

## Memorandum

To: Advisory Planning Commission Date: September 13, 2021

From: Emilie Adin, Director of Development Services File: 13.2525.01, 13.2680.20, OCP00034, OCP00038, REZ00203, REZ00218

Subject: Crisis Response Bylaw Amendments & Housing Projects in Downtown and Queensborough

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### PURPOSE

The purpose of this report is to seek input from the Advisory Planning Commission regarding proposed bylaw amendments to allow the City to be more nimble in responding to emergencies and identified crises (such as COVID-19 Pandemic, recent fires and heat waves as well as future crises) and to facilitate two affordable housing projects at 350 – 366 Fenton Street and 68<sup>th</sup> Sixth Street.

### Overview of amendments

The City of New Westminster is bundling three separate, but closely related, projects into one review and consultation process in the interest of moving quickly to meet current and near-future funding deadlines, as well as respond more readily to urgent needs in the community. These amendments were brought forward to Council on September 13, 2021. At this meeting, Council directed Staff to proceed with these amendments as outlined in the attached Staff Report and Presentation (Appendix A and Appendix B). These attachments provide further information on the proposed amendments. In summary the three proposed changes are as follows:

1. **Potential city-wide bylaw amendments to allow more rapid response on projects meeting specific criteria and addressing an identified emergency or crisis:** Adoption of some general bylaw amendments would offer a way for the City to respond more quickly to current crises such as the COVID-19 pandemic, recent fires and heat waves, the overdose crisis, the regional homelessness crisis - and any other future crises. The proposed Official Community Plan and zoning bylaw amendments would be limited by projects that meet four prescribed criteria outlined in the attached report (e.g. owned by the City or other government agency, project funded by the government, project operated by a non-profit or public agency, project addressing needs identified through a Provincial emergency declaration or

public crisis).

2. **Non-market housing on City-owned land at 350-366 Fenton Street in Queensborough:** Rezoning and an Official Community Plan amendment are required to allow for this proposed partnership between the City and Vancouver Native Housing Society. The proposed project includes 58 units in a three-storey mutli-unit building with a mix of studios, one and two bedroom units. The building would be for Indigenous individuals and families, including providing spaces for women and children.
3. **Supportive housing on Province-owned land at 68 Sixth Street in Downtown:** Rezoning and an Official Community Plan amendment are required to allow for this proposed project of 52-units of modular homes with supports for adults at risk or experiencing homelessness. An experienced housing operator would be selected, and staff would be on site 24/7 to support residents and provide services. BC Housing would own the building.

### **ATTACHMENTS**

Appendix A: Staff Report to Council, September 13, 2021

Appendix B: Staff Presentation to Council, September 13, 2021



## Appendix A

*Staff Report to Council September 13, 2021*

# REPORT

## *Development Services*

**To:** Mayor Cote and Members of Council      **Date:** September 13, 2021

**From:** Emilie K Adin,  
Director of Development Services      **File:** 13.2680.20

**Item #:** 2021-346

**Subject:** Crisis Response Bylaw Amendments

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### **RECOMMENDATION**

***THAT** Council direct staff to bundle development review of several Crisis Response Bylaw Amendments, with the goal of fast-tracking these review processes, and with the intention of better meeting current and near-future funding opportunities;*

***THAT** Council direct staff to draft Crisis Response Bylaw Amendments, including bylaws to enable envisioned projects at 350-366 Fenton Street and 68 Sixth Street, to present for first reading at a future Council meeting;*

***THAT** in regard to the proposed Official Community Plan Amendments, Council:*

- i. Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;*
- ii. Direct staff to advise and consult with:*
  - a. The following nations:*
    - Cowichan Tribes*
    - Halalt First Nation*
    - Hwlitsum First Nation*
    - Katzie First Nation*
    - Kwantlen First Nation*
    - Kwikwetlem First Nation*
    - Lake Cowichan First Nation*

- Lyackson First Nation
- Musqueam Indian Band
- Penelakut Tribe
- Qayqayt First Nation
- Seabird Island Band
- Semiahmoo First Nation
- Squamish Nation
- Sto:lo Nation
- Stz'uminus First Nation
- Tsawwassen First Nation
- Tseil-Waututh Nation;

b. *Ministry of Transportation and Infrastructure;*

c. *the Board of Education of School District 40;*

iii. *Not pursue 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, as none are considered to be affected by this application;*
- c. *any other provincial or federal agency, as none are considered to be affected by this application;*
- d. *Greater Vancouver Sewerage and Drainage District Board; and,*
- e. *Councils of immediately adjacent municipalities;*

***THAT*** Council direct staff to propose for consideration in the 2022 Budget Process a high-level multi-year public policy and engagement project relating to “social benefit land uses.”

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## **PURPOSE**

To provide Council with options for responding to local and regional crises with potential City-wide bylaw amendments. These bylaw amendments would enable urgent housing and time-sensitive crisis services, including two non-market rental housing project opportunities identified at 350–366 Fenton Street and 68 Sixth Street.

## **EXECUTIVE SUMMARY**

The BC government will from time to time declare a state of emergency or a public health emergency across the entire province or in an area of the province. There are also widely recognized crises affecting the Metro Vancouver area, such as the affordable housing crisis, and the extreme weather events that are caused by climate change. In relation to the Affordable Housing Crisis and the Homelessness Crisis, the City is not only working to provide a coordinated response to addressing business and resident complaints related to homelessness, but the City is also working with senior levels of government to develop strategic responses, additional emergency shelter capacity and new supportive and non-market housing opportunities.

There are a number of existing and new funding opportunities by senior levels of government. The tight timelines that need to be achieved to succeed with grant applications reflect the understanding by senior levels of government that the homelessness and affordable housing crises have been exacerbated by the global pandemic. Time is of the essence for both the Province and the Federal Government – as well as for our local residents who are in need of housing and services.

New Westminster and other municipalities in British Columbia have looked to change our zoning bylaws from time to time to respond to urgent needs. In its 2019-2022 Strategic Plan, New Westminster City Council resolved to leverage City resources and to pursue other opportunities to secure development of below- and non-market housing, which is in critical short supply in the city.

As part of the City's Small Sites Affordable Housing Program, there is an opportunity to achieve significant funding for indigenous housing on City-owned lands at 350-366 Fenton Street. Staff advise that there is also an opportunity currently for the City to partner in getting a significant grant with which to provide a supportive housing project on lands at 68 Sixth Street, which are owned by BC Housing. Due to the competitive nature of applying and receiving grant funding, rapid processing of municipal-controlled aspects of projects (e.g. permitting, zoning) is considered essential. In relation to the projects proposed at 350-366 Fenton Street and 68 Sixth Street, it is clear that the public engagement processes for these two projects will need to be abbreviated in order to meet senior government funding deadlines. This is not an ideal approach to engaging with the community about crisis response, nor more generally about land uses that generate social benefit.

Staff have identified a means by which urgent and time-sensitive needs relating to the current pandemic, the recent fires and heat waves, the Provincial Opioid Crisis, and the Regional Homelessness Crisis – and any other future crises – could be met more readily by successful adoption of some general bylaw amendments. The Crisis Response Bylaw Amendments that are being proposed would be limited by the following four criteria:

1. The property/properties must be owned or under long-term lease by the City, by BC Housing, or by another public agency;
2. The project(s) must be government agency funded;
3. The project(s) must be non-profit society or public agency operated; and

4. The project(s) must address needs identified through a BC Public Health Emergency Declaration; or a BC State of Emergency Declaration; or a crisis affecting the Metro Vancouver region that is publicly recognized by multiple member municipalities, including the City of New Westminster.

The Crisis Response Bylaw Amendments being proposed will allow the City to be more nimble in responding to identified crises. Should Council support consideration of Crisis Response Bylaw Amendments in the near-future, staff would return with a proposed schedule of review and engagement events.

The “social benefits land uses” proposed for further exploration in 2022 and beyond would be broader in scope and would include privately owned lands (including projects on lands owned by non-profit societies and faith organizations, even if they are slated to receive senior government funding).

## **BACKGROUND**

In this section of the report, a number of issues and opportunities that inform this work will be explored.

### **Provincial State of Emergency Declarations**

The BC government will from time to time declare a state of emergency across the entire province or in an area of the province. Once a state of emergency has been declared, Provincial and local governments will address the unfolding crisis and try to respond to urgent needs. State of emergency declarations usually relate to a natural disaster such as an earthquake or such as the recent BC wildfires. Note that even when a crisis occurs in a different part of the Province, the effects of the crisis could reach cities as far away as New Westminster. In some cases of rampant wild fires in the interior, for example, air quality in our city could be seriously affected by wildfire smoke. Another good example of a potential State of Emergency Declaration could be the Province instituting a high level response to a future serious heat dome or heat wave event.

### **BC Public Health Emergency Declarations**

Public health emergencies are declared whenever a serious public health emergency is detected by health authorities. Examples include significant outbreaks of infectious disease, such as the recent Public Health Emergency Declaration to address the COVID-19 pandemic, and can include more long-standing but exacerbated crises such as the Opioid Crisis.

### **Regional Crises**

From time to time, there are widely recognized crises affecting the Metro Vancouver area. Regional crises, such as the affordable housing crisis, and the extreme weather events that are caused by climate change, are defined as crises that are recognized by multiple member municipalities, including the City of New Westminster.

## **Homelessness Crisis**

Based on the March 2020 Homeless Count, 41 unsheltered and 82 sheltered homeless people were enumerated in New Westminster, for a total of 123 homeless people. As with all homeless counts, this is likely a significant undercount of the true extent of homelessness. In April 2020, BC Housing conducted a survey of service providers, and based on this survey, it estimated the size of the unsheltered homeless population at about 50 people. Given the ongoing COVID-19 pandemic, local outreach workers have stated that this number is likely significantly higher.

Businesses and residents are increasingly raising concerns about homelessness and other social issues, particularly in the Downtown. These concerns include: individuals sleeping in alcoves and doorways; castoff containers and food resulting from takeaway meals; increasing public drug use and discarded needles and other drug paraphernalia; and the presence of human waste associated with limited access to toilet facilities. Through experience, the City has found that increased enforcement only shifts the issue from one area or neighbourhood to another but does not lead to any real resolution. Additionally, recent court cases and challenges limit the ability of both Police and Bylaw Enforcement to act, particularly with regard to homelessness and other social issues.

In response, the City has established a COVID-19 At-Risk and Vulnerable Populations Task Force, which has realized \$874,323 in foundation and senior government funding to address the basic needs of the unsheltered, and a City of New Westminster Inter-Departmental Working Group on Homelessness, which is providing a coordinated response to addressing business and resident complaints related to homelessness and other social issues. The City is also working with the senior levels of government to develop strategic responses, additional emergency shelter capacity and new supportive and non-market housing, with 52 new supportive housing units potentially available within the next 14 to 18 months.

## **Canada Mortgage and Housing Corporation and Provincial Funding Opportunities**

As part of staff's Inter-Governmental Relations work, advocacy for affordable housing continues to be a priority. Due to the competitive nature of applying and receiving grant funding, advocacy, development of partnerships (including non-profit and senior levels of government) and rapid processing of municipal-controlled aspects of projects (e.g. permitting, zoning) are considered essential. During the scoring of grant submissions, having the right zoning in place, and the City's initial approval on other land use regulatory aspects of a project, would enable the City to achieve a higher score, and does increase the likelihood of receiving a grant.

The tight timelines that need to be achieved to succeed with grant applications reflect the understanding by senior levels of government that the homelessness and affordable housing crises have been exacerbated by the global pandemic. Time is of the essence for both the Province and the Federal Government – as well as for the local residents who are in need of housing and services.



## **Rapid Housing Initiative (Federal)**

The Government of Canada, through Canada Mortgage and Housing Corporation (CMHC), launched the Rapid Housing Initiative (RHI) in October 2020. The initial funding for this initiative was \$1 billion to help address urgent housing needs of vulnerable Canadians, especially in the context of COVID-19, through the rapid construction of affordable housing. The first round of RHI exceeded its initial target of creating up to 3,000 new affordable units and will support the construction of more than 4,700 units across Canada.

The first round of RHI was greatly oversubscribed and the City of New Westminster was advised the federal government needed more time to secure funding for additional much needed projects. Many of the BC projects were also given the same notice.

The Federal Budget 2021 provided an additional investment of \$1.5 billion in new funding for the Rapid Housing Initiative in 2021-22. This new funding will add a minimum of 4,500 new affordable units to Canada's housing supply to address the urgent housing needs of vulnerable Canadians. At least 25 per cent of this funding will go towards women-focused housing projects.

In an effort to meet the housing needs of our most vulnerable populations, the City, in partnership with Vancouver Native Housing Association, has applied under RHI for a project in Queensborough (350-366 Fenton Street). The City anticipates applying, in partnership with BC Housing, for a second project (68 6<sup>th</sup> Street) later in 2021. While the RHI grant has a very aggressive timeframe, with eligible projects having year for completion, up to 100% of project costs can be covered through the grant.

## **Regulatory Context**

When a land use is not explicitly permitted in a zone, a zoning amendment bylaw is required. A zoning amendment bylaw may change the regulations on one property, or throughout one or more zones, or in all areas of the municipality. An example of the latter is how some municipalities have instituted bylaws that allow group child care facilities in all City zones, as long as they can meet certain conditions. As a recent example in New Westminster, many single detached dwelling zones were amended to permit accessory laneway homes and coach houses, without the need for an individual site rezoning application.

Bylaw amendments that specifically respond to urgent needs have previously been adopted by the City of New Westminster. For example, Bylaw No. 6492, 1998, allows transition houses for women and children fleeing abusive situations as an outright permitted use in single detached dwelling zones. This, in response to a widely recognized crisis of gender-based violence, is occurring in many places in the world.

Other municipalities in British Columbia have also looked to change their zoning bylaws to respond to urgent needs. In 2018, the District of Squamish adopted a zoning amendment to permit, in all zones, several crisis response land uses including emergency shelters and supportive housing. In Spring 2021, City of Victoria Council directed their staff to prepare amendments to their Zoning Bylaw to enable rapid deployment of affordable housing in all residential zones across the city, without the need for site-specific rezoning processes.

## Policy Context

A summary of all the City policies that support the recommendations put forward in this report will be provided in a subsequent report to Council.

## DISCUSSION

### **Small Sites Affordable Housing: Program Overview**

As part of its 2019-2022 Strategic Plan, New Westminster City Council resolved to leverage City resources to secure development of below- and non-market housing. This direction was made in response to the housing affordability crisis facing the city and region as a whole. One of the most direct ways that Council can deliver affordable housing options is to identify City-owned sites suitable for housing.

On October 28, 2019 Council directed in principle the use of the City-owned properties at:

- 350 to 362 Fenton Street (located in Queensborough)
- 2035 London Street and 2038 Ninth Avenue (located in Connaught Heights)

On July 12, 2021, Council directed staff not to proceed with the Connaught Heights Small Site Affordable Housing Project at this time due to several key factors that have changed since the launch of the project; namely the current high cost of construction, and the implications of the potential funding timeline on the development review process. The top proponent withdrew their application with similar concerns. Staff continue to monitor the situation with the intent of identifying new opportunities and changing circumstances that may allow for the relaunch of this project.

In January 2020, the City issued a Request for Proposals inviting housing providers to describe how they would develop the Fenton Street sites for affordable housing. Seven proposals were received, with Council endorsing in principle the proposal received from Vancouver Native Housing Society (VNHS). VNHS proposed a three story apartment building designed to appear as attached townhouses, with one level of underground parking. The building included 51 units, with a mix of studio, one-, two- and three-bedroom units. The target population would be low- to moderate-income singles and families with a focus on Indigenous singles and families.

In fall 2020, in light of the findings of a preliminary geotechnical investigation, VNHS and the City made the decision not to move forward with the application in its current form.

### **Proposed Project: 350 - 366 Fenton Street**

In partnership with VNHS, the City has continued work on developing a non-market affordable housing project for indigenous individuals on this site. Based on the new and immediate opportunity for Federal funding provided through the Rapid Housing Initiative Round Two, and updated site information on geotechnical construction technology, a modified project that meets the new program requirements is proposed. The project team

sought the advice of an independent geotechnical engineer, and their review – based on preliminary information – concluded that technical solutions exist that could work to address existing site constraints (namely construction using piles as the building foundation).

The project would be situated on just over four of the 9 City-owned lots along Fenton Street, and include 58-units, 88 beds for indigenous individuals including providing spaces for women and children. Concept drawings for the revised project have been prepared for the grant, which was submitted in August 2021. The concept includes a low-rise apartment building designed to the Flood Construction Level (FCL) necessary for construction in Queensborough, with at-grade parking and three levels of residential above. See Attachment 1 for concept drawings. A central elevator would provide access to all floors and provide accessibility to the units. A mix of apartment sizes are proposed; studios, one, and two-bedroom units. An exterior common corridor is envisioned, which could also accommodate a table and chairs. Other common areas would include a common laundry and green space. The proponent is seeking to design to the Passive House standard and include a geothermal exchange.

The sites are currently zoned “RQ-1 (Single Detached)” and a rezoning to accommodate a multi-unit apartment building form, up to three storeys in height (above the FCL), would be necessary. The proposed development would also require an amendment to the Queensborough Community Plan, which currently designates the site as RL (Residential Low Density), which states that the principle forms and uses are: “Single detached dwellings and duplexes. Single detached dwellings may also include a secondary suite.” A subdivision and consolidation of the sites would also be required.

The existing neighbourhood is typified by single detached dwellings with suites. Further to the South is Ewen Avenue, where a number of services and commercial uses are located. To the North, across Boyd Street, are industrial lands, along the Fraser River and Queensborough Landing shopping centre.

#### Past Consultation on the Project

The City hosted a Virtual Information Session in the summer of 2020 once the Small Sites Affordable Housing Initiative was announced (prior to VNHS being selected as the project operator). The purpose of the event was to provide an overview of the small-sites affordable housing initiative, the evaluation criteria that was developed to review the proposals, and the process to explore affordable housing on the site. A total of 15 community members joined the meeting.

Community consultation process for a previous iteration of the project was launched in fall 2020. The following is a summary of the community and stakeholder consultation that had been completed to date:

- *Residents Association Consultation:* VNHS organized a special meeting with the Queensborough Residents Association executive. Two members attended and provided feedback on the project.

- *Stakeholder Consultation:* Due to the required Official Community Plan (OCP) amendment, all First Nations with an interest in New Westminster, the Ministry of Transportation and Infrastructure, and the School District were identified as stakeholders and were invited to provide feedback on the proposal. At that time, support was received from Cowichan Tribes and Tsleil-Waututh Nations. Tsleil-Waututh Nations also noted the possibility of archaeological deposits on the site and requested that the proponent follow archaeological and environmental best management practices, which VNHS had committed to doing.
- *Project Webpage:* Both the City and the applicant launched project webpages with details about the application. The City's webpage notes the consultation events have been postponed.

### **Proposed Project: 68 Sixth Street**

A supportive housing project is being explored by the City and BC Housing, with the intention to submit a grant application in 2021 to CMHC's third round of Rapid Housing Initiative. The project site includes 68 Sixth Street (owned by BC Housing) and 60 Sixth Street, which is a small strip of land the City owns adjacent to 68 Sixth Street. The concept includes a four storey modular building that BC Housing is repurposing from a project that did not proceed. The project would provide 52 supportive housing units along with limited exterior programming space (e.g. a gazebo for residents to smoke). BC Housing anticipates having two on-site staff for the project, as well as other building support staff as needed (e.g. cook, cleaners). Very limited, if any, parking would be able to be accommodated on-site.

The project would require a site consolidation, rezoning and OCP amendment. 68 Sixth Street is currently zoned Commercial (C-4) and designated Mixed Use High Density in the Downtown Community Plan, which includes "mixed-use (commercial and/or residential) throughout Downtown, outside of Columbia Historic Mixed-Use, retail, office, service or residential and any combination of the above (can be one use or multiple uses)". As commercial uses cannot be accommodated within the modular building and the limited site size, an OCP amendment to permit non-commercial uses at grade would be required.

The site is located along Sixth Street, which is a Great Street identified in the Master Transportation Plan and OCP. Immediately adjacent to the west is a four storey, 33 unit residential and commercial building, and to the south is a two storey car service shop. To the north, across the Agnes Street greenway, is a four storey commercial building with retail at grade and offices above. Across Sixth Street to the east are two storey commercial buildings.

### **General Crisis Response Bylaw Amendments**

Should Council support rapid processing of zoning bylaw and OCP amendments to enable the indigenous housing project proposed at 350 Fenton Street and the supportive housing project proposed at 68 Sixth Street, it is clear that the public engagement processes for

these two projects will need to be abbreviated in order to meet senior government funding deadlines. This is not an ideal approach to engaging with the community about crisis response, nor more generally about land uses that generate social benefit.

What follows are some examples of how current land uses as set out in the Zoning Bylaw could stymie urgent response to Provincial and regional emergencies:

- Should the City or a public agency need to situate a cooling centre due to a heat wave, or an air centre due to extreme wildfire smoke, in a commercial building where institutional uses are not permitted;
- Should the Province need to create a rapid testing or vaccination clinic or emergency care beds by repurposing an industrial warehouse;
- Should a business need to relocate its sale of basic goods and groceries to an institutional or residential property so as to continue sales on an emergency basis, after the properly zoned grocery store has been compromised by an earthquake.

In any of the cases outlined above, there would not be sufficient time to pursue a site-specific zoning or even a temporary use permit to allow for these land uses.

Given the importance of land uses that generate significant public benefit, Council may wish to direct staff to propose for consideration in the 2022 Budget Process a high-level multi-year public policy and engagement project relating to “social benefit land uses.”

However, there are time-sensitive social, physical and health needs that may need to be addressed in the interim. Staff have identified a means by which urgent and time-sensitive needs relating to the current pandemic, the recent fires and heat waves, the Provincial Opioid Crisis, and the Regional Homelessness Crisis – and any other future crises – could be met more readily by successful adoption of some general bylaw amendments.

Given the enabling policy set out in the City’s Official Community Plan, the priorities laid out in the Strategic Plan, the recently completed Housing Needs Assessment, and the data that has been presented to Council in a report titled, “Homelessness Action Strategy: Workplan and Timeframe” and dated September 13, 2021, staff advise that Council give consideration to bylaws that will enable rapid response crisis services and rapid deployment of affordable housing going forward.

Crisis Response Bylaw Amendments are proposed to be narrower in scope than the bylaw amendments that might be considered in future to permit a broader range of projects that generate public benefit. In the shorter term, what is being proposed are City-wide amendments to the Official Community Plan and zoning bylaw that would allow projects and uses proposed in direct response to an identified crisis to proceed more rapidly. The amendments would be limited by the following four criteria:

1. The property/properties must be owned or under long-term lease by the City, by BC Housing, or by another public agency;
2. The project(s) must be government agency funded;
3. The project(s) must be non-profit society or public agency operated; and

4. The project(s) must address needs identified through a BC Public Health Emergency Declaration; or a BC State of Emergency Declaration; or a crisis affecting the Metro Vancouver region that is publicly recognized by multiple member municipalities, including the City of New Westminster.

The Crisis Response Bylaw Amendments being proposed will allow the City to be more nimble in responding to identified crises. The “s land uses” proposed for further exploration in 2022 would be broader in scope and include privately owned lands (including projects on lands owned by non-profit societies and faith organizations, even if they are slated to receive senior government funding).

Should Council support OCP and Zoning Bylaw amendments to better allow Crisis Response Land Uses to proceed more rapidly, the bylaws would not only apply to projects fitting all four of the criteria laid out above, but they would also be subject to further Council approval. As the property owner, the City would still have the authority to approve and proceed with the proposed land use, including setting any appropriate conditions on the use (e.g. duration of the use).

## **NEXT STEPS**

### **Crisis Response Bylaw Amendments Review and Engagement**

On June 21, 2021, Council approved an update to the Development Review Process which put emphasis on increased, earlier public consultation, including both City-led public consultation and applicant-led consultation. While some timing efficiencies have been achieved in recent development review process updates, and despite the City’s commitment to increased, earlier public consultation, the Crisis Response Bylaw Amendments outlined above will need to be processed in an expedited manner.

Should Council support consideration of Crisis Response Bylaw Amendments in the near-future, staff would return with a proposed schedule of review and engagement events.

Initial staff planning suggests that several information and feedback sessions would be scheduled and broadly advertised, with the goal of offering residents multiple opportunities to learn more about and ask questions on the proposed City-wide zoning and OCP bylaw amendments that would allow for crisis-response projects on government-owned land, as well as the two specific proposed projects at 350-366 Fenton and 68 Sixth. The Be Heard New West platform would also be used to share information with and collect feedback from residents.

### **Official Community Plan Consultation Requirements**

Sections 475 and 476 of the *Local Government Act* identifies specific requirements for consultation that must occur prior to final consideration of an Official Community Plan (OCP) Amendment. The Act requires local government to provide one or more opportunities it considers appropriate for consultation with the organizations and authorities it considers will be affected by the proposed OCP Amendment. Staff has provided a recommendation for Council’s consideration for each of the identified groups:

a) The Board of the Regional District in which the area covered by the OCP is located.  
Consultation with Metro Vancouver is not recommended given the proposed OCP amendment does not seek to address lands owned by the Regional District.

b) The board of any regional district that is adjacent to the area covered by the plan  
Consultation with other Regional Districts is not recommended as the proposed amendment is not considered to affect adjacent Regional Districts.

c) The Council of any municipality that is adjacent to the area covered by the plan.  
Consultation is not recommended as the proposal is not considered to have any negative impact on adjacent municipalities.

d) First Nations

The City is currently in the process of establishing strategies to guide the City in the operationalization of Truth and Reconciliation efforts. These strategies will address how the City undertakes consultations with First Nations in regard to Official Community Plan Amendments, as well as other planning notifications. Until such time as this work is in place and adopted by Council, staff recommends consultation with the following nations which have been identified in the past by the City:

- Cowichan Tribes
- Halalt First Nation
- Hwlitsum First Nation
- Katzie First Nation
- Kwantlen First Nation
- Kwikwetlem First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Musqueam Indian Band
- Penelakut Tribe
- Qayqayt First Nation
- Seabird Island Band
- Semiahmoo First Nation
- Squamish Nation
- Sto:lo Nation
- Stz'uminus First Nation
- Tsawwassen First Nation
- Tsleil-Waututh Nation

e) Greater Boards and Improvement Boards.

The Greater Vancouver Sewer and Drainage District Board oversee operation of regional utilities in New Westminster. Consultation is not recommended given the proposed OCP amendment is not considered to affect this Board.

f) The Provincial and Federal governments and their agencies.

Consultation with the Ministry of Highways and Infrastructure is recommended since this Ministry has jurisdiction over lands within New Westminster, including the controlled access highways (e.g. Queensborough Bridge).

Consultation with other Provincial and Federal government agencies is not recommended as the proposed OCP Amendment is not considered to affect other agencies.

g) Board of Education and School District No. 40

Consultation is required with the Board of Education of School District No. 40.

Staff will seek input from the parties by sending a letter requesting written comments or inviting participation on public consultation events.

### **FINANCIAL IMPLICATIONS**

The City worked with VNHS to develop a new concept plan for the project at 350 - 366 Fenton Street. The grant submission was for approximately \$32,000,000 which is anticipated to be 100% of the capital required for this project. While the City will be the recipient of the funding, these dollars will largely flow through to VNHS to execute the development of the project. If the City is successful in the grant application, the majority of municipal costs associated with this project will be recovered. Some fees waived such as Development Cost Charges will require an alternate funding source.

Staff from BC Housing and the City are currently working through the project concept development for 68 Sixth Street and anticipate having an approximate project value in October – November 2021.

For both of these projects, the City and our partners (VNHS and BC Housing) are relying on senior government funding to enable the development of these housing units; the City cannot afford these projects without significant funding assistance. As a result, there is an expectation from senior government that the City will expedite processing of municipal bylaw amendments and permitting.

### **INTERDEPARTMENTAL LIAISON**

Staff working on the Affordable Housing Portfolio is comprised of staff from Parks and Recreation, Finance, Engineering Services, Electrical, Development Services, Mayor's Office and Office of the CAO. Policy and projects are also reviewed by staff in the Staff Committee of Affordable Housing, Senior Management Team and Child Care and Affordable Housing Task Force.



## **OPTIONS**

The following options are presented for Council's consideration:

1. That Council direct staff to follow standard development review procedures for the crisis response projects and processes outlined in the subject report.
2. That Council direct staff to bundle development review of several Crisis Response Bylaw Amendments, with the goal of fast-tracking these review processes, and with the intention of better meeting current and near-future funding opportunities.
3. That Council direct staff to draft Crisis Response Bylaw Amendments, including bylaws to enable envisioned projects at 68 Sixth Street and 350 Fenton Street, to present for first reading at a future Council meeting.
4. That in regard to the proposed Official Community Plan Amendments, Council:
  - i. Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;
  - ii. Direct staff to advise and consult with:
    - a. The following nations:
      - Cowichan Tribes
      - Halalt First Nation
      - Hwlitsum First Nation
      - Katzie First Nation
      - Kwantlen First Nation
      - Kwikwetlem First Nation
      - Lake Cowichan First Nation
      - Lyackson First Nation
      - Musqueam Indian Band
      - Penelakut Tribe
      - Qayqayt First Nation
      - Seabird Island Band
      - Semiahmoo First Nation
      - Squamish Nation
      - Sto:lo Nation
      - Stz'uminus First Nation
      - Tsawwassen First Nation
      - Tseil-Waututh Nation;
    - b. Ministry of Transportation and Infrastructure;
    - c. the Board of Education of School District 40;

- iii. Not pursue 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, as none are considered to be affected by this application;
  - c. any other provincial or federal agency, as none are considered to be affected by this application;
  - d. Greater Vancouver Sewerage and Drainage District Board; and,
  - e. Councils of immediately adjacent municipalities.
5. That Council Direct staff to propose for consideration in the 2022 Budget Process a high-level multi-year public policy and engagement project relating to “social benefit land uses.”
6. That Council provide staff with alternative direction.

Staff recommends Options 2, 3, 4 and 5.

## **ATTACHMENTS**

Attachment 1 – 350 Fenton Street Concept Drawings

## **APPROVALS**

This report was prepared by:  
Emilie K. Adin, Director of Development Services

This report was reviewed by:  
Carolyn Armanini, Planner  
Lynn Roxburgh, Acting Supervisor of Land Use Planning and Climate Action  
Claudia Freire, Housing/Social Planner  
Rupinder Basi, Supervisor of Development Planning  
Jennifer Miller, Manager of Public Engagement  
Blair Fryer, Manger Communications and Economic Development

This report was approved by:  
Emilie K. Adin, Director of Development Services  
Lisa Spitale, Chief Administrative Officer

Attachment 1  
*Concept Drawings*

# Fenton Affordable Housing Project



NOTES



REVISIONS

No.	Date	Description



FENTON ST.

350-362 FENTON ST

FEASIBILITY STUDY

SITE PLAN

DATE 8/11/2021 7:56:45 PM  
DRAWN BY Author  
CHECKED BY Checker  
SCALE 1" = 20'-0"  
JOB NUMBER 20009

A-1.00

NOTES



REVISIONS

No.	Date	Description

TOTAL AREA  
 GROUND LEVEL - 14,136 SF  
 LEVEL 1 - 18,896 SF  
 LEVEL 2 - 18,896 SF  
 LEVEL 3 - 18,896 SF

**TOTAL GROSS AREA: 70,824 SF**

TOTAL UNIT COUNT  
 GROUND LEVEL - 0  
 LEVEL 1 - 18  
 LEVEL 2 - 20  
 LEVEL 3 - 20

**TOTAL UNITS: 58**

TOTAL UNIT BREAKDOWN  
 STUDIO - 12 - 21%  
 1 BED - 16 - 28%  
 2 BED - 30 - 51%

PARKING STALLS: 43



L0  
 3/32" = 1'-0"

350-362 FENTON ST

FEASIBILITY STUDY

P1

DATE 8/11/2021 7:56:46 PM  
 DRAWN BY  
 CHECKED BY  
 SCALE 3/32" = 1'-0"  
 JOB NUMBER 20009

A-1.01



TOTAL AREA  
 GROUND LEVEL- 14,136 SF  
 LEVEL 1- 18,896 SF  
 LEVEL 2- 18,896 SF  
 LEVEL 3- 18,896 SF

**TOTAL GROSS AREA: 70,824 SF**

TOTAL UNIT COUNT  
 GROUND LEVEL- 0  
 LEVEL 1- 18  
 LEVEL 2- 20  
 LEVEL 3- 20

**TOTAL UNITS: 58**

TOTAL UNIT BREAKDOWN  
 STUDIO- 12 - 21%  
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 2 BED - 30 - 51%

PARKING STALLS: 43



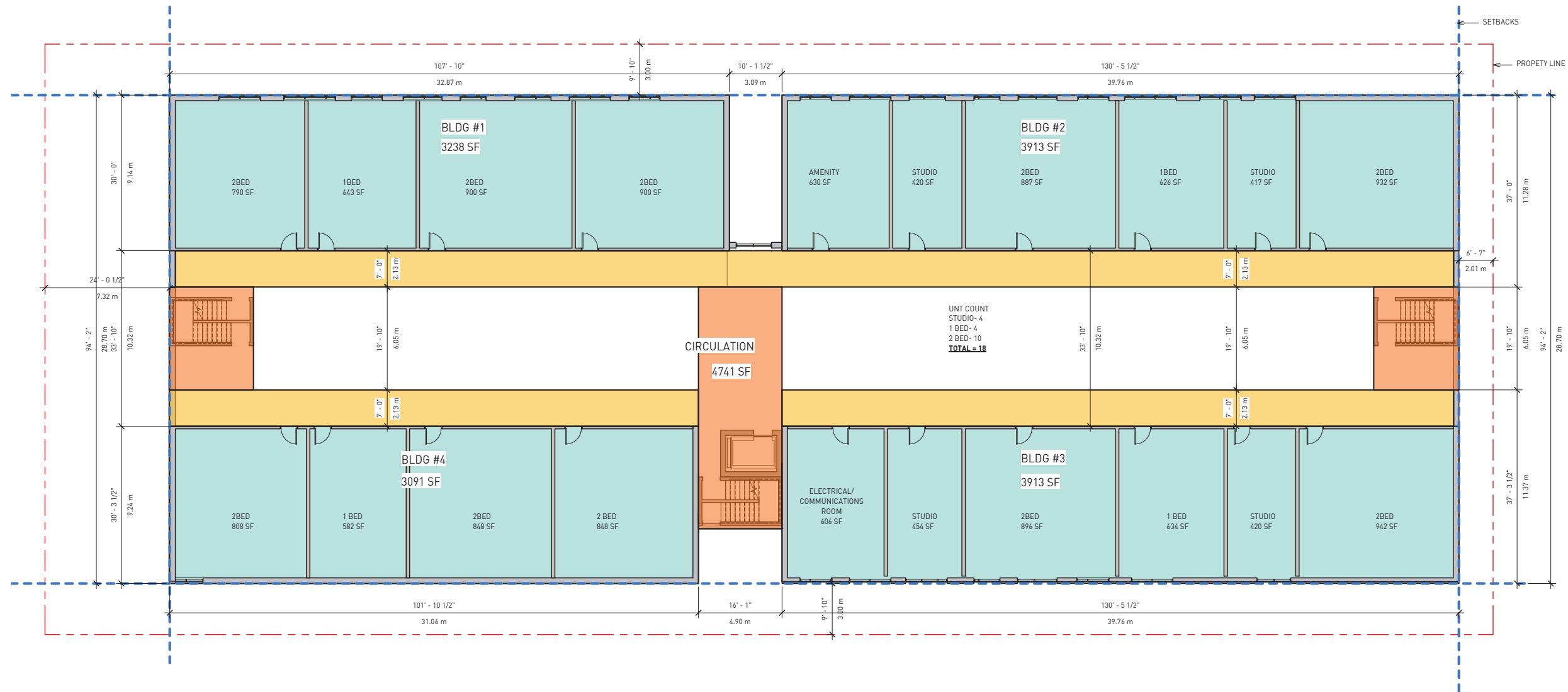
GBL ARCHITECTS INC.  
 300-224 WEST 8TH AVENUE  
 VANCOUVER, BC CANADA V6Y 1N5  
 TEL: 604 736 1156  
 FAX: 604 731 5279

NOTES



REVISIONS

No.	Date	Description



L1 Copy 1  
 3/32" = 1'-0"

350-362 FENTON ST

FEASIBILITY STUDY

LEVEL 1

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 CHECKED BY: AB  
 SCALE: 3/32" = 1'-0"  
 JOB NUMBER: 20009

A-1.02



TOTAL AREA  
 GROUND LEVEL- 14,136 SF  
 LEVEL 1- 18,896 SF  
 LEVEL 2- 18,896 SF  
 LEVEL 3- 18,896 SF

**TOTAL GROSS AREA: 70,824 SF**

TOTAL UNIT COUNT  
 GROUND LEVEL- 0  
 LEVEL 1- 18  
 LEVEL 2- 20  
 LEVEL 3- 20

**TOTAL UNITS: 58**

TOTAL UNIT BREAKDOWN  
 STUDIO- 12 - 21%  
 1 BED - 16 - 28%  
 2 BED - 30 - 51%

PARKING STALLS: 43



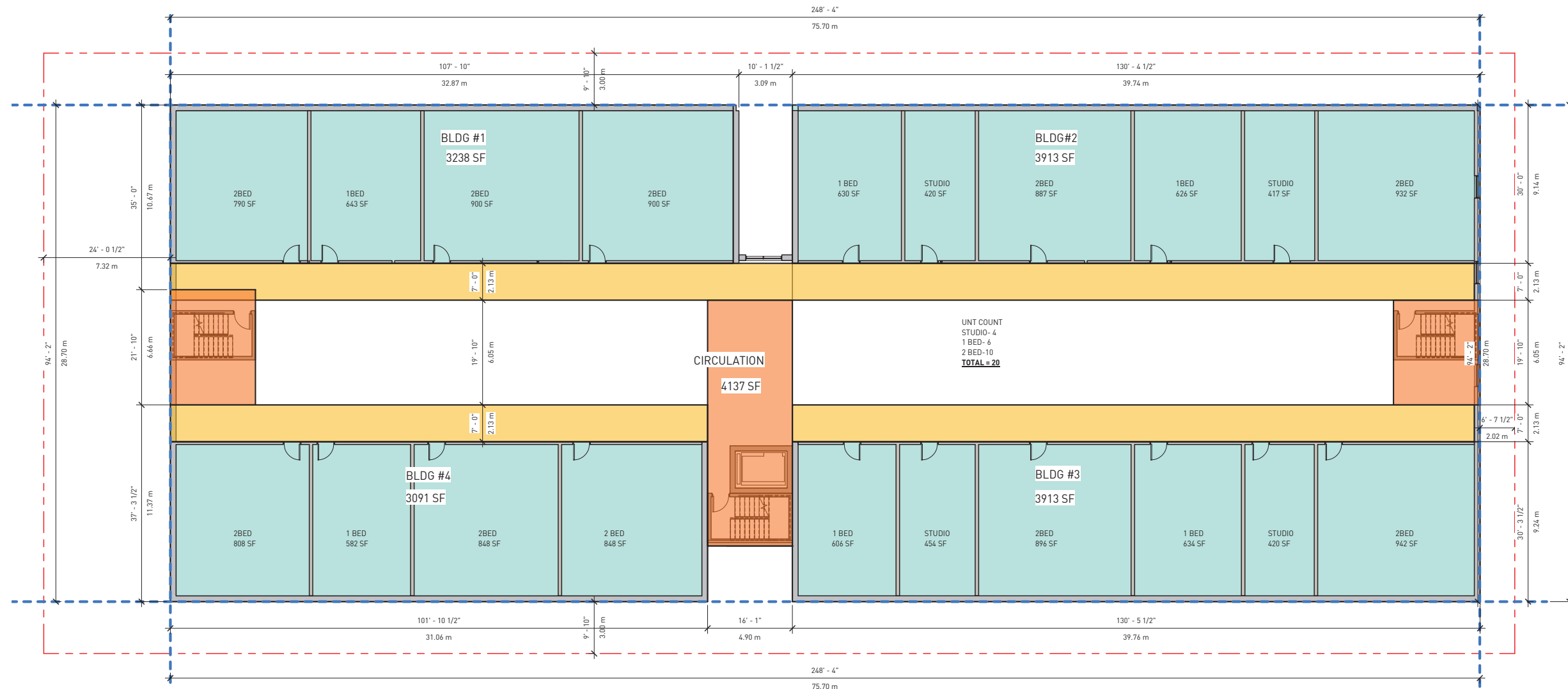
GBL ARCHITECTS INC.  
 300-224 WEST 8TH AVENUE  
 VANCOUVER, BC CANADA V6Y 1N5  
 TEL. 604 736 1156  
 FAX 604 731 5279

NOTES



REVISIONS

No.	Date	Description



L2  
 3/32" = 1'-0"

350-362 FENTON ST

FEASIBILITY STUDY

LEVEL 2

DATE 8/11/2021 7:56:46 PM  
 DRAWN BY  
 CHECKED BY  
 SCALE 3/32" = 1'-0"  
 JOB NUMBER 20009

A-1.03





TOTAL AREA  
 GROUND LEVEL- 14,136 SF  
 LEVEL 1- 18,896 SF  
 LEVEL 2- 18,896 SF  
 LEVEL 3- 18,896 SF

**TOTAL GROSS AREA: 70,824 SF**

TOTAL UNIT COUNT  
 GROUND LEVEL- 0  
 LEVEL 1- 18  
 LEVEL 2- 20  
 LEVEL 3- 20

**TOTAL UNITS: 58**

TOTAL UNIT BREAKDOWN  
 STUDIO- 12 - 21%  
 1 BED - 16 - 28%  
 2 BED - 30 - 51%

PARKING STALLS: 43



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NOTES



REVISIONS

No.	Date	Description



L3

3/32" = 1'-0"

350-362 FENTON ST

FEASIBILITY STUDY

LEVEL 3

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 CHECKED BY: Checker  
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JOB NUMBER: 20009

A-1.04



## Appendix B

*Staff Presentation to Council September 13, 2021*



# Preliminary Report and Presentation: Crisis Response Bylaw Amendments



NEW WESTMINSTER

September 13, 2021

# Presentation Outline

Background / Context

Existing Opportunity to be Responsive: 350-366 Fenton

New Opportunity to be Responsive: 68 Sixth Street

Preparing for Future Opportunities to be Responsive

Next Steps



## Background

Provincial State of Emergency Declarations  
BC Public Health Emergency Declarations  
Regional Crises such as Homelessness Crisis

CMHC and Provincial Funding Opportunities  
Rapid Housing Initiative

2019 – 2022 Strategic Plan  
Regulatory Context

# Small Sites Affordable Housing Program

October 2019 Council support in principle for use of following sites

- 350 to 362 Fenton St. (Queensborough)
- 2035 London & 2038 Ninth (Connaught Heights)

Connaught Heights site subsequently excluded (July 2021)

## 350-366 Fenton Street

Indigenous Housing  
Vancouver Native Housing Society  
City-Owned Land  
CMHC Funding - Capital  
BC Housing - Operating





**gbl**

1000 WEST 10TH AVENUE  
 SUITE 1000  
 DENVER, CO 80202  
 TEL: 303.733.1111  
 FAX: 303.733.1112  
 WWW.GBLINC.COM


**MAKOLA DEVELOPMENT SERVICES**



PROJECT:  
 DATE:

**FENTON ST.**

350-362 FENTON ST

FEASIBILITY STUDY

SITE PLAN

DATE: 2009  
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 CHECKED BY: [Name]  
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A-1.00

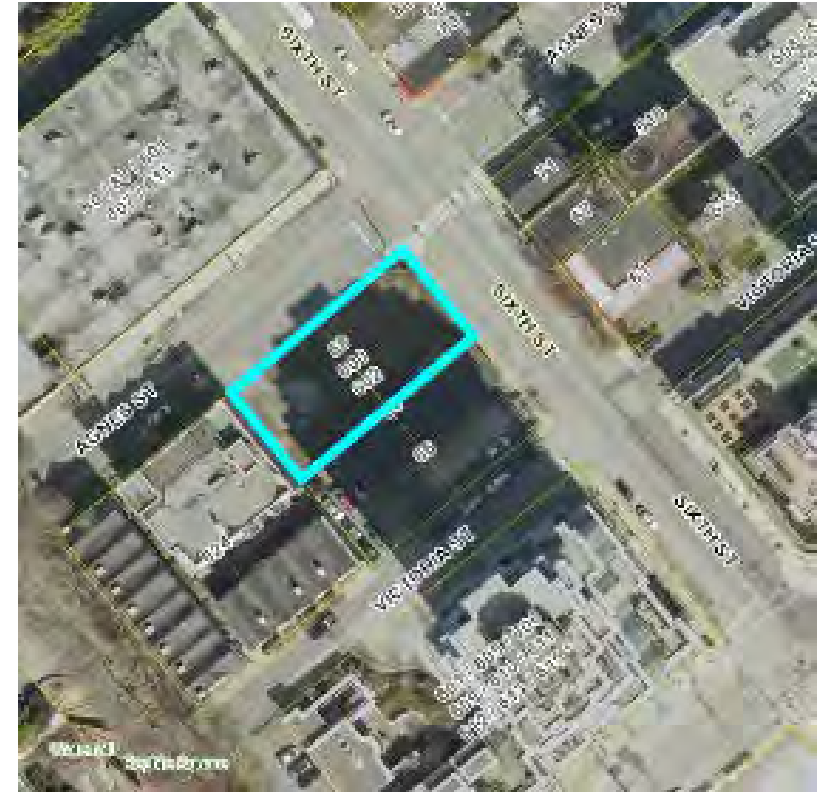
# New Opportunity for Crisis Response Project

68 Sixth Street

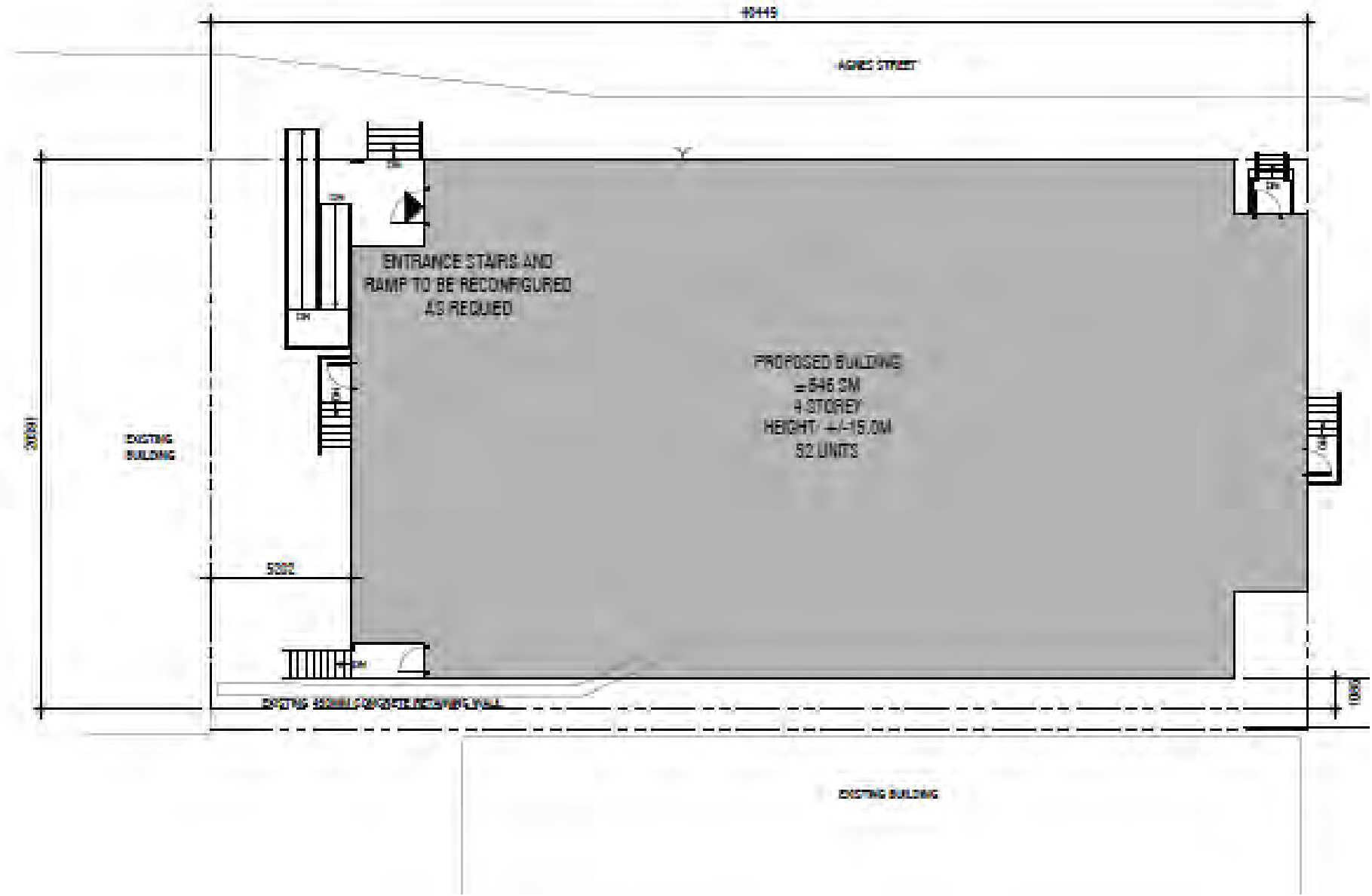
Partnership between City  
and BC Housing  
Supportive Housing  
(On-Site Staff)  
Repurposed Modular Building

Provincially Owned Land

CMHC Funding Sought  
Tight Timelines (anticipated application in 2021)







# To Address Future Opportunities: Crisis Response Bylaw Amendments

Responding to time-sensitive social, physical and health needs

Related to addressing urgent crises:

- **Provincial emergency declarations** (Pandemic, Fire, Flood, Heat Wave, Opioid Overdose Emergency, etc.)
- **Regionally Recognized Crises** (Extreme Weather Events, Homelessness Crisis)

Additional conditions/criteria



# Additional Criteria for permitted projects under the proposed Crisis Response Bylaw Amendments

1. Must be government-owned or under long-term lease;
2. Must be government agency funded; and
3. Must be operated by registered non-profit society or public agency.

All projects would also be subject to Council approval, controls and conditions.

# What about “Social Benefit Land Uses” that don’t meet those criteria?

- Broad multi-year public policy and engagement project is proposed
- Examining land uses that generate significant public benefit
- Recommendation to refer to the 2022 Budget Review Process

## Next Steps

Preliminary Report to Council (*we are here*)

Agency Referrals

Initial Bylaw Reading(s) and Engagement Plan Approval

Advisory Planning Commission

Public Engagement Events

Report of Public Feedback to Council

Public Hearing