

## **REPORT**

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

**To:** Mayor Johnstone and Members of Council  
**Date:** May 29, 2023

**From:** Jackie Teed  
Acting Director, Climate Action,  
Planning and Development  
**File:** REZ00241

**Item #:** 2023-376

**Subject:** Rezoning Application for Conversion to Supportive Housing: 422 Sixth Street – Comprehensive Report

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#### **RECOMMENDATION**

**THAT** Council consider “Zoning Amendment Bylaw (422 Sixth Street) No. 8398, 2023” and no Public Hearing be held, in accordance with the *Local Government Act*; and,

**THAT** notification be circulated in accordance with the *Local Government Act*.

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#### **PURPOSE**

To request that: 1) Council consider the application to rezone 422 Sixth Street and no Public Hearing held, in accordance with the Local Government Act; and, 2) notification be circulated in accordance with the Local Government Act.

#### **EXECUTIVE SUMMARY**

A rezoning application has been received from the Lower Mainland Purpose Society to convert the top two floors of the existing four-storey commercial building at 422 Sixth Street to accommodate up to 30 supportive housing units. As proposed, this will be longer-term, rental housing which offers a range of supports to assist with successful tenancy and transition to more independent living; involves an intake process to determine suitability for a placement; and is not intended for individuals who may be active in their addiction.

Supportive housing is very different from a minimal barrier emergency shelter, with the latter providing nightly or short-term shelter; offering limited or no supports; having few barriers with regard to a placement; and accepting individuals who may be active in their addiction. Supportive housing is also very different from an overdose prevention or supervised consumption site, with the latter facilitating witnessed consumption while on site and serving the larger community, including through the distribution of harm reduction supplies.

While the site's existing zoning permits housing units above the ground floor, the proposed supports are not permitted within the current zone, as defined within the City's *Zoning Bylaw*. As such, the site is being rezoned from Community Commercial Districts (High Rise) (C-3) (C-3A) zoning to a Comprehensive Development (CD) zoning district to permit supportive housing units above the ground floor, in addition to the uses permitted in the existing C-3 and C-3A zones.

The proposed layout of the upper two floors consists of up to 15 individual units per floor with shared bathroom, kitchenette, and common areas. The ground floor and basement would be utilized for office, program, and catering uses, which are permitted under the existing zoning. No exterior changes to the building are proposed. As such, no Development Permit is required and the project would be permitted to advance directly to the Building Permit stage for the interior renovations.

Per the City's typical process, applicant-led and City-led public consultation has been undertaken for the project. Staff recommends that the application to rezone the property be considered, and no Public Hearing be held, in accordance with the *Local Government Act*.

## **BACKGROUND**

### **Policy and Regulations**

The application is consistent with the Official Community Plan (OCP) land use designation for the subject property, which is Mixed Use High Density and with other key City policies as detailed in Attachment 3.

The site's existing C-3 and C3-A zoning permits *Housing Units* above the first storey. However, the *Supportive Housing* use is not permitted under the existing zoning. As such, and in order to facilitate the change in use, a rezoning is required.

## **PROJECT DESCRIPTION**

The application is to convert the top two floors of the existing four-storey commercial building to accommodate up to 30 supportive housing units. As proposed, this will be longer-term, rental housing for individuals who have experienced or who are at-risk of homelessness. These individuals will benefit from programming to assist with their successful tenancy and to transition to more independent living. Supports will include

services related budgeting and life skills, counselling and health, education and employment readiness, meal preparation and nutrition, and community connections and referral. Individuals will go through an intake process as to their suitability, including their comfort living in a communal environment, their receptivity to engage in supports, and their willingness to sign a commitment as to these and other expectations. This housing will not be designed or intended to accommodate individuals who may be active in their addiction

Supportive housing is very different from a minimal barrier emergency shelter, with the latter providing nightly or short-term shelter; offering limited or no supports; having few barriers with regard to a placement; and accepting individuals who may be active in their addiction. Supportive housing is also very different from an overdose prevention or supervised consumption site, with the latter facilitating witnessed consumption while on site and serving the larger community, including through the distribution of harm reduction supplies.

As proposed, the layout of the upper two floors will consist of up to 15 individual units per floor with shared bathroom, kitchenettes and common areas. The applicant's submission materials can be found in Attachment 2. The ground floor and basement will be utilized for office, program and catering uses which are permitted under existing zoning. Although the existing zone permits *Housing Units* above the ground floor, given the shared facilities and supports, the use is considered as *Supportive Housing* as defined within the City's Zoning Bylaw which is not permitted under the Community Commercial Districts (High Rise) (C-3) (C-3A) zoning.

In order to permit this use, the creation of a Comprehensive District Zone is proposed which will be based on the C-3 and C-3A Districts but also include *Supportive Housing* as a permitted use above the ground floor. The proposal includes some minor exemptions to the bylaw regarding the use of shared facilities. These minor exemptions are supported by staff for a number of reasons including:

- the City's *Housing Needs Report* has demonstrated an acute need for supportive housing (i.e., 358 units between 2021 and 2031) and some shared facilities would increase the unit yield to help address this need;
- the intended communal nature of this housing is intended to build connection between residents;
- the transitional nature of the housing, to guide residents towards more independent living;
- the age of the building and resultant complexity in adding a large number of private bathrooms and kitchens; and,
- alignment with the Federal Government *Rapid Housing Initiative* which would be providing the funding for the project.

As no exterior changes are proposed to the building, no Development Permit is required and the project will be permitted to advance directly to the Building Permit stage.

## **PUBLIC CONSULTATION**

### **City-led Consultation**

City-led consultation included an online survey, published on Be Heard New West and open between May 10 and May 24, 2023. Residents within 100 metres of the project were notified of the survey, and an invitation to participate was posted in one issue of the New West Record.

To further supplement the consultation, and given some misinformation currently circulating in the community, staff intend to circulate a letter to nearby businesses and residents to provide further information related to supportive housing, including highlighting how the use is different than a minimal barrier emergency shelter or an overdose prevention or supervised consumption site and the nature of the supports provided. Staff also intend to forward the letter to business and resident associations. The letter is included in Attachment 4. Additionally, staff will be providing a presentation to Council in conjunction with this report, to outline the key aspects of the proposal for the public toward correcting any misconceptions.

Feedback received from the City-led consultation will be provided On Table at the May 29, 2023 Regular Council meeting.

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

### **Review Process**

Should Council choose not to hold a Public Hearing, the development application review process would be as follows:

1. Preliminary report to Council (May 8, 2023);
2. City-led public consultation, including the creation of a Be Heard New West webpage and survey (May 10 to May 24, 2023);
3. Council consideration of the rezoning application and issuance of notice that no Public Hearing will be held (May 29, 2023); **(WE ARE HERE)**
4. Council consideration of First, Second, and Third Readings; and,
5. Council adoption of the Bylaw.

As the form of development is consistent with the Official Community Plan (OCP), and given this is a zoning text amendment with no proposed changes to the exterior of the building, the application was not forwarded to the New Westminster Design Panel or the Advisory Planning Commission for review or comment.

## **FINAL ADOPTION REQUIREMENTS**

There are no items that must be addressed prior to adoption of the Zoning Amendment Bylaw.

**INTERDEPARTMENTAL LIAISON**

The City has a project-based team approach for reviewing development applications. A staff-led project team was assigned for reviewing this project consisting of staff from Engineering (Servicing and Transportation), Fire, Electrical, Parks and Recreation, and Climate Action, Planning and Development (Building, Planning, Trees) Departments.

**FINANCIAL IMPLICATIONS**

The assessed value of the property is \$8.1M (\$7.0M Land + \$1.1M Improvements). Subject to Council approval and paperwork being received by BC Assessment, the top two floors would be deemed supportive housing status and the assessed value will drop to a nominal rate. 2023 total property tax levy is \$100,000, of which \$66,000 represents municipal taxation and the remaining \$34,000 is collected and remitted to other taxing authorities. The rezoning will have an effect on the assessment value of the property and the City will analyze any impacts at that time.

**OPTIONS**

The following options are available for Council's consideration:

1. That "Zoning Amendment Bylaw (422 Sixth Street) No. 8398, 2023" be considered and no Public Hearing be held, in accordance with the *Local Government Act*.
2. That notification be circulated in accordance with the *Local Government Act*.
3. That Council provide Staff with alternative feedback.

Staff recommends Options 1 and 2.

**ATTACHMENTS**

Attachment 1: Zoning Amendment Bylaw (422 Sixth Street) No. 8398, 2023  
Attachment 2: Applicant Submission Materials  
Attachment 3: Background Information  
Attachment 4: Staff Letter to Businesses and Residents

## **APPROVALS**

This report was prepared by:

Amanda Mackaay, Development Planner

This report was reviewed by:

John Stark, Supervisor of Community Planning

Demian Rueter, Acting Senior Manager of Climate Action, Planning and Development

This report was approved by:

Jackie Teed, Acting Director of Climate Action, Planning and Development

Lisa Leblanc, Acting Chief Administrative Officer