- CMHA has developed a training workshop for local businesses (in Victoria) to provide support for staff to de-escalate customers and community members that are experiencing a mental health crisis.

- Planning is underway to create “mental health warming centres” in the city to support the PACT Pilot Project. The location for care will provide an alternative to the emergency room or jail and will provide a safe, supported location for de-escalation and wrap around services. There is also possibility of a mobile “mental health warming centre” as is best practice from Sweden.
- CMHA and the City are currently working with Indigenous led organizations to ensure that services are developed that are led by and meet the needs of First Nations and Indigenous peoples.
- CMHA, the City, and other stakeholders (including youth) are developing programs that will serve the unique needs of youth in crisis. More information will be available in the coming weeks.

### **FINANCIAL IMPLICATIONS**

Work to progress the Downtown Livability Strategy is funded through existing operational and capital budgets and grants from various funding levels. While it is anticipated that there may be financial implications for future initiatives to support the strategy, there are no additional requests at this time.

### **INTERDEPARTMENTAL LIAISON**

The Downtown Livability Strategy continues to be moved forward by staff in a number of divisions including Economic Development, Climate Action Planning and Development, Engineering, New Westminster Fire and Rescue Services, and New Westminster Police.

### **OPTIONS**

Two options are presented for Council’s consideration,

1. THAT Council receive this report for information.
2. THAT Council provide staff with alternate direction.

*Staff recommend option 1.*

### **APPROVALS**

This report was prepared by:

Jen Arbo, Economic Development Coordinator

Gabe Beliveau, Manager, Engineering Operations

John Stark, Supervisor of Community Planning, Climate Action, Planning and Development

Brad Davie, Assistant Deputy Chief, Fire and Rescue Services

Tobi May, Manager, Civic Buildings and Properties

Denise Tambellini, Intergovernmental and Community Relations Manager

This report was reviewed by:

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

Lisa Leblanc, Director, Engineering

Blair Fryer, Manager, Economic Development and Communications

This report was approved by:

Lisa Spitale, Chief Administrative Officer



## **REPORT**

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

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

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

**Item #:** 2022-396

**Subject:** **Regional Growth Strategy Update: Metro 2050 Acceptance**

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#### **RECOMMENDATION**

1. **THAT** the proposed Metro 2050 Regional Growth Strategy (*Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022*) be accepted, as presented, pursuant to section 436 of the *Local Government Act*;
  2. **THAT** staff be directed to forward the Council resolution of acceptance of Metro 2050 Regional Growth Strategy (*Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022*) to Metro Vancouver Regional District; and
  3. **THAT** staff be directed to include in the letter conveying acceptance of Metro 2050 that the City of New Westminster encourages further consideration of including municipal-scale population and housing targets in regional plans going forward.
- 

#### **PURPOSE**

To seek Council acceptance of the updated Regional Growth Strategy, Metro 2050.

#### **SUMMARY**

Metro Vancouver, in consultation with member jurisdictions, has prepared an updated Regional Growth Strategy (RGS), Metro 2050. From July to November 2021, Metro Vancouver provided a comment period on the draft, during which the City submitted a letter expressing substantial support and offering minor comments. Revisions based on these and other comments were then made to the draft, and in March and April the regional Board gave first and second reading and held a public hearing for the RGS bylaw that would repeal Metro 2040 and replace it with Metro 2050.

The attached memo and other attachments describe the changes that were made to the draft, and reconfirm the alignment between the regional strategy and New Westminster's Official Community Plan and Strategic Plan. Although most of the comments offered by the City did not result in changes to the RGS, staff advise that, on balance, the regional plan provides a strong framework to guide growth in the coming decades.

The City had encouraged Metro to reconsider replacing municipal population, employment and housing projections with sub-regional projections, and to consider changing nomenclature from projections to targets. These changes were not made to the draft, but conversations on the topic will likely continue at the regional and provincial level, given senior governments' interest in BC's growth areas better meeting existing and expected housing demand.

Staff recommend that the City accept the updated RGS, and that the City also convey to Metro Vancouver an abiding interest in including municipal-level population and housing targets in regional plans going forward.

## **OPTIONS**

The following options are provided for Council's consideration:

1. That the Metro Vancouver Regional Growth Strategy, titled Metro 2050 (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022), be received for information;
2. That the proposed Metro 2050 Regional Growth Strategy (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022) be accepted, as presented, pursuant to section 436 of the Local Government Act;
3. That staff be directed to forward the Council resolution of acceptance of Metro 2050 Regional Growth Strategy (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022) to Metro Vancouver Regional District;
4. That staff be directed to include in the letter conveying acceptance of Metro 2050 that the City of New Westminster encourages further consideration of including municipal-scale population and housing targets in regional plans going forward; or
5. That Council provide staff with alternative direction.

Staff recommend Options 2 to 4.

**ATTACHMENTS**

Attachment 1 – Staff Memo

Attachment 2 – Metro Vancouver May 3 Letter Submitting *Metro 2050* for Acceptance

Attachment 3 – Metro Vancouver Responses to CNW Comments

**APPROVALS**

This report was prepared by:

Meredith Seeton, Policy Planner

This report was reviewed by:

Lynn Roxburgh, Acting Supervisor of Land Use Planning and Climate Action

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

### *Staff Memo*

## MEMORANDUM

### *Climate Action, Planning and Development*

**To:** Emilie K Adin, MCIP  
Director, Climate Action, Planning and Development  
**Date:** May 30, 2022

**From:** Jackie Teed, Senior Manager, Climate Action, Planning and Development  
**File:** 01.0185.20

**Subject:** **Att 1 - Staff Memo.docx**

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#### **RECOMMENDATION**

Staff recommends that the Director forward this memo and the following resolutions to Council for consideration:

1. **THAT** the proposed Metro 2050 Regional Growth Strategy (*Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022*) be accepted, as presented, pursuant to section 436 of the *Local Government Act*; and
  2. **THAT** staff be directed to forward the Council resolution of acceptance of Metro 2050 Regional Growth Strategy (*Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022*) to Metro Vancouver Regional District; and
  3. **THAT** staff be directed to include in the letter conveying acceptance of Metro 2050 that the City of New Westminster encourages further consideration of including municipal-scale population and housing targets in regional plans going forward.
- 

#### **PURPOSE**

To seek Council acceptance of the updated Regional Growth Strategy, Metro 2050.

## **SUMMARY**

Metro Vancouver, in consultation with member jurisdictions, has prepared an updated Regional Growth Strategy (RGS), Metro 2050. From July to November 2021, Metro Vancouver provided a comment period on the draft, during which the City submitted a letter expressing substantial support and offering minor comments. Revisions based on these and other comments were then made to the draft, and in March and April the regional Board gave first and second reading and held a public hearing for the RGS bylaw that would repeal Metro 2040 and replace it with Metro 2050.

This memo describe the changes that were made to the draft, and reconfirm the alignment between the regional strategy and New Westminster's Official Community Plan and Strategic Plan. Although most of the comments offered by the City did not result in changes to the RGS, staff advise that, on balance, the regional plan provides a strong framework to guide growth in the coming decades.

The City had encouraged Metro to reconsider replacing municipal population, employment and housing projections with sub-regional projections, and to consider changing nomenclature from projections to targets. These changes were not made to the draft, but conversations on the topic will likely continue at the regional and provincial level, given senior governments' interest in BC's growth areas better meeting existing and expected housing demand.

Staff recommend that the City accept the updated RGS, and that the City also convey to Metro Vancouver an abiding interest in including municipal-level population and housing targets in regional plans going forward.

## **BACKGROUND**

In 2019, Metro embarked on a 10 year update to the Regional Growth Strategy, Metro 2040. Staff participated in the development of the draft through Intergovernmental Advisory Committee meetings, during which verbal and written comments were provided chapter by chapter. At their regular November 1, 2021 meeting, Council received a report on the draft updated RGS, and directed staff to provide formal comments to Metro Vancouver. These included substantial support for the draft, which was seen to be in alignment with New Westminster's land use and planning framework, and offered minor comments regarding the regional affordable housing target, the Major Transit Growth Corridor concept, and clarifying member jurisdiction actions.

After the comment period, Metro Vancouver updated Metro 2050. The final strategy can be downloaded at <http://www.metrovancouver.org/services/regional-planning/metro-vancouver-2040/metro-2050/Pages/default.aspx>. At its March 25 meeting, the MVRD Board gave first and second reading to the RGS bylaw. A Public Hearing was held on April 20, and Metro Vancouver subsequently sent letters to member jurisdictions seeking acceptance of the updated RGS within a 60 day window (see Attachment 2). Third and final reading of the bylaw by the MVRD Board is anticipated for July, 2022.

## **ANALYSIS**

### **Revisions to Metro 2050**

The updated Metro 2050 has not changed substantially since the draft was considered by Council in November. Metro Vancouver staff provided a comprehensive summary of all comments received, provided responses to each, and noted resulting changes to the Strategy. The only change resulting from New Westminster's comments relates to planning for "first and last mile" connections to transit (full responses to the City's comments are provided in Attachment 3 to the Council report). The overall changes from the draft to the final Strategy can be summarized as follows:

- Simplification of the Frequent Transit Development Area (FTDA) concept through removal of the corridor and station area sub-types and replacement with guidance notes encouraging members to tailor the urban form of an FTDA to suit the transportation service provided;
- additional content related to Indigenous perspectives and priorities;
- clarification that the Regional Affordable Housing Target is intended to be measured at a regional scale, and not applied to individual municipalities, individual developments, or individual Urban Centres or FTDA's; and
- clarification that the policy enabling limited residential uses on Employment lands adjacent to rapid transit stations is an option for member jurisdictions, not a requirement.

### **Alignment with Principles and Values of New Westminster's Planning Framework**

In their review of an RGS, local governments must consider the Strategy in the context of their OCP. The City will be required to prepare a Regional Context Statement (RCS), identifying the relationship between the OCP and the content of the RGS, and how the two are consistent or how the OCP will be made consistent over time.

As discussed in the November 1, 2021 report to Council, Metro 2050, with its stronger focus on climate, equity, reconciliation, and housing, is seen to be consistent with the principles and values that inform the City's Official Community Plan and Council's Strategic Plan. Regional land use designations have not changed in the update, and continue to be consistent with OCP land use designations. Developing an RCS that responds to some of the ways Metro 2050 is different from Metro 2040, such as new regional affordable rental housing, tree canopy, and natural areas targets, and updated regional overlays, will require some analysis and consideration. Staff anticipates the City will be able to prepare an updated RCS that shows strong alignment and local contribution to regional goals.



Although most of the comments the City had provided did not result in the requested changes to the RGS, staff considers there to be strong alignment between the regional and municipal planning frameworks. Some of the City's advice, such as shifting from growth projections to targets, are part of conversations that can continue over time.

### **Regional Distribution of Growth**

The City of New Westminster has been committed to accommodating growth, in recognition of the growing regional population, the housing crisis, and the importance of focusing growth in urban parts of the region. In the City's comments on the draft RGS, the City had requested Metro reconsider the shift from municipal to sub-regional population and housing projections, as this shift away from municipal estimates makes it unclear whether member municipalities are accommodating their share of regional growth. Further, the City had advocated for shifting the nomenclature from projections to targets. These changes were not made to the RGS.

While this lack of update to the final draft of the new RGS runs counter to Council's stated interest, staff recognizes and advises that it would be challenging to otherwise achieve consensus amongst member jurisdictions. Further, a shift towards harder municipal targets would also ideally be preceded by the provision of new regulatory tools by the Province. Senior government funding for municipalities to undertake the planning work necessary to more proactively address housing supply and to hit hard targets would likely be needed. Staff therefore advises the City to not withhold its acceptance of the RGS. Further, staff proposes that the City convey to Metro Vancouver a continued interest in exploring a shift towards setting municipal targets.

### **NEXT STEPS**

Member jurisdictions have 60 days from receipt of the updated RGS to consider its acceptance. Should all member jurisdictions accept the Strategy, the regional Board is anticipated to consider adoption of the bylaw in July.

Following adoption of an updated RGS, the City will have two years to update its RCS. To inform this update, staff will undertake additional analysis to determine response options to the updates to the RGS, and the ways the City can contribute to meeting new regional targets.

### **INTERDEPARTMENTAL LIAISON**

The Transportation and Climate Action Divisions were consulted on this memo.

**OPTIONS**

The following options are provided for Council's consideration:

1. That the Metro Vancouver Regional Growth Strategy, titled Metro 2050 (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022), be received for information;
2. That the proposed Metro 2050 Regional Growth Strategy (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022) be accepted, as presented, pursuant to section 436 of the Local Government Act;
3. That staff be directed to forward the Council resolution of acceptance of Metro 2050 Regional Growth Strategy (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022) to Metro Vancouver Regional District;
4. That staff be directed to include in the letter conveying acceptance of Metro 2050 that the City of New Westminster encourages further consideration of including municipal-scale population and housing targets in regional plans going forward; or
5. That Council provide staff with alternative direction.

Staff recommend Options 2 to 4.

**APPROVALS**

This memo was prepared by:  
Meredith Seeton, Policy Planner

This memo was reviewed by:  
Lynn Roxburgh, Acting Supervisor of Land Use Planning and Climate Action  
Erica Tiffany, Senior Transportation Planner  
Sadaf Ghalib, Senior Climate Action Planner

This memo was approved by:  
Jackie Teed, Senior Manager of Climate Action, Planning and Development

**Attachment 2**  
***Metro Vancouver May 3 Letter Submitting  
Metro 2050 for Acceptance***



May 3, 2022

Mayor Jonathan Coté and Council  
City of New Westminster  
511 Royal Avenue  
New Westminster, BC V3L 1H9

VIA EMAIL: [jcote@newwestcity.ca](mailto:jcote@newwestcity.ca); [jkillawee@newwestcity.ca](mailto:jkillawee@newwestcity.ca); [clerks@newwestcity.ca](mailto:clerks@newwestcity.ca)



Office of the Chair  
Tel. 604 432-6215 or via Email  
[CAOAdministration@metrovancover.org](mailto:CAOAdministration@metrovancover.org)

File: CR-12-01  
Ref: RD 2022 Apr 29

Dear Mayor Coté and Council:

#### **Submission of *Metro 2050* for Acceptance by Affected Local Governments**

Metro Vancouver has been working closely with member jurisdictions, local First Nations, and other agencies and organizations over the past three years on the review and update of the regional growth strategy. Thank you for your participation and thoughtful contributions to the *Metro 2050* process. *Metro 2050* will replace *Metro Vancouver 2040: Shaping our Future*, and will guide land use decisions in Metro Vancouver over the coming decades.

*Metro 2050* introduces important new and enhanced policies that will help Metro Vancouver, member jurisdictions, TransLink, and other parties address the significant challenges facing this region - including climate change, housing affordability, equity, and resilience - and will advance our shared vision for a sustainable, prosperous, and livable region.

*Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022*, was given first and second readings by the Metro Vancouver Board on March 25, 2022, and a public hearing was held on April 20, 2022. At its meeting of April 29, 2022, the Metro Vancouver Board resolved to refer *Bylaw No. 1339, 2022* to all affected local governments (signatories) for acceptance. A copy of the Bylaw and the accompanying report dated April 22, 2022, titled "*MVRD Regional Growth Strategy Bylaw No. 1339, 2022*, a bylaw to adopt *Metro 2050* – Public Hearing Minutes and Bylaw Referral for Acceptance" is attached.

In accordance with Section 436 of the *Local Government Act*, affected local governments must, by way of a council resolution submitted to Metro Vancouver and within 60 days of receipt of this notice, accept the regional growth strategy. The *Local Government Act* affirms that if an affected local government fails to act within the period for acceptance, it is deemed to have accepted the regional growth strategy.

51386459

If an affected local government does not accept the regional growth strategy, it must indicate by way of a resolution within the sixty (60) day period: (a) the provision(s) to which it objects, (b) the reasons for its objection, and (c) whether it is willing that a provision to which it objects be included in the regional growth strategy on the basis that the provision will not apply to its jurisdiction.

Upon the conclusion of the acceptance period, Metro Vancouver staff will be reporting to the Metro Vancouver Board at its July 29, 2022 meeting on the status of affected local government acceptances, and, if appropriate, whether third reading and adoption of *Bylaw No. 1339, 2022* may be considered. Correspondingly, this will repeal *Metro 2040* (i.e. *Greater Vancouver Regional District Regional Growth Strategy Bylaw No. 1136, 2010*, as amended).

At the April 29, 2022 Metro Vancouver Board meeting, staff provided a summary of the engagement on the development of *Metro 2050* over the past three years. The Board expressed that this would be helpful context for member jurisdictions, and asked that the presentation be attached to the consideration of acceptance letter and email going to affected local government Councils and Boards. Please find attached the presentation titled "*Metro 2050: Public Hearing and Referral for Acceptance*".

Council resolutions can be sent to Chris Plagnol, Corporate Officer, Metro Vancouver, by email at [Chris.Plagnol@metrovancouver.org](mailto:Chris.Plagnol@metrovancouver.org).

If you have any questions about the regional growth strategy or the process for adopting the Bylaw, please do not hesitate to contact Heather McNell, General Manager, Regional Planning and Housing Services, by email at [Heather.Mcnell@metrovancouver.org](mailto:Heather.Mcnell@metrovancouver.org) or by phone at 604-436-6813.

Yours sincerely,



Sav Dhaliwal  
Chair, Metro Vancouver Board

SD/JWD/hm

cc: Lisa Spitale, Chief Administrative Officer, City of New Westminster  
Emilie Adin, Director, Development Services, City of New Westminster  
Jerry W. Dobrovolsky, Commissioner/Chief Administrative Officer, Metro Vancouver  
Heather McNell, General Manager, Regional Planning and Housing Services, Metro Vancouver  
Chris Plagnol, Corporate Officer, Metro Vancouver

Enclosures:

1. Report dated April 22, 2022, titled "*MVRD Regional Growth Strategy Bylaw No. 1339, 2022*, a bylaw to adopt *Metro 2050* – Public Hearing Minutes and Bylaw Referral for Acceptance"
2. *Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022*
3. Presentation – *Metro 2050* Public Hearing Report and Referral for Acceptance

All enclosures can also be found at this link:

<https://cloudshare.metrovancouver.org:5001/sharing/3wjoLF21c>

Attachment 3  
*Metro Vancouver Responses to CNW  
Comments*



## Metro Vancouver Responses to CNW Comments

| Section | Policy # | CNW Comment/Request   | Metro Vancouver Response  | Revisions to Metro 2050 | CNW Staff comments  |
|---------|----------|---|---|-------------------------|---|
| D       | N/A      | We would suggest there is a conversation to be had around distributing growth appropriately throughout the region. New Westminster has been consistently growing, and has consistently sought to show leadership in supporting and advancing development proposals that put market and non-market residential growth in the right places. Council encourages Metro Vancouver to consider strengthening the regional plan by reverting back from sub-regional to municipal scale projections for population, housing and employment. | Providing growth projections for population, housing and employment at a member jurisdiction scale will continue to be one of Regional Planning's core services. Projections have been prepared based on a model that uses past trends, demographics, planned and designated capacities, and they have been vetted with each member jurisdiction. The projections are not targets and provided to members, TransLink, utilities and others to support capital infrastructure, transportation, housing, and community planning. Projections will be available on the Metro Vancouver website and will be updated annually. | No changes.             | Staff suggest that the conversation around growth targets is likely to continue (and is being had at the provincial level as well), but that not including targets in the RGS is acceptable at this time. |
| D       | N/A      | Council also supports identifying these growth estimates as targets in the RGS. We see a role for regional plans to hold municipalities accountable to regional goals.  | Population, housing and employment projections are not targets, but rather a reference provided to member jurisdictions, Metro Vancouver's utilities, TransLink and others to assist in long-range land use and infrastructure planning. The RGS does not target growth, but  | No changes.             |   |

|                |     |   |   |             |   |
|----------------|-----|---|---|-------------|---|
|                |     |   | rather seeks to ensure we can accommodate anticipated growth in a way that reflects the federation's values. The plan does have targets for directing that growth to Urban Centres and transit corridors.   |             |   |
| D              | N/A | Within the draft Metro 2050 document, the City was pleased to see definition and clarity regarding the projections versus targets and that detailed municipal information would still be provided on an annual basis. Having regional targets that are both measurable and aspirational will ensure that, as a region, we are moving in the right direction.  | Thank you for your comment.   | No changes. |   |
| E – Goal 1     | N/A | Council supports one of the regional plan's most fundamental elements, namely ensuring that growth is accommodated within the Urban Containment Boundary.   | Thank you for your comment.   | No changes. |   |
| E – Goal 1 & 5 | N/A | However, local land use and transportation network context also inform policy decisions around where to specifically focus growth, and the new Major Transit Growth Corridor concept may not capture this nuance. In New Westminster, for example, the SkyTrain line is part of TransLink's Major Transit Network and is designated in the draft RGS as a Major Transit Growth Corridor. The City has tightly defined Frequent Transit Development Areas at station areas, and the Downtown is designated as a Regional City Centre. Significant growth is directed to these areas in our | The Major Transit Growth Corridors are not specific to residential development. They support municipal planning for employment/industrial uses in transit-oriented locations, too. At a regional level, the Expo Line Major Transit Growth Corridor generally encourages the growth of population, job and services. While New Westminster's transit-oriented areas are more nodal (rather than linear) and focused around SkyTrain, the Major Transit Growth Corridors | No changes. | The MTGC label may still signal to speculators potential for high density residential growth. The City will need to continue to communicate the City's vision and permissions |

|                |     |   |  |             |          |
|----------------|-----|---|--|-------------|----------|
|                |     | <p>OCP. However, there are other areas along the corridor that have transit access constraints, are protected for industrial uses by both local and regional policies, or are otherwise not appropriate for significant growth due to topographical considerations or other barriers to development. The Braid industrial area, industrial lands along Stewardson Way, and the Lower Twelfth and Sharpe Street Study Area (where a unique mix of ultra light industrial uses, commercial uses and limited residential uses are anticipated) are examples of areas in close proximity to the SkyTrain line where significant growth would not be appropriate. Introducing a growth corridor concept, and mapping these corridors, risks signaling support for transit-oriented development to land speculators and the development community, whereas local and regional policies and plans may not support significant densification of these areas. To help address this risk, Council would support removing the map of Major Transit Growth Corridors from the regional plan, and retaining higher level guidance on focusing growth near the Major Transit Network.</p> | are not intended to signal linear development potential along the SkyTrain guideway in areas that are not proximate to stations. |             | clearly. |
| E – Goal 1 & 5 | N/A | <p>Council supports the draft updated RGS's support for transit-oriented development and for the creation of complete communities. The calls to focus growth in close proximity to frequent transit are consistent with New Westminster's Official Community Plan (OCP). The</p>  | Thank you for your comment.  | No changes. |          |

|            |       |  |  |             |   |
|------------|-------|--|--|-------------|---|
|            |       | introduction of TransLink's new Major Transit Network into the RGS is a positive step towards integrating transit and land use planning, and these provide a useful growth organizing framework. We support regional targets for accommodating growth in transit-oriented locations.                   |  |             |   |
| E – Goal 4 | 4.2.3 | Council supports the added attention the updated plan gives to housing affordability and diversity, and is supportive of the concept of a region-wide aspirational target for affordable rental housing.   | Thank you for your comment.  | No changes. |   |
| E – Goal 4 | 4.2.3 | We encourage Metro Vancouver to consider refining the regional affordable housing target to better address and support the development of affordable housing in a wide range of contexts, including, for example, in shoulder areas and neighbourhoods with access to transit, services and amenities. | Urban Centres and FTDA's were selected as the transit-oriented geographies that will be used to monitor Policy 4.2.3 given the regional significance of these locations and their direct ties to advancing the objectives of the regional growth strategy. The affordable rental housing aspirational target will allow us to monitor progress and adjust our efforts as needed over time as data becomes available, which could include widening the scope of the selected transit-oriented geography if needed in future. Member jurisdictions are welcome to put affordable housing in other locations with access to transit, services and amenities - this would be in addition to the 15% of new development the region is | No changes. | In developing the RCS, staff will explore the potential to contribute to the new regional affordable rental housing target. |

|            |     |  |   |  |   |
|------------|-----|--|---|--|---|
|            |     |  | striving for in UC and FTDA's.  |  |   |
| E - Goal 4 | N/A | Council also supports more focus on finding ways to better achieve affordable housing goals, such as building regional services to support implementation of inclusionary housing policies, build community acceptance of affordable housing proposals, and provide continued regional analysis and innovation around funding transit-oriented affordable housing.   | Thank you for your comment.   | No changes.  |   |
| E – Goal 5 | N/A | Council also encourages Metro Vancouver to ensure the actions proposed for member jurisdictions, especially when it comes to supporting sustainable transportation, are as clear and actionable as possible. There are multiple jurisdictions that influence the way we move, and we wish to ensure that the city and region are set up for success by having clear policy that we are able to implement and advance.  | Thank you for your comment.   | No changes.  | In developing the RCS, staff will give careful consideration to when and how the City can contribute to actions, and where our jurisdiction ends. |
| E – Goal 5 | N/A | Alongside focusing growth in centres and transit-oriented areas, walking and cycling infrastructure improvements are needed to ensure that getting to transit is as easy, safe, convenient and comfortable as possible. New Westminster has the benefit of being served by several rapid transit stations, and our particular challenge is ensuring that all community members have access to this mode of transportation. Council supports including actions around improving “first and last | Policy 5.1.14 (f) will be updated to reflect the need for walking and cycling connections to transit. | Update 5.1.14(f) to read: support implementation of local active transportation facilities that provide direct, comfortable, all ages and abilities connections to the Regional Greenway | This change addresses the concerns identified by the City.  |

|         |  |  |                             |  |  |
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|         |  | mile” connections in the regional plan.  |                             | Network, or Major Bikeway Network, transit services and everyday destinations. |  |
| General |  | New Westminster remains committed to the productive collaboration that happens at regional tables, and is supportive of advancing the strong regional planning framework that the updated RGS provides. Together we can hold each other accountable and build a region that is as resilient, equitable and livable as possible going forward.  | Thank you for your comment. | No changes.  |  |
| General |  | Council strongly supports the directions taken in this updated strategy to bring the key issues of our region into sharper focus and provide coordinated policy responses. Climate and resiliency, reconciliation, equity, and housing affordability are all issues that member jurisdictions are grappling with as key determinants of livability, health and wellbeing today and into the future. Integrating these issues more deeply into the regional plan, and including regional targets that are measurable, will help ensure we collectively move in the right direction. | Thank you for your comment. | No changes.  |  |
| General |  | We appreciate that following the adoption of an updated RGS, Metro Vancouver’s regional planning function will continue to undertake research into how we can make further progress in achieving collective regional goals. The reflection, action and relationship-building that is   | Thank you for your comment. | No changes.  |  |

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|  | needed to advance climate, reconciliation and equity extend beyond plan adoption. |  |  |  |
|--|---|--|--|--|



## **REPORT**

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

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

**From:** Emilie K. Adin, MCIP      **File:** REZ00204  
Director, Climate Action, Planning and  
Development

**Item #:** 2022-385

**Subject:** **Rezoning and Development Permit for Infill Townhouses: 102 – 128  
East Eighth Avenue and 721 Cumberland Street – Preliminary Report**

---

#### **RECOMMENDATION**

**THAT** Council instruct staff to process the proposed Zoning Bylaw Amendment and Development Permit applications for 102-128 East Eighth Avenue and 721 Cumberland Street as outlined in the Application Review Process and Next Steps section of this report.

---

#### **PURPOSE**

To seek Council support for proceeding with processing a proposal for an infill townhouse development in the McBride-Sapperton neighbourhood.

#### **EXECUTIVE SUMMARY**

Rezoning and Development Permit applications have been received for a 55 unit infill townhouse development for 10 properties located at 102-128 East Eighth Avenue and 721 Cumberland Street. The development is proposed to consist of units that are two or two and a half storeys in height, with a total Floor Space Ratio (FSR) of 1.0 across eight buildings. Off-street parking spaces would be located in an underground parkade.

**OPTIONS**

The following options are offered for Council's consideration:

1. That Council instruct staff to process the proposed Zoning Bylaw Amendment and Development Permit applications for 102-128 East Eighth Avenue and 721 Cumberland Street as outlined in the Application Review Process and Next Steps section of this report.
2. That Council provide staff with alternative direction.

Staff recommends Option 1.

**ATTACHMENTS**

Attachment 1: Staff Memo

Attachment 2: Project Summary Letter and Select Drawings

Attachment 3: Background

**APPROVALS**

This report was prepared by:

Dilys Huang, Development Planner

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

## *Staff Memo*

## **MEMO**

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

**To:** Emilie K. Adin, Director, Climate Action, Planning and Development      **Date:** May 30, 2022

**From:** Jackie Teed, Senior Manager, Climate Action, Planning and Development      **File:** REZ00204

**Subject:** **Rezoning and Development Permit for Infill Townhouses: 102 – 128 East Eighth Avenue and 721 Cumberland Street – Preliminary Report**

---

#### **RECOMMENDATION**

Staff recommends that the Director forward this memo and the following resolution to Council for consideration:

**THAT** Council instruct staff to process the proposed Zoning Bylaw Amendment and Development Permit applications for 102-128 East Eighth Avenue and 721 Cumberland Street as outlined in the Application Review Process and Next Steps section of this report.

---

#### **PURPOSE**

To request the Director seek Council support for proceeding with processing a proposal for an infill townhouse development in the McBride-Sapperton neighbourhood.

#### **EXECUTIVE SUMMARY**

Rezoning and Development Permit applications have been received for a 55 unit infill townhouse development for 10 properties located at 102-128 East Eighth Avenue and 721 Cumberland Street. The development is proposed to consist of units that are two or two and a half storeys in height, with a total Floor Space Ratio (FSR) of 1.0 across eight buildings. Off-street parking spaces would be located in an underground parkade.

## **BACKGROUND**

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

The applications were presented to the Land Use and Planning Committee (LUPC) for discussion and feedback in April 2021. The LUPC referred the proposal back to staff, recommending that the applicant reduce the number of parking spaces, increase accessibility, and continue to focus on enhancing the public realm.

The April 26, 2021 LUPC report and meeting minutes can be accessed on the City's website via the following links:

- [Report](#) (starting on p. 8)
- [Meeting Minutes](#)

### **Policy and Regulations**

The subject properties are designated Residential – Ground Oriented Infill Housing (RGO) and zoned Single Detached Residential (RS-1). A summary of these and other related City policies and regulations is included in Attachment 3.

### **Site Characteristics and Context**

The subject site, which includes 10 properties, is located in the McBride-Sapperton neighbourhood. It is situated on the south side of East Eighth Avenue between Cumberland Street and York Street. The lots have an approximate combined area of 6,410.6 sq. m. (69,003.3 sq. ft.). The site has a fairly steep gradient, with a difference of approximately 17 m. (55 ft.) from the high end at the north-east corner sloping down toward Cumberland Street and the rear lane at the south-west corner (approximately 11% diagonal slope and 8% horizontal slope). Similar to neighbouring residential lots, the subject properties currently contain single detached dwellings ranging from the mid-1940s to late 1950s.

The properties to the north across East Eighth Avenue are also designated (RGO) Residential – Ground Oriented Infill Housing, while those to the east, south, and west are designated (RD) Residential – Detached and Semi-Detached Housing. The site is located one block from the Justice Institute of BC. The tāmāsew̱txw Aquatic and Community Centre is located approximately two blocks to the south. A site context map is shown as Figure 1.



Figure 1. Site Context Map

## Proximity to Transit and Cycling Networks

East Eighth Avenue is a designated truck route with time of day restrictions and a future Frequent Transit Network route, while York Street and the segment of Cumberland Street along the site frontage are local roads. All three street frontages have existing sidewalks. The Crosstown Greenway, comprising a shared road for vehicles and bicycles, is located two blocks south-east on East Seventh Avenue. The site's proximity to transit service is highlighted in Table 1. There are currently no dedicated car share services within the immediate area of the subject site.

Table 1: Proximity to Transit Service

| Transit Facility   | Distance   |
|--|--|
| <ul style="list-style-type: none"> <li><b>Bus #128</b> (Braid Station / 22<sup>nd</sup> Street Station)</li> <li><b>Bus #105</b> (Uptown / New Westminster Station)</li> </ul> | <ul style="list-style-type: none"> <li>Eastbound bus stop on East Eighth Avenue in front of subject site; 80 m. (262 ft.) to westbound bus stop</li> <li>60 m. (197 ft.) to southbound bus stop on Cumberland Street; 80 m. (262 ft.) to westbound bus stop on East Eighth Avenue</li> </ul> |
| <ul style="list-style-type: none"> <li><b>SkyTrain Station</b> (Sapperton Station)</li> </ul>  | <ul style="list-style-type: none"> <li>1.3 km. (0.8 mi.)</li> </ul>  |

## PROJECT DESCRIPTION

The proposed development consists of eight buildings containing 55 infill townhouse units with two or two and a half storeys. The buildings would be oriented parallel to East Eighth Avenue on both sides of a central pedestrian courtyard. Drawings show an overall density of 1.0 Floor Space Ratio (FSR), allocated between an above grade FSR of 0.83 and a below grade FSR of 0.17. Proposed unit sizes range from approximately

94.3 sq. m. (1,014.8 sq. ft.) to 126.8 sq. m. (1,364.6 sq. ft.), with most of the units (three bedrooms) falling between 112.6 sq. m. (1,212.1 sq. ft.) and 118.1 sq. m. (1,271.6 sq. ft.).

The applicant is proposing 93 off-street parking spaces, which include 86 resident stalls and six visitor stalls within a one and a half level underground parkade, and a surface loading space off the lane. An elevator would connect the underground parking to the central courtyard and street levels.

A total of 69 long term bicycle parking spaces are proposed within the parkade, along with short term bicycle parking spaces at both ends of the central courtyard (six total).

Figure 2 shows a couple of sample renderings with views from East Eighth Avenue. The applicant's project summary letter and select drawings are included as Attachment 2, and a project statistics table is provided in Attachment 3.



*Figure 2. Sample renderings*

## **DISCUSSION**

### **On-Site Parking**

The earlier proposal presented to the Land Use and Planning Commission (LUPC) included 108 off-street parking spaces. In response to LUPC feedback, the applicant has reduced the number of stalls to 93 (86 for residents, six for visitors, one for loading). Although this is still higher than the 61 stalls (55 for residents and six for visitors) that would be required for the project under the infill townhouse parking rate, the applicant



has indicated that their current proposed parking is similar to the zoning requirements for multiple dwelling units with three or more bedrooms.

Visitor parking spaces previously proposed as surface parking have been relocated into the underground parkade. The current proposal also includes a surface loading space, intended to facilitate residential loading and garbage pick-up. The parkade now incorporates proposed storage units for residents as well.

Certain components needing further verification with the applicant as part of the review process include, but are not limited to, confirmation of height clearances of parking spaces and drive aisles, and turn path diagrams for the parkade ramp.

### **On-Site Accessibility**

While recognizing that the overall site has a significant slope, the applicant has made some further adjustments to the proposal from an accessibility perspective. These include relocating the visitor stalls and the garbage room into the parkade, designing the eastern end unit of Building 8 as an adaptable unit, and proposing barrier free access from either the street or the lane for 33 units. While the applicant noted that the overall number of stairs could not be reduced due to the steep nature of the site, they have revised the stepping to provide barrier free access from the elevator at the courtyard level to the two western units of Building 7 (compared to zero units in the earlier proposal).

### **Open Space and Trees**

As the provision of functional private open space was still fairly limited and to ensure that private open space requirements under the Infill Townhouse and Rowhouse Development Permit Area guidelines are met, the applicant has now shifted the central pedestrian pathway further south to increase the amount of contiguous usable open space especially for the front units.

Regarding proposed trees, arborist staff noted that there are further opportunities to achieve greater diversity and resiliency. Staff and the New Westminster Design Panel will undertake further review on the design, functionality, and aesthetics of landscaping and outdoor space for the proposed development during the application review process.

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

The proposed Rezoning and Development Permit applications would be reviewed concurrently. The anticipated next steps in the application review process, consistent with the Interim Development Review Process endorsed by Council in response to the pandemic, include:

1. Internal circulation, review, and applicant revisions (ongoing);
2. Preliminary report to the Land Use and Planning Committee (April 26, 2021);



3. Preliminary report to Council (May 30, 2022) – **we are here**;
4. Applicant-led consultation, including dissemination of information to the relevant Residents Associations (Sapperton and Massey Victory Heights);
5. Presentation to the New Westminster Design Panel;
6. City-led consultation;
7. Council consideration of First and Second Readings of proposed Zoning Amendment Bylaw and whether to schedule or waive the Public Hearing;
8. Public Hearing (if scheduled) and Council consideration of Third Reading of proposed Zoning Amendment Bylaw;
9. Applicant addresses adoption requirements;
10. Council consideration of adoption of proposed Zoning Amendment Bylaw;
11. Issuance of Development Permit by Director of Climate Action, Planning and Development.

### **INTERDEPARTMENTAL LIAISON**

The City has a team-based approach for reviewing development applications. The project is being reviewed by staff from various departments, including Climate Action, Planning and Development; Engineering Services; Parks and Recreation; and Electrical Operations.

### **OPTIONS**

The following options are offered for Council's consideration:

1. That Council instruct staff to process the proposed Zoning Bylaw Amendment and Development Permit applications for 102-128 East Eighth Avenue and 721 Cumberland Street as outlined in the Application Review Process and Next Steps section of this report.
2. That Council provide staff with alternative direction.

Staff recommends Option 1.

### **APPROVALS**

This memo was prepared by:  
Dilys Huang, Development Planner

This memo was approved by:  
Jackie Teed, Senior Manager, Climate Action, Planning and Development

## Attachment 2

### *Project Summary Letter and Select Drawings*

January 27, 2022

Dilys Huang, MCIP, RPP, LEED Green Assoc.  
City of New Westminster

**DP-Application Review for 102-128 East Eighth Avenue & 721 Cumberland Street,  
New Westminster**

File: PAR01366  
Doc # 1504917

**CIVIC ADDRESS:** 102-128 East Eighth Avenue & 721 Cumberland Street, New Westminster

**LEGAL ADDRESS:** LOTS 61 AND 62, PLAN 20449 AND LOTS 23 TO 30, ALL EXCEPT: SOUTHERLY 8 FEET, OF LOT 13, PLAN 2620 ALL OF SUBURBAN BLOCK 4 NEW WESTMINSTER DISTRICT

**PROJECT SUMMARY**

The proposed development, New Westminster Townhouses, is comprised of an assembly of 10 separate existing properties located in the McBride-Sapperton neighbourhood. The Townhouse Project site is situated on the south side of East Eighth Avenue between Cumberland Street and York Street and is located one block away from the Justice Institute of BC. The lots have an approximate combined area of 6,411 sq. m. (69,003 sq. ft.).

The site has a fairly significant slope with a difference of approximately 17 m. (55 ft.) from the high end at the north-east corner down toward Cumberland Street and the rear lane at the south-west corner. Similar to neighbouring residential lots, the subject properties currently contain single detached dwellings. The lots to the north across East Eighth Avenue are also designated (RGO) Residential – Ground Oriented Infill Housing, while those to the east, south, and west are designated (RD) Residential – Detached and Semi-Detached Housing.

There is a transit bus stop located in front of the subject site along East Eighth Avenue.

The allowable density for the project area is 1.00 FSR (0.15FSR Basement + 0.85 FSR above grade). The total density calculated/proposed is 1.00 FSR (0.15FSR Basement + 0.85 FSR above grade).

The proposed project is to facilitate a 55-unit, ground-oriented infill townhouse development consisting of units that range from two to two-and-a-half / three storeys in height within eight buildings. The proposed units range from 94.2 sq. m. (1014 sq. ft.) to 126.7 sq. m. (1,364.6 sq. ft.), and the overall development would have a Floor Space Ratio (FSR) of 1.00.

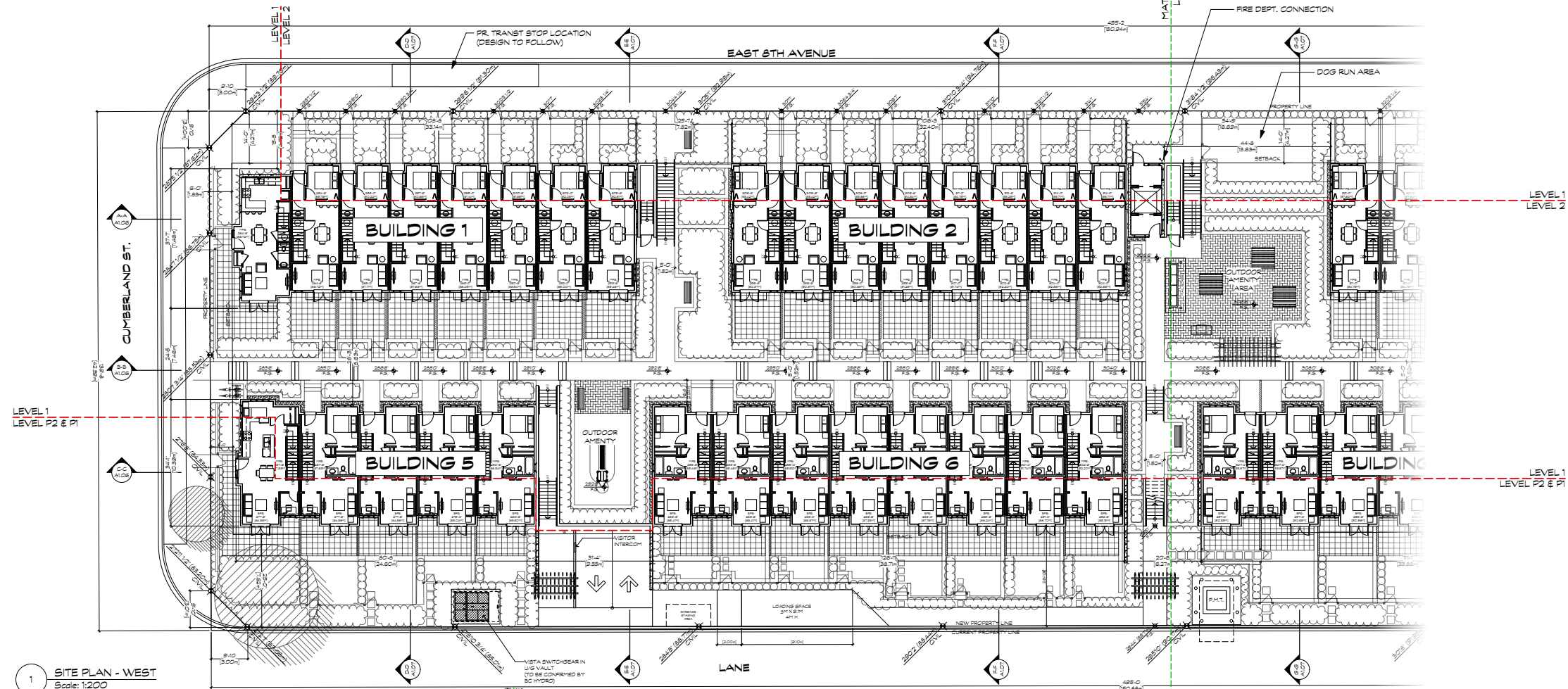
A total of 92 (88 regular + 4 H/C) off-street parking spaces including 6 Visitor stalls are proposed. All of the parking spaces would be located in an underground parkade divided into two sections, with one access off of the rear lane. Four of the total off-street parking stalls are currently designated as accessible, meeting the minimum required number of accessible parking spaces. The project will provide electric vehicle charging infrastructure, in accordance with zoning requirements.

All the buildings of the development are oriented in an east-west direction to align with the long property line along East 8<sup>th</sup> Avenue. Each of the units have south facing facades with south-facing

outdoor patios as well as south-facing, above-grade decks for a majority of the units--South-facing decks are provided on the upper levels of at least 52 of the 55 units.

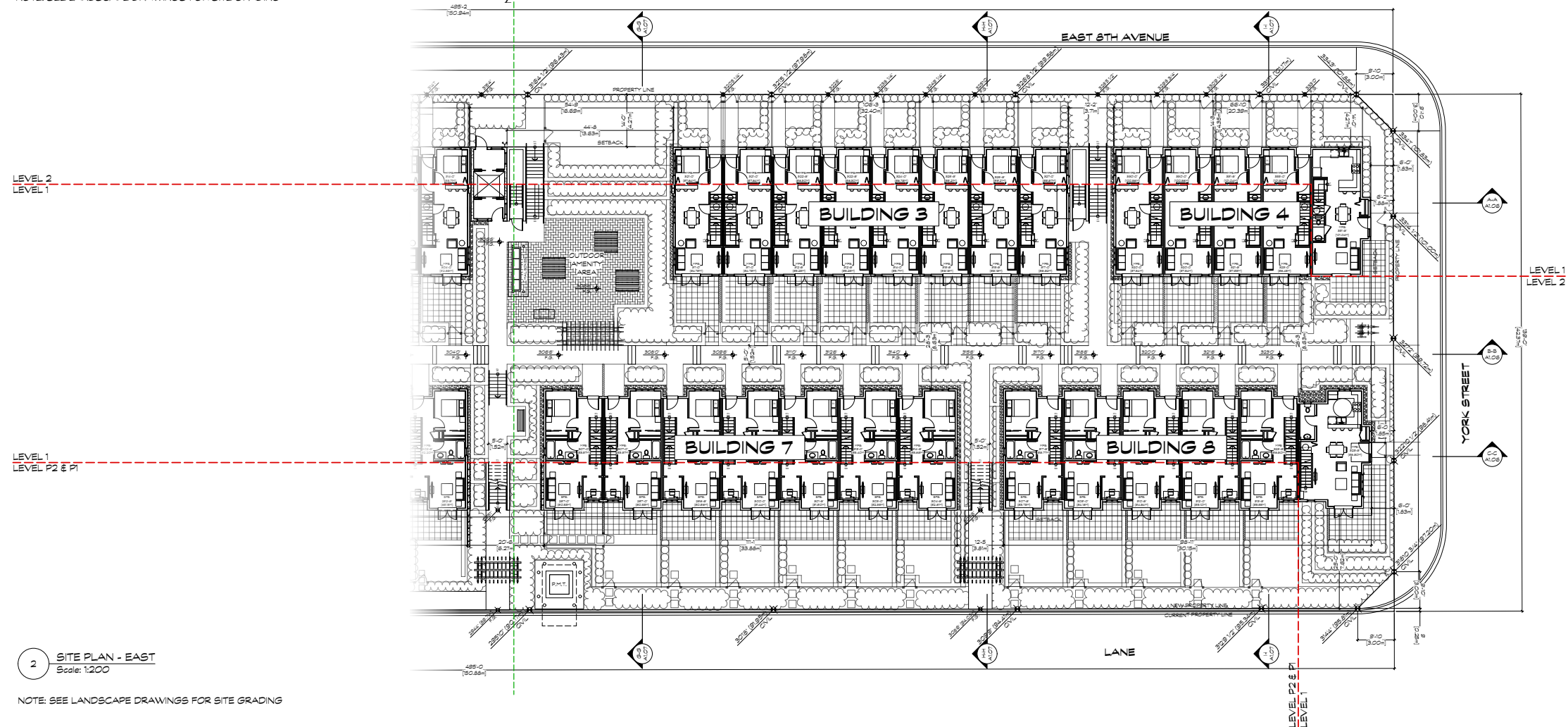
The slope of the site from east to west step the units and buildings and, thus, provide massing breaks to the building faces. The slope of the site from north to south provides second story views for the units along East 8<sup>th</sup> avenue as they look over/between the units along the lane.

Private open space for the individual townhouse units is provided through patio spaces and lawn on south end of the units. The DPA guidelines require a minimum of 14.86 sq. m. (160 sq. ft.) of private open space with a minimum dimension of 1.83 m. (6 ft.) for each unit. Each of the unit's outdoor patios meet or exceed these outdoor livability size requirements.



1 SITE PLAN - WEST  
Scale: 1:200

NOTE: SEE LANDSCAPE DRAWINGS FOR SITE GRADING



2 SITE PLAN - EAST  
Scale: 1:200

NOTE: SEE LANDSCAPE DRAWINGS FOR SITE GRADING

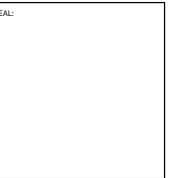
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| 27.01.22 | RE-ISSUED FOR R2 / DP |



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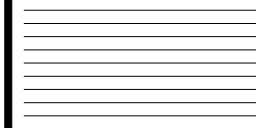
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CANADA V6E 2M6  
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PROJECT:  
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RESIDENCES**  
  
102-128 EAST 8TH AVE  
& 721 CUMBERLAND ST.  
NEW WESTMINSTER, BC

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CHECKED BY: RC  
SCALE: 1:200  
PROJECT NO.: 631  
SHEET TITLE:  
**SITE PLAN**

REVISION NO.:  
SHEET NO.:  
A100

CLIENT

PROJECT:

RESIDENTIAL DEV.

102-128 EAST 8TH AVENUE  
& 721 CUMBERLAND STREET  
NEW WESTMINSTER, BC

DRAWING TITLE:

LANDSCAPE  
PLAN

**L1**



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| SHEET TITLE:<br>3D VISUALS |                     |

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| REVISION NO.: | SHEET NO.: |
| -             | 4093       |



VIEW FROM EAST 8TH AVENUE LOOKING AT SITE ENTRY TO AMENITY AREA & ELEVATOR ACCESS FROM STREET



CORNER OF CUMBERLAND STREET AND LANEWAY LOOKING NORTH



VIEW LOOKING SOUTH FROM EAST 8TH AVENUE



CORNER OF EAST 8TH AVENUE AND YORK STREET LOOKING SOUTH



1 STREETScape - EAST 8TH AVENUE (OVERALL)  
Scale: 1:250

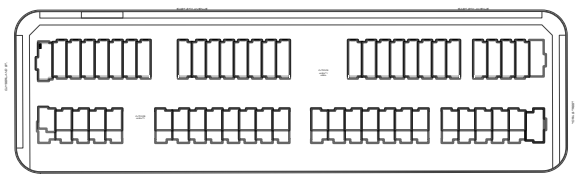


2 STREETScape - EAST 8TH AVENUE (BUILDING 3 & 4)  
Scale: 1:150



3 STREETScape - EAST 8TH AVENUE (BUILDING 1 & 2)  
Scale: 1:150

KEY PLAN



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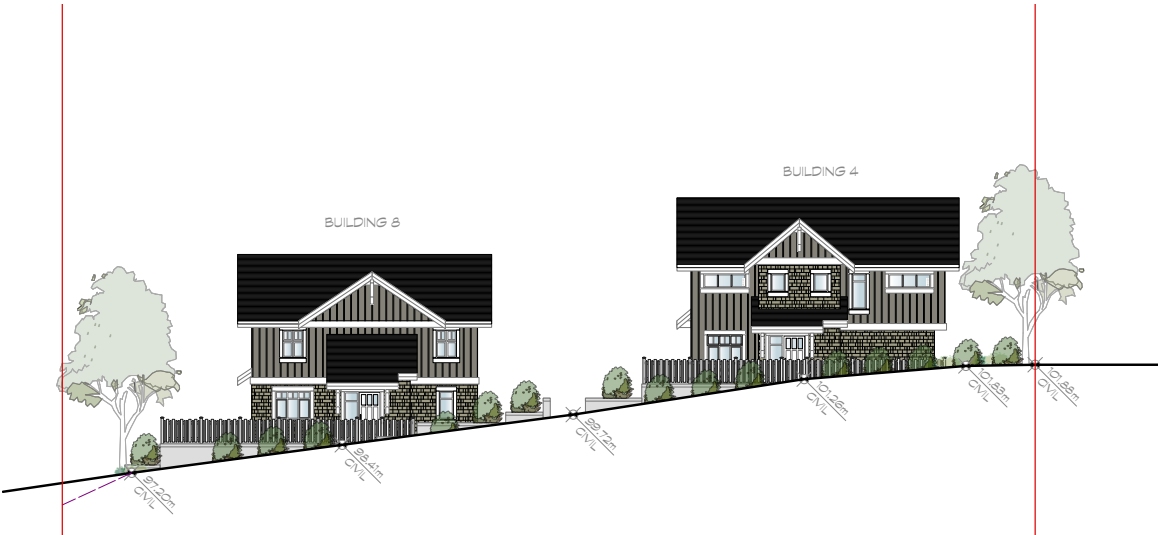
  
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102-128 EAST 8TH AVE  
& 721 CUMBERLAND ST.  
NEW WESTMINSTER, BC

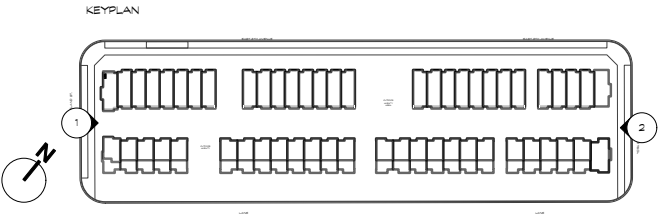
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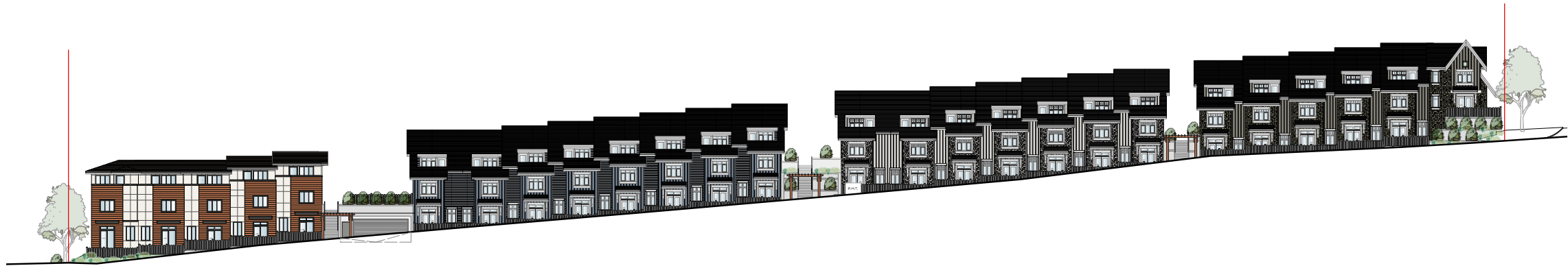


1 **STREETSCAPE - CUMBERLAND STREET (BUILDING 1 & 5)**  
Scale: 1:150



2 **STREETSCAPE - YORK STREET (BUILDING 4 & 6)**  
Scale: 1:150





1 STREETScape - LANE (OVERALL)  
Scale: 1:250

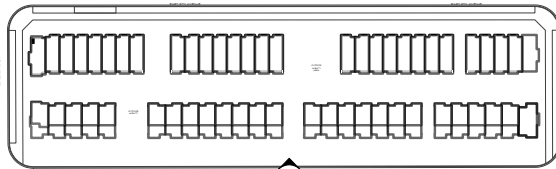


2 STREETScape - LANE (BUILDING 5 & 6)  
Scale: 1:150



3 STREETScape - LANE (BUILDING 7 & 8)  
Scale: 1:150

KEY PLAN



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| DATE     | DESCRIPTION           |
|----------|-----------------------|
| 23.07.20 | ISSUED FOR DP         |
| 19.01.21 | RE-ISSUED FOR DP      |
| 27.08.21 | RE-ISSUED FOR DP      |
| 27.01.22 | RE-ISSUED FOR RZ / DP |



CICCOTZI  
ARCHITECTURE

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1095 WEST PENDER STREET  
VANCOUVER, B.C.  
CANADA V6E 2M6  
TEL: (604) 687-4741

PURE WEST  
PROPERTY INVESTMENTS LTD.

PROJECT:  
  
NEW WEST  
RESIDENCES  
  
102-128 EAST 8TH AVE  
& 721 CUMBERLAND ST.  
NEW WESTMINSTER, BC

DRAWN: AN  
CHECKED BY: RC  
SCALE: 1:150  
PROJECT NO.: 631  
SHEET TITLE:  
STREETScape

REVISION NO.:  
SHEET NO.:  
Page 180 of 272

## Attachment 3

### *Background*

## **SUMMARY OF RELATED CITY POLICIES AND REGULATIONS**

### **Official Community Plan**

The subject properties are designated Residential – Ground Oriented Infill Housing (RGO), which is described, in part, as follows:

*Purpose: To allow a mix of ground oriented infill housing forms which are complementary to the existing neighbourhood character. Generally forms with a higher number of units are expected to be located on larger properties. Units can be attached, detached or a combination of the two.*

*Principal Forms and Uses: Single detached dwellings, single detached dwellings on a compact lot, duplexes, triplexes, quadraplexes, cluster houses, townhouses, rowhouses and other equivalent ground oriented housing forms. Lots with single detached dwellings may also include a secondary suite and/or a detached accessory dwelling unit.*

*Maximum Density: Low density multiple unit residential.*

The proposed development is consistent with the intent of the RGO land use designation and therefore, no OCP amendment would be required for this proposed development.

### **Development Permit Area**

The subject site is located within the Ground Oriented Housing Development Permit Area (DPA 1.2) and, as such, a Development Permit is required for the proposed development. This DPA refers development of infill townhouse properties to DPA 1.3 (Infill Townhouses and Rowhouses). The intent of this DPA is to encourage small scale infill projects, such as infill townhouses and rowhouses that are complementary to the existing single detached dwelling context through appropriate building form, scale, and location. Small projects, with a low number of units, are anticipated.

### **Zoning Bylaw**

The subject properties are currently zoned Single Detached Residential (RS-1). Since the proposal does not conform to this existing zone, the properties would need to be rezoned to Infill Townhouse and Rowhouse Residential (RT) and be consolidated.

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

As per the City's Family-Friendly Housing Policy, the development would be required to provide a minimum of 30% two and three bedroom units, of which at least 10% of the overall number of units would need to contain three or more bedrooms. Based on the information provided by the applicant, all of the proposed units would have at least two bedrooms, and 53 out of the 55 proposed units (96%) would have three or more bedrooms.

## **PROJECT STATISTICS**

|   | <b>Permitted / Required Under RT Zoning</b>  | <b>Proposed</b>  |
|---|--|--|
| Existing Site Area (Gross)  | -  | 6,410.6 sq. m. (69,003.3 sq. ft.)  |
| Site Area (Net)   | -  | 6,354.9 sq. m. (68,403.5 sq. ft.)  |
| Site Frontage   | -  | 150.9 m. (495.2 ft.)   |
| Average Lot Depth   | -  | 42.5 m. (139.3 ft.)  |
| Total FSR Inclusive of Basement                                   | 1.0 FSR  | 1.0 FSR  |
| Total FSR Excluding Basement                                      | 0.85 FSR   | 0.83 FSR   |
| Building Height   | 10.67 m. (35 ft.)  | 8.16 m. (26.77 ft.) to 10.27 m. (33.7 ft.)   |
| Residential Units   | -  | 55 units   |
| Unit Mix and Family-Friendly Housing                              | Minimum 30% two and three bedroom units, of which 10% are three or more bedrooms       | 1 bedroom units: 0 (0%)<br>2 bedroom units: 2 (4%)<br>3 bedroom units: 52 (95%)<br>4 bedroom units: 1 (2%) |
| Off-Street Parking<br>Resident<br>Visitor<br>Loading<br><br>Total | 55 spaces<br>6 spaces<br>1 space (may be shared with a visitor space)<br><br>61 spaces | 86 spaces<br>6 spaces<br>1 space (not shared)<br><br>93 spaces   |
| Bicycle Parking   | 55 spaces  | 69 spaces (long term)<br>6 spaces (short term)   |

## **REPORT**

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

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

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

**Item #:** 2022-405

**Subject:** Staffing Resource Challenges and Implications on Departments' Service Delivery Work Plans

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#### **RECOMMENDATION**

THAT Council receive this report for information.

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#### **PURPOSE**

To inform City Council and the community of adjustments being made within the organization to address staff resourcing challenges. Departments are adjusting work plans in order to continue prioritizing core services and Council's Strategic Priorities.

#### **SUMMARY**

COVID has created many impacts in the community and within the organization. Several City departments are facing higher than anticipated staff vacancies due to retirements, departures and a corresponding challenge with staff recruitment.

The City prioritizes transparency and therefore, this report is written with the intent that City Council and the community are informed of the staff resources challenges currently being faced by many departments.

Attached with the covering report are five memos from the following Directors and Departments:

Dean Gibson, Director, Parks and Recreation  
Emilie Adin, Director, Climate Action, Planning and Development  
Erin Williams, Acting Fire Chief, Fire and Rescue Services

Eva Yip, Acting Director, Human Resources and Information Technology  
Lisa Leblanc, Director, Engineering Services

Each Department head has articulated the unique challenges being faced and the realignments being made to their respective work plans and/or recruitment strategies that are in the works. Wherever possible, efforts will be made to minimize impacts to core services.

However, as noted in the attached Department memos, various regulatory processes, select Council Strategic Priorities and specific capital projects will experience timeline delays or will be deferred to 2023.

In addition to this Council report, Departments are working with the City's Communication Division to inform the City's customers (our residents and our businesses) of these pending service delivery changes.

### **OPTIONS**

There are two options for Council's consideration; they are:

Option 1 – Receive this report for information; or

Option 2 – Provide staff with alternate direction.

Staff recommend Option 1

### **APPROVALS**

This report was prepared by:  
Lisa Spitale, Chief Administrative Officer

Attachments prepared by:

Dean Gibson, Director, Parks and Recreation  
Emilie Adin, Director, Climate Action, Planning and Development  
Erin Williams, Acting Fire Chief, Fire and Rescue  
Eva Yip, Acting Director, Human Resources and Information Technology  
Lisa Leblanc, Director, Engineering Services

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



## Attachment # 1

*Five memos from Directors/Departments  
re Staffing Resource Challenges*

## MEMORANDUM

### *Parks and Recreation*

**To:** Lisa Spitale  
Chief Administrative Officer

**Date:** May 30, 2022

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

**Doc:** 2088950

**Subject:** Parks and Recreation Staffing and Service Delivery Challenges

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Further to your request for information related to current and ongoing challenges related to staffing and the delivery of departmental services and workplans, please accept this memo as an overview of the current situation within the Parks and Recreation Department.

#### Summary

In general terms, the Department is experiencing on-going challenges recruiting and retaining staff across many operational areas. This is particularly acute in services areas where staff certifications and specialized training is required. The lasting impacts of the COVID-19 pandemic are also partly attributed to somewhat higher rates of absenteeism in some areas of operations. Because of the current situation, the department is finding that response times to some service requests are slower than normal, backlogs in routine and preventative maintenance work are growing, community recreation program offerings are fewer, and community recreation facility operating hours may need to be curtailed at certain times. The current situation is very dynamic and will require ongoing communication to the public regarding any changes in service offerings, particularly in the recreation services area.

#### Recreation Services

The Recreation Services Division is currently sustaining existing core operations albeit with reduced capacity in some service areas. As operations transition to summer and fall programming cycles in the next few weeks, it is anticipated the Recreation services team will be responding to the pending impacts resulting from ongoing staffing shortages. Over the past several months, the Division has experienced considerable staff turnover due to a variety of reasons. While internal applicants have filled many permanent positions, this turnover has also required that operations draw upon existing auxiliary employees to temporarily backfill essential vacant positions. As a result, extraordinary pressures have been placed on the "pool" of auxiliary staff to the extent that there are now very few qualified staff to call upon for work, and interest from new applicants is at an all-time low. As the nature of the services provided by the Recreation Division relies heavily upon auxiliary staff,

low staffing levels have a direct impact on the quantity and variety of services offered and the operating hours of the facility in which programs are provided.

Of particular noted is the current provincial and national shortage of skilled and trained aquatics staff. This gap is partially caused by the cancellation of advanced leadership and aquatic training programs across all jurisdictions during the pandemic as well as locally, a movement of staff from Recreation Services into other employment areas (internally within the City and externally to other employers). Competition for aquatics staff within the region is at an all-time high and are expected to exist until training opportunities for new up and coming staff increase across the region.

The Recreation Services team is currently looking at new approaches towards recruitment and new demographics for future employees. Recreation Services will work with the City's Human Resources Department and the Union to explore opportunities to remove barriers involved in obtaining required certifications for this rewarding employment. Opportunities for, and the benefits of, employment within Recreation Services will be highlighted in job fairs, social media and through youth leadership groups in the coming weeks and months.

#### Parks Horticulture and Arboriculture Services

Parks Operations currently has 2.5 full-time equivalent vacancies due to recent staff departures in Horticulture Services. Although the recruitment process has commenced, availability of qualified and experienced staff is very low, a situation that is not unique to just the City of New Westminster. The historical large pool of interested applicants no longer exists and in some cases, staff are resorting to recruiting former employees to come out of retirement and apply to take on short-term work assignments. In addition, Arboriculture Operations has had a rise in staff absenteeism over the past 6 months. Arboriculture is a public and worker safety-sensitive area of work and is dependent on a full staff compliment to complete seasonal workplans. Pending successful recruitment processes and a reduction in absenteeism, we anticipate the operational impacts for Park Operations to be short term (3-6 months).

In response to the above challenges, staff are prioritizing horticulture and arboriculture work related to public safety and maintenance of critical and higher profile assets and areas. This may result in some park and public spaces appearing less manicured than usual; delay in completion of lower priority preventative maintenance work and the changeover between seasonal plantings; and longer response times to non-urgent tree service requests and an increase in the backlog of scheduled tree pruning work, replacement boulevard tree planning, and natural areas maintenance work. To the extent required to support emergency tree work responses, contracted companies will be engaged to sustain appropriate service levels.

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Dean Gibson  
Director of Parks and Recreation



Corporation of the City of  
**NEW WESTMINSTER**

**M E M O**

*Climate Action, Planning and Development*

**To:** Lisa Spitale, Chief Administrative Officer      **Date:** May 30, 2022  
**From:** Emilie K. Adin, Director of Climate Action, Planning and Development      **File:** 2088504  
**Subject:** Staffing Resource Challenges and Reduced 2022 CAPD Work Plan

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**Current Staff Resource Challenges**

The Climate Action, Planning and Development department (CAPD) includes the functions of bylaw enforcement, building permits and inspections, the Climate Action Team, and long range, development and community/social planning. CAPD has significant staff resource challenges at this time, with the overall department averaging 67% reduced capacity. This includes a significant number of vacant positions in each of the department's divisions/sections. In addition to this, anywhere from 20% to 71% of staff in each division/section of the department is operating at reduced capacity. Reduced capacity calculations reflect: reduced capacity of senior staff in "Acting" roles due to leadership vacancies, new staff undergoing training, maternity leaves, and experienced staff on reduced hours for health or family reasons.

**Impact of Regional and Global Crises on Work Plan**

The CAPD teams have been working above-and-beyond normal capacity since the start of the COVID-19 pandemic, leading many elements of the City's response to the pandemic (e.g. Education and Enforcement Task Force, At-Risk and Vulnerable Population Task Force, Seniors Task Force, New Normal Staff Committee) and ensuring essential development and construction permitting continued without pause. This level of effort continues as department staff play key roles in responding to most of the ongoing crises affecting our region (e.g. Heat Dome, Opioid Crisis, and the Affordable Housing Crisis, including the community organizing, policy development and development/construction responses).

The above issues, as well as pent up development demand, have resulted in a significant backlog of development and building permit files. It is difficult to address this backlog with current resources. New development applications and inquiries are received daily. The growing backlog and timelines are resulting in long review timelines and understandable frustration from applicants.

Beyond the backlog of development and permit review, the City's need to address ongoing crises (listed above), plus new crises (i.e. Emergency and 24/7 shelters, sex worker safety, Ukrainian crisis response, the Downtown Livability Strategy), is limiting the ability of staff to achieve items that had been set forth in the 2022 workplan approved by Council. This means that the City's ability to meet the 2019-2022 Strategic Plan has been limited.

**Difficulty Retaining and Recruiting Qualified Staff**

The combination of significant resourcing issues, and working beyond normal capacity for an extended period of time reaching back to March 2020, is having negative impacts on the ability of the team to be responsive to the public and to Council. Reductions in workload are required to support the health and wellbeing of current staff.

Staff have explored “buying our way out” of this issue in the shorter term by engaging consultants, e.g., in the area of development planning. Staff have made inquiries with qualified consultants who appear to be largely uninterested in doing this type of work or who would be charging the City prices that are well outside what one could support in a public service context. Quickly staffing up internally with qualified candidates is also proving difficult to achieve on a short horizon as it is strongly an “employee’s market” in development-related industries, with municipalities and private sector firms currently all seeking to employ the same staff. Strong competition has resulted in many recent postings for CAPD positions having had to be reposted to attract qualified candidates.

**Proposed Reduced 2022 CAPD Work Plan**

Due to capacity and resourcing challenges, the work plan of the CAPD department will need to be greatly reduced. The table in Attachment 1 summarizes staff’s recommendations. Any items moved out of the “on hold” category into the “to advance” category, or new items added to the “to advance” category, would need to be balanced by an equivalent item moved out of the “to advance” category.

The work plan will be reviewed again once vacancies can be filled and backlogs addressed.

**Required Resourcing**

The current staff resourcing challenges have prompted a hard look at the department’s resources.

In the case of development application review, stale-dated policies and regulations (i.e., when City policies and regulations do not reflect new community priorities or changes to the market) can result in a slower permit process, costing time and money to applicants. In turn, a slower development application process reduces the City’s ability to address the affordable housing crisis and to respond to local, regional and senior governments’ goal of meeting housing demand and closing the affordability gap.

Based on these sets of impacts, the CAPD Department will explore bringing forward requests for new staff positions for Council’s consideration as part of the 2023 budget process.

This memo was written by:

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

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

## Attachment 1

| CAPD Division/Section       | Work Plan Items On-Hold  | Work Plan Items to Advance   |
|-----------------------------|--|--|
| Bylaw Enforcement           | All calls/enforcement not a significant life-safety impact, or tenant support<br>Bylaw updates (i.e. smoking, unsightly)   | All life-safety calls/enforcement; Tenant support calls as resources allow   |
| Climate Action              | Adaptation and Resilience Plan; Climate Action Engagement and Communication Strategy, incl. website update;<br>New climate action financing (e.g. carbon pricing; grant applications for new projects, unless approved, shovel-ready, with PM)<br>Step Code acceleration unless capacity found; Heat Pump Pilot Program<br>Participation in other org's research | eMobility Strategy; Slower completion of CEEP 2050; required annual reporting; KPI Report Card, if interdepartmental capacity available<br>Low Carbon Fuel Credit annual reporting/approval process and sales; creation of a Funding Spend Decision-Making Framework<br>Energy Save New West; CEERS implementation; Current Step Code improvements<br>Energy Poverty Project   |
| Land Use Planning           | 22 <sup>nd</sup> Street Station Bold Vision; Infill Housing Phase Two (triplex, duplex)<br>City Regional Context Statement update  | OCP monitoring (i.e. laneway, infill townhouse); Future school planning; support Retail Strategy development<br>Required review/Council consideration of Metro 2050  |
| Development Planning        | Slower intake/review of new applications, and those at the earlier stages (e.g. appointments pushed out by a number of months, dependent on staff capacity)<br>Ongoing streamlining, including City-led consultation/public hearing process update and slowing progress on digital permitting  | Current applications likely to be completed prior to Council's summer break; with sr. government funding deadlines; non-profit childcare applications on the mainland, all childcare applications in Queensborough<br>Update development application guides, slowly advance development review manuals (essential for organizational resilience in the face of staff turnover)   |
| Community (Social) Planning | New grant applications; new contracts with external organizations/sr. government; collapse COVID-19 task forces; where possible cease participation on community-based bodies<br>Queensborough School Age Care Plan; Social Benefits Zoning Phase 2; limited support of DEIAR implementation; Community Poverty Reduction Strategy;<br>New emergent issues       | Managing existing grants; current contracts (i.e. Welcoming and Inclusive New Westminster; Homelessness Coalition Society; Overdose Prevention Community Action Team; Community Action Network; Digital Inclusion Initiative; Hey Neighbour Collective)<br>Food Security Plan; Sanctuary City Policy; Affordable Housing Development Policy; Opioid Response Pilot; tenant protection; Downtown Livability Strategy; Homelessness Strategy; Sex Worker Safety Policy<br>Ukrainian Crisis Response; Newcomer Festival |
| Heritage Planning           | HRA Refresh policy/implementation<br>Support reconciliation portfolio; non-development inquiries from the public   | HRA Refresh policy principles  |
| Building                    | Slow plan review and inspections for single detached dwellings; records management<br>All correspondence not a significant life safety or tenant support issue<br>Slow digital permitting project  | Commercial projects and projects with sr. government funding deadlines<br>Address backlog of tasks previously postponed which are impacting review of new applications (e.g. late inspections, streamlined TI process, training)   |



## Memorandum

To: Lisa Spitale  
CAO

Date: May 25th, 2022

From: Erin Williams  
Acting Fire Chief

File No:

Subject: NWFRS Staffing Challenges

---

New Westminister Fire Rescue Service prides itself on the delivery of professional service in both Emergency response and community support. This includes: Fire Suppression, Medical assistance, Motor vehicle incident response, Hazardous Materials response, Emergency management, Technical Rescue, Community Outreach & Public Education and Fire & Life Safety Inspection & Compliance.

This service delivery model is supported by a Fire Suppression Division, Life Safety & Public Education Division, and Emergency Management Division. These three Divisions report to the Fire Chief, Deputy Chief and four Assistant Deputy Chiefs.

### Fire Suppression

In recent years the Fire Suppression Division has seen staffing challenges. This is partly due to delayed recruitments and unanticipated retirements. Another factor was decisions to not begin recruitments early in the year but rather wait until vacancies occurred. A recruitment typically takes up to four months for completion from the time a competition begins. This year we made several changes to the recruitment process which included;

- Planning phase began in early January with a goal of recruits trained and on staff by June 2nd
- Hiring a larger recruit pool for anticipated retirements





- Creation of an eligibility list from successful candidates to fill unexpected vacancies

The regional labour market remains very competitive for recruitment of fire fighters.

#### Life Safety & Public Education Division

This Division has seen a growing demand for staff resources in the past several years and recruitment & retention have been difficult. This division is currently staffed with one Fire Protection Engineer and three Fire Investigators/Inspectors. This presents a challenge for meeting inspection targets for 2022. The division work plan will be reviewed in Q2 to assess and address staffing issues.

#### Emergency Management Division

The Emergency Management Office has recognized the need for a different approach in response to incidents and activating & operating the Emergency Operations Center. This has resulted in a growing demand on staff resources.

From lessons learned during recent events such as the Covid 19 Pandemic and Heat Dome, the emergency management office staff have been developing corporate and community based response plans and staff training. This has been supported by the addition of three auxiliary staff that have a high level of expertise and knowledge in Emergency Management. Staffing needs will continue to be monitored as the program evolves.

#### Chief Officers

The exempt management staff normally consists of the Fire Chief, a Deputy Chief and four Assistant Deputy Chiefs. Each Chief Officer has several reports and portfolios to oversee in order to support internal operations, City initiatives and regional concerns. Each Chief Officer also, on a weekly rotational basis, acts as an on call Duty Chief. This role is 24 hours per day/ 7 days a week and requires the Officer to monitor a cell phone and be able to respond to the City in a timely manner for larger scale incidents.



#### OFFICE OF THE FIRE CHIEF

Currently the Fire Chief (temporarily filled with an Acting Chief) and Deputy Fire Chief positions are vacant and one position is on leave. This leaves three Chief Officers to fill roles and responsibilities normally supported by six. In order to maintain business continuity, portfolios have been reassigned and prioritized based on operational need.

Overall, for 2022, the shift in recruitment strategy and filling of vacancies along with pro-active planning and increased education city-wide on Emergency Management services costs will be managed within the existing approved Fire Services budget as staff fill vacancies, reduce overtime expenditures and pursue grant funding to support emergency events.

## Memorandum

### Human Resources & Information Technology

**To:** Lisa Spitale  
Chief Administrative Officer

**Date:** May 30, 2022

**From:** Eva Yip  
Acting Director, Human Resources &  
Information Technology

**Subject:** Human Resources & Information Technology Staffing and Service Delivery Challenges

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Over the past 2+ years, during the COVID-19 pandemic, the HR & IT Department has played a lead role in developing and implementing COVID-related policies, procedures, mobilizing employees for remote work, and supporting the health and wellbeing of staff, while continuing to provide HR & IT core services and advancing the City's strategic and organizational priorities such as diversity, equity, inclusion, and anti-racism (DEIAR) initiatives, corporate implementation of the Professional Development Plan, collective bargaining with all the City's unions, supporting accelerated Climate Action, and supporting the Advanced Metering Infrastructure (AMI) project. Moreover, there has been an increase in the volume of recruitment due to the impacts of the "great resignation" and "great reset", whereby there has been an unprecedented wave of voluntary attrition. The significant demands associated with this work has resulted in critical HR & IT staffing resource challenges. HR & IT staff have been working above and beyond their capacities in order to meet the critical HR & IT needs of the organization.

Despite the best efforts of HR & IT staff, this has resulted in a number of key functions being delayed including, but not limited to: recruitment and hiring, learning and development, disability management, policy development, computer hardware replacements, software upgrades, infrastructure enhancements, and eGov services. The increased workload and competing work-life demands during the pandemic are also impacting staff well-being.

The current HR & IT staffing challenges have prompted a serious review of the HR & IT department's resources. Historically, the City's workforce has grown more than the ratio of HR & IT staff to number of employees in the organization. HR & IT will be adding four temporary positions which will be managed within the City's current budget.

Over the next several years, we anticipate requesting additional positions to ensure that we are able to effectively support the HR and technology needs of a growing City workforce.



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Eva Yip  
Acting Director, Human Resources &  
Information Technology

# Memorandum

To: Lisa Spitale  
CAO

Date: May 18, 2022

From: Lisa Leblanc  
Director of Engineering

File No: 05.1040.10

Subject: Engineering Staffing Challenges and Work Plan Impacts

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The Engineering Department's top priority is to deliver core services in a safe, efficient and reliable manner. This includes: provision of water, wastewater collection, solid waste collection; streets, parks and public realm maintenance; utilities and transportation planning, design and project development; support for dozens of civic buildings and properties; development application review and development servicing, and; oversight of dozens of construction projects, including the City's own projects and those being delivered by developers and third parties.

The past several years have seen an escalating staff recruitment and retention challenge in Engineering, particularly in Operations and Transportation. These staffing challenges result in customer service impacts including long delays in addressing requests and questions; project delays and risk to project quality and budget, and; impacts to staff well being.

At this time, there are 23 active recruitments occurring within Engineering. The vacancies are impacting our ability to deliver core services in a safe, efficient and reliable manner, and to deliver the City's ambitious Strategic Plan and Climate Action Bold Steps, particularly as it relates to Sustainable Transportation. The chronic challenges we have in supporting land development and monitoring construction activities are further compounded by the high number of vacancies. Explained below are the work plan impacts that are being experienced in Operations and Transportation as a result of ongoing staffing challenges.

## Engineering Operations – Delivering Core Services in a Safe, Efficient and Reliable Way

Operations currently has 16 vacant full time positions, in addition to regular turnover of multiple auxiliary positions. Because the work is crew-based, and crews are small, vacancies have a significant impact. The result is reduced service levels across every task that is deemed non-emergency. Some of the most significant challenges include:

1. Downtown Livability - Downtown cleanliness and oversight of the portable toilet in Hyack Square.
2. Sanitation - missed waste collection and delays in responding.

3. Parks and Open Space Maintenance, particularly the “field” group - long grass in parks, sports fields, the cemetery and general reduced maintenance of surfaces.
4. Water/Sewers – more jobs are contracted out, at higher cost.
5. Sidewalk repair and replacement – delayed inspections and minor repairs. Preventive maintenance or lower priority repairs are often deferred.
6. Parking and Animal Services – Issues directly related to road safety and animal welfare are prioritized. Reduced patrolling and monitoring, and delays in responding to parking complaints.
7. Fleet Services – Reliance on contracting out repairs, which leads to long delays and higher costs. Very challenging to attract and retain mechanics.
8. For all groups in Operations, when we have staff sick or on vacation it can result in a complete shut-down of a section, and compounding delays and complaints, because we have so few qualified people available to backfill.

#### Transportation Project Delivery, Policy Development and Planning

Transportation has been particularly impacted by vacancies, with the Division operating with fewer than half of its full complement of 10 staff for most of the past 10 months. We have partially addressed this challenge with support from consultants. Our remaining Technologists are primarily focused on processing Street Occupancy Permits and planning for summer special events. Compounding the challenge has been a significant increase in the volume and management of Street Occupancy Permits associated with large third-party projects, such as Metro Vancouver’s New Westminster Interceptor project and the Telus Pure Fibre roll-out, and new development under construction. The Manager of Transportation position was vacated last summer, with an internal staff person Acting; we have been unable to backfill their home position (Transportation Engineer) in the meantime, which has resulted in a backlog of work.

In spite of vacancies, the following projects are continuing to advance, and we will continue to prioritize them for the balance of the year:

| <b>Priority projects</b>  |  |
|---|--|
| <i>Initiative/Project</i>   | <i>Comments</i>  |
| Agnes Greenway  | Construction to start soon   |
| Uptown Greenways and Great Streets planning, design, and construction | <ul style="list-style-type: none"> <li>• NWSS Connector – construction will be completed within the next few months;</li> <li>• Crosstown Greenway between 8<sup>th</sup> St and 5<sup>th</sup> St - detailed design and tendering will advance, and;</li> <li>• Sixth Street and Belmont Plaza streetscape improvements - detailed design and cost estimating, to support construction in 2023</li> </ul> |
| Active Transportation Network Plan                                    | Will be brought to Council for consideration in the Fall   |
| Master Transportation Plan Update                                     | Including status report and amendments to include New Mobility. We anticipate bringing this to Council for consideration in the next few months  |
| Core services   | These include: <ul style="list-style-type: none"> <li>• Development application review</li> <li>• processing Street Occupancy Permits</li> </ul>   |
| Road Safety   | <ul style="list-style-type: none"> <li>• Completion of the Intersection Safety Review</li> <li>• Responding to safety related complaints</li> </ul>  |

|                                      |   |
|--------------------------------------|---|
| Action Requests and other Complaints | <ul style="list-style-type: none"> <li>• We receive more than 400 complaints and requests for traffic safety improvements each year, many of which require field checks, analysis, and thoughtful response.</li> <li>• We prioritize investigating and responding to quantifiable safety concerns and accessibility.</li> </ul> |
|--------------------------------------|---|

As a result of vacancies, the following projects will be delayed until later in 2022 or 2023:

| Delayed projects   |   |
|--|---|
| <i>Initiative/Project</i>  | <i>Comments</i>   |
| Crosstown Greenway between 8 <sup>th</sup> Street and 5 <sup>th</sup> Street | Construction delayed to 2023 or later   |
| Queensborough Transportation Plan  | Project will be initiated in mid-2022, will advance more slowly than originally anticipated, and will not be completed until 2023.  |
| Neighbourhood traffic calming  | Committed construction projects in Connaught Heights will advance in 2022, but initiatives requiring further public engagement (e.g., particularly Lower Sapperton resident-driven traffic calming) will move more slowly.  |
| School traffic safety improvements   | This project is advancing, but not as quickly as anticipated, and we do not have the capacity to do much engagement with schools. The work is unlikely to be fully implemented prior to the start of the new school year.   |
| Downtown Transportation Plan implementation                                  | Interim improvements that had been planned for walking, cycling, and transit will not be implemented this year, including Eighth Street between Columbia and Carnarvon  |
| Pedestrian crossing improvements   | 2021-funded projects are still under construction; a small number of simple projects (i.e. signage and road marking) may be delivered later in the year, but there will be no new crossing improvements such as curb extensions or special crosswalks until 2023. |
| E-bikeshare strategy   | Preliminary work and information-gathering is underway, but it will not be possible develop a strategy for Council's consideration prior to 2023  |
| Cycling & Greenway spot improvements   | Most of the funding for network-wide spot improvements has been reallocated to the Council-initiated Active Transportation Network Plan, so there will be few 'on-the-ground' spot improvements implemented this year   |
| Brunette Ave/E Columbia St intersection                                      | Staff were expecting to develop the scope for a multi-year planning and design process for safety, Central Valley Greenway, and MRN improvements at this intersection. That work will not advance this year.  |

|  |  |
|--|--|
| Thirteenth St streetscape and bikeway design | With current resources, we are unable to advance conceptual designs for 13 <sup>th</sup> St, which would have enabled us to leverage road space reallocation as part of an upcoming major Metro Vancouver water main replacement project |
| Action requests and complaints               | Prioritize safety and accessibility. Significant delay in responding to all other complaints and requests, especially related to on-street parking.  |

We are continuing to work on recruitment across the Department, and look forward to welcoming new staff as we fill vacant position. We have also embarked on a review of the Establishment List and our current workload of core service requirements, and anticipate requesting additional positions to better support development application review and development servicing, and construction oversight and inspection of public works. In the meantime, we anticipate that the large number of vacancies combined with the prolonged period of time that the Department has been under-resourced will result in delays and reduced service levels for several more months.

Best regards,



Doc # 2089250

## **REPORT**

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

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

**From:** Emilie K. Adin, MCIP  
Director, Climate Action, Planning and  
Development      **File:** REZ00222

**Item #:** 2022-381

**Subject:** **Zoning Bylaw Text Amendment and Event-Driven Liquor Primary  
Licence: 735 Eighth Avenue (Massey Theatre) – Bylaw for First and  
Second Readings**

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#### **RECOMMENDATION**

**THAT** Council consider Zoning Amendment Bylaw No. 8341, 2022 for First and Second Readings, and forward the Bylaw to a Public Hearing.

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#### **PURPOSE**

To request that Council consider the proposed zoning amendment bylaw, which would allow a Liquor Primary licence as a permitted use on the subject property.

#### **EXECUTIVE SUMMARY**

An application for an Event-driven Liquor Primary licence has been received by the City concurrent with a Zoning Bylaw text amendment proposal to allow the Massey Theatre Society to hold a Liquor Primary licence at 735 Eighth Avenue. The Society has been operating under individual Special Event Permits in the past but with the recent purchase of the property by the City, the Society has applied to the Province's Liquor and Cannabis Regulation Branch for a full liquor licence, as well as an endorsement for minors to be present in the theatre lobby during liquor service.

The Liquor Primary licence would allow the establishment to continue offering liquor service for theatre performances and other arts-related events (e.g. gallery exhibitions, film screenings, etc.), without the need for multiple Special Event Permit applications.



The applicant is requesting licensing for an overall proposed occupant load of 1,819 persons (which can be increased by 364 persons provided that the additional occupants are solely in the Studio 1C gymnasium). Liquor sales and service, commencing one hour prior to an event and ending one hour after an event, are proposed from 11 am until 2 am seven days a week. No additions or exterior changes to the building are proposed. The applicant has a history of holding complaint-free events at the site.

### **OPTIONS**

The following options are offered for Council's consideration:

1. That Council consider Zoning Amendment Bylaw No. 8341, 2022 for First and Second Readings, and forward the Bylaw to a Public Hearing.
2. That Council provide staff with alternative feedback.

Staff recommends Option 1.

### **ATTACHMENTS**

Attachment 1: Staff Memo

Attachment 2: Zoning Amendment Bylaw No. 8341, 2022

Attachment 3: Background

### **APPROVALS**

This report was prepared by:

Dilys Huang, Development Planner

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

### *Staff Memo*

## **MEMO**

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

**To:** Emilie K. Adin, Director, Climate Action,  
Planning and Development **Date:** May 30, 2022

**From:** Jackie Teed, Senior Manager, Climate  
Action, Planning and Development **File:** REZ00222

**Subject:** **Zoning Bylaw Text Amendment and Event-Driven Liquor Primary  
Licence: 735 Eighth Avenue (Massey Theatre) – Bylaw for First and  
Second Readings**

---

#### **RECOMMENDATION**

Staff recommends that the Director forward this memo and the following resolution to Council for consideration:

**THAT** Council consider Zoning Amendment Bylaw No. 8341, 2022 for First and Second Readings, and forward the Bylaw to a Public Hearing.

---

#### **PURPOSE**

To request the Director forward the proposed zoning amendment bylaw for Council consideration, which would allow a Liquor Primary licence as a permitted use on the subject property.

#### **EXECUTIVE SUMMARY**

An application for an Event-driven Liquor Primary licence has been received by the City concurrent with a Zoning Bylaw text amendment proposal to allow the Massey Theatre Society to hold a Liquor Primary licence at 735 Eighth Avenue. The Society has been operating under individual Special Event Permits in the past but with the recent purchase of the property by the City, the Society has applied to the Province's Liquor and Cannabis Regulation Branch for a full liquor licence, as well as an endorsement for minors to be present in the theatre lobby during liquor service.

The Liquor Primary licence would allow the establishment to continue offering liquor service for theatre performances and other arts-related events (e.g. gallery exhibitions, film screenings, etc.), without the need for multiple Special Event Permit applications.

The applicant is requesting licensing for an overall proposed occupant load of 1,819 persons (which can be increased by 364 persons provided that the additional occupants are solely in the Studio 1C gymnasium). Liquor sales and service, commencing one hour prior to an event and ending one hour after an event, are proposed from 11 am until 2 am seven days a week. No additions or exterior changes to the building are proposed. The applicant has a history of holding complaint-free events at the site.

## **BACKGROUND**

### **Theatre Operations**

The Massey Theatre Society has operated the Massey Theatre since 1982. In October 2021, the City of New Westminster took over ownership of the Massey Theatre complex from the New Westminster School District, following the high school's relocation to its new facility. The City and Massey Theatre Society have a 25-year lease and working agreement as well as an operating partnership, established in November 2021.

The Massey Theatre complex is a multi-use art and theatre facility. The theatre itself has 1,260 seats, and hosts a variety of musical theatre, music, and dance events. A concession offers a variety of food options from its food service counter or can be brought in by outside vendors and prepared for each event in the on-site kitchen.

### **Policy and Regulations**

The subject site is designated *Major Institutional* (P) in the City's Official Community Plan, and zoned *Public and Institutional (Medium Rise)* (P-2). Establishments with site-specific approved Liquor Primary licences are listed in Appendix H of the Zoning Bylaw. Attachment 3 includes a summary of these and other related City policies and regulations, along with information on related liquor policies, processes, and City practice.

### **Site Characteristics and Context**

The subject site is located at the north-east corner of Eighth Street and Eighth Avenue in the Moody Park neighbourhood. The property, with an approximate site area of 1.75 ha. (4.32 ac.), contains the Massey Theatre complex. Surrounding land uses include New Westminster Secondary School to the north, Moody Park Arena to the east, low-rise apartment buildings to the south-east, Moody Park to the south, and single detached properties to the west. A site context map is provided as Figure 1.



Figure 1. Site Context Map

### Proximity to Transit and Cycling Networks

Eighth Avenue is identified as a potential east-west Frequent Transit Network (FTN) route, while Eighth Street is part of the FTN route. The site is also located a short walking distance away from the FTN route on Sixth Street and both street frontages have existing sidewalks. The start of the London/Dublin Greenway is located on Dublin Street just north of the subject site. Similarly, the Crosstown Greenway is located approximately two blocks south on Seventh Avenue. The site's proximity to transit service is highlighted in Table 1.

Table 1: Proximity to Transit Service

| Transit Facility  | Distance  |
|---|---|
| <ul style="list-style-type: none"> <li><b>Bus #105</b> (Uptown / New Westminster Station)</li> <li><b>Bus #123</b> (Brentwood Station / New Westminster Station)</li> <li><b>Bus #128</b> (Braid Station / 22<sup>nd</sup> Street Station)</li> </ul> | <ul style="list-style-type: none"> <li>Westbound bus stop on Eighth Avenue in front of subject site; 49 m. (160 ft.) to eastbound bus stop on Eighth Avenue</li> <li>Northbound bus stop on Eighth Street in front of subject site; 99 m. (325 ft.) to southbound bus stop</li> </ul> |
| <ul style="list-style-type: none"> <li><b>SkyTrain Station</b> (New Westminster Station)</li> </ul>   | <ul style="list-style-type: none"> <li>1.8 km. (1.1 mi.)</li> </ul>   |

### PROPOSAL

The Massey Theatre Society is seeking from the Province an Event-driven Liquor Primary licence for the venue, as well as an endorsement for minors to be present in the theatre lobby during liquor service. The total requested capacity for the facility is 1,819 persons (plus an additional 364 persons provided that they are solely in the Studio 1C

gymnasium). Proposed liquor sales and service are from 11 am to 2 am seven days a week. Liquor sales and service would commence one hour prior to an event and end one hour after an event. There are no exterior/patio areas proposed at this time; however, the applicant has expressed a potential interest in this for the future.

The proposed licensed areas include the lobby, theatre auditorium, stage, backstage, and the green room, as well as the Plaskett Gallery and various studio rooms. Hallways leading to each of the studio rooms on each level are also being requested as pre-function areas and to allow liquor service prior to use of the rooms and travel between rooms when booked together.

The Zoning Bylaw text amendment application to allow the Liquor Primary licence as a permitted use on the site is being processed concurrently with the Liquor and Cannabis Regulation Branch (LCRB) application.

Copies of the project summary letter and letter of intent are included in Attachment 3.

## **DISCUSSION**

### **Occupant Load Calculations**

Based on the information submitted and review by Building Division staff, 1,819 persons would be the total permitted occupant load for both levels of the theatre complex. However, it should be noted that the occupant load can be increased by 364 persons provided that the additional occupants are solely in the Studio 1C gymnasium.

A draft copy of Zoning Amendment Bylaw No. 8341, 2022 is provided as Attachment 2.

### **Liquor Licence Considerations**

If the Liquor and Cannabis Regulation Branch (LCRB) approves the liquor licence application, the Massey Theatre Society would have the ability to continue serving liquor in conjunction with live performances and film screenings as well as in various studio rooms in the building, without having to apply for Special Event Permits for each event. It is understood that bar service is a standard service model for most performance and event spaces in the region.

The proposal, with an occupant load of 1,819 persons and the potential for an additional 364 persons in Studio 1C, would include significantly more seats than the average liquor licence application. However, it is noted that the proposal is a different operating model than a typical licence application (e.g. for a bar or pub) and as such, the applicant is applying for the maximum hours and occupant load to enable business flexibility to host a variety of arts and culture-related events. It is more similar to the Anvil Centre, which operates under a Liquor Primary licence with a 1,755 person capacity. The Columbia also operates as a special events venue under a Liquor Primary but only has an occupant load of 110 persons.

In addition to being a timing efficiency for the business operator, a Liquor Primary licence also creates efficiencies for the LCRB and Police. Having a Liquor Primary licence can also allow more control of alcohol service and consumption as the operator becomes solely responsible for the management of liquor at events versus third-party organizers applying for Special Event Permits.

### **Complaints and Enforcement on Existing Operation**

City records show no noise complaints, non-compliance of bylaws, or violations recorded by Police at this site in the past five years with respect to liquor service. The City's Bylaw staff and Police have no concerns to report with respect to the proposal.

### **Parking**

As there is no additional floor space proposed on-site and the primary use remains the same, City bylaws do not require additional parking to be added to the site nor is a variance required to the Zoning Bylaw. The proposal was referred to the Engineering Services Department for review by the Transportation and Servicing Divisions as part of standard application review procedures. No requirements or concerns were noted.

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

The Zoning Bylaw text amendment and Provincial Liquor Primary licence applications are being processed concurrently. The anticipated next steps in the application review process include:

1. Preliminary Report to Council (April 25, 2022);
2. Information on proposed Zoning Bylaw text amendment to the New Westminster School District (May 9, 2022);
3. Liquor and Cannabis Regulation Branch to initiate public input process for proposed Liquor Primary licence application (TBD by Province);
4. Council consideration of First and Second Readings of Zoning Amendment Bylaw and forwarding to a future Public Hearing (May 30, 2022) – **we are here**;
5. Public Hearing and Council consideration of Third Reading and Adoption of Zoning Amendment Bylaw (estimated – June 2022).

### **CONSULTATION**

For the liquor licence application, the City has opted out of conducting the public input process due to the City being the property owner. The Liquor and Cannabis Regulation Branch (LCRB) would conduct the public input process instead. Given the close proximity of New Westminster Secondary School to the Massey Theatre, the City has encouraged the LCRB to include the New Westminster School District when sending details of the liquor licence application and request for comment.

For the proposed Zoning Bylaw text amendment, an opportunity for public feedback will be sought through the Public Hearing process. This process includes two notices placed

in the local newspaper, notices sent to properties located within 100 metres of the site, and a sign posted on the property, with the community encouraged to submit written correspondence to Council and/or attend the Public Hearing.

### **OPTIONS**

The following options are offered for Council's consideration:

1. That Council consider Zoning Amendment Bylaw No. 8341, 2022 for First and Second Readings, and forward the Bylaw to a Public Hearing.
2. That Council provide staff with alternative feedback.

Staff recommends Option 1.

### **APPROVALS**

This memo was prepared by:  
Dilys Huang, Development Planner

This memo was approved by:  
Jackie Teed, Senior Manager, Climate Action, Planning and Development



Attachment 2  
*Zoning Amendment Bylaw*  
*No. 8341, 2022*

**CORPORATION OF THE CITY OF NEW WESTMINSTER**  
**ZONING AMENDMENT BYLAW (735 EIGHTH AVENUE) NO. 8341, 2022**

A Bylaw to Amend Zoning Bylaw No. 6680, 2001.

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WHEREAS the Local Government Act authorizes a municipality to zone areas of land and to make regulations pursuant to zoning;

WHEREAS the Council has adopted a zoning bylaw under Part 14 of the Local Government Act, and wishes to amend the bylaw;

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 (735 Eighth Avenue) No. 8341, 2022”.
2. Zoning Bylaw No. 6680, 2001 is hereby amended as follows:
  - a) Inserting the following into the table in Appendix H in appropriate alphabetical order:

| <b>Business Name</b>     | <b>Civic Address</b> | <b>Occupant Load</b>   | <b>Legal Description</b>  |
|--------------------------|----------------------|--|---|
| ‘Massey Theatre Society’ | 735 Eighth Avenue    | 1,819 (which can be increased by 364 provided that the additional occupants are solely in the Studio 1C gymnasium) | LOT A,<br>DISTRICT LOT<br>2055, NEW WEST<br>DISTRICT, PLAN<br>EPP109420,<br>GROUP 1, & DL<br>5678 |

GIVEN FIRST READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

GIVEN SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR JONATHAN X. COTE

\_\_\_\_\_  
JACQUE KILLAWEE, CITY CLERK

## Attachment 3

### *Background*

## **SUMMARY OF RELATED CITY POLICIES AND REGULATIONS**

### **Official Community Plan**

The subject property is designated *Major Institutional* (P), which is described, as follows:

*Purpose:* *This designation applies to areas used for large scale institutional uses such as schools and hospitals.*

*Principal Forms and Uses:* *Institutional uses.*

*Complementary Uses:* *Some ancillary commercial and residential uses may be permitted.*

The proposal is consistent with the intent of the Official Community Plan land use designation.

### **Zoning Bylaw**

The subject property is currently zoned *Public and Institutional (Medium Rise)* (P-2), which allows for institutional uses at a medium density scale.

Liquor Primary licensed premises (LPLPs) are permitted on a site-specific basis as listed in Appendix H of the Zoning Bylaw. This list includes details of permitted LPLPs such as the name of the establishment, the occupant load, and civic address. The City's process for new Liquor Primary licences includes a Zoning Bylaw text amendment application review process to add a proposed site to the list in Appendix H. This process includes an opportunity for public consultation and Council evaluation on individual applications.

## **LIQUOR APPLICATIONS – PROVINCIAL AND CITY POLICIES, PROCESSES, AND PRACTICES**

### **Provincial Liquor Policies and Processes**

The Liquor and Cannabis Regulation Branch's process for considering a liquor primary licence can be summarized as follows:

- The applicant must complete a Liquor Primary licence application to the Branch;
- The application for a new Liquor Primary licence is sent to the local government, which can determine whether or not they accept opting in to provide comments on the application to the Branch.
- Accepting the application means that the local government will begin the review and public input process, and provide a formal Council resolution or comments within 90 days.
- Prior to considering a resolution, the local government conducts the public input process to obtain the views of residents/community. The resolution must consider the comments obtained during the public input process, including the potential for negative impacts on the community and the views of residents/community.
- After the local government provides a resolution regarding the application, the Branch proceeds to make a final decision regarding the matter.

The local government may also choose to opt out of the process and not provide comments on the application. If the local government chooses to opt out, the Branch proceeds to implement a public input process and independently assesses the application.

### **City Practice Regarding Liquor Applications**

The City's practice is to opt into the process by providing resolutions regarding Liquor Primary licence applications. The City's practice to obtain public input on liquor licence applications is to have the applicant post a site sign and two newspaper notices to invite public comments on the application. In this instance, as the City is the property owner, staff recommend opting out of the public input process. This is the same process that was followed during the licensing of Anvil Centre. In these situations where municipalities opt out, the Liquor and Cannabis Regulation Branch conducts the public input process.

The City also obtains comments from the Police Service and civic departments regarding the applicant's compliance record, bylaw issues, and potential community impacts. These comments, along with those received from the public, are provided to Council when a resolution to support or not support an application is considered. Despite the City's past practice, given that the City is owner of the land and building, staff recommends opting out of conducting the public input process.

With respect to hours of liquor service, the City's policy is to consider operating hours for restaurants, neighbourhood pubs, and similar businesses to 2:00 am; private clubs to 1:00 am; and no extension of operating hours for existing nightclubs or cabarets, including that no liquor premises shall operate later than 2:00 am.

## PROJECT SUMMARY LETTER AND LETTER OF INTENT



April 20, 2022

Re: Revised Rezoning Project Summary Letter – Text Amendment to the Zoning Bylaw allowing Event Driven Liquor Primary Licensing at Massey Theatre and Complex

Dear Ms. Huang,

On behalf of the Massey Theatre Society, we request the property zoned **be amended with a text amendment** in order to obtain a Liquor License from the Province.

The Massey Theatre was designed and built in 1948 with a capacity of 1,260 seats making it a key large proscenium theatre in the Metro Vancouver area for nearly 75 years. The theatre has two levels and is located at the heart of a larger stand-alone facility. The orchestra seating capacity is 867 including 20 wheelchair positions and the balcony holds 393 seats. The balcony is not always used for performances. A number of rooms of varying types and sizes surround the theatre chamber and are used to support theatre events as well as an active community and rental program of use. Food and Beverage and other services are provided for facility users and have been offered throughout the Society 40 year operational history in the theatre concession and lobbies.

The Massey Theatre is a Specialized Art Centre/Theatre. The capacity is approximately 2183 persons (1,819 in various licensed areas with an additional 364 permitted solely in the Studio 1C gymnasium on the main level). Included with the application is a copy of the preliminary floor plan for this venue.

Liquor sales and service at this establishment will be 11 am to 2 am seven days a week. Liquor sales and service will commence 1 hour prior to an event and end 1 hour after an event.

The Massey Theatre Society has operated the theatre since 1982. In October 2021, the City of New Westminster took ownership of the Complex and land from School District 40 In November 2021 **following the school's move to its new high school facility. The Society entered into a 25-year operating lease with the City of New Westminster to operate the civic complex described for the benefit of the community. The relationship between the City and the Society is aligned in goals and values to enable a thriving arts, cultural and community program of activities. We are committed to working together to improve and sustain the facility for the use and enjoyment for the City and region and activate and develop the facility to its fullest potential artistically, culturally and socially. The programs that MTS brings to the neighbourhood, local and regional community, and underserved populations are in alignment with municipal policies and strategic initiatives. The experience and track record of good relationships of Massey Theatre Society as a responsible long term operator of the large theatre has garnered the confidence of the City and the community.**

Presently, the MTS society has been applying for individual special occasions liquor licenses for events at the complex. The new ownership and partnership model provides the opportunity to establish a more





consistent service model in regard to liquor service at performances, exhibitions and special events in the complex. The community regularly gathers at the venue and the majority of adult patrons request bar service in the periods prior to and following performances. Bar and concession service is a standard service model for most performance and event spaces. In addition, the complex will allow for greater diversity of public activities which will often be made more viable and enjoyable if bar service is available. The long standing relationship to the school community has ensured the Massey Theatre Society is sensitive to providing a safe space for minors at all times. This will continue as long established school activities as well as new children, youth and family activities continue in the facility. There is an exceptional track record of good citizenship and positive relationships with minors spanning 40 years which will continue to be a key priority for the Society in its vision and strategic plans for the complex.

Thank you for processing our request. Should you have any questions please do not hesitate to contact me personally.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jessica", is placed above the typed name.

Jessica Schneider, Executive Director  
Massey Theatre Society  
604-517-5900  
Jessica@masseytheatre.com



**APPLICATION FOR A LIQUOR PRIMARY LICENSE**

**AT: MASSEY THEATRE  
735 8<sup>TH</sup> AVENUE,  
NEW WESTMINSTER, B.C.  
V3M 2R2**

**APPLICANT: MASSEY THEATRE SOCIETY**

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**LETTER OF INTENT  
FOR THE APPLICATION FOR A LIQUOR PRIMARY LICENCE**

**Submitted to:**

**Liquor & Cannabis Regulation Branch  
4<sup>th</sup> Floor, 645 Tyee Road  
Victoria, BC V9A 6X5**

**Submitted by:**

**Rising Tide Consultants Ltd.  
1620-1130 West Pender Street  
Vancouver, BC V6E 4A4**

**Phone: (604) 669-2928  
Fax: (604) 669-2920**

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1620-1130 West Pender Street, Vancouver, BC, V6E 4A4 | 604-669-2928 | [risingtideconsultants.ca](http://risingtideconsultants.ca)

### **PRIMARY FOCUS OF THE BUSINESS**

This Letter of Intent is provided in support of the application submitted to the Liquor and Cannabis Regulation Branch by the Massey Theatre Society for a new liquor primary license to be located at the 735 8<sup>th</sup> Avenue, New Westminster, B.C. V3M 2R2. The proposed licensed establishment will be a new event-driven liquor primary licensed theatre establishment.

The Massey Theatre was designed and built in 1948 with a capacity of 1,260 seats making it a key large proscenium theatre in the Metro Vancouver area for nearly 75 years. The theatre has two levels and is located at the heart of a larger stand-alone facility. The orchestra seating capacity is 867 including 20 wheelchair positions and the balcony holds 393 seats. The balcony is not always used for performances. A number of rooms of varying types and sizes surround the theatre chamber and are used to support theatre events as well as an active community and rental program of use. Food and Beverage and other services are provided for facility users and have been offered throughout the Society 40 year operational history in the theatre concession and lobbies.

The Massey Theatre Society (MTS) has operated the theatre since 1982. In October 2021, the City of New Westminster took ownership of the Complex and land from School District 40. In November 2021 following the school's move to its new high school facility. The Society entered into a 25-year operating lease with the City of New Westminster to operate the civic complex described for the benefit of the community. The relationship between the City and the Society is aligned in goals and values to enable a thriving arts, cultural and community program of activities. We are committed to working together to improve and sustain the facility for the use and enjoyment for the City and region and activate and develop the facility to its fullest potential artistically, culturally and socially. The programs that MTS brings to the neighbourhood, local and regional community, and underserved populations are in alignment with municipal policies and strategic initiatives. The experience and track record of good relationships of Massey Theatre Society as a responsible long term operator of the large theatre has garnered the confidence of the City and the community.

The Massey Theatre is a Specialized Art Centre/Theatre. The capacity is approximately 2183 persons (1,819 in various licensed areas with an additional 364 permitted solely in the Studio 1C gymnasium on the main level). Included with the application is a copy of the preliminary floor plan for this venue.

The approval of this application will allow the licensee the ability to serve liquor in conjunction with live performances and film screenings as well as into various studio (bookable) rooms in the building. The sale and service of liquor will be an added amenity to this theatre building.

The proposed areas to be licensed with a liquor primary license are the theatre auditorium, Plaskett Gallery, the lobby (pre-function area), various studio rooms, the stage, backstage and the green room. We would also ask that the hallways leading to each of the Studio rooms on each level be pre-function areas to allow liquor service prior to use of the rooms

and travel between rooms when they are booked together. The occupancy for the pre-function areas would come from the interior licensed areas. The applicant is seeking a minor's endorsement for minors to be present in the theatre lobby during liquor service.

The community regularly gathers at the venue and the majority of adult patrons request bar service in the periods prior to and following performances. Bar and concession service is a standard service model for most performance and event spaces. In addition, the complex will allow for greater diversity of public activities which will often be made more viable and enjoyable if bar service is available. The long-standing relationship to the school community has ensured the Massey Theatre Society is sensitive to providing a safe space for minors at all times. This will continue as long-established school activities as well as new children, youth and family activities continue in the facility. There is an exceptional track record of good citizenship and positive relationships with minors spanning 40 years which will continue to be a key priority for the Society in its vision and strategic plans for the complex. The applicant is requesting liquor service for this event-driven theatre.

Liquor sales and service at this establishment will be 11 am to 2 am seven days a week. Liquor sales and service will commence 1 hour prior to an event and end 1 hour after an event.

This event-driven liquor primary license at the Massey Theatre will be an added amenity to the theatrical performance, etc. being offered.

#### **ENTERTAINMENT**

Massey Theatre hosts musical theatre hits, international music and dance forms, children's entertainers, orchestras, choirs, ballets and stars of music like Jann Arden and The Brothers Landreth.

#### **FOOD SERVICE**

The Applicant has a delicious choice of options for meals from its concession type food service counter in the Licensed areas or can be brought in by outside vendors and prepared for each event in the on-site kitchen.

#### **TARGET MARKET**

The target market for this venue will be for the public attending a live theatrical or film screening, gallery exhibitions, cultural and other community events. It is not proposed that this venue will operate as an ongoing licensed establishment like a pub or lounge.

It will be an event driven venue with a focus on arts and culture and community gatherings.

#### **BENEFITS TO THE COMMUNITY**

The applicant's establishment will benefit the community in the following ways:

- Employment opportunities for residents in the surrounding areas;
- The establishment will contribute to the Community by providing an added amenity for the New Westminster residents, visitors and guests.
- Provide a source of additional tax revenue for the Local Government, the Provincial and Federal Governments;
- Provides an additional venue for community events, fundraisers and special events;
- Involvement in community sponsorships and activities;
- Provide a venue for local actors and artists to perform and therefore supporting local artists.
- Adds additional earned revenue to sustain the charitable mandate and work for the Society.

#### **COMPOSITION OF THE NEIGHBOURHOOD**

The site of the proposed event-driven liquor primary licensed establishment is located on the corner of 8<sup>th</sup> Street and 8<sup>th</sup> Avenue in New Westminster.

There appears to be only one other liquor selling establishment within 300 metres of the establishment which is as follows:

- *IHOP 514 8<sup>th</sup> Avenue, New Westminster.*

Attached is a map of the area showing the site.

#### **NOISE IN THE COMMUNITY**

This establishment is a quintessential arts/theatre facility with no proposed exterior areas at this time. Exterior areas may be considered in the future but are not part of this application. The applicant will be required to comply with the City of New Westminster noise by-laws.

#### **OTHER FACTORS**

The applicant also submits the following additional factors for consideration:

- A liquor primary license for this event-driven theatre would be of great benefits to the residents of New Westminster as well as the general public.
- This venue will be strictly event driven.
- There is a need for an event-driven liquor primary license for this theatre in this area.
- The Massey Theatre has been operating under Special Event Permits in the past but with the purchase by the City and expanded lease area, feel it is the appropriate time to get full licensing for the venue.
- The sale and service of liquor is an added amenity to the primary business which is the operation of the theatre.

All of which is respectfully submitted this 23rd day of February, 2022.

Edna Lizotte  
Manager of Licensing  
Rising Tide Consultants Ltd  
Suite 1620 – 1130 West Pender Street  
Vancouver, B.C.  
V6E 4A4





# Corporation of the City of NEW WESTMINSTER

*A vibrant, compassionate, sustainable city that includes everyone.*

## **CITY COUNCIL MEETING MINUTES**

**Monday, May 9, 2022, 9:00 a.m.  
Meeting Held Electronically**

### **PRESENT:**

Councillor Nadine Nakagawa    Acting Mayor  
Councillor Chinu Das  
Councillor Patrick Johnstone  
Councillor Chuck Puchmayr  
Councillor Mary Trentadue

### **ABSENT:**

Mayor Jonathan Côté  
Councillor Jaimie McEvoy

### **STAFF PRESENT:**

|                        |  |
|------------------------|--|
| Ms. Lisa Spitale       | Chief Administrative Officer                         |
| Ms. Jacque Killawee    | City Clerk   |
| Ms. Emilie Adin        | Director of Climate Action, Planning and Development |
| Mr. Kwaku Agyare-Manu  | Senior Manager, Engineering Services                 |
| Ms. Jen Arbo           | Economic Development Coordinator                     |
| Ms. Carolyn Armanini   | Planner, Economic Development                        |
| Mr. Gabriel Beliveau   | Manager, Engineering Operations                      |
| Mr. Rod Carle          | General Manager, Electrical Utility                  |
| Ms. Christina Coolidge | Indigenous Relations Advisor                         |
| Mr. Brad Davie         | Assistant Deputy Fire Chief                          |
| Mr. Blair Fryer        | Manager, Communications and Economic Development     |
| Mr. Dean Gibson        | Director of Parks and Recreation                     |
| Mr. Dave Jansen        | Chief Constable, New Westminster Police Department   |
| Ms. Lisa Leblanc       | Director of Engineering Services                     |
| Ms. Lorraine Lyle      | Senior Manager, Financial Services                   |
| Mr. Craig MacFarlane   | Manager of Legal Services                            |
| Ms. Tobi May           | Manager, Civic Buildings and Properties              |
| Ms. Meredith Seeton    | Policy Planner                                       |

|                       |  |
|-----------------------|--|
| Mr. Patrick Shannon   | Manager, Purchasing  |
| Mr. Gary So           | Senior Financial Services Analyst  |
| Mr. John Stark        | Supervisor of Community Planning, Climate Action, Planning and Development |
| Ms. Denise Tambellini | Intergovernmental and Community Relations Manager                          |
| Ms. Jackie Teed       | Senior Manager, Climate Action, Planning and Development                   |
| Ms. Harji Varn        | Chief Financial Officer and Director of Finance                            |
| Mr. Erin Williams     | Acting Chief, New Westminster Fire and Rescue Services                     |
| Ms. Eva Yip           | Acting Director, Human Resources and Information Technology                |

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1. **CALL TO ORDER**

Councillor Nakagawa called the meeting to order at 9:00 a.m.

2. **MOTION TO MOVE THE MEETING INTO THE CLOSED MEETING**

That Council will now go into a meeting which is closed to the public in accordance with Section 90 of the Community Charter, on the basis that the subject matter of all agenda items relate to matters listed under Sections:

90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

90(1)(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];

90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

**Carried**



All members present voted in favour of the motion.

3. **END OF THE MEETING**

The meeting ended at 9:00 a.m.

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Jonathan Cote  
MAYOR

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Jacque Killawee  
CITY CLERK



**CITY COUNCIL MEETING**

**MINUTES**

**Monday, May 9, 2022, 6:00 p.m.**

**Meeting held electronically and open to public attendance**

**Council Chamber, City Hall**

**PRESENT:**

Mayor Jonathan Côté  
Councillor Chinu Das  
Councillor Patrick Johnstone  
Councillor Nadine Nakagawa  
Councillor Chuck Puchmayr  
Councillor Mary Trentadue

**ABSENT:**

Councillor Jaimie McEvoy

**STAFF PRESENT:**

|                       |  |
|-----------------------|--|
| Ms. Lisa Spitale      | Chief Administrative Officer                           |
| Ms. Jacque Killawee   | City Clerk   |
| Ms. Emilie Adin       | Director of Climate Action, Planning and Development   |
| Mr. Kwaku Agyare-Manu | Senior Manager, Engineering Services                   |
| Ms. Carolyn Armanini  | Planner, Economic Development                          |
| Mr. Rod Carle         | General Manager, Electrical Utility                    |
| Ms. Nazanin Esmaeili  | Planning Assistant                                     |
| Mr. Dean Gibson       | Director of Parks and Recreation                       |
| Ms. Lisa Leblanc      | Director of Engineering Services                       |
| Mr. Craig MacFarlane  | Manager of Legal Services                              |
| Ms. Gwenda Sulem      | Asset Management and Project Engineer                  |
| Ms. Denise Tambellini | Intergovernmental and Community Relations Manager      |
| Ms. Harji Varn        | Chief Financial Officer and Director of Finance        |
| Mr. Eugene Wat        | Manager, Infrastructure Planning, Engineering Services |
| Mr. Erin Williams     | Acting Chief, New Westminster Fire and Rescue Services |

**1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

Mayor Cote opened the meeting at 6:00 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

**2. CHANGES TO THE AGENDA**

None.

**3. UNFINISHED BUSINESS FROM PREVIOUS COUNCIL MEETINGS**

None.

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

None.

**5. CONSENT AGENDA**

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

MOVED AND SECONDED

**THAT** Council adopt the recommendations for items #5.2, 5.3, 5.5 to 5.11, 5.13 to 5.16, 5.21 to 5.23 and 5.25 on consent.

**Carried.**

All members present voted in favour of the motion.

**5.1 Development Cost Charges Bylaw No. 8327, 2022**

To request that Council give three readings to the City's Development Cost Charges Bylaw No. 8327, 2022 as presented in Attachment 1.

In response to a question from Council, Craig MacFarlane, Manager of Legal Services, advised that an amendment could be made to the motion.

In discussion, Council members noted:

- Concern that Development Cost Charges (DCC) being assessed on educational institutions will limit development;
- The City would be responsible for an equivalent charge if the DCC is waived;
- DCCs on non-profit housing will impact student housing;
- All Communities in need of schools or school upgrades are affected by DCCs;
- DCCs are necessary to fund the infrastructure required for new developments;
- The Province will provide funding for infrastructure upgrades only if a DCC bylaw exists; and
- All communities in the vicinity of New Westminster also have DCC bylaws.

MOVED and SECONDED

**THAT** Council give three readings of Bylaw No. 8327, 2022 Development Cost Charges as presented in Attachment #1 of this report; and,

**THAT** Development Cost Charges on educational institutions be removed from the bylaw.

**Defeated.**

Councillors Das, Johnstone, Nakagawa and Trentadue opposed.

MOVED AND SECONDED

**THAT** Council give three readings of Bylaw No. 8327, 2022 Development Cost Charges as presented in Attachment #1 of this report.

**Carried.**

Councillor Puchmayr opposed.

## **5.2 Downtown Livability Strategy Update**

To provide an update on the continued implementation of the Downtown Livability Strategy, previously presented January 10, 2022.

**THAT** Council receive this report for information.

**Adopted on Consent.**

**5.3 Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022 and Heritage Designation (328 Second Street) Bylaw No. 8310, 2022 for First and Second Readings**

For Council to consider bylaws which would allow the subdivision of the subject property in the Queen's Park neighbourhood into two lots, in exchange for heritage protection and restoration of the heritage house.

**THAT** Council consider Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022 and Heritage Designation (328 Second Street) Bylaw No. 8310, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing.

**THAT** Council add 328 Second Street to the City's Heritage Register following the adoption of Heritage Designation Bylaw No. 8310, 2022.

**Adopted on Consent.**

**5.4 Hume Park Master Plan: A 20-Year Vision**

The purpose of this report is to seek adoption of the Hume Park Master Plan (the "Master Plan"). The Master Plan has been developed to serve as a long-term community vision to guide improvements to both recreational facilities and ecological assets over a 20-year time horizon.

In discussion, Council members noted:

- The development of the Hume Park Master Plan was delayed due to the COVID-19 pandemic;
- The report reflects the feedback received from the community;
- Upper Hume Park is valued by the community as a sporting facility and picnic area; and
- The lower Brunette River area is a valuable ecological habitat.

**MOVED AND SECONDED**

**THAT** Council adopt the Hume Park Master Plan, as outlined in this report and included as Attachment A, to guide future park planning and decision-making;

**THAT** Council direct staff to send the report to the Reconciliation, Social Inclusion and Engagement Taskforce and the Social Inclusion, Engagement and Reconciliation Advisory Committee for discussions on Indigenous place making in this park; and,

**THAT** staff proceed with next steps as outlined in this report.

**Carried.**

All members present voted in favour of the motion.

**5.5 Memorandum: Release of Closed Resolution re Utility Commission Reappointments**

To release the Closed resolution regarding Utility Commission Reappointments.

**Adopted on Consent.**

**5.6 Official Community Plan Amendment, Rezoning, Development Variance Permit, and Development Permit: 1135 Salter Street – Preliminary Report**

To seek Council support for proceeding with processing a proposal for a townhouse development in Queensborough.

**THAT** Council instruct staff to process the proposed Official Community Plan Amendment, Zoning Bylaw Amendment, Development Variance Permit, and Development Permit applications for 1135 Salter Street as outlined in the “Consultation and Application Review Process” section of this report.

**THAT** Council, with regard to the proposed OCP amendment for 1135 Salter Street:

1. Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;
2. Direct staff to advise and consult with the following:
  - a. the Board of Education of School District 40; and
  - b. the following First Nations:
    - i. Cowichan Tribes;
    - ii. Halalt First Nation;
    - iii. Katzie First Nation;
    - iv. Kwantlen First Nation;
    - v. Kwikwetlem First Nation;
    - vi. Lyackson First Nation;

- vii. Lake Cowichan First Nation;
  - viii. Musqueam Indian Band;
  - ix. Penelakut Tribe;
  - x. Qayqayt First Nation;
  - xi. Semiahmoo First Nation;
  - xii. Sto:lo Nation;
  - xiii. Stz'uminus First Nation;
  - xiv. Tsawwassen First Nation; and
  - xv. Tsleil-Waututh Nation.
- c. Ministry of Transportation and Infrastructure.
3. Direct staff to seek input from interested parties in the following manner:
    - a. send a request for written comments to the parties listed above;
    - b. as part of the notification requirements for public hearing, place a notice on the City Page to advise the public of this application; and
    - c. as part of the notification requirements for public hearing, require the applicant to include notice of the proposed OCP amendment on the site signage required for the subject application.
  4. Not require consultation with:
    - a. Board of the regional district in which the area covered by a plan is located (Metro Vancouver)
    - b. Any greater boards or improvement districts;
    - c. Greater Vancouver Sewerage and Drainage District Board;
    - d. Councils of immediately adjacent municipalities.
- as none are considered to be affected by this application.

**Adopted on Consent.**

## **5.7 Period Promise Pilot Initiative**

The purpose of the report is to provide Council with the results of the Period Promise Pilot initiative.

**THAT** this report be received for information.

**Adopted on Consent.**

**5.8 Phase One Infill Housing Program: Comprehensive Review Work Plan**

To seek Council's approval to proceed with the proposed work plan for the Phase One Infill Housing Program comprehensive review, as outlined in this report.

**THAT** Council direct staff to proceed with the proposed work plan for the Phase One Infill Housing Program comprehensive review, as outlined in this report.

**Adopted on Consent.**

**5.9 Rezoning Application for Duplex: 122 Eighth Avenue – Bylaw for First and Second Readings**

To request that Council: 1) consider Zoning Amendment Bylaw No. 8325, 2022 for First and Second Readings; and, 2) waive the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan; to enable a side-by-side duplex proposal.

**THAT** Council consider Zoning Amendment Bylaw No. 8325, 2022 for First and Second Readings.

**THAT** Council waive the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan.

**Adopted on Consent.**

**5.10 Rezoning Application for Infill Townhouse: 337 and 339 Keary Street – Bylaw for First and Second Readings**

To request that Council consider: 1) Zoning Amendment Bylaw No. 8324, 2022 for First and Second Readings; and, 2) waiving the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan; to enable a nine unit infill townhouse proposal.

**THAT** Council consider Zoning Amendment Bylaw No. 8324, 2022 for First and Second Readings.

**THAT** Council waive the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan.

**Adopted on Consent.**

**5.11 Rezoning Application for Triplex: 817 St. Andrews Street – Bylaw for First and Second Readings**



To request that Council consider: 1) Zoning Amendment Bylaw No. 8323, 2022 for First and Second Readings; and, 2) waiving the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan; to enable a stratified triplex proposal.

**THAT** Council consider Zoning Amendment Bylaw No. 8323, 2022 for First and Second Readings.

**THAT** Council waive the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan.

**Adopted on Consent.**

**5.12 Temporary Use Permit Extension: 30 Capilano Way (Amusement Arcade)**

To request Council consideration for a two-year time extension of a Temporary Use Permit at 30 Capilano Way for the operation of a local arcade business in support of COVID-19 business recovery efforts.

In response to questions from Council, Carolyn Armanini, Planner, Economic Development, reported that the applicant is requesting zoning approval for a temporary arcade in response to the COVID-19 pandemic. A permanent rezoning would require further applications.

In discussion, Council members noted:

- Creative efforts in response to the pandemic require Council support;
- Suggestion to support industrial businesses that offer retail services; and,
- Caution should be exercised in rezoning Industrial lands due to their scarcity.

In response to questions from Council, Carolyn Armanini, Planner, Economic Development, reported that further discussions could occur with the applicant regarding ancillary use of the location.

**MOVED AND SECONDED**

**THAT** Temporary Use Permit TUP00023 be extended for a period of two years to July 13, 2024 for the property located at 30 Capilano Way for the purpose of allowing an Amusement Arcade use in the existing industrial building, based on the terms and conditions outlined in the original Permit.

**THAT** Council extend the waiver of arcade-related Business License Bylaw conditions to the property located at #8-30 Capilano Way until July 13, 2024.

**Carried.**

All members present voted in favour of the motion.

**5.13 Proclamation: Day of Action Against Asian Racism, May 10, 2022**

**Adopted on Consent.**

**5.14 Proclamation: Moose Hide Campaign Day, May 12, 2022**

**Adopted on Consent.**

**5.15 Proclamation: Falun Dafa Day, May 13, 2022**

**Adopted on Consent.**

**5.16 Proclamation: International Day Against Homophobia and Transphobia, May 17, 2022**

**Adopted on Consent.**

**5.17 Proclamation: Hyack International Parade & Festival, May 28, 2022**

Becci Dewinetz, President, Hyack Festival Association introduced the rest of the delegation and provided the following information regarding the Hyack International Parade and Festival on May 28, 2022:

- The event has been on hiatus due to the COVID-19 pandemic;
- It is the 51<sup>st</sup> (delayed 50<sup>th</sup>) anniversary of the parade and festival;
- The festival is a community effort and run by many volunteers and promotes tourism in New Westminster;
- Many events are planned throughout the summer;
- This year's theme is "Decades of Dedication"; and,
- All information can be found on the festival website.

Mayor Côté read the proclamation and proclaimed May 28, 2022 in celebration of the Hyack International Parade and Festival.

**5.18 Proclamation: Public Works Week, May 15-21, 2022**

Gabriel Beliveau, Manager Operations, New Westminster Engineering, and Mike Antoniali, Coordinator, Parks and Open Space Maintenance, provided the following information about Public Works Week:

- Public Works Week is a way for communities and staff to express pride;
- Activities include:

- Social media outreach;
- Staff appreciation lunch; and,
- Student tours/open house at the works yard on May 18, 2022.

Council members highlighted the importance of the Public Works Department and its value to the City of New Westminster particularly during COVID-19.

Mayor Coté read the proclamation and proclaimed May 20 to 27, 2022 Public Works Week in the City of New Westminster.

#### **5.19 Proclamation: Child Care Month, May 2022**

Michelle Mastrandrea, Kinsight, provided the following information regarding Child Care Month:

- The Childcare task force is useful for sharing information; and,
- A childcare appreciation event is being held on May 17, 2022 at New Westminster Secondary School.

Mayor Coté read the proclamation and proclaimed May 2022 Child Care Month in the City of New Westminster.

#### **5.20 Proclamation: Commemoration of 80 years since the Internment of Japanese Canadians, May 2022**

Janis Bridger recounted the family history of the Okihiro family in New Westminster and their two and a half years spent in internment camps. The separation of family so many years ago was the catalyst that brought the family together today.

Lara Okihiro compared the treatment of Japanese Canadians to the treatment of Indigenous Peoples and reminded everyone that there is always work to be done for equality and dedicated the proclamation to the children who were forced into internment camps and to those children who will continue to do the hard work of inheriting the past.

Councillor Das acknowledged the wrongdoings of the past and the attempts to make amends for the internment of Japanese Canadians.

Councillor Nakagawa shared that her grandmother was interned and stressed the importance of learning from the errors of the past.

Mayor Coté read the proclamation and proclaimed May 2022 in Commemoration of 80 years since the Internment of Japanese Canadians.

**5.21 Proclamation: Cystic Fibrosis Awareness Month, May 2022**

**Adopted on Consent.**

**5.22 Proclamation: Guillain-Barré Syndrome (GBS) / Chronic Inflammatory Demyelinating Polyneuropathy (CIDP) Awareness Month, May 2022**

**Adopted on Consent.**

**5.23 Proclamation: Jewish Heritage Month, May 2022**

**Adopted on Consent.**

**5.24 Proclamation: Melanoma and Skin Cancer Awareness Month, May 2022**

Kathy Barnard, Save your Skin Foundation, presented statistics on skin cancer in Canada and noted:

- Melanoma is the seventh most common cancer in Canada;
- Early detection is critical to surviving this type of cancer;
- Prevention is the best protection for skin cancer; and,
- Tips for self-protection.

Mayor Côté read the proclamation and proclaimed May 2022, Melanoma and Skin Cancer Awareness Month.

**5.25 Minutes for Adoption**

- a. April 25, 2022 City Council Meeting (9:00 a.m.)
- b. April 25, 2022 Council Workshop
- c. April 25, 2022 City Council Meeting (6:00 p.m.)

**Adopted on Consent.**

**6. OPPORTUNITY FOR THE PUBLIC TO SPEAK TO COUNCIL**

Nathan Davidowicz expressed opposition to the TransLink 10-Year Plan for the following reasons:

- New Westminster did not provide input;
- There is no proposal for a pedestrian bridge from downtown New Westminster to Queensborough;
- No bus service from Queensborough to New Westminster Secondary School;
- No new bus routes for 10<sup>th</sup> Street or 10<sup>th</sup> Avenue;
- Fare increases over the next few years; and,

- No proposed New Westminster SkyTrain station upgrades.

In response, Council members noted:

- The City of New Westminster approved Transport 2050;
- New Westminster is a benefactor of the 10-Year Plan;
- The 10-Year Plan increases public transit services; and
- The 10-Year Plan balances regional needs.

## 7. **BYLAWS**

### 7.1 **Bylaws for readings**

#### a. **Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022**

To subdivide one lot into two and enable the construction of an infill house on the new lot. Primary relaxations to the proposed HRA include relaxations to the lot size (both lots), density (heritage house) and minor siting or site design ones related to the panhandle lot configuration. This bylaw is on the agenda for **TWO READINGS**.

A Public Hearing will be held for this bylaw.

MOVED and SECONDED

**THAT** Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022 be given First Reading.

**Carried.**

All members present voted in favour of the motion.

MOVED and SECONDED

**THAT** Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022 be given Second Reading.

**Carried.**

All members present voted in favour of the motion.

#### b. **Heritage Designation Bylaw (328 Second Street) No. 8310, 2022**

To designate the 1889 house at 328 Second Street as a protected heritage property. This bylaw is on the agenda for **TWO READINGS**.

A Public Hearing will be held for this bylaw.

MOVED and SECONDED

**THAT** Heritage Designation Bylaw (328 Second Street) No. 8310, 2022 be given First Reading.

**Carried.**

All members present voted in favour of the motion.

MOVED and SECONDED

**THAT** Heritage Designation Bylaw (328 Second Street) No. 8310, 2022 be given Second Reading.

**Carried.**

All members present voted in favour of the motion.

**c. Zoning Amendment Bylaw (122 Eighth Avenue) No. 8325, 2022**

To enable construction of a duplex at 122 Eighth Avenue. This bylaw is on the agenda for **TWO READINGS**.

Public Hearings are sometimes held for zoning amendments. Because this bylaw is consistent with the Official Community Plan, staff have recommended that the Public Hearing be waived by Council.

MOVED and SECONDED

**THAT** Zoning Amendment Bylaw (122 Eighth Avenue) No. 8325, 2022 be given First Reading.

**Carried.**

All members present voted in favour of the motion.

MOVED and SECONDED

**THAT** Zoning Amendment Bylaw (122 Eighth Avenue) No. 8325, 2022 be given Second Reading.

**Carried.**

All members present voted in favour of the motion.

**d. Zoning Amendment Bylaw (337 and 339 Keary Street) No. 8324, 2022**

To enable construction of a nine-unit infill townhouse project at 337 and 339 Keary Street. This bylaw is on the agenda for **TWO READINGS**.

Public Hearings are sometimes held for zoning amendments. Because this bylaw is consistent with the Official Community Plan,

staff have recommended that the Public Hearing be waived by Council.

MOVED and SECONDED

**THAT** Zoning Amendment Bylaw (337 and 339 Keary Street) No. 8324, 2022 be given First Reading.

**Carried.**

All members present voted in favour of the motion.

MOVED and SECONDED

**THAT** Zoning Amendment Bylaw (337 and 339 Keary Street) No. 8324, 2022 be given Second Reading.

**Carried.**

All members present voted in favour of the motion.

**e. Zoning Amendment Bylaw (817 St. Andrews Street) No. 8323, 2022**

To enable construction of a triplex at 817 St. Andrews Street. This bylaw is on the agenda for **TWO READINGS**.

Public Hearings are sometimes held for zoning amendments. Because this bylaw is consistent with the Official Community Plan, staff have recommended that the Public Hearing be waived by Council.

MOVED and SECONDED

**THAT** Zoning Amendment Bylaw (817 St. Andrews Street) No. 8323, 2022 be given First Reading.

**Carried.**

All members present voted in favour of the motion.

MOVED and SECONDED

**THAT** Zoning Amendment Bylaw (817 St. Andrews Street) No. 8323, 2022 be given Second Reading.

**Carried.**

All members present voted in favour of the motion.

**f. Development Cost Charges Bylaw No. 8327, 2022**

To establish new Development Cost Charge rates for subdivisions and building projects in New Westminster. This bylaw is on the agenda for **THREE READINGS**.

MOVED and SECONDED

**THAT** Development Cost Charges Bylaw No. 8327, 2022 be given First Reading.

**Carried.**

Councillor Puchmayr opposed.

MOVED and SECONDED

**THAT** Development Cost Charges Bylaw No. 8327, 2022 be given Second Reading.

**Carried.**

Councillor Puchmayr opposed.

MOVED and SECONDED

**THAT** Development Cost Charges Bylaw No. 8327, 2022 be given Third Reading.

**Carried.**

Councillor Puchmayr opposed.

## **7.2 Bylaws for adoption**

### **a. Tax Rates Bylaw No. 8326, 2022**

To establish tax rates for 2022. This bylaw is on the agenda for **ADOPTION.**

MOVED and SECONDED

**THAT** Tax Rates Bylaw No. 8326, 2022 be adopted.

**Carried.**

Councillor Puchmayr opposed.

## **8. NEW BUSINESS**

None.

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

None.



10. **END OF THE MEETING**

**The meeting ended at 7:27 p.m.**

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Jonathan Cote

MAYOR

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Jacque Killawee

CITY CLERK



**CITY COUNCIL MEETING  
MINUTES**

**Monday, May 16, 2022, 11:30 a.m.  
Committee Room 2  
City Hall**

**PRESENT:**

Councillor Jaimie McEvoy (Chair)  
Councillor Chinu Das  
Councillor Patrick Johnstone  
Councillor Nadine Nakagawa  
Councillor Mary Trentadue

**ABSENT**

Mayor Jonathan Cote  
Councillor Chuck Puchmayr

**STAFF PRESENT:**

Ms. Lisa Spitale, Chief Administrative Officer  
Ms. Jacque Killawee, City Clerk  
Ms. Emilie Adin, Director of Climate Action, Planning and Development  
Mr. Craig MacFarlane, Manager of Legal Services  
Mr. Erin Williams, Acting Chief, New Westminster Fire and Rescue Services

**GUESTS**

Nick Falzon, Solicitor, YoungAnderson

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**1. CALL TO ORDER**

The Acting Mayor will open the meeting.

The meeting was called to order at 11.32 a.m.

**2. MOTION TO MOVE THE MEETING INTO THE CLOSED MEETING**

That Council will now go into a meeting which is closed to the public in accordance with Section 90 of the Community Charter, on the basis that the subject matter of all agenda items relate to matters listed under Sections:

90(1)(g) litigation or potential litigation affecting the municipality;

90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

**CARRIED.**

All members present voted in favour of the motion.

**3. END OF THE MEETING**

The meeting ended at 11:32 a.m.

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Jonathan Cote

MAYOR

---

Jacque Killawee

CITY CLERK



**SPECIAL CITY COUNCIL MEETING**  
**MINUTES**

**Monday, May 16, 2022, 12:00 p.m.**

**Meeting held electronically and open to public attendance**  
**Council Chamber, City Hall**

**PRESENT:**

Councillor Jaimie McEvoy  
Councillor Chinu Das  
Councillor Patrick Johnstone  
Councillor Nadine Nakagawa  
Councillor Mary Trentadue

**ABSENT:**

Mayor Jonathan Côté  
Councillor Chuck Puchmayr

**STAFF PRESENT:**

|                     |  |
|---------------------|--|
| Ms. Lisa Spitale    | Chief Administrative Officer   |
| Ms. Jacque Killawee | City Clerk   |
| Ms. Emilie Adin     | Director, Climate Action, Development and Planning   |
| Ms. Claudia Freire  | Housing / Social Planner   |
| Mr. Blair Fryer     | Manager, Communications and Economic Development, Acting<br>Chief Business Licence Officer |
| Mr. Jason Gelderman | Sergeant, New Westminster Police Department  |
| Mr. Cory Paterson   | Fire Inspector   |
| Ms. Serena Trachta  | Manager, Inspections   |
| Ms. Bal Varn        | Bylaw Enforcement Officer / Tenant Support Coordinator                                     |

**GUESTS:**

Mr. Nick Falzon                      Young Anderson, Barristers and Solicitors

**1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT**

Councillor McEvoy opened the meeting at 12:02 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

Acting Mayor McEvoy then read an opening statement that outlined the agenda for the hearing.

**2. HEARING**

MOVED AND SECONDED

**2.1 325 Agnes Street - Status of Business Licence #506332**

**a. 325 Agnes Street – Status of Business License #506332**

To provide Council with information regarding policing, fire and bylaw concerns associated with a business that operates a residential rental building at 325 Agnes Street and to recommend that the business licence for this enterprise be cancelled unless necessary building concerns are addressed. The business licence holder has been provided with a copy of this report and notice of the proposed actions. The licence holder has also been invited to appear before Council in order to be given an opportunity to be heard prior to a decision being made regarding this matter.

**b. Affidavits of Service**

The City Clerk advised that the licence holder is not present in person or via videoconference and confirmed that two notices of the hearing were delivered to the licence holder and an opportunity was provided to appear at the hearing and to make a presentation.

**c. Staff Presentation (On Table)**

Blair Fryer, Manager, Communications and Economic Development, Acting Chief Licensing Officer, led the review of a presentation titled “Business Licence Review” and highlighted:

- Background of 325 Agnes Street

- Business licence conditions under Section 18 of the Business Regulations and Licensing (Rental Units) Bylaw
- Notable conditions of the business licence that was issued on January 1, 2022
- Observations from the New Westminster Police Department
- Orders issued under Bylaw No. 6926, 2004 (Business Regulations and Licensing (Rental Units))
- Findings of the April 25, 2022 Integrated Services inspection
- Fire Protection Orders and incidents related to the property
  - Current fire concerns
- Tenants are vulnerable, low-income members of the community
- Increasing concern with the poor condition of the property/building and the safety and security of the tenants
- Next steps
- Staff recommendation.

**d. Representations by Licence Holder**

The licence holder was not present.

**e. Decision**

MOVED AND SECONDED

THAT Business Licence #506332 issued to United Revenue Properties Ltd. to operate a residential rental building at 325 Agnes Street be cancelled as of 12:01AM on Wednesday, July 6, 2022 unless all of the following items have been completed before that date:

- Correct all issues identified for "IMMEDIATE COMPLIANCE" in NWFRS Notice of Violation dated April 29, 2022 (Attachment 18);
- Hire a permanent and competent property manager as per Section 18(b) of *Business Regulations and Licensing (Rental Units) Bylaw No. 6926, 2004* and provide the City with written confirmation of this hiring;
- Hire a licensed pest control company to assess the infestation of mice and cockroaches at the property and create a comprehensive treatment plan to eradicate the infestations of Units 1-12, as per Section 21 of *Business Regulations and*

*Licensing (Rental Units) Bylaw No. 6926, 2004* and submit the written treatment plan and on-going service contract to the City;

- Inspect all units within the building every two months to ensure tenant recommendations provided by the pest control company are being implemented and provide written confirmation of this to the City;
- Correct all noted deficiencies in the attached Maintenance Order dated April 28, 2022 (Attachment 11) and provide written confirmation to the City that the minimum maintenance standards as set out in Part 4 of Business Regulations and Licensing (Rental Units) Bylaw No. 6926, 2004 are complied with.

**Carried.**

All members present voted in favour of the motion.

**3. END OF THE MEETING**

The meeting ended at 12:20 p.m.

---

Jonathan Cote

MAYOR

---

Jacque Killawee

CITY CLERK

**CORPORATION OF THE CITY OF NEW WESTMINSTER**  
**ZONING AMENDMENT BYLAW (735 EIGHTH AVENUE) NO. 8341, 2022**

A Bylaw to Amend Zoning Bylaw No. 6680, 2001.

---

WHEREAS the Local Government Act authorizes a municipality to zone areas of land and to make regulations pursuant to zoning;

WHEREAS the Council has adopted a zoning bylaw under Part 14 of the Local Government Act, and wishes to amend the bylaw;

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 (735 Eighth Avenue) No. 8341, 2022”.
2. Zoning Bylaw No. 6680, 2001 is hereby amended as follows:
  - a) Inserting the following into the table in Appendix H in appropriate alphabetical order:

| <b>Business Name</b>     | <b>Civic Address</b> | <b>Occupant Load</b>   | <b>Legal Description</b>  |
|--------------------------|----------------------|--|---|
| ‘Massey Theatre Society’ | 735 Eighth Avenue    | 1,819 (which can be increased by 364 provided that the additional occupants are solely in the Studio 1C gymnasium) | LOT A,<br>DISTRICT LOT<br>2055, NEW WEST<br>DISTRICT, PLAN<br>EPP109420,<br>GROUP 1, & DL<br>5678 |

GIVEN FIRST READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

GIVEN SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PUBLIC HEARING held this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.



ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this  
\_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR JONATHAN X. COTE

\_\_\_\_\_  
JACQUE KILLAWEE, CITY CLERK

CORPORATION OF THE CITY OF NEW WESTMINSTER  
ZONING AMENDMENT BYLAW (122 EIGHTH AVENUE)  
NO. 8325, 2022

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

---

WHEREAS the Local government Act authorizes a municipality to zone areas of land and to make regulations pursuant to zoning,

WHEREAS the Council has adopted a zoning bylaw under Part 14 of the *Local Government Act*, and wishes to amend the bylaw,

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 (122 Eighth Avenue) No. 8325, 2022.”
2. The Lands that are the subject of this bylaw are shown as outlined in bold on the map attached to this bylaw as Schedule B, and are referred to in this bylaw as the “Subject Lands”,
3. Zoning Bylaw No. 6680, 2001 is amended by:
  - a) Adding as a new section, to be numbered section 1097, the regulations attached to this bylaw as Schedule A.
  - b) Changing the zoning designation of the Subject Lands from “Single Detached Residential Districts (RS-1)” to “Comprehensive Development District (122 Eighth Avenue) (CD-97)”; and,
  - c) Updating the Zoning Map annexed as Appendix “A” to Zoning Bylaw No. 6680, 2001 to record this zoning change.

GIVEN FIRST READING this 9th day of May, 2022.

GIVEN SECOND READING this 9th day of May, 2022.

PUBLIC HEARING waived under Section 464(2) of the Local Government Act

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

---

MAYOR JONATHAN X. COTE

---

JACQUE KILLAWEE, CITY CLERK

**Schedule A to Zoning Amendment Bylaw No 8325, 2022**

**Comprehensive Development Districts (122 Eighth Avenue) (CD-97)**

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# Comprehensive Development District (122 Eighth Avenue) CD-97

## 1097 Comprehensive Development District (122 Eighth Avenue) (CD-97)

- 1097 .1 The intent of this zoning district is to allow a duplex dwelling in the Glenbrooke North neighbourhood. Secondary suites are not permitted in this zoning district.

### Permitted Uses

- 1097 .2 The following principal and accessory uses are permitted in the CD-97 zoning district. For uses accompanied by a checkmark, there are either Use Specific Regulations in the Conditions of Use within this zoning district or within the General Regulations or Special Conditions Sections of this Bylaw following uses and no others shall be permitted in the (CD-97) district:

| Permitted Principal Uses        | Use Specific Regulations |
|---------------------------------|--------------------------|
| Community gardening;            |                          |
| Residential community living;   |                          |
| Single unit residential use;    |                          |
| Transitional housing for women; | ✓                        |

| Permitted Accessory Uses                        | Use Specific Regulations |
|---|--------------------------|
| Uses accessory to any permitted principal uses; |                          |
| Child care;                                     | ✓                        |
| Home occupations;                               | ✓                        |

### Definitions

- 1097 .3 Despite definitions elsewhere in the Bylaw, the following shall be defined as noted below for the purposes of this Zoning District.
- 1097 .4 **Floor area** means the numerical value determined by measuring the horizontal cross-sectional area of all buildings on a site to the outside of the outer walls at each storey and calculating the total of all such areas:
- a) including all areas used for attached, enclosed parking structures (garages); and,



# Comprehensive Development District (122 Eighth Avenue) CD-97

- b) excluding any area having a floor to ceiling height of 1.22 metres (4 feet) or less.

1097 .5 **Floor space ratio** means the numerical value determined by dividing the floor area on a site by the site area.

## Density - Units

1097 .6 One duplex building containing two principal dwelling units.

## Density – Principal Building Area

1097 .7 The floor space ratio for the principal building shall not exceed 0.6.

1097 .8 The maximum floor space ratio on a parcel may be increased by:

- a) 0.01 if the building meets Step 3 of the Energy Step Code; or
- b) 0.03 if the building meets Step 4 of the Energy Step Code; or
- c) 0.05 if the building meets Step 5 of the Energy Step Code, or is a Passive House.

## Site Area and Frontage

1097 .9 A site shall be not less than 557.40 square metres (6,000 square feet) in area and shall have a frontage of not less than ten percent (10%) of its perimeter.

## Principal Building Envelope

1097 .10 All principal buildings and structures shall be sized and sited according to the following:

| Regulation                   | Requirement   |
|------------------------------|---|
| <b>Minimum Front Setback</b> | Twenty percent (20%) of the depth of the <i>lot</i> but need not exceed 5.79 metres (19 feet) or the average depth of the front setback of existing principal buildings on sites on either side of the site, whichever is less. |



## Comprehensive Development District (122 Eighth Avenue) CD-97

| Regulation                     | Requirement  |
|--------------------------------|--|
| <b>Minimum Rear Setback</b>    | 7.62 metres (25 feet) or twenty percent (20%) of the depth of the site, whichever is less. |
| <b>Minimum Side Setback</b>    | <i>Side setbacks</i> shall be provided on each side of not less than 1.52 metres (5 feet)  |
| <b>Maximum Building Height</b> | 7.62 metres (25 feet)  |
| <b>Maximum Peak Height</b>     | 10.67 metres (35 feet)   |
| <b>Maximum Lot Coverage</b>    | Thirty-five percent (35%)  |

### Projections

- 1097 .11 Projections are permitted in accordance with the relevant provisions of the ‘Projections into Yards’ portion of the General Regulations section of this Bylaw.

### Attached Accessory Structures

- 1097 .12 Attached decks, porches, balconies, greenhouses, parking structures or swimming pools shall be deemed to be accessory structures, and are permitted provided they comply with the following:
- a) the combined area of all attached accessory structures shall not exceed ten percent (10%) of the site area;
  - b) shall not exceed one storey nor a height of 4.57 metres (15 feet) measured from the finished floor of such accessory structure;
  - c) shall not be located closer than twice the width of the required side yard from the window of a habitable room on an adjoining site, unless such window is above the roof line of the accessory structure;
  - d) shall be located not closer than a distance of 4.57 metres (15 feet) from the corner of a site at an intersection of a street and a lane; and,
  - e) shall be located not closer than 1.52 metres (5 feet) from any rear or side site line bounded by a street.



# Comprehensive Development District (122 Eighth Avenue) CD-97

## Detached Accessory Structures

- 1097 .13 Detached greenhouses, parking structures, sheds, gazebos or swimming pools shall be deemed to be accessory structures, and are permitted provided they comply with the following:
- a) the combined area of all detached accessory structures shall not exceed ten percent (10%) of the site area;
  - b) *detached accessory structures* shall not exceed one storey;
  - c) shall not be located in the required *front yard*;
  - d) shall not exceed 3.6 metres (12 feet) measured from the finished floor to the highest point of the building;
  - e) shall not be enclosed on more than two sides, excluding the roof;
  - f) shall not have dormers;
  - g) shall not be located closer than 1 metre (3.28 feet) from the *principal building*;
  - h) in the case of a carport, where the vehicle entry faces the *lane*, shall not be located closer to a *lane* than 6.71 metres (22 feet), less the width of such a *lane*; and,
  - i) shall not be located closer than 4.57 metres (15 feet) from the corner of a *site* at an intersection of streets, at the intersection of lanes or at the intersection of lanes or at the intersection of a street and a *lane*.

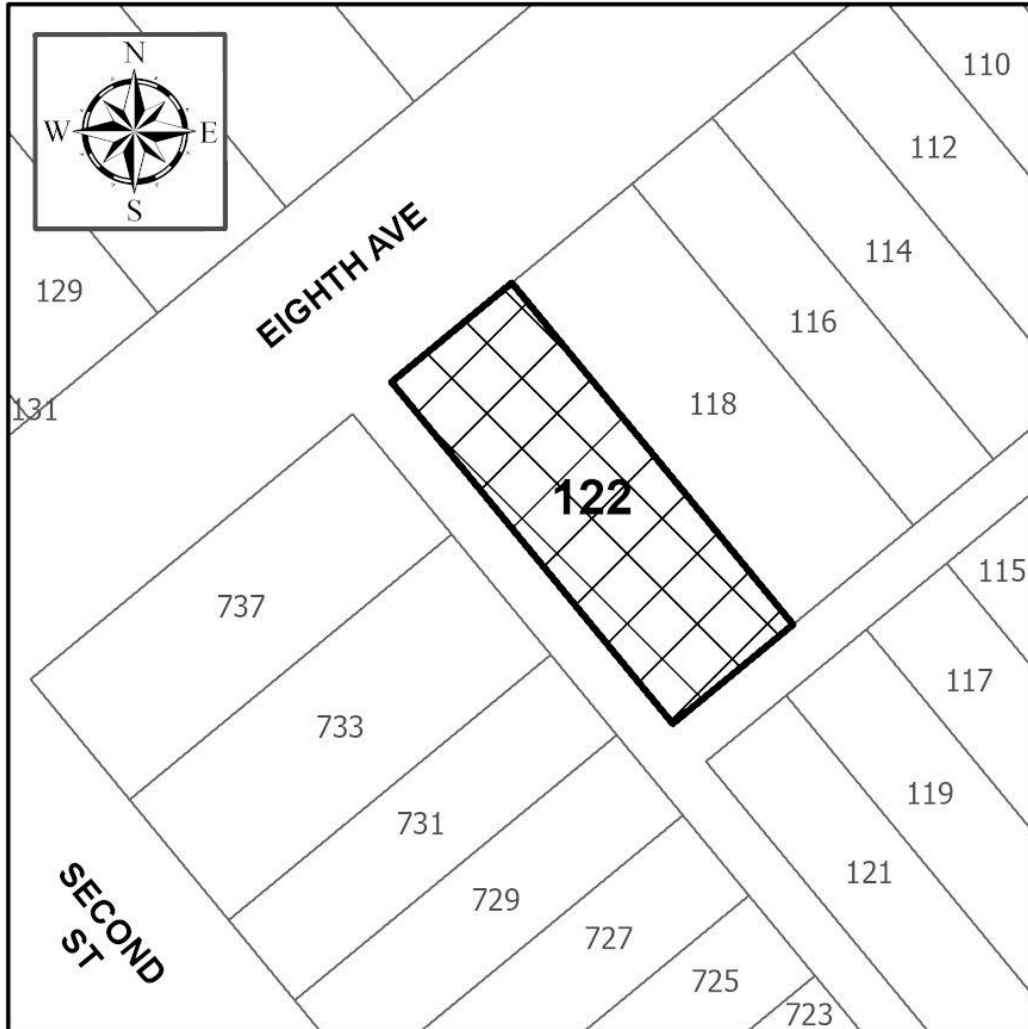
## Off-Street Parking and Loading

- 1097 .14 Off-Street parking shall be provided in accordance with the provisions of the Off-Street Parking Regulations section of this Bylaw.
- 1097 .15 Bicycle Parking is not required to be provided.

**Schedule B to Zoning Amendment Bylaw No 8325, 2022**

**Area to be Rezoned to Comprehensive Development District  
(122 Eighth Avenue) (CD-97)**

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CORPORATION OF THE CITY OF NEW WESTMINSTER  
ZONING AMENDMENT BYLAW (337 & 339 KEARY STREET)  
NO. 8324, 2022

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

---

WHEREAS the Local government Act authorizes a municipality to zone areas of land and to make regulations pursuant to zoning,

WHEREAS the Council has adopted a zoning bylaw under Part 14 of the *Local Government Act*, and wishes to amend the bylaw,

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 (337 & 339 Keary Street) No. 8324, 2022.”
2. The Lands that are the subject of this bylaw are shown as outlined in bold on the map attached to this bylaw as Schedule B, and are referred to in this bylaw as the “Subject Lands”,
3. Zoning Bylaw No. 6680, 2001 is amended by:
  - a) Adding as a new section, to be numbered section 1096, the regulations attached to this bylaw as Schedule A.
  - b) Changing the zoning designation of the Subject Lands from “Single Detached Residential Districts (RS-1)” to “Comprehensive Development District (337 & 339 Keary Street) (CD-96)”;
  - c) Updating the Zoning Map annexed as Appendix “A” to Zoning Bylaw No. 6680, 2001 to record this zoning change.

GIVEN FIRST READING this 9th day of May, 2022.

GIVEN SECOND READING this 9th day of May, 2022.

PUBLIC HEARING waived under Section 464(2) of the Local Government Act

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

---

MAYOR JONATHAN X. COTE

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JACQUE KILLAWEE, CITY CLERK

**Schedule A to Zoning Amendment Bylaw No 8324, 2022**

**Comprehensive Development Districts (337 & 339 Keary Street) (CD-96)**

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## Comprehensive Development District (337 & 339 Keary Street) CD-96

### 1096 Comprehensive Development District (337 & 339 Keary Street) (CD-96)

- 1096 .1 The intent of this district is to, in combination with the design guidelines for infill townhouse and rowhouse within the Official Community Plan, allow infill townhouses and rowhouses which integrate well into existing single detached residential neighbourhoods.

#### Permitted Uses

- 1096 .2 The following principal and accessory uses are permitted in the CD-96 zoning district. For uses accompanied by a checkmark, there are either Use Specific Regulations in the Conditions of Use within this zoning district or within the General Regulations or Special Conditions Sections of this bylaw.

| Permitted Principal Uses                                | Use Specific Regulations |
|---|--------------------------|
| Single unit residential use;                            | ✓                        |
| <i>Multiple dwellings;</i>                              |                          |
| Permitted Accessory Uses                                | Use Specific Regulations |
| Uses accessory to any permitted <i>principal uses</i> ; |                          |
| <i>Home based businesses;</i>                           | ✓                        |

#### Conditions of Use

- 1096 .3 A single detached dwelling shall conform to the regulations in the NR-2 zoning districts for lots located east of Eighth Street and north of Sixth Avenue, otherwise they shall conform to the regulations in the RS-2 zoning district.

#### Density

- 1096 .4 The floor space ratio for the principal buildings shall not exceed 1.00.



## Comprehensive Development District (337 & 339 Keary Street) CD-96

### Principal Building Height

- 1096 .5 All principal buildings and structures shall not exceed a height of 10.67 metres (35 feet) as measured from averaged, existing grade at the four corners of the building to the highest point of the building

### Detached Accessory Building Regulations

- 1096 .6 *Detached accessory buildings:*
- a) shall not cover more than fifteen percent (15%) of the site area;
  - b) shall not exceed one *storey*;
  - c) shall not be located in the required *front yard*;
  - d) shall not exceed 3.6 metres (12 feet) measured from the finished floor to the highest point of the building;
  - e) shall not be enclosed on more than two sides, excluding the roof;
  - f) shall not have dormers;
  - g) shall not be located closer than 1 metre (3.28 feet) from the *principal building(s)*;
  - h) in the case of a carport, where the vehicle entry faces the *lane*, shall not be located closer to a *lane* than 6.71 metres (22 feet), less the width of such a *lane*; and,
  - i) shall not be located closer than 4.57 metres (15 feet) from the corner of a *site* at an intersection of streets, at the intersection of lanes or at the intersection of lanes or at the intersection of a street and a *lane*.

### Off-Street Parking and Loading Requirements

- 1096 .7 Off-street parking shall be provided in accordance with the Off-Street Parking Regulation section of this Bylaw except:
- a) parking shall not be permitted in the *front yard*;
  - b) where a site abuts a *lane* 12 feet (3.66 metres) or more in width, all parking access is required from that *lane*;



## Comprehensive Development District (337 & 339 Keary Street) CD-96

- c) where a site abuts a lane less than 12 feet (3.66 metres), or does not abut a lane, parking access may be provided by one driveway from a *street* if that driveway is not less than 9 feet (2.74 metres) nor more than 18 feet (5.49 metres) in width;
- d) one off-street loading space shall be required per *site*; and
- e) notwithstanding the requirements in (d), the required off-street loading space may be shared with a visitor parking space provided a restrictive covenant is registered on title to the property, to the satisfaction of the *Director of Engineering*, to ensure the shared loading and visitor *parking spaces* are reserved and maintained for the uses for which they are required

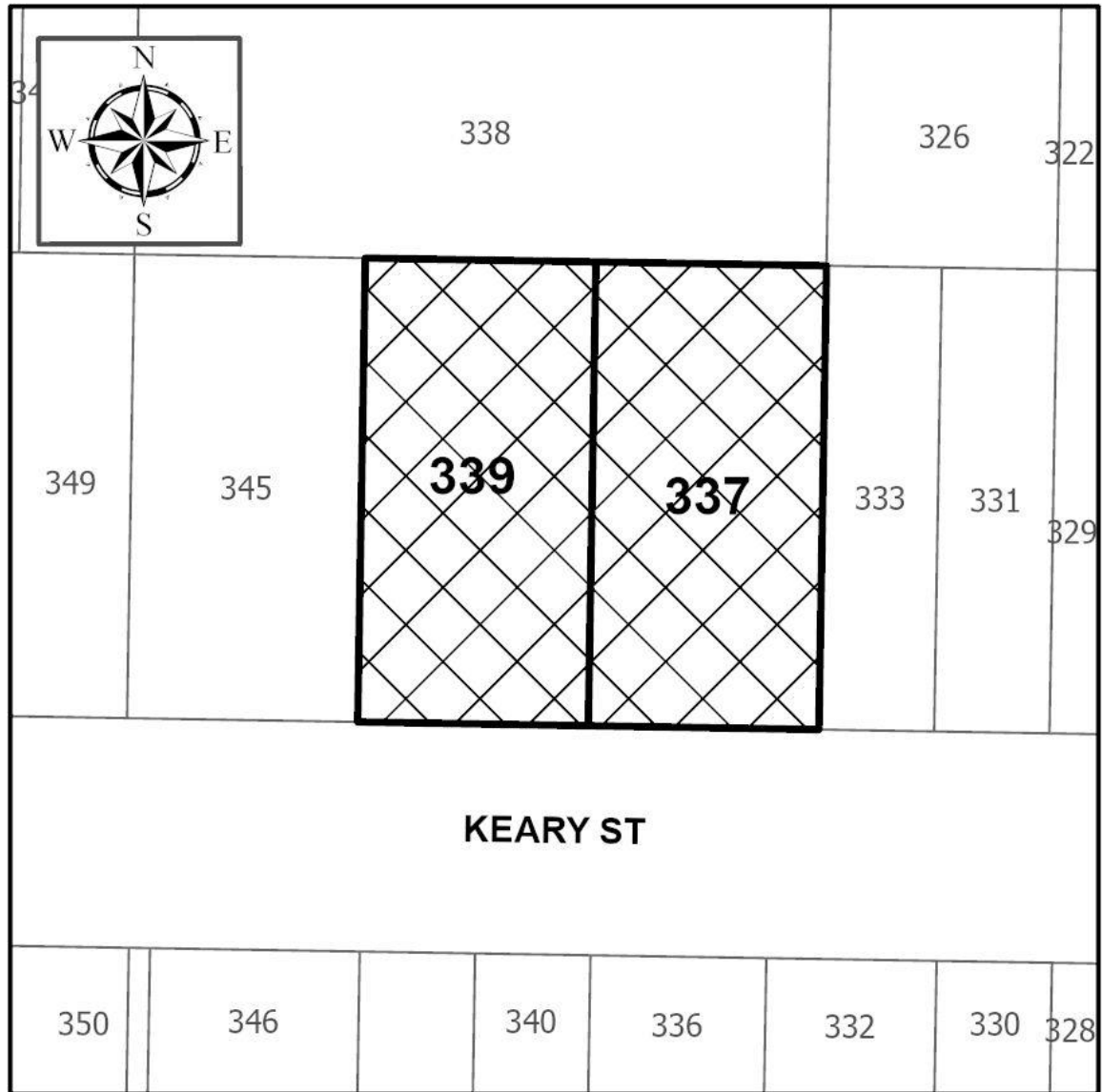
1096 .8 The Locked-in Lot provisions in Section 170.1 of the Zoning Bylaw shall apply, except where existing adjacent lots meet the following:

- i. Has a minimum site area of 557.40 square metres (6,000 square feet) or greater; and,
- ii. Has access from a lane with a minimum width of 4.87 metres (16.0 feet), or is a corner lot.

**Schedule B to Zoning Amendment Bylaw No 8324, 2022**

**Area to be Rezoned to Comprehensive Development District  
(337 & 339 Keary Street) (CD-96)**

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CORPORATION OF THE CITY OF NEW WESTMINSTER  
ZONING AMENDMENT BYLAW (817 ST. ANDREWS STREET)  
NO. 8323, 2022

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

---

WHEREAS the Local government Act authorizes a municipality to zone areas of land and to make regulations pursuant to zoning,

WHEREAS the Council has adopted a zoning bylaw under Part 14 of the *Local Government Act*, and wishes to amend the bylaw,

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 (817 St. Andrews St.) No. 8323, 2022.”
2. The Lands that are the subject of this bylaw are shown as outlined in bold on the map attached to this bylaw as Schedule B, and are referred to in this bylaw as the “Subject Lands”,
3. Zoning Bylaw No. 6680, 2001 is amended by:
  - a) Adding as a new section, to be numbered section 1017, the regulations attached to this bylaw as Schedule A.
  - b) Changing the zoning designation of the Subject Lands from “Single Detached Residential Districts (RS-1)” to “Comprehensive Development District (817 St. Andrews Street) (CD-17)”; and,
  - c) Updating the Zoning Map annexed as Appendix “A” to Zoning Bylaw No. 6680, 2001 to record this zoning change.

GIVEN FIRST READING this 9th day of May, 2022.

GIVEN SECOND READING this 9th day of May, 2022.

PUBLIC HEARING waived under Section 464(2) of the Local Government Act

GIVEN THIRD READING this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

---

MAYOR JONATHAN X. COTE

---

JACQUE KILLAWEE, CITY CLERK

**Schedule A to Zoning Amendment Bylaw No 8323, 2022**

**Comprehensive Development Districts (817 St. Andrews Street) (CD-17)**

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# Comprehensive Development District (817 St. Andrews Street) CD-17

## 1017 Comprehensive Development District (817 St. Andrews Street) (CD-17)

- 1017 .1 The intent of this zoning district is to allow a triplex dwelling in the Brow of the Hill neighbourhood. Secondary suites are not permitted in this zoning district.

### Permitted Uses

- 1017 .2 The following principal and accessory uses are permitted in the CD-17 zoning district. For uses accompanied by a checkmark, there are either Use Specific Regulations in the Conditions of Use within this zoning district or within the General Regulations or Special Conditions Sections of this Bylaw following uses and no others shall be permitted in the (CD-17) district:

| Permitted Principal Uses        | Use Specific Regulations |
|---------------------------------|--------------------------|
| Community gardening;            |                          |
| Residential community living;   |                          |
| Single unit residential use;    |                          |
| Transitional housing for women; | ✓                        |

| Permitted Accessory Uses                        | Use Specific Regulations |
|---|--------------------------|
| Uses accessory to any permitted principal uses; |                          |
| Child care;                                     | ✓                        |
| Home occupations;                               | ✓                        |

### Definitions

- 1017 .3 Despite definitions elsewhere in the Bylaw, the following shall be defined as noted below for the purposes of this Zoning District.
- 1017 .4 **Floor area** means the numerical value determined by measuring the horizontal cross-sectional area of all buildings on a site to the outside of the outer walls at each storey and calculating the total of all such areas:
- a) including all areas used for attached, enclosed parking structures (garages); and,



## Comprehensive Development District (817 St. Andrews Street) CD-17

- b) excluding any area having a floor to ceiling height of 1.22 metres (4 feet) or less.

1017 .5 **Floor space ratio** means the numerical value determined by dividing the floor area on a site by the site area.

### Density - Units

1017 .6 One triplex building containing three principal dwelling units.

### Density – Principal Building Area

1017 .7 The floor space ratio for the principal building shall not exceed 0.75.

1017 .8 The maximum floor space ratio on a parcel may be increased by:

- a) 0.01 if the building meets Step 3 of the Energy Step Code; or
- b) 0.03 if the building meets Step 4 of the Energy Step Code; or
- c) 0.05 if the building meets Step 5 of the Energy Step Code, or is a Passive House.



# Comprehensive Development District (817 St. Andrews Street) CD-17

## Principal Building Envelope

- 1017 .9 All principal buildings and structures shall be sized and sited according to the following:

| Regulation                     | Requirement   |
|--------------------------------|---|
| <b>Minimum Front Setback</b>   | 5.79 metres (19 feet), twenty percent (20%) of the depth of the site, or the average depth of the front setback of existing principal buildings on sites on either side of the site, whichever is less. |
| <b>Minimum Rear Setback</b>    | 7.62 metres (25 feet) or twenty percent (20%) of the depth of the <i>lot</i> , whichever is less  |
| <b>Minimum Side Setback</b>    | 1.83 metres (6 feet)  |
| <b>Maximum Building Height</b> | 7.62 metres (25 feet)   |
| <b>Maximum Peak Height</b>     | 10.67 metres (35 feet)  |
| <b>Maximum Lot Coverage</b>    | Thirty-five percent (35%)   |

## Projections

- 1017 .10 Projections are permitted in accordance with the relevant provisions of the ‘Projections into Yards’ portion of the General Regulations section of this Bylaw.

## Attached Accessory Structures

- 1017 .11 Attached decks, porches, balconies, greenhouses, parking structures or swimming pools shall be deemed to be accessory structures, and are permitted provided they comply with the following:
- a) the combined area of all attached accessory structures shall not exceed ten percent (10%) of the site area;
  - b) shall not exceed one storey nor a height of 4.57 metres (15 feet) measured from the finished floor of such accessory structure;



## Comprehensive Development District (817 St. Andrews Street) CD-17

- c) shall not be located closer than twice the width of the required side yard from the window of a habitable room on an adjoining site, unless such window is above the roof line of the accessory structure;
- d) shall be located not closer than a distance of 4.57 metres (15 feet) from the corner of a site at an intersection of a street and a lane; and,
- e) shall be located not closer than 1.52 metres (5 feet) from any rear or side site line bounded by a street.

### Detached Accessory Structures

1017 .12 Detached greenhouses, parking structures, sheds, gazebos or swimming pools shall be deemed to be accessory structures, and are permitted provided they comply with the following:

- a) the combined area of all detached accessory structures shall not exceed ten percent (10%) of the site area;
- b) *detached accessory structures* shall not exceed one storey;
- c) shall not be located in the required *front yard*;
- d) shall not exceed 3.6 metres (12 feet) measured from the finished floor to the highest point of the building;
- e) shall not be enclosed on more than two sides, excluding the roof;
- f) shall not have dormers;
- g) shall not be located closer than 1 metre (3.28 feet) from the *principal building*;
- h) in the case of a carport, where the vehicle entry faces the *lane*, shall not be located closer to a *lane* than 6.71 metres (22 feet), less the width of such a *lane*; and,
- i) shall not be located closer than 4.57 metres (15 feet) from the corner of a *site* at an intersection of streets, at the intersection of lanes or at the intersection of lanes or at the intersection of a street and a *lane*.



# Comprehensive Development District (817 St. Andrews Street) CD-17

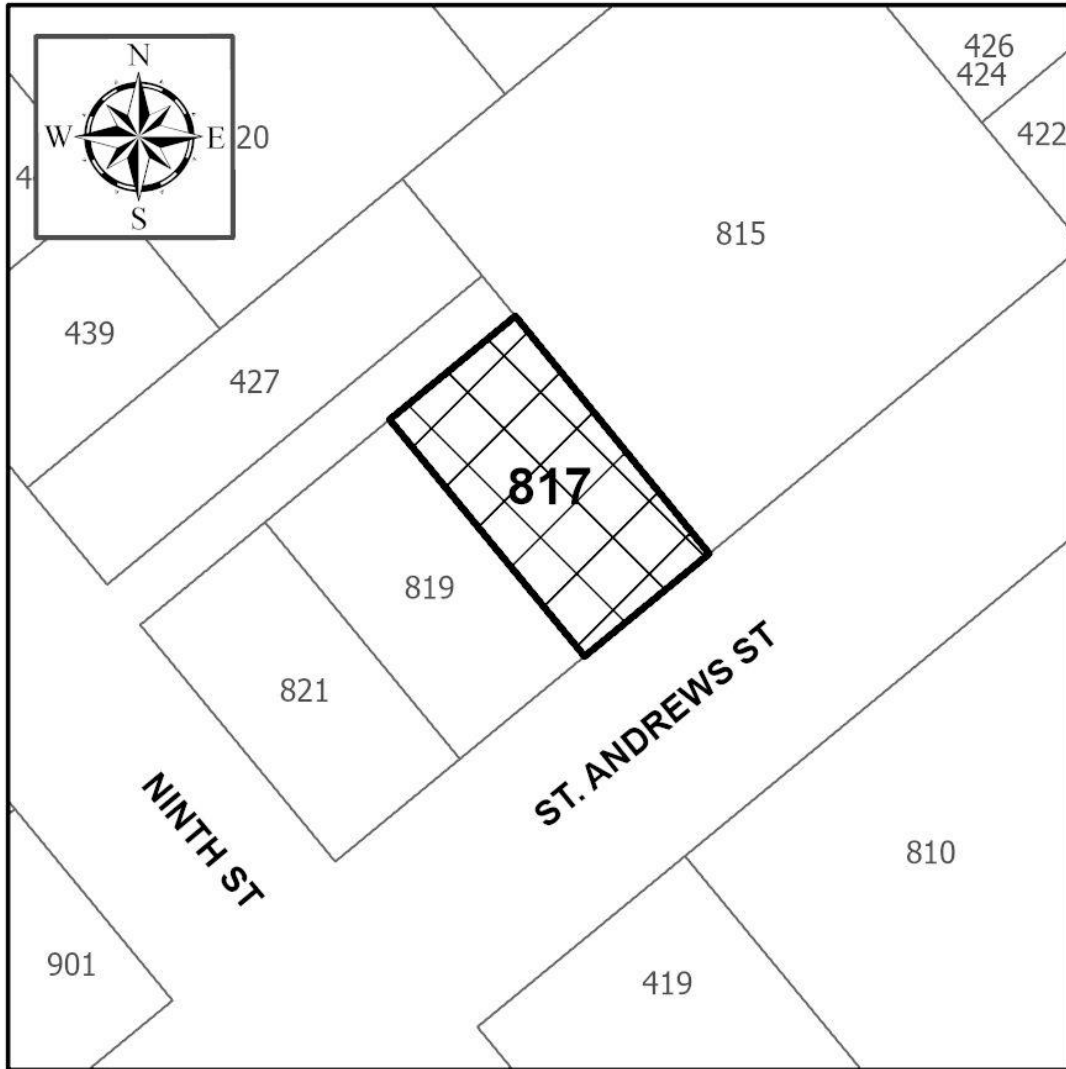
## Off-Street Parking and Loading

- 1017 .13 Off-Street parking shall be provided in accordance with the provisions of the Off-Street Parking Regulations section of this Bylaw, except that:
- a) A minimum of 1 parking space shall be provided for each principal dwelling unit.
  - b) Neither a visitor nor loading space is required to be provided.
- 1017 .14 Bicycle Parking is not required to be provided.

**Schedule B to Zoning Amendment Bylaw No 8323, 2022**

**Area to be Rezoned to Comprehensive Development District  
(817 St. Andrews Street) (CD-17)**

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## **REPORT**

### ***Legislative Services***

**To:** Mayor Cote and Members of Council      **Date:** May 30, 2022

**From:** Jacque Killawee  
City Clerk      **File:** 05.1025.02-2022

**Item #:** 2022-406

**Subject:** **ON TABLE Recruitment 2022: Appointments to the Arts Advisory Committee (AAC)**

---

#### **RECOMMENDATION**

THAT Council receive the report titled, "Appointments to the Arts Advisory Committee (AAC)" for information.

---

#### **PURPOSE**

To release the Closed Council decisions to rescind the appointment of Stephen O'Shea as Representative, Arts Council New Westminster to the Arts Advisory Committee, appoint Laura Grady as the Representative, Arts Council New Westminster to the Arts Advisory committee for the term ending January 31, 2024, and to appoint Stephen O'Shea as Artist, New Westminster Based, to the Arts Advisory Committee for the term ending January 31, 2024.

#### **BACKGROUND**

At the May 30, 2022 Closed meeting, New Westminster City Council approved the following motions in relation to the Arts Advisory Committee:

THAT Council rescind the appointment of Stephen O'Shea as Representative, Arts Council of New Westminster to the Arts Advisory Committee; and,

THAT Council appoint Laura Grady as Representative, Arts Council of New Westminster to the Arts Advisory Committee for the term ending January 31, 2024;

THAT Council appoint Stephen O'Shea as Artist, New Westminster Based, to the Arts Advisory Committee for the term ending January 31, 2024; and,

THAT the appointments be released to the public.

### **OPTIONS**

**Option 1:** THAT Council receive the report titled, "Recruitment 2022: Appointments to the Arts Advisory Committee (AAC)" 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 approved by:

Jacque Killawee, City Clerk

Lisa Spitale, Chief Administrative Officer