REGULAR MEETING OF
CITY COUNCIL

Notice is hereby given of the following Regular Meeting of Council:
January 13, 2020 at 2:00 p.m.
With immediate adjournment to Closed Meeting
Regular Council reconvenes at 6:00 p.m.
Council Chamber
City Hall

AGENDA

Call to order.

REMOVAL OF ITEMS FROM THE CONSENT AGENDA

1.  **MOTION** to remove items from the Consent Agenda.

EXCLUSION OF THE PUBLIC

2.  **MOTION:**
    
    THAT pursuant to Section 90 of the Community Charter, members of the public be excluded from the Closed Meeting of Council immediately following the Regular Meeting of Council on the basis that the subject matter of all agenda items to be considered relate to matters listed under Sections 90(1)(a), 90(1)(g), 90(1)(i), 90(1)(k) and 90(2)(b) of the Community Charter:
(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;

(g) litigation or potential litigation affecting the municipality;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(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;

Purpose of the meeting:
Personal, property, legal and negotiations matters

ADJOURNMENT

3. **MOTION** to adjourn the Council Meeting in open session and proceed to Closed Session.

RECONVENE TO REGULAR COUNCIL

4. **MOTION** to reconvene to the Regular Meeting of Council at 6:00 p.m. in the Council Chamber.

REVIEW AND ADOPTION OF CONSENT AGENDA

5. The Consent Agenda - Council members may adopt in one motion all recommendations appearing on the Consent Agenda or, prior to the vote, request an item be removed from the Consent Agenda for debate or discussion, voting in opposition to a recommendation, or declaring a conflict of interest with an item.

**REVIEW** of items previously removed from the Consent Agenda.
REQUEST for any additional items to be removed from the Consent Agenda.

MOTION to remove additional items from the Consent Agenda (if applicable).

MOTION to approve the recommendations for items remaining in the Consent Agenda.

ADDITIONS TO THE AGENDA
Urgent/time sensitive matters only

6. MOTION to Add or Delete Items from the Agenda.

MOTION to receive all On Table material as presented to Council.

UNFINISHED BUSINESS

7. No Items

CONSENT AGENDA

Proclamations

8. Bhai Mewa Singh Day, January 11, 2020

City Clerk

9. Minutes for Adoption
   a. May 6, 2019 International Relations Task Force
   b. December 9, 2019 Open Workshop
   c. December 9, 2019 Regular

Director of Development Services

10. 263 Jardine Street: Temporary Protection Order Update


Director of Engineering Services

12. Zoning Bylaw Work Program to Address Sustainable Transportation and Accessibility Objectives
Director of Parks and Recreation

13. Child Protection Policy and Procedures

Correspondence

14. Motion to receive the following correspondence:
   a. Metro Vancouver letter dated November 28, 2019 regarding Amending Metro Vancouver 2040: Shaping our Future to Align with the IPCC Special Report on Global Warming of 1.5° C – Bylaw No. 1295, 2019

ITEMS REMOVED FROM THE CONSENT AGENDA

OPPORTUNITY TO BE HEARD AND ISSUANCE OF DEVELOPMENT VARIANCE PERMITS

7:00 PM

15. Development Variance Permit DVP00672 for 312 Fifth Street

Required notification has been completed.

Attachments:
   i. Copy of Development Variance Permit notice
   ii. Director of Development Services’ report dated December 9, 2019

   a. Motion to receive the following correspondence concerning this application:

   

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<thead>
<tr>
<th>Written Submissions</th>
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<td>Name</td>
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<td>N. and H. Shaw</td>
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   b. Statement concerning the number of written submissions received (City Clerk)

   c. Invitation to those present to address the application

   d. Motion to approve/reject issuance of Development Variance Permit No. DVP00672.
PRESENTATIONS AND DELEGATIONS

16. Relocation of Recycling Depot Services – Public Information Update  Director of Engineering Services
   a. Presentation
   b. Report

17. Open Delegations
   a. 2020 Capital Budget
   b. Other Matters of Community Interest

BYLAWS

18. Building Bylaw Amendment Bylaw No. 8161, 2020  THREE READINGS

19. Development Services Fees and Rates Amendment Bylaw No. 8177, 2020  THREE READINGS

20. Bylaws for adoption:
   a. Sign Bylaw Amendment Bylaw No. 8132, 2019  ADOPTION
   b. Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019  ADOPTION
   c. Heritage Revitalization Agreement (647 Ewen) Bylaw No. 8068, 2019  ADOPTION
   d. Heritage Designation Bylaw (647 Ewen Avenue) No. 8069, 2019  ADOPTION

NEW BUSINESS

21. Motion: A Welcoming and Inclusive City, Councillor Nakagawa

   WHEREAS The City of New Westminster’s vision is “A vibrant, compassionate, sustainable city that includes everyone”;
AND WHEREAS the City’s core values state that “We place high value on the principles of equality and equity and strive to build an environment where everyone is included, valued, and treated with dignity and respect”;

AND WHEREAS City meetings and events provide opportunities to create a welcoming and inclusive environment;

THEREFORE BE IT RESOLVED that staff report back to council on opportunities to make the city more welcoming and inclusive including, but not limited to how the City can:

• Create accessibility descriptions for all civic facilities;
• Ensure that council chambers meets the needs for people with disabilities and provides options so they can choose seating and space that meets their needs;
• Create dedicated space in council chambers for families with young children including toys and areas for children to move around;
• Offer childminding services so parents and caregivers can attend council meetings, public consultation events, and serve on civic committees;
• Take council meetings into the community in various neighbourhoods throughout the year and at times that may allow members of our diverse community to attend and take part;
• Offer access to translation services by request for city meetings and public hearings;
• Offer closed captioning in-chamber and for live-streamed council meetings;
• Make council agendas easier to read;
• Provide a Council Meeting 101 type workshop for the public;
• Create an engagement hub at our libraries;
• Create gender inclusive washrooms for all existing single stall washrooms in civic facilities;
• Create an acronym key for all city documents including council packages;
• Offer the opportunity to accept video submissions for public hearing or delegations;
• Audit what accessibility standards are met on the City’s website;
• Provide staff training on how to create welcoming and inclusive spaces;
• Utilize more inclusive language during council meetings;

AND BE IT FURTHER RESOLVED that City committees be consulted on further ideas and recommendations for inclusion;

AND BE IT FURTHER RESOLVED that the public be engaged on ways to make the city more welcoming.
ANNOUNCEMENTS FROM MEMBERS OF COUNCIL

NEXT MEETING

January 27, 2020

An Open Council Workshop will be held which begins at 12:00 p.m. Following that, a Regular meeting will convene at 2:00 p.m. and immediately adjourn to a Closed meeting. The Regular meeting will reconvene at 6:00 p.m. and be followed by a Public Hearing at 7 p.m. Following the Public Hearing, the Regular meeting will reconvene to consider the business conducted at the Public Hearing. All meetings will be held in the Council Chamber on the 2nd Floor at City Hall.

Public Hearing

- Official Community Plan Amendment Bylaw No. 8151, 2019
- Zoning Amendment (Rezone Three Non-Conforming Properties to Duplex Districts (RT-1)) Bylaw No. 8175, 2019
- Zoning Text Amendment Bylaw (230 Keary Street, 268 Nelson’s Court and 228 Nelson’s Crescent (Brewery District)) No. 8164, 2019

ADJOURNMENT
There is no Report with this Item. Please see Attachment(s).
INTERNATIONAL RELATIONS
TASK FORCE

Monday, May 6, 2019, 4:00 p.m.
City Clerk’s Office, City Hall

MINUTES

MEMBERS PRESENT:
Councillor Chuck Puchmayr - Chair
Councillor Chinu Das - Council Member Representative
Jacque Killawee - City Clerk
Blair Fryer - Manager of Communications and Economic Development

MEMBERS REGrets:
Lisa Spitale - Chief Administrative Officer

STAFF PRESENT:
Rob McCullough - Manager of Museums & Heritage Services
Heather Corbett - Committee Clerk

The meeting was called to order at 3:41 p.m.

1.0 ADDITIONS TO AGENDA

MOVED and SECONDED
 THAT the May 6, 2019 agenda be adopted, as circulated.
CARRIED.

All members of the Task Force present voted in favour of the motion.

2.0 ADOPTION OF MINUTES

2.1 Adoption of Minutes of July 9, 2018

MOVED and SECONDED
 THAT the minutes of the July 9, 2018 meeting be adopted, as circulated.
CARRIED.

All members of the Task Force present voted in favour of the motion.
2.2 Adoption of Minutes of January 28, 2019

MOVED and SECONDED

_THAT the minutes of the January 28, 2019 meeting be adopted, as circulated._

CARRIED.

All members of the Task Force present voted in favour of the motion.

3.0 PRESENTATIONS

There were no items.

4.0 UNFINISHED BUSINESS

4.1 Update on Lijiang, China Student Visit

Councillor Puchmayr discussed the status of the Lijiang, China student program, noting the following:

- Lorrie Williams recently emailed the contact in China and suggested the process of conducting the interview process remotely; and,
- The program is currently awaiting clarification on whether the school in China would like to participate this year.

4.2 Standing Item: Status of Sister City relationship with the Tšilhqot’in Nation

Councillor Puchmayr reported on a meeting held recently with the six Chiefs of the Tšilhqot’in Nation, noting that the Judge Begbie statue had been discussed.

The Committee noted that discussion with the Tsilhqot’in on the subject of the statue should continue, as well as wider consultation with the community.

4.3 July 18, 2019 Event Memorializing the Chiefs of Tšilhqot’in Nation

The Committee discussed the logistics, agenda and budget of the July 18, 2019 event to commemorate the Chief of the Tšilhqot’in Nation, noting that there was much interest in the event.

Committee members noted that protocol between the City and the Tšilhqot’in, in regards to invitations and other First Nations, would need to be considered.

MOVED and SECONDED

_THAT the International Relations Task Force recommend that Council approve a budget of $6000 for the event Memorializing the Chiefs of Tšilhqot’in Nation._

CARRIED.

All members of the Task Force present voted in favour of the motion.
4.5 Revision of IRTF Terms of Reference

The Committee discussed the International Relations Task Force Terms of Reference, noting that further discussion was needed in terms of the future of the Task Force and the programs with the Sister Cities, as well as the benefits to the wider community.

MOVED and SECONDED

*THAT the International Relations Task Force refer the Terms of Reference to Council and recommend that the future of the Task Force be discussed in open in workshop format.*

CARRIED.

All members of the Task Force present voted in favour of the motion.

5.0 REPORTS AND INFORMATION

There were no items.

6.0 CORRESPONDENCE FOR ACTION

6.1 Invitation received from Huang Lijian, Director, Yunfu Foreign Affairs Bureau re Delegation to Yunfu International Stone Material & Technology Fair

MOVED and SECONDED

*THAT the correspondence from Yunfu be received and regrets sent in regards to the Stone Fair.*

CARRIED.

All members of the Task Force present voted in favour of the motion.

7.0 NEW BUSINESS

7.1 Budget for Relationship Building with Tšilhqot’in Nation

The Committee discussed the budget required to travel to visit with the Tšilhqot’in Nation, noting that the costs are approximately $1000 for one person’s travel.

MOVED and SECONDED

*THAT the International Relations Task Force recommend that Council approve a budget of $6000 for Relationship Building with the Tšilhqot’in Nation.*

CARRIED.

All members of the Task Force present voted in favour of the motion.
8.0 NEXT MEETING

Next meeting is to be determined

9.0 ADJOURNMENT

ON MOTION, the meeting was adjourned at 4:15 p.m.

Certified Correct,

Councillor Chuck Puchmayr
Chair

Heather Corbett
Committee Clerk
There is no Report with this Item.
Please see Attachment(s).
The meeting was called to order at 1:06 p.m.

PROJECTIONS

1. Inclusionary Housing Policy
   a. Presentation

Ms. Emilie Adin Director Development Services and Ms. Claudia Freire, Housing and Social Planner, provided Council with a presentation and sought Council's feedback and endorsement of the proposed Inclusionary Housing policy. Ms. Freire reviewed previous...
Council direction from 2018 onwards and provided an overview of consultation and work done. She advised that there was a typographical error in the dates of the survey in the report distributed to Council, and that the correct dates are February 1 to May 13, 2019.

Emilie Adin, Director of Development Services, provided an overview of the proposed provisions and the scope of the policy. She noted the policy would not apply to developments with fewer than 10 units. Ms. Adin noted that there are three options contained in the policy the option used being dependent on the developer and the purpose of the development.

In response to Council questions, Ms. Adin, along with Jim Lowrie, Director of Engineering, Mike Watson, Planner, and Blair Erb, Coriolis Consulting, provided the following information:

- Parking minimums and maximums will be dealt with in terms of Transportation Demand Management; currently, the Zoning Bylaw provides for parking requirements on a project basis, so the policy will not change parking requirements;
- Staff worked to create a solid policy with few moving parts; by separating out the time limited exemption and reduction in density bonus/VAC payments, the policy will have the flexibility needed to respond to changing market conditions;
- While reducing the costs of the project does not necessarily reduce the rents, it allows the developer to provide more units.

In discussion, Council members noted the following:

- DCCs are important for infrastructure and should not be reduced;
- Need to be careful in contract language so that costs are not increased for non-profits;
- It may be worthwhile to do some policy work around parking and how it is determined who gets access to spots.

b. Report

MOVED and SECONDED

THAT Council endorse the Inclusionary Housing Policy set out in the December 9, 2019, report entitled "Inclusionary Housing Policy", including attachment 7.

CARRIED

All members present voted in favour of the motion.
ADJOURNMENT

ON MOTION, the meeting was adjourned at 1:35 p.m.

______________________________  ________________________________
JONATHAN COTÉ               JACQUE KILLAWEE
MAYOR                        CITY CLERK
There is no Report with this Item. Please see Attachment(s).
The meeting was called to order at 12:35 p.m. in Committee Room 2. Council dealt with item 3 as the first item of business and approved the following motion:

**MOVED and SECONDED**

*THAT pursuant to Section 90 of the Community Charter, members of the public be excluded from the Closed Meeting of Council immediately following the Regular Meeting of Council on the basis that the subject matter of all agenda items to be considered relate to matters listed under Sections 90(1)(a), 90(1)(e), 90(1)(f), 90(1)(i), 90(1)(k) and 90(2)(b) of the Community Charter:*
(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.

CARRIED.

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

Procedural Note: Council recessed at 12:36 p.m. to go into a closed meeting, and reconvened at 1:00 p.m. in the Council Chamber, in order to deal with items 1 and 2 on the agenda.

REMOVAL OF ITEMS FROM THE CONSENT AGENDA

1. MOVED and SECONDED
   THAT items 10, 11, 13, 16, 21, and 24 be removed from the consent agenda.

   CARRIED.

   All members present voted in favour of the motion.

EXCLUSION OF THE PUBLIC

2. MOVED and SECONDED
   THAT pursuant to Section 90 of the Community Charter, members of the public be excluded from the Closed Meeting of Council immediately following the Regular Meeting of Council on the basis that the subject matter of all agenda items to be considered relate to matters listed under Sections 90(1)(a), 90(1)(e), 90(1)(f), 90(1)(i), 90(1)(k) and 90(2)(b) of the Community Charter:

   (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;

   (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;

   (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

   (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

   (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view
of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

90(2)

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

Purpose of the meeting:
Property, law enforcement, legal and negotiations matters

CARRIED.

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

ADJOURNMENT

3. MOVED and SECONDED
   THAT the Regular Council meeting in Open Session be adjourned and proceed to Closed Session.

   CARRIED.

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

RECONVENE TO REGULAR COUNCIL

4. The Regular Council meeting reconvened at 2:01 p.m. in the Council Chamber.

REVIEW AND ADOPTION OF CONSENT AGENDA

5. Items 10, 11, 13, 16, 21, and 24 were previously removed from the Consent Agenda.

   MOVED and SECONDED
   THAT items 12, 14, 15, 17 to 20, 22, 23, and 25 be adopted on consent.

   CARRIED.

   All members present voted in favour of the motion.

ADDITIONS TO THE AGENDA
Urgent/time sensitive matters only

6. None.
UNFINISHED BUSINESS

7. No Items

STAFF PRESENTATIONS AND REPORTS FOR ACTION

8. Theatre Strategy for Approval
a. Presentation

Oksana Dexter, Consultant, provided a presentation on the draft theatre strategy, and introduced Todd Ayotte, Manager, Community Arts and Theatre. Her presentation included the goals for the strategy, and detailed the potential uses of the three theatres in New Westminster.

Council thanked Ms. Dexter for her work on the Theatre Strategy, and in discussion, noted the following:

- Gratitude for connections between the theatre and arts strategies;
- New Westminster, as a small city, is very lucky to have three theatres;
- There is an ongoing need to find efficiencies in theatre operations.

b. Report

MOVED and SECONDED

THAT Council approve the Theatre Strategy set out in Attachment A of the December 9, 2019, report entitled "Theatre Strategy for Approval".

CARRIED.

All members present voted in favour of the motion.

9. Queen’s Park Sportsplex Update
a. Presentation

Jay Young, Manager, Recreation Facilities, Don Driedger, Manager, Major Projects, and Erika Mashig, Manager, Horticulture Services and Parks and Open Space Planning, provided a presentation on the redevelopment of the Sportplex, noting:

- Projected opening is spring 2020;
- Design includes photovoltaic panels, a universal washroom, and reuses timbers from the Arenex;
- Programming will include everything that took place at the Arenex, and will accommodate additional sports; and
- Potential public art concepts for the outside plaza.
In response to Council questions, Mr. Young, Mr. Dreidger and Ms. Mashig provided the following information:

- the green space between the building and the skate park is intended as a passive green space; there is an opportunity to plant more trees;
- slides showing public art were meant to be ideas showing how art can integrate into the public realm and was not prescriptive; artists and staff will work with the design team to integrate it into the plaza; and
- There will be EV chargers at the skate park and the centre, including some DC fast chargers.

MOVED and SECONDED

THAT the December 9, 2019, presentation on the Queen's Park Sportsplex be received for information.

CARRIED.

All members present voted in favour of the motion.

CONSENT AGENDA

Procedural note: following item 10 which was removed from the consent agenda, Council recessed at 6:56 p.m. and reconvened at 7:05 pm to deal with the Opportunity to be heard and Open Delegations. The minutes are recorded in numerical order.

12. Minutes for Adoption
   a. November 21, 2019 Special Regular Meeting
   b. November 25, 2019 Regular Meeting
   c. November 25, 2019 Public Hearing

ADOPTED ON CONSENT.

14. New Guidelines for Residents' Associations

THAT Council approve the revised "Guidelines for Residents' Associations" set out in Attachment 2 of the December 9, 2019, report entitled "New Guidelines for Residents' Associations" and appoint the Council Liaisons as listed in table 1 of the same report.

ADOPTED ON CONSENT.
15. **705 Queen’s Avenue: Proposed Temporary Use Permit - Results of Applicant Led Consultation**

*THAT Council receive the December 9, 2019, report entitled "705 Queen's Avenue: Proposed Temporary Use Permit – Results of Applicant Led Consultation" for information.*

**ADOPTED ON CONSENT.**

17. **Queen's Park Heritage Conservation Area: Zoning Amendment Bylaw to Rezone Three Non-Conforming Properties to Duplex Districts (RT-1) - Bylaw for Two Readings**

*THAT Council give First and Second readings to Zoning Amendment Bylaw No. 8175, 2019 to rezone three non-conforming properties (111 First Street, 115 & 117 First Street, and 118 Park Row) to Duplex District (RT-1) and forward the bylaw to a Public Hearing on January 27, 2020.*

**ADOPTED ON CONSENT.**

18. **312 Fifth Street: Bylaw No. 8171, 2019 to Rescind Heritage Revitalization Agreement Bylaw No. 7979, 2018 and Heritage Designation Bylaw No. 7980, 2018 – Bylaw For Three Readings and Consideration of Notice of Opportunity to be Heard for Development Variance Permit**

*THAT Council consider Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019 for Three Readings, and* 

*THAT Council issue notice that it will consider a resolution to issue Development Variance Permit DVP00672 to vary the maximum permitted front porch projection of the principal dwelling at 312 Fifth Street following an Opportunity to be Heard on January 13, 2020.*

**ADOPTED ON CONSENT.**

19. **97 Braid Street: Extension of Temporary Use Permit for the Royal Columbian Hospital Temporary Off-Site Parking Lot**

*THAT Temporary Use Permit 00012 be extended for a period of three years to September 19, 2022 for a portion of the property located at 97 Braid Street for the purpose of providing temporary off-site parking for Royal Columbian Hospital staff and construction workers during the RCH Redevelopment based on the terms and conditions outlined in the original Permit and attached Schedules; and*
THAT condition (f) to the original permit be revised to require a longer notice period to the City should the property owner terminate the lease of the lot prior to the expiration of this Temporary Use Permit.

ADOPTED ON CONSENT.


a) Completed and Proposed Improvements to Development Review Process and Regulations

THAT Council endorse the actions identified in the Process Improvements Section of the December 9, 2019, report entitled "Development Review Streamlining: Proposed Improvements in Support of Reallocating Resources to Council Priorities", and direct staff to implement these changes for all relevant applications which have not yet been presented to Council and/or the Land Use and Planning Committee, or have not begun previously required consultation.

ADOPTED ON CONSENT.

b) Sign Permit Application Improvements: Sign Bylaw Amendment Bylaw No. 8132, 2019 - for Three Readings

THAT Council consider Sign Bylaw Amendment Bylaw No. 8132, 2019 for First, Second and Third Readings.

ADOPTED ON CONSENT.

c) Official Community Plan Update and Development Permit Process Improvements: Official Community Plan Amendment Bylaw No. 8151, 2019, Development Approval Procedures Amendment Bylaw No. 8152, 2019, and Development Services Fees and Rates Amendment Bylaw No. 8153, 2019 – For Consideration of Readings

THAT Council:

a. Consider Official Community Plan Amendment Bylaw No. 8151, 2019 for First Reading;

b. Consider Official Community Plan Amendment Bylaw No. 8151, 2019 in conjunction with the City’s Capital Expenditure Program as contained in the Five Year Financial Plan and the Region’s Solid Waste Management Plan and Liquid Waste Management Plan, which are hereby deemed to be consistent with said program and plans in accordance with Section 477(3)(a) of the Local Government Act;
c. Consider Official Community Plan Amendment Bylaw No. 8151 for Second Reading and forward it to a Public Hearing on January 27, 2020; and

THAT Council consider Development Approval Procedures Amendment Bylaw No. 8152, 2019 for First, Second and Third readings; and

THAT Council consider Development Services Fees and Rates Amendment Bylaw No. 8153, 2019 for First, Second and Third readings.

ADOPTED ON CONSENT.

22. Brewery District (Wesgroup Project): Request for Construction Noise Bylaw Exemption

THAT Council grant an exemption to Complete Utility Contractors from Construction Noise Bylaw No. 6063, 1992 from December 10, 2019 to December 23, 2019 to carry out an estimated five nights of work for laying of electrical conduit along Brunette Avenue from Keary Street to Spruce Street as part of the Wesgroup construction project.

ADOPTED ON CONSENT.

23. Budget Process: Capital Program aligned by Council’s Strategic Priorities

THAT Council receives the information contained in the December 9, 2019, report entitled "Budget Process: Capital Program aligned by Council's Strategic Priorities" for discussion and direction on the 2020 – 2024 Capital Program.

ADOPTED ON CONSENT.

All members present voted in favour of the motion

25. Mayor’s Transportation Task Force: Royal Columbian Hospital Redevelopment – Parking Requirements and Pedestrian Connectivity to Sapperton Skytrain Station

THAT prior to granting rezoning approval for the Royal Columbian Hospital (RCH), Council request the Fraser Health Authority to:

a. Significantly improve the connection between the RCH and the Sapperton SkyTrain station such that it is integrated, accessible, seamless and inviting;

b. Increase the number of electric vehicle parking stalls initially to 25% of all parking stalls and prewire up to 100% of the remaining parking stalls for charging infrastructure; and;

c. Increase the number of accessible parking stalls to 10% of available parking stalls, in accordance with the current Zoning Bylaw.

ADOPTED ON CONSENT.
ITEMS REMOVED FROM THE CONSENT AGENDA

10. Capital Budget 2020-2024 Climate Action Memos - CAO Office

In discussion, Council noted the following:

- Learnings we can achieve regarding climate action from partnerships with Indigenous nations and people fall fully into the Reconciliation strategic priority;
- Centering Indigenous people in the conversation is key to climate justice;
- Need to involve businesses in the retail strategy and engage them in order to develop a better understanding as to how a car light community can benefit business; and
- There is a need to understand if and how heritage assets fit into the strategic priorities.

In response to Council questions and concerns, Colleen Ponzini, Director of Finance, and Rob McCullough, Manager, Museums and Heritage Services, provided the following information:

- The issue of the Samson V is not included in the five year capital plan as it is being done now; and
- A survey on the capital plan will go out on December 16, 2019, to the public which will have some of the questions used to guide staff.

MOVED and SECONDED

CARRIED.

All members present voted in favour of the motion.

Procedural note: Following this item, Council recessed at 6:56 p.m. and reconvened at 7:06 p.m. in order to deal with items 26 (Opportunity to be Heard) and 27 (Open Delegations). The minutes are recorded in numerical order.

11. Recruitment 2020: Appointments to the New Westminster Library Board

Procedural Note: At 8:06 p.m., Councillor McEvoy declared conflict of interest on this matter as he has a close relative who is being considered for a position on the Library Board. He left the room and did not return until the conclusion of the vote on this item.
MOVED and SECONDED
THAT Council appoint the following community members to the Library Board with the term ending December 31, 2021:

- Norah Andrew;
- Stacy Ashton; and,
- Naomi Perks.

CARRIED.

All members present voted in favour of the motion.

13. Release of Items from Closed Meetings

In discussion, Council noted concerns with only releasing the motion from closed as this may not give the full picture, and advised that the additional report in the open meeting provides Council with guidance.

Procedural Note: Councillor McEvoy returned to the meeting at 8:09 p.m.

MOVED and SECONDED
THAT Council receive the December 9, 2019, report entitled "Release of Items from Closed meetings" for information.

CARRIED.

All members present voted in favour of the motion.

16. TransLink/SkyTrain Communications Upgrade: Request for Construction Noise Bylaw Exemption

In discussion Council requested a report back from staff after the first phase of construction, including the types of complaints received, TransLink's response, and suggesting any changes if needed.

MOVED and SECONDED
THAT Council grant an exemption from Construction Noise Bylaw No. 6063, 1992 to TransLink and their contractors from January 1, 2020 to December 24, 2020 and from January 1, 2021 to March 31, 2021 for construction works associated with SkyTrain Customer Communications Upgrades at New Westminster SkyTrain stations.

THAT Council direct staff to report back on complaints received, how TransLink responded to the complaints, and recommending any changes if needed, following the first phase of construction

CARRIED.

RECONSIDERED.
RECONSIDERATION MOVED and SECONDED  
THAT Council reconsider the resolution regarding item 16.  

CARRIED.  

All members present voted in favour of the motion.  

In discussion, Council noted that allowing construction on Christmas Eve may be inconvenient and overly disruptive to the neighbourhood.  

MOVED and SECONDED  
THAT Council grant an exemption from Construction Noise Bylaw No. 6063, 1992 to TransLink and their contractors from January 1, 2020 to December 23, 2020 and from January 1, 2021 to March 31, 2021 for construction works associated with SkyTrain Customer Communications Upgrades at New Westminster SkyTrain stations; and  

THAT Council direct staff to report back on complaints received, how TransLink responded to the complaints, and recommending any changes if needed, following the first phase of construction  

CARRIED.  

All members present voted in favour of the motion.  

21. Proposed Child Care Facility Ownership and Management Policy and Provincial Child Care Funding Update  

In response to Council questions, John Stark, Manager of Community Planning, advised there is no policy that requires a child care operator on city-owned property must be a non-profit, and that departments felt they would be best off to manage child care contracts in their own buildings.  

Council also noted that the name of a provider or organization should not be in the template attached to the policy.  

MOVED and SECONDED  
THAT Council refer the proposed Child Care Facility Ownership and Management Policy back to staff; and,  

THAT Council direct staff to report back to Council regarding  

• a policy to require all child care providers on City-owned property to be non-profits;
• the feasibility of having one department manage the lease and contract agreements for child care providers.  

CARRIED.

All members present voted in favour of the motion.

24. Neighbourhood Traffic Advisory Committee: Advisory Committee Structure Changes and Future Engagement with Residents’ Associations

In response to Council questions, Councillor McEvoy as Chair of the Neighbourhood Traffic Advisory Committee advised that in discussion at the Committee meeting, there was a feeling that the City could do more to recognize volunteers in addition to the annual civic dinner.

In response to Council questions, Jacque Killawee, City Clerk, explained that, if Council approves the report recommendations:

• Staff will seek to recommend members of the committee from all areas of the city;
• Subject area experts will be selected on the basis of their expertise and not their residency, allowing for committee members from outside the city to participate;
• In addition to the civic dinner, a letter of appreciation will be sent out for committee members' service; and
• Staff will ensure Residents' Associations are informed to transportation issues that are of direct concern to them, as set out in the new Guidelines for Residents' Associations.

MOVED and SECONDED

THAT Council continue with either neighborhood representation or area representation on the topic of sustainable transportation;

THAT Council consider permitting non-residents to serve on advisory committees;

THAT Council initiate a program to show appreciation of current and former committee members;

THAT Council direct staff to actively reach out to Residents’ Associations on transportation issues on a regular basis and in a planned way.  

CARRIED.

All members present voted in favour of the motion.
OPPORTUNITY TO BE HEARD AND ISSUANCE OF PERMITS

26. Temporary Use Permit TUP00021 for 705 Queen’s Avenue

Required notification has been completed.

Attachments:
  i. Copy of Development Variance Permit notice
  ii. Director of Development Services’ report dated November 4, 2019

a. Motion to receive the following correspondence concerning this application:

<table>
<thead>
<tr>
<th>Written Submissions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>None to date</td>
</tr>
</tbody>
</table>

Not required.

b. Statement concerning the number of written submissions received (City Clerk)

Jacque Killawee, City Clerk, advised no written submissions had been received since the application was scheduled for an opportunity to be heard.

c. Invitation to those present to address the application

Mayor Cote called for speakers.

Marilyn Hogan advised she is not a resident in New Westminster, but visits close friends frequently who live near 705 Queen's Street. She spoke in support of the application, noting that Westminster House Society has operated on Seventh Street for a long time and helps people in the program to learn how to make healthy life choices and re-integrate into the neighbourhood in a healthy way. She explained this is a good model for rehabilitation, and to ensure people who are in the program can make strong, positive contributions to the community.

Shelley Comer, New Westminster, spoke in support of the application, and noted approval makes sense in a caring society. She explained that approval of the application also makes sense from an economic point of view as it provides people who are coming out of rehabilitation with the transitional supports needed to be successful and a strong part of the community, rather than just putting them back in an environment with no supports. She noted that the people she sees coming from
the transition house look hopeful and happy, and that it is absolutely vital to have this kind of transitional support.

Mayor Cote advised one written submission had been received.

**MOVED and SECONDED**

*THAT Council receive the written submission related to the Temporary Use Permit at 705 Queen's Avenue.*

CARRIED.

All members present voted in favour of the motion.

Christal Coughlin, Burnaby, advised she had received treatment at Westminster House. She noted that Westminster House fills a gap in supports for people who are new to sobriety, and makes it easier to avoid temptation. She noted that participants of this program will have some of their core needs met which makes it easier to be successful in maintaining sobriety, and that approval of the permit is a win-win situation for all parties.

Eunice, New Westminster, advised she had toured the building, received information on the program and is in support of the application.

d. **Motion** to approve/reject issuance of Temporary Use Permit No. TUP00021.

In response to Council questions, Emilie Adin, Director of Development Services, and John Stark, Supervisor of Community Planning, provided the following information:

- Under the Local Government Act, the City is limited to issuing a three year permit with a single option to renew for another three years; at that time, any permit would be considered a new permit; and,
- Westminster House is considering consolidating programs in one location; the temporary use of this location will help until that consolidation is complete.

**MOVED and SECONDED**

*THAT Council approve the issuance of Temporary Use Permit No. TUP00021.*

CARRIED.

All members present voted in favour of the motion.
PRESENTATIONS AND DELEGATIONS

27. Open Delegations

The New Westminster Youth Ambassador Team introduced the 2019-2020 Team, showed a video of accomplishments for the previous year, and thanked Council for their support.

Mayor Cote thanked the team for their hard work.

Cheryl Lewis and Allana Coerke, New Westminster, provided a PowerPoint presentation on their proposed laneway house noting:

- They have been waiting for an update and improvements on the Laneway House Guidelines;
- It seems that the 2019 zoning amendment is being overridden by a historical maximum number of 958 sq. ft; the amendment indicates the maximum can be increased for step code;
- Building a laneway house is only affordable with newer builds; in building a laneway house on a property with an existing house, all tree protection costs and required upgrades have to be borne by the lanewayhouse;
- The tree process and costs are excessive; they are requesting a review of the tree process to develop more flexible solutions and reduce costs;
- Two full parking spots may not be needed as electric vehicles proliferate since many of these are smaller in size;
- The actual functional living space is actually closer to 700 sq. ft. as wall assemblies, stairs, utilities and ceiling heights below 6 feet but above 4 feet are included in the maximum 958 sq. ft;
- Request to interpret Step Code 3 bonus as being able to exceed the 958 sq. ft. maximum, and increase some laneway house area exclusions in the way Vancouver has done.

In response to the presentation, Emilie Adin, Director of Development Services, advised of the following:

- Staff have met with the proponents and are happy to receive feedback;
- Staff have made a number of changes to the program already and are collecting additional recommendations and feedback from those who have been through the process;
- Staff will be returning early in the new year with additional discussion, to be followed by a review of the program;
- There is an option to look at the interpretation of bylaws, however any changes to zoning regulations would require a public hearing; to make these
bigger changes, there would have to an argument within the overall program that there is a benefit to the City.

Christopher Bell, New Westminster, provided comments on the budget process including:

- Thanking the Chief Administrative Officer and Staff for extraordinary efforts on providing information on how the declaration of the climate emergency will affect the budget process;
- Would like more information on what criteria, rubrics and framework staff are using to integrate regular programs into the objectives of the climate emergency declaration;
- Citizens need to know what will happen with the list of capital projects that may be on the chopping block; and,
- Would like to see how arts and culture can be explained through the climate emergency lens.

In response, Lisa Spitale, Chief Administrative Officer thanked Mr. Bell for his questions and noted:

- Staff's responsibility is to outline and articulate what is in the budget;
- The engagement process will allow citizens to ask questions which will inform the survey and the open house;
- The engagement process will allow staff to create themes which will lead to the evaluation criteria to be used as a lens in the budget process;
- The focus is on identifying policies and principles that are important to citizens without going into granular detail; and
- The process is iterative and evolutionary and will continue beyond the budget process.

Harry Crosby, New Westminster, provided comments on the budget process, noting:

- He is pleased with the seven bold steps;
- He would like to see a budget that looks at what needs to be done;
- The entire budget should be looked at through this lens;
- Land use and development need to be looked at; it does not make sense to build condos at ground level along the Fraser River when sea levels are projected to rise;
- It is difficult for homeowners to ascertain what they can do on a more individual level; and,
- A cultural shift is needed in order to effectively deal with the climate emergency.
Richard Anderson, New Westminster, advised he had parked his trailer on Boyne Street and the City is requesting him to move. He requested an extension until April 1, 2020, to give him time to find a place to live as there are no trailer parks nearby.

In discussion, Council noted a referral to staff should be acted on quickly, and to find a compassionate solution to this matter.

**MOVED and SECONDED**

*THAT Council refer the matter of the request by Mr. Richard Anderson to allow him to park his trailer on Boyne Street until April 1, 2020, to staff to develop and implement a compassionate solution; and*

*THAT Council direct staff to share the solution with Council as soon as possible, including informal communication between Council meetings.*

All members present voted in favour of the motion.

Jim Lowrie, Director of Engineering Services, agreed to follow up the next day.

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**BYLAWS**

28. **Bylaws for adoption:**

   a. **Council Procedure Bylaw Amendment Bylaw No. 8162, 2019**

      **MOVED and SECONDED**

      *THAT Council Procedure Bylaw Amendment Bylaw No. 8162, 2019, be adopted.*

      **CARRIED.**

      (Councillors McEvoy and Puchmayr opposed)

   b. **Engineering User Fees and Rates Amendment (Fees) Bylaw No. 8165, 2019**

      **MOVED and SECONDED**

      *THAT Engineering User Fees and Rates Amendment (Fees) Bylaw No. 8165, 2019, be adopted.*

      **CARRIED.**

      All members of Council present voted in favour of the motion.
c. **Electrical Utility Amendment Bylaw (Schedule B) No. 8167, 2019**

**MOVED and SECONDED**

*THAT Electrical Utility Amendment Bylaw (Schedule B) No. 8167, 2019, be adopted.*

**CARRIED.**

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

d. **Development Services Fees and Rates Amendment Bylaw No. 8157, 2019**

**MOVED and SECONDED**

*THAT Development Services Fees and Rates Amendment Bylaw No. 8157, 2019, be adopted.*

**CARRIED.**

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

e. **Cultural Services Fees and Charges Amendment Bylaw No. 8166, 2019**

**MOVED and SECONDED**

*THAT Cultural Services Fees and Charges Amendment Bylaw No. 8166, 2019, be adopted.*

**CARRIED.**

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

f. **Engineering User Fees and Rates Amendment (Rates) Bylaw No. 8174, 2019**

**MOVED and SECONDED**

*THAT Engineering User Fees and Rates Amendment (Rates) Bylaw No. 8174, 2019, be adopted.*

**CARRIED.**

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

g. **Electrical Utility Amendment Bylaw (Schedule A) No. 8173, 2019**

**MOVED and SECONDED**

*THAT Electrical Utility Amendment Bylaw (Schedule A) No. 8173, 2019, be adopted.*

**CARRIED.**

All members of Council present voted in favour of the motion.
h. Water Shortage Response Amendment Bylaw No. 8170, 2019

MOVED and SECONDED

THAT Water Shortage Response Amendment Bylaw No. 8170, 2019, be adopted.

CARRIED.

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

i. Official Community Plan Amendment (Queensborough Residential Low Density) Bylaw No. 8122, 2019

MOVED and SECONDED

THAT Official Community Plan Amendment (Queensborough Residential Low Density) Bylaw No. 8122, 2019, be adopted.

CARRIED.

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

29. Zoning Amendment (Rezone Three Non-Conforming Properties to Duplex Districts (RT-1) Bylaw No. 8175, 2019

MOVED and SECONDED

THAT Zoning Amendment (Rezone Three Non-Conforming Properties to Duplex Districts (RT-1) Bylaw No. 8175, 2019, be given first reading.

CARRIED.

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

MOVED and SECONDED

THAT Zoning Amendment (Rezone Three Non-Conforming Properties to Duplex Districts (RT-1) Bylaw No. 8175, 2019, be given second reading.

CARRIED.

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

30. Official Community Plan Amendment Bylaw No. 8151, 2019

MOVED and SECONDED

THAT Official Community Plan Amendment Bylaw No. 8151, 2019 (RT-1) Bylaw No. 8175, 2019, be given first reading.

CARRIED.

All members of Council present voted in favour of the motion.
MOVED and SECONDED
THAT Official Community Plan Amendment Bylaw No. 8151, 2019 (RT-1) Bylaw No. 8175, 2019, be given second reading.

CARRIED.

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

31. Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019

THREE READINGS

MOVED and SECONDED
THAT Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019, be given first reading.

CARRIED.

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

MOVED and SECONDED
THAT Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019, be given second reading.

CARRIED.

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

MOVED and SECONDED
THAT Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019, be given third reading.

CARRIED.

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

32. Sign Amendment Bylaw No. 8132, 2019

THREE READINGS

MOVED and SECONDED
THAT Sign Amendment Bylaw No. 8132, 2019, be given first reading.

CARRIED.

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

MOVED and SECONDED
THAT Sign Amendment Bylaw No. 8132, 2019, be given second reading.

CARRIED.

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

MOVED and SECONDED
THAT Sign Amendment Bylaw No. 8132, 2019, be given third reading.

CARRIED.

All members of Council present voted in favour of the motion.
33. Development Approval Procedures Amendment Bylaw No. 8152, 2019

THREE READINGS

MOVED and SECONDED
THAT Development Approval Procedures Amendment Bylaw No. 8152, 2019, be given first reading.

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

MOVED and SECONDED
THAT Development Approval Procedures Amendment Bylaw No. 8152, 2019, be given second reading.

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

MOVED and SECONDED
THAT Development Approval Procedures Amendment Bylaw No. 8152, 2019, be given third reading.

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

34. Development Services Fees and Rates Amendment Bylaw No. 8153, 2019

THREE READINGS

MOVED and SECONDED
THAT Development Services Fees and Rates Amendment Bylaw No. 8153, 2019, be given first reading.

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

MOVED and SECONDED
THAT Development Services Fees and Rates Amendment Bylaw No. 8153, 2019, be given second reading.

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

MOVED and SECONDED
THAT Development Services Fees and Rates Amendment Bylaw No. 8153, 2019, be given third reading.

All members of Council present voted in favour of the motion.
NEW BUSINESS

35. None.

ANNOUNCEMENTS FROM MEMBERS OF COUNCIL

36. Councillor Trentadue advised the Santa Clause Parade will take place this Sunday, December 14, 2019, starting at 11 am, and there will be Winter Celebrations at the Anvil Centre from December 18, 2019, to January 5, 2020.

Mayor Cote and Councillor Puchmayr wished everyone a festive holiday season, and thanked staff for their work throughout the year, with a special recognition to Engineering staff who are on standby over the holidays, and members of Fire and Rescue Services and the New Westminster Police Department, who work throughout the holidays.

NEXT MEETING

January 13, 2020

A Regular Council meeting will convene at 2:00 p.m. and immediately adjourn to a Closed meeting, and then the Regular meeting will reconvene at 6:00 p.m. Both meetings will be held in the Council Chamber on the 2nd Floor at City Hall.

ADJOURNMENT

On motion, the Council meeting adjourned at 8:36 p.m.

JONATHAN COTÉ
MAYOR

JACQUE KILLAWEE
CITY CLERK
To: Mayor Coté and Members of Council       Date: 1/13/2020

From: Emilie K Adin, MCIP          File: 13.2606.10
      Director of Development Services

Item #: 4/2020

Subject: 263 Jardine Street: Temporary Protection Order Update

RECOMMENDATION

THAT Council cancel the remaining days of the temporary protection order for 263 Jardine Street and direct staff to proceed with processing the demolition permit application.

PURPOSE

The purpose of this report is to request that Council cancel the remaining days of the temporary protection order placed on the property at 263 Jardine Street on November 25, 2019 as discussions with the owner are now completed. This would enable staff to process the demolition permit application.

BACKGROUND

Policy and Regulations

Information on the demolition permit application process, heritage review of demolition permits, temporary protection orders, heritage designation and heritage revitalization agreements (HRAs) is summarized in Attachment 2.
Site Characteristics and Context

The subject site is located in Queensborough, and is zoned Neighbourhood Residential Dwelling District (RQ-1). Further details on site characteristics and context, including a site location map (see map below) are included in Attachment 1. A photograph of the building, submitted as part of the demolition permit application, is included in Attachment 3.

Community Heritage Commission Review

As per the City’s demolition permit review policy, and given the heritage significance of the property, the demolition application for 263 Jardine Street was brought to the Community Heritage Commission (CHC) at their November 6, 2019 meeting. A description of the house’s heritage value is available in Attachment 4.

At their meeting, the CHC passed the following recommendation to Council:

That the Community Heritage Commission recommend that City Council place a temporary protection order on 263 Jardine Street in order for the applicant and staff to discuss heritage retention options.
Previous Council Direction

On November 25, 2019 Council placed a 60 day temporary protection order on the property at 263 Jardine Street, in order to give more time for the City to engage the owner in exploring redevelopment options and the potential benefits associated with retention of the heritage building.

DISCUSSION

Potential Redevelopment Options and Incentives for Heritage Retention

As an alternative to demolition of the house, the owner could apply for a Heritage Revitalization Agreement (HRA) which may provide relaxations to the Zoning Bylaw in exchange for restoration and protection of the 1922 building. An HRA would allow the City to provide development incentives which make it viable to conserve the building, and to accommodate any heritage conservation work.

Staff advised the applicant an infill project could be considered on the site: infill options included a duplex (attached or detached), small lot subdivision, a stratified infill house, or a three unit strata/triplex. Additionally, staff advised the owner of a variety of relaxations which may be applicable to a single-detached dwelling, such as an increase to the maximum floor space ratio (FSR) and site coverage, or reductions to setback and off-street parking requirements. A summary of potential redevelopment options identified for the owner is included in Attachment 5.

Given that the site is well below the maximum permitted FSR and site coverage, the ability to achieve density entitlement, additional floor space, or an infill project, while still retaining the heritage house would have been feasible.

Discussions with Owner

In the past month, staff has discussed a variety of redevelopment options with the owner, with the aim to identify an option that would suit their needs, retain the heritage house, and be a viable project (both financially and for the neighbourhood context). A timeline of communications with the owner is included in Attachment 6.

Having taken the proposed incentives into consideration, the owner has advised the City they intend to proceed with the demolition of the heritage house and construction of a new single detached dwelling (SDD) with a secondary suite. The new house could be constructed to the base zoning’s density maximum of 0.5 FSR.
NEXT STEPS

Three options for moving forward on this application are provided below, with staff comments following:

1) Cancel the remaining days on the temporary protection order

The intent of a temporary protection order is to provide time for the City to engage the property owner in exploring alternative redevelopment options. As this work has been completed, it would be considered reasonable to allow the owner to proceed with demolition immediately.

2) Allow the temporary protection order to remain in place

The temporary protection order is set to expire on January 24, 2020. Should the order remain in place, staff would proceed with processing the demolition permit application following its expiry in two weeks’ time.

3) Place long-term legal protection on the house through a Heritage Designation Bylaw

This action would effectively prohibit the demolition of the heritage house and could be enacted without owner consent. A public hearing would be required as part of Council’s consideration of such a bylaw.

Should the bylaw be adopted, under s.613 of the *Local Government Act*, the owner may apply for compensation for any demonstrated reduction in market value of the property resulting from the Designation Bylaw. Compensation would need to be applied for within a year of adoption of the bylaw. The compensation may be financial or in another form as agreed upon by both parties.

INTERDEPARTMENTAL LIAISON

The Building and Integrated Services Divisions have been working in collaboration with the Planning Division on this application. Additionally, this report has been reviewed by the City Clerk.
OPTIONS

The following options, as detailed in the Next Steps section of this report, are presented for Council consideration:

1. That Council cancel the remaining days of the temporary protection order for 263 Jardine Street and direct staff to proceed with processing the demolition permit application;

2. That Council continue to endorse the 60 day temporary protection order for 263 Jardine Street and direct staff not to proceed with processing the demolition permit application until the order expires;

3. That Council direct staff to begin the process to place legal protection on the property at 263 Jardine Street through a Heritage Designation Bylaw;

4. That Council provide staff with alternative direction.

Staff recommends Option 1.

ATTACHMENTS

Attachment 1 - Site Characteristics and Context
Attachment 2 - Policy Context
Attachment 3 - Photograph
Attachment 4 - Heritage Value
Attachment 5 - Potential Redevelopment Options Identified
Attachment 6 - Communication Timeline

This report has been prepared by:
Kathleen Stevens, Heritage Planning Analyst

This report was reviewed by:
Jackie Teed, Senior Manager of Development Services
City of New Westminster
January 13, 2020

Agenda Item 4/2020

Approved for Presentation to Council

Emilie K Adin, MCIP
Director of Development Services

Lisa Spitale
Chief Administrative Officer
Attachment 1

Site Characteristics and Context
SITE CHARACTERISTICS AND CONTEXT

Property Characteristics

The subject site is located on the northeast side of Jardine Street between Ewen Avenue and Salter Street and is zoned Queensborough Neighbourhood Residential Dwelling Districts (RQ-1). The property’s characteristics are summarized in the table below:

Table A: Property Characteristics

<table>
<thead>
<tr>
<th>Property Characteristic</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>1922</td>
</tr>
<tr>
<td>Site Area</td>
<td>592 sq. m. (6,371 sq. ft.)</td>
</tr>
<tr>
<td>Total Floor Space</td>
<td>120 sq. m. (1,292 sq. ft.)</td>
</tr>
<tr>
<td>Site Coverage</td>
<td>10.14%</td>
</tr>
<tr>
<td>Floor Space Ratio</td>
<td>0.203</td>
</tr>
</tbody>
</table>

Neighbourhood Context

Adjacent properties fronting along the northeast side of Jardine Street and directly behind, fronting onto Hampton Street, are also zoned RQ-1. Directly across from the subject site, at 240 Jardine Street, is a 32 unit townhouse development (zoned RT-3). To the south, the properties are zoned Queensborough Neighbourhood Residential Dwelling Districts (RQ-1) and to the north, the properties at 1102 Ewen Avenue and 1110 Ewen Avenue are zoned Community Commercial Districts (Low-Rise) (C-2) Comprehensive Development District (1110 Ewen Ave) (CD-58), respectively.

Given the context, a residential ground-oriented for of infill housing could be considered, and would be appropriate under the Official Community Plan—should the project be a Heritage Revitalization Agreement (HRA).

Density Entitlement Under RQ-1 Zoning

263 Jardine Street currently has a floor space ratio (FSR) of 0.203 and a site coverage of 10%. The site is zoned Queensborough Neighbourhood Residential Dwelling Districts (RQ-1) which would permit a FSR of 0.50 and a site coverage of 35%.
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
Attachment 2

Policy Context
**POLICY CONTEXT**

**Demolition Review Policy**

In June 2011, Council approved a policy where a demolition application for a building or structure older than 50 years is automatically forwarded to the Planning Division for review, and may be referred to the Community Heritage Commission (CHC) if it is deemed by staff to have sufficient heritage significance.

Demolition Permits are issued by the Director of Development Services, though the Director may forward the application to Council for further consideration, or consideration of a temporary protection order where warranted.

**Temporary Protection Orders**

A temporary protection order may be issued by Council for a property that may be considered to have heritage value sufficient to justify its conservation. This can include properties that are not listed on the Heritage Register.

The purpose of a temporary protection order is to provide time for the City to engage the owner in exploring alternate redevelopment options and discuss the potential benefits associated with retention of the heritage building, including an opportunity for additional density or different unit tenure.

Without consent of the owner, a temporary protection order may only last 60 days, after which the requested demolition permit must be issued. Though, temporary protection may be extended with owner consent.

**Heritage Designation**

A Heritage Designation Bylaw is a form of land use regulation that places long-term protection on the land title of a property and which is the primary form of regulation that can prohibit demolition. Provisions for the local government to place Heritage Designation Bylaws on properties are set out in Sections 611-613 of the Local Government Act.

Heritage Designation does not require owner consent. However, designation without consent of the owner means they are entitled under Provincial law to claim compensation for any reduction in the value of the property from the inability to achieve zoning-based entitlements.
Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a negotiated agreement between the City and a property owner for the purposes of heritage conservation. In exchange for longterm legal protection and exterior restoration, relaxations to the Zoning Bylaw may be considered, with the aim of creating a viable project. An HRA is not precedent setting as each one is unique to a specific site.
Attachment 3

Photograph
Attachment 4

Heritage Value
HERITAGE VALUE SUMMARY

This house is reflective of the history of Queensborough which is under-represented and disappearing due to neighbourhood redevelopment.

As described in the 2010 Queensborough Residential Heritage Inventory (Attachment 2), this 1922 house was built in a vernacular style with Arts & Crafts elements. These elements are still present on the house, including original wooden shingle siding, original windows and classic simplified massing. It has been raised due to the high water table in the area, with a concrete foundation added in 1945. Overall, the house has a high level of historic and architectural integrity.

It was erected by the owner, Harry Dowling, and is typical of the development that was common in Queensborough as a farming community, and as it grew in the 1920s boom years. The house at 263 Jardine Street is considered to have high heritage value, demonstrative of Queensborough’s history, context and unique architectural character.
Attachment 5

*Potential Redevelopment Options Identified*
POTENTIAL REDEVELOPMENT OPTIONS IDENTIFIED

Based on City policy and regulations, an increase in density through an HRA could be considered between 0.5-0.8 FSR – an increase of up to 30% in floor space. Additionally, there are many redevelopment options, outlined below, that could be considered based on the retention of the heritage house.

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Housing Form</th>
<th>Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached Dwelling with Secondary Suite over 0.5 FSR</td>
<td>Retain existing house with rear addition. A 0.8 FSR would result in a permitted floor space of 473.6 m² (5097.8 ft²)</td>
<td>Fee-simple lot with one rental unit</td>
</tr>
<tr>
<td>Single Detached Dwelling with Secondary Suite and Detached Infill House – maximum size of secondary suite unit is 89.93 m² (968 ft²)</td>
<td>Existing house retained fronting onto Jardine Street and a new infill house built in behind, accessed off lane. New house built fronting onto Jardine Street and the existing house relocated in behind, accessed off lane</td>
<td>Fee-simple lot with two rental units or could include a lot subdivision or stratification.</td>
</tr>
<tr>
<td>Detached Duplex</td>
<td>New house built fronting onto Jardine Street and the existing house relocated in behind, accessed off lane</td>
<td>Fee-simple lot with one rental unit or could include a lot subdivision or stratification.</td>
</tr>
<tr>
<td>Attached Duplex and Detached Infill House</td>
<td>New duplex built fronting Jardine Street and the existing house relocated in behind, accessed off lane</td>
<td>Fee-simple lot with two rental units or could include a lot stratification.</td>
</tr>
<tr>
<td>Attached Triplex</td>
<td>Existing house retained, with a rear addition, converted to a duplex and fronting onto Jardine Street and a new infill house built in behind, accessed off lane</td>
<td>Fee-simple lot with two rental units or could include a lot stratification.</td>
</tr>
</tbody>
</table>
Attachment 6

Communication Timeline
## COMMUNICATION TIMELINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 17</td>
<td>First letter sent to owner highlighting the heritage value of the building, and information on heritage retention options including an HRA for greater FSR or an infill project. This letter requested that the owner reach out to the City if they were interested in speaking further about the heritage review process or potential incentives.</td>
</tr>
<tr>
<td>October 9</td>
<td>Second letter sent to owner again highlighting the heritage value of the building, and advising that the demolition application would be forwarded to the CHC for review at their November 6, 2019 meeting. The owner was advised that the meeting is public and that they may attend or make a representation to that group. This letter again requested that the owner reach out to the City if they were interested in speaking further about the heritage review process or potential incentives.</td>
</tr>
<tr>
<td>November 6</td>
<td>Heritage value and demolition application was reviewed by the Community Heritage Commission. The applicant was not in attendance.</td>
</tr>
<tr>
<td>November 18</td>
<td>Third letter sent to owner advising of the next steps in the demolition review process. This letter informed the owner that the CHC had made a recommendation to Council for a temporary protection order on the property and that Council would consider issuance at their November 25, 2019 meeting. The owner was advised that the meeting is public and that they may provide a submission to Council as part of their consideration process.</td>
</tr>
<tr>
<td>November 26</td>
<td>Fourth Letter sent to owner, advising of Council’s decision to place a 60 day temporary protection order, providing information on the related restrictions, and establishing a timeline for the project moving forward. This letter requested that the owner contact staff for the purposes of discussing the heritage value of the house and potential incentives that could be provided in exchange for its retention.</td>
</tr>
<tr>
<td>December 2</td>
<td>Owner contacted staff and a meeting was scheduled with staff.</td>
</tr>
<tr>
<td>December 4</td>
<td>Owner met with staff to discuss redevelopment options.</td>
</tr>
<tr>
<td>December 11</td>
<td>Fifth letter sent to owner summarizing the meeting, outlining potential redevelopment options, and providing greater detail/analysis of each option.</td>
</tr>
<tr>
<td>December 18</td>
<td>Owner emailed staff, advising of their decision to proceed with demolition permit application.</td>
</tr>
</tbody>
</table>
RECOMMENDATION

THAT Council give First, Second and Third Reading to Building Bylaw Amendment Bylaw No. 8161, 2020;

THAT Council give First, Second and Third Reading to Development Services Fees and Rates Amendment Bylaw No. 8177, 2020

PURPOSE

The purpose of this report is to request Council consideration of amendments to the Building Bylaw and the Development Services Fees and Rates Bylaw in order:

1) to support an energy efficiency performance bond for buildings required to be constructed to Energy Step Code Level 3 or higher;
2) to increase building permit fees from approximately 50% of the median of the region to approximately 75% of the median of the region;
3) to increase the fee for a Preliminary Application Review from $528 to $5,000; and
4) to enact small “housekeeping” changes to include engineering fees; to more explicitly permit transfer fees for change of contractor; to more explicitly collect Security for Damage to Municipal Facilities and/or Obstruction of Roads By Builders (both already current practice); and to correct a typographical error.
POLICY AND REGULATIONS

The Building Bylaw provides for the administration of the British Columbia Building Code and the City’s building regulation service.

BACKGROUND

January 1, 2020 the energy requirements of the BC Step Code increased as per the Building Bylaw. With this increase, owners are eligible for incentives through the Zoning Bylaw providing they meet the prescribed level of the Step Code. To ensure compliance staff proposes to introduce an energy efficiency performance bond, which would be refundable once compliance is confirmed.

Wording relating to fees in both the Development Services Fees and Rates Bylaw No. 7683, 2014 and the Engineering Fees and Rates Bylaw No. 7553, 2013 has been added to the Building Bylaw.

DISCUSSION

Council feedback during the 2019 Budgeting Process and through more recent consultations with the development community has led staff to recommend that key building and development fees be raised. The increased revenue from fees is anticipated to exceed the cost of new staffing requirements in Planning, Building and Engineering.

The purpose of these new fees (and corresponding new staff) is twofold:

1. to cover the costs of new staffing to oversee implementation of the higher energy performance requirements of industry with the BC Energy Step Code; and
2. to continue to meet current development review processing timelines (which are approximately median for the region) while shifting existing staff’s time away from development review towards responding to the Climate Emergency Declaration and the 2019-2022 Strategic Plan.

The following first three sets of amendments are deemed to meet the goals outlined above:

1. **BC Energy Step Code**

BC Energy Step Code regulations becoming effective in the City in March 31, 2019. These regulations included an increase in efficiency performance effective January 1, 2020. Incentives have been included in the Zoning Bylaw to help offset the additional construction costs of providing required levels of energy efficiency. However, additional costs to the City to oversee adequate and responsible implementation of the new BC Energy Code have not yet been addressed.
In order to ensure compliance with the Step Code requirements and the Zoning Bylaw, staff recommends the introduction of a performance bond for all buildings constructed to BC Energy Step Code Levels 3 or higher. This bond will be released upon confirmation that the construction has met the required energy efficiency performance level. This bond is proposed to be added to both the Building and Development Services Fees and Rates Bylaws.

A select few other Metro Vancouver municipalities also collect a performance bond on higher level Step Code buildings. The other alternative to ensuring energy performance compliance, i.e., holding up occupancy permit, is not recommended by staff in relation to non-safety matters. There can be considerable impacts to holding up occupancy on commercial and residential tenants, home buyers, and others who do not have direct accountability for the construction practices or on energy performance matters.

The performance bond, if forfeited by the applicant, will be rolled over into the Carbon Reserve Fund, in order to fund other energy efficiency initiatives that will assist us in meeting our Climate Emergency Declaration targets.

As a result of these amendments to the Building Bylaw, there is a need to also amend Schedule A to the Development Services Fees and Rates Bylaw No. 7683, 2014, to reflect the energy efficiency performance bond of the Building Bylaw.

2. Increase to Building Permit Fees

The Building Permit Fees have been increased to bring the rates to a level consistent with other jurisdictions that predominantly review complex permits. This will mean an increase of building permit fees from approximately 50% of the median of the region to approximately 75% of the median of the region.

Staff have discussed this recommendation to the Urban Development Institute on October 23, 2019, and have received general support. While staff does not suggest fettering Council’s discretion in the upcoming operational budget process, it is worth noting that it’s industry’s expectation and staff’s recommendation that the additional monies collected be expended to more than cover the additional staffing being requested for development review and permit review positions in 2020:

- Building Clerk
- Building Inspector (Energy)
- Development Planner 1
- Planning Assistant 1
3. Increase to Preliminary Application Review Fee

In a number of individual and group discussions with the development community, industry members stated that the City fee for a preliminary application review, at $528, was surprisingly inexpensive in relation to the value it provided. Given the high value to industry of receiving early staff feedback and having the opportunity to gain a political lens on their development applications ahead of a full rezoning or HRA application, industry members suggested that a $5,000 fee would be more appropriate than the current $528 fee that is currently imposed. Given that the PAR process is typically meant to address complex applications, staff believe that the proposed fee increase is reasonable.

The attached Development Services Fees and Rates Amendment Bylaw No. 8177, 2020, includes an amendment in that regard.

4. Small “Housekeeping” Amendments

Also added to the bylaw as “housekeeping” amendments (i.e., these are not new requirements) are:

- **Payment of Engineering fees** related to construction has been added to the Building Bylaw;
- **Change of Contractor**, which implements a fee for the transfer of a permit by the owner, from one contractor to another;
- **Security for Damage to Municipal Facilities and/or Obstruction of Roads by Builders**. This section was previously included in the Development Services Fees and Rates Bylaw. The fees have been relocated to the Engineering Fees and Rates Bylaw, however the requirements for the security are better located in the Building Bylaw;
- **Fees for the Multi-residential (three or more dwelling units), Commercial & Industrial Plumbing Services Permit**. The Fee Schedule in Schedule D of the Development Services Fees and Rates Bylaw No. 7683, 2014 has a typographical error, which has been corrected to reflect the correct rate.

**EXTERNAL CONSULTATION**

Throughout the review process, staff has consulted with other Lower Mainland jurisdictions and the development community.

**NEXT STEPS**

Subject to Council approval of the proposed Building Bylaw, staff will develop related guidance documents and bulletins for development applicants.
INTERDEPARTMENTAL LIAISON

Staff from Development Services (Planning and Integrated Services), Engineering and the City Solicitor have been involved in the review of the proposed Amendments.

OPTIONS

There are three options for Council’s consideration:

1. That Council give First, Second and Third Reading to Building Bylaw Amendment Bylaw No. 8161, 2020;

2. That Council give First, Second and Third Reading to Development Services Fees and Rates Amendment Bylaw No. 8177, 2020.

3. That Council provide alternate direction to staff.

Staff recommends Option 1 and 2

ATTACHMENTS

Attachment 1: Building Bylaw Amendment Bylaw No. 8161, 2020 (Bylaw to Amend Building Bylaw No. 8125, 2019)

Attachment 2: Development Services Fees and Rates Amendment Bylaw No. 8177, 2010 (Bylaw to Amend Development Services Fees and Rates Bylaw No. 7683, 2014)

This report has been prepared by
Joan Drabyk, Senior Permit Coordinator
Emilie Adin, Director of Development Services

This report was reviewed by:
Christy Mereigh, Manager of Inspections
Approved for Presentation to Council

Emilie K Adin, MCIP
Director of Development Services

Lisa Spitale
Chief Administrative Officer
Attachment 1

Building Bylaw Amendment Bylaw No. 8161, 2020 (Bylaw to Amend Building Bylaw No. 8125, 2019)
CORPORATION OF THE CITY OF NEW WESTMINSTER

AMENDMENT BYLAW NO. 8161, 2020

ADOPTED _________________

A Bylaw to Amend Building Bylaw No. 8125, 2019.

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 "Building Bylaw Amendment Bylaw No. 8161, 2019."

2. Building Bylaw No. 8125, 2019 is amended as follows:

   (a) Section 5.7 is amended by replacing Article 5.7.1 with the following wording:

      5.7.1 Every person making an application for a building permit or obtaining a service from the City shall pay the applicable fee and charges imposed in the Development Services Fees and Rates Bylaw No. 7683, and the Engineering Fees and Rates Bylaw No. 7553, 2013, as amended or replaced from time to time.

   (b) Add a new Article 5.12.15 and renumber subsequent Articles in section 5.12:

      5.12.15 If an owner changes contractors before construction is completed, a valid permit may be transferred to a new contractor upon payment of a transfer fee as specified in the Development Services Fees and Rates Bylaw No. 7683, 2014, as amended or replaced from time to time.

   (c) Add the following to Part 14:

      14.3 Energy Efficiency Performance Bond:
      To ensure compliance with the applicable step of the BC Energy Step Code is achieved in accordance with the requirements of Section 14.1, an energy efficiency performance bond, as specified in the Development Services Fees and Rates Bylaw No. 7683, 2014, as
amended or replaced from time to time, shall be provided prior to issuance of a building permit. The energy efficiency performance bond will be released once it has been verified that the project has been constructed to achieve the energy efficiency performance level in accordance with Section 14.1 and the project has been granted occupancy. The bond, if forfeited, will be utilized to improve energy performance in the subject building or will be rolled into the City’s Carbon Reserve Fund and utilized to meet the City’s energy use and GHG emissions targets.

(d) Add a new Part 15 as follows:

PART 15 SECURITY FOR DAMAGE TO MUNICIPAL FACILITIES AND/OR OBSTRUCTION OF ROADS BY BUILDERS

15.1. In addition to any other fee payable pursuant to this bylaw, where the construction site is served by any street upon which there is a sidewalk, curb and gutter, drainage swale, street light, storm sewer, sanitary sewer, water service, or a combination of any of these, either existing or required to be completed prior to final inspection and acceptance of the property, every applicant for a building permit shall, at the time of application, deposit with the City security, in a form acceptable to the City in the amount prescribed in and the Engineering Fees and Rates Bylaw No. 7553, 2013, as amended or replaced from time to time.

15.2 The applicant shall make an inspection of all City properties adjacent to the construction site and shall submit a report, with photographs attached, of any existing damage to the City Engineering Department prior to commencing work. All damage to City property observed at final inspection shall be deemed to be caused by the applicant, unless reported as outlined above.

15.3 The Security may be applied by the City in payment of any costs or expenses which may be incurred by the City in repairing, installing or replacing City properties which are damaged during, and such damage is attributable to the carrying out or construction of the works authorized by the building permit or which are incidental to such works; or, for clearing any debris, materials, dirt,
chattels or equipment which has accumulated on any street, road, avenue, alley, sidewalk, boulevard or any part of a road allowance as a result of work carried out in connection with the building permit.

15.4 Engineering Operations shall inspect City properties adjacent to the construction site after final inspection and acceptance by the Building Official. Any damage to City properties caused directly or indirectly by the construction related to the permit not repaired or corrected at the date of such inspection shall be recorded. The City shall, at its convenience, complete the necessary repairs and the full cost of the repairs shall be taken from the Security. Should the Security be more than the cost of the repairs, the remainder shall be returned to the applicant. Should the cost of the repairs be more than the Security, the applicant or owner of the property for which the building permit has been issued shall be required to pay those costs exceeding the Security. If the costs are not paid, they may be added to, and collected in the same manner as ordinary taxes per Article 3.2.4 of this bylaw.

15.5 Where during the course of construction, the City discovers that any street, road, avenue, alley, sidewalk, boulevard or any part of a road allowance is obstructed by debris, materials, dirt, chattels or equipment of the owner or his agent, the owner shall remove the obstruction immediately. Failure to comply will result in the City removing the obstruction and claiming the full cost of removal from the Security. The owner shall then deposit sufficient money to return the Security to its original amount.

15.6 The Security shall be returned to the applicant after:

(a) a final inspection, acceptable to the Building Official has been conducted; and

(b) Engineering Operations has ascertained either that no damage has occurred or that, if any damage to City property has occurred, the damage has been repaired or corrected to the satisfaction of the City.

15.7 Forfeiture of the Security in no way relieves the applicant of responsibility for the total cost of repair or correction should the cost exceed the Security.
READ A FIRST TIME this ________ day of ________________, 2020.

READ A SECOND TIME this ______ day of ________________, 2020.

READ A THIRD TIME this ________ day of ________________, 2020.

ADOPTED this ________ day of ________________, 2020.

___________________________________________
MAYOR JONATHAN X. COTE

___________________________________________
JACQUE KILLAWEE, CITY CLERK
Attachment 2

Development Services Fees and Rates
Amendment Bylaw No. 8177, 2020 (Bylaw to Amend Development Services Fees and Rates Bylaw No. 7683, 2014)
CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8177, 2020

A Bylaw to Amend Development Services Fees and Rates Bylaw No. 7683, 2014

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

(1) This Bylaw may be cited for all purposes as “Development Services Fees and Rates Amendment Bylaw No. 8177, 2020.”

(2) The City of New Westminster Development Services Fees and Rates Bylaw No. 7683, 2014 is hereby amended as follows:

a) Schedule ‘A’ (Building Permit Fees) and Schedule ‘D’ (Plumbing Fees) to Development Services Fees and Rates Bylaw No. 7683, 2014 are hereby replaced with the Schedule ‘A’ and Schedule ‘D’ attached in Appendix 1 to this amending bylaw; and,

b) In Schedule ‘C’ to Development Services Fees and Rates Bylaw No. 7683, 2014 replace the Pre Application Review fee of “$528.00” with “$5,000.00”.

READ A FIRST TIME on an affirmative vote of a majority of all members of Council this _______ day of ______________, 2020.

READ A SECOND TIME on an affirmative vote of a majority of all members of Council this _______ day of ______________, 2020.

READ A THIRD TIME on an affirmative vote of a majority of all members of Council this _______ day of ______________, 2020.

ADOPTED on an affirmative vote of a majority of all members of Council on this _____ day of ______________, 2020.

________________________________________________________
MAYOR JONATHAN X. COTE JACQUE KILLAWEE, CITY CLERK
Appendix 1

2020 Building Permit Fees

Bylaw No. 8157, 2019
1.0  GENERAL
1.1  ALTERNATE SOLUTION FEES
   (a) up to two items included in one report $520.00 (plus GST)
   (b) each subsequent item in same report $230.00 (plus GST)
   (c) for an amendment to an original report after acceptance or rejection
       of the report $145.00 (plus GST)

1.2  CHANGE OF ADDRESS - A fee of $625.00 shall be paid where an
     address change based on personal preference is requested.

1.3  COMFORT LETTERS - For the preparation of a comfort letter (includes
     responses from the Planning, Fire, Licensing, Building Departments) a fee
     of $321.00 shall be payable. For the preparations of a response from any
     individual department only a fee of $145.00 shall be payable.

1.4  CONDITIONAL OCCUPANCY CERTIFICATES
   (a) Residential $100 per dwelling unit (maximum $7500) per 30 days
   (b) Other $550 per 30 days

1.5  DOUBLE PERMIT FEE - If any work for which a permit is required under this
     bylaw shall commence before a permit has been obtained, the fees and charges
     payable shall be doubled, to maximum fee of $10,000.

1.6  Reserved

1.7  EXTENSION OF PERMIT - Where a permit has lapsed and the City has
     established that the proposed work complies with this bylaw and all other
     applicable bylaws, the permit may be extended on payment of an extension fee of
     $145.00.

1.8  OCCUPANT LOAD – A fee of $145.00 shall be paid to review floor plans for
     the purposes of establishing the maximum occupant load for a business where
     there is no current building permit application.
1.9 **REFUNDS** - No fees or part thereof paid to the City shall be refunded if a start has been made on construction or an inspection conducted. If no start has been made and no inspection conducted and if the Building Official so certifies, the City shall refund to the applicant with respect to a valid building permit, 50% of the building permit fee, such refund shall not include the plan processing fee.

1.10 **RE-INSPECTION FEES**

(a) Where more than two inspections are necessary due to non-compliance with the provisions of this bylaw or to correct violations from previous inspections the following charges (plus GST) shall be administered:
- Third inspection $145.00
- Fourth inspection $290.00
- Fifth inspection $435.00
- Each subsequent inspection $580.00

(b) Where work is not ready for inspection when the inspector calls, a re-inspection fee shall be charged at $145.00 (plus GST).

1.11 **REVISIONS TO PERMITS**

**REVISION PRIOR TO PERMIT ISSUANCE** - A fee, based upon the City hourly rate for staff time (min. 1 hour), will be charged on an application:

(a) That requires 3 or more revisions, and/or
(b) where the design is revised and/or substituted with a new design

**REVISION TO ISSUED BUILDING PERMIT** - A fee, based upon the City hourly rate for staff time (min. 1 hour), shall be paid.

1.12 **SIGN PERMIT FEES** – Every application for a sign permit, as required by Sign Bylaw No. 7867, 2017, shall be accompanied by the applicable fees:

1.12.1 **NEW SIGN** - $500.00

1.12.2 **FACE CHANGE** – $145

1.13 **SOLAR HOT WATER READY EXEMPTION** – A non-refundable fee of $520.00 (plus GST) shall be paid.

Schedule A
1.14 **SPECIAL INSPECTIONS** – for inspection of work linked or not linked to an issued permit.

(a) Special inspection during normal working hours: A fee, based on the City hourly rate for staff time (min. 1 hour), shall be paid;

(b) Special inspection outside normal working hours:
   
   i. Monday to Friday:
      
      First 2 hours – a fee, based on 1-1/2 times the City hourly rate for staff time
      
      Each additional hour – a fee, based on double the City hourly rate for staff time

   ii. Weekends – a fee, based on double the City hourly rate for staff time (min. 4 hours) plus a ½ hour meal break

1.15 **TRANSFER OF PERMIT:**

(a) **CHANGE OF OWNER** - In the event of a change of ownership before construction is complete, a valid permit may be transferred upon payment of a recording fee of $145.00 each. The new permit holder shall become responsible for depositing with the City, Security as required under this bylaw.

(b) **CHANGE/REMOVAL OF CONTRACTOR** – In the event of a change of contractor before construction is completed; a valid permit may be transferred to a new contractor upon payment of a recording fee of $145.00. The new contractor must take full responsibility for the work completed to date.

2.0 **BUILDING PERMIT FEES**

2.1 Every person shall pay the following fees (minimum fee $150.00) for the issuance of a building permit:

(a) $13.80 for each $1,000.00 of construction value or fraction thereof up to and including $50,000.00

(b) $13.55 from each $1,000.00 of construction value or fraction thereof between $50,001.00 and $150,000.00

(c) $11.99 for each additional $1,000.00 of construction value or fraction thereof in excess of $150,000.00

2.2 **PLAN PROCESSING FEE:** - A plan processing fee shall be paid for all applications in the amount of 50% of the calculated permit fee, with a minimum fee of $145.00 and a maximum fee of $15,000.00. The plan processing fee is non-refundable and shall be credited against the building permit fee when the building permit is issued.
2.3 **ENERGY EFFICIENCY PERFORMANCE BOND:** - Building permit applications for construction at Step Code Level 3 or higher shall be accompanied by a deposit of 1% of the total construction value, to a maximum of $25,000. The deposit shall be non-refundable if the Step Code Level 3 performance standard is not achieved or complied with.

3.0 **DOCUMENT FEES**

3.1 **PERMANENT RECORDS** - To assist in the cost of preparing efficient permanent Construction Records, every person making application for a building permit shall pay a fee equal to 1.0% of the construction value, subject to $11.75 minimum and $292.00 maximum.

3.2 **BUILDING RECORDS SEARCH**

(a) Document Request Fee $21.00 (plus GST) per document

(b) Drawing Request Fee
   - Administration Fee $50.00 (plus GST)
   - All copies (paper and/or digital) $1.50 per page (plus GST)

4.0 **DEMOLITION PERMITS**

4.1 Where an accessory building such as a garage or shed is to be demolished, the permit fee for such work shall be $145.00. The fee payable for all other structures shall be $1,265.00.

4.2 **WASTE DISPOSAL AND RECYCLING SERVICES FEES**

The fees in the table below shall be required for demolition permits

<table>
<thead>
<tr>
<th>Waste Disposal and Recycling Services Fee</th>
<th>$270.00 non-refundable portion, plus</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$5000.00 per single family or duplex building to be demolished, deconstructed, or disassembled (refundable portion)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fee Incentive</th>
<th>100% of the refundable portion of the Waste Disposal and Recycling Services Fee if the level of compliance stated on the accepted Compliance Report is greater than or equal to 70%; or</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$0 if the level of compliance stated on the accepted Compliance Report is less than 20%; or</td>
</tr>
<tr>
<td></td>
<td>in all other cases, the following as calculated using the level of compliance</td>
</tr>
</tbody>
</table>

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### 4.3 DELAYED DEMOLITION –
Every application to delay demolition of a dwelling or to relocate a second dwelling on a lot shall be accompanied by the applicable fees prescribed in Schedule A, Section 2.0 Building Permit Fees (including the Plan Processing Fee) and a security deposit in a form acceptable to the City in the amount $50,000.

### 5.0 TEMPORARY BUILDINGS -
Every application a temporary building shall be accompanied by the applicable fees prescribed in Schedule A, Section 2.0 Building Permit Fees (including the Plan Processing Fee) and a security deposit in a form acceptable to the City in the amount of $25,000.00.
CORPORATION OF THE CITY OF NEW WESTMINSTER

Development Services Fees and Rates Bylaw

Appendix 4

2020 Plumbing Fees

Bylaw No. 8157, 2019
## Schedule ‘D’
2020 Plumbing Permit Fees

### Plumbing Fixture Permit Fee Schedule

<table>
<thead>
<tr>
<th>Fixture Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 To 4 Fixtures</td>
<td>$145.00 (minimum permit fee)</td>
</tr>
<tr>
<td>Each additional fixture</td>
<td>$34.50</td>
</tr>
<tr>
<td>Backflow Assembly Test Report</td>
<td>$23.50 (annual retest)</td>
</tr>
</tbody>
</table>

For the purpose of this section the following shall be considered plumbing fixtures:

- Automatic washer
- Grease Interceptor
- Planter Drain
- Bar sink
- Hand sink
- Pot sink
- Bathtub
- Hose Bib
- Roof Drain
- Bed pan washers/grinder
- Hot Water Heater
- Sanitary B.W.V.
- Bidet
- Hot Water Storage Tank
- Sanitary Lift Station
- Condensate Drain
- Hub drain
- Shower
- Deck Drain
- Ice makers
- Steam Machine
- Dialysis machine
- Janitor sink
- (Swimming pool backwash sump)
- Dishwasher
- Kitchen sink
- Foot bath
- Laundry tub
- Urinal
- Floor Drain
- Mop Sink
- Wash basin
- Glass Washer
- Neutralizing tank
- Water closet
- Glass Washer
- Patio Drain
- Water filter

### Future Drainage/Venting/Water Connection

**Backflow Assembly**

**Specialty and/or Proprietary equipment/fixture**

*Specialty and/or proprietary equipment/fixtures typically found in medical, mercantile, commercial and industrial applications requiring a connection to the domestic water supply system and/or storm sewer system and/or sanitary sewer system. (Specialty equipment designation, if in question, shall be determined by the Plumbing Inspector.)*

**All new backflow assembly installation permits include one “City of New Westminster Backflow Test Report” form per device.**
1. **a) Domestic Water Re-pipe Plumbing Permit Fee Schedule**

   $58.25 per suite (Fee includes in-suite water pipe and distribution mains)

   **b) Domestic Water Mains and/or Risers Re-pipe Installation Only Plumbing Permit Fee Schedule**

   $145.00 for the first 100 feet or less
   $57.75 for each additional 100 feet or portion thereof
   $145.00 (minimum permit fee)

2. **Plumbing Services Permit Fee Schedule**

   **a) Residential (SFD & Duplex)**

   $69.20 each item ($145.00 minimum permit fee)

   - Back Flow assembly
   - Catch Basin
   - Drain Tile
   - Sanitary Lift Station
   - Sanitary Sewer
   - Septic Tank Removal
   - Solid Rain Water Leader Piping
   - Storm Lift Station
   - Storm Sewer
   - Storm Sump
   - Trench Drain
   - Water Service
b) **Multi-residential (three or more dwelling units), Commercial & Industrial Plumbing Services Permit Fee Schedule**
   All piping $2.95 per foot ($145.00 minimum permit fee)
   
<table>
<thead>
<tr>
<th>Sanitary Sewer</th>
<th>Storm Sewer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drain Tile</td>
<td>Solid Rain Water Leader Piping</td>
</tr>
</tbody>
</table>

c) **Precast Concrete Works & Associated Receptacles**
   $69.20 each item ($145.00 minimum permit fee)
   
<table>
<thead>
<tr>
<th>Catch Basin</th>
<th>Oil Interceptor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trench Drain</td>
<td>Sanitary Lift Station</td>
</tr>
<tr>
<td>Manhole</td>
<td>Storm Lift Station</td>
</tr>
<tr>
<td>Floor Drain</td>
<td>Storm Sump</td>
</tr>
</tbody>
</table>

d) **Waterworks**
   $69.20 each item ($145.00 minimum permit fee)
   
<table>
<thead>
<tr>
<th>Fire Hydrant</th>
<th>Yard Hydrant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isolating Valve</td>
<td>Fire Line</td>
</tr>
<tr>
<td>Combined Water Service</td>
<td>Domestic Water Service</td>
</tr>
<tr>
<td>Back Flow Assembly</td>
<td></td>
</tr>
</tbody>
</table>

3. **Hot Water Heating Permit Fee Schedule**
   a) **Residential (SFD & Duplex)**
      $403.50 Flat Rate per dwelling unit
      
      **Hot water heating systems serving three or more dwelling units must be a professionally engineered design and inspected and approved by the engineer of design. (Permit not required)**
4. Sprinkler Permit Fee Schedule

a) Residential (SFD & Duplex)

1st Sprinkler head $145.00

Each additional sprinkler head $3.00 each

b) All other Buildings

1st Sprinkler head $290.00

Each additional sprinkler head $3.00 each

c) Additional Sprinkler Permit Charges

$69.20 each item ($145.00 minimum permit fee)

Dry Pipe Valves Alarm Valves
Fire Department Connection Fire Hydrants
Yard Hydrants Fire Pump
2 1/2” Hose Valve 1 1/2” Hose Valve
Standpipe Fire Pump
Deluge Valve Pre-action Valve
Compressor Flow Switch
Chemical Based System

5. Miscellaneous Fee Schedule

a) DOUBLE PERMIT FEE - If any work for which a permit is required under this bylaw commences before a permit has been obtained, the fees and charges payable shall be doubled, to a maximum fee of $10,000.

b) REFUNDS - No fees or part thereof paid to the City shall be refunded if a start has been made on construction or an inspection conducted. If no start has been made and no inspection conducted and if the Building Official so certifies, the City shall refund to the applicant 50% of the applicable permit fee.
c) **RE-INSPECTION FEES** –
(c) Where more than two inspections are necessary due to non-compliance with the provisions of this bylaw or to correct violations from previous inspections the following charges shall be administered:

- Third inspection $145.00 plus applicable taxes
- Fourth inspection $290.00 
- Fifth inspection $435.00 
- Each subsequent inspection $580.00 

- Where work is not ready for inspection when the inspector calls, a re-inspection fee shall be charged at $145.00, plus GST.

d) **CHANGE/REMOVAL OF CONTRACTOR** - In the event of a change of contractor before construction is completed; a valid permit may be transferred to a new contractor upon payment of a recording fee of $145.00. The new contractor must take full responsibility for the work completed to date.

e) **CHANGE OF USE** - For an inspection related to the change of occupancy or use of a building, a fee in the amount of $145.00 shall be paid.

f) **RENEWAL OF LAPSED PERMITS** - Where a permit has lapsed and the proposed work is at a stage that is still accessible for inspection the permit may be renewed upon payment of $145.00.

g) **REVISED PLAN REVIEW SUBMISSION** - Where a revision to the originally submitted and approved plumbing, sprinkler or hot water heating permit plans is received an administrative fee calculated based upon City costs per hour of staff time (min. 1 hour) shall be paid.

h) **SUBDIVIDING A SINGLE PROJECT BETWEEN MULTIPLE CONTRACTORS** - Where a plumbing/sprinkler/hot water heating project covered by a single Building Permit is then divided into two or more phases with multiple mechanical contractors the full permit fee shall be collected from each individual contractor for their portion of work.
6. **Special Inspections**

Special inspection requests for work linked or not linked to an issued permit:

- Special inspection during normal working hours:
  A fee based on City costs per hour (min. 1 hour) shall be paid;
- Special inspection outside normal working hours:
  Monday to Friday:
  First 2 hours – a fee based on 1-1/2 times the City hourly rate
  Each additional hour – a fee based on double the City hourly rate
  Weekends – a fee based on double the City hourly rate (min. 4 hours)
  plus a ½ hour meal break
RECOMMENDATION

THAT Council receive this report for information.

PURPOSE

The purpose of this report is to inform Council about a three stage review of the Zoning Bylaw, to modify regulations for off-street vehicle parking, bicycle parking, and off-street loading requirements, to address the following:

1. Administrative amendments to improve regulation of off-street parking, off-street loading, and bicycle parking requirements;
2. Improvements to better address sustainable transportation and accessibility objectives, policies and actions from the Master Transportation Plan, Council Strategic Plan and the Climate Emergency response.

BACKGROUND

The Zoning Bylaw includes a number of regulations related to sustainable transportation and accessibility:

- **Off-street parking (Sec. 150)** - including number of parking spaces required per land use, size of parking spaces by vehicle type, parking space design standards, and accessible parking space requirements and design standards;
• **Bicycle parking (Sec. 155)** – including number of spaces by land use required and design standards, and
• **Off-street loading (Sec. 160)** – including number and size of loading spaces, and design standards.

The Zoning Bylaw and its associated regulations are a critical mechanism to support sustainable transportation and accessibility objectives as the City develops. As such, the regulations should reflect key priorities, directions and policies noted in City plans and other policy documents. With the ongoing intake of development applications and ambitious targets for sustainable transportation, accessibility and quality public realm, there is an opportunity to improve regulations relating to off-street parking and loading to address administrative challenges and to ensure sustainable transportation policies outlined in the Official Community Plan (OCP) and Master Transportation Plan (MTP) are incorporated into the Zoning Bylaw.

**EXISTING POLICY/PRACTICE**

This work program addresses goals, objectives, and policies from a number of City plans and initiatives, including:

• **Official Community Plan (OCP):** The Transportation and Accessibility chapter of the OCP identifies several policies regarding parking management and TDM:
  o **Policy 11.8:** Implement parking management strategies and other transportation demand management measures
  o **Policy 11.8 a:** Develop parking strategies for SkyTrain areas, Frequent Transit Development Areas and for Frequent Transit Network corridors to help guide parking requirements for development in these areas.

• **Master Transportation Plan (MTP):** A number of polices outlined in the MTP address the need to manage parking, reduce car dependency and support pedestrian, cycling and transit modes, including:
  o **Policy 1C:** - Improve Pedestrian Safety and Accessibility Actions
    ▪ **Policy 1.C.9:** Use parking payment in-lieu funds to fund new amenities
  o **Policy 2C:** Make Cycling Convenient
  o **Policy 3D:** Develop Transit Oriented Communities
  o **Policy 8B:** Manage Parking
    ▪ **Policy 8B.2:** Concentrate parking strategies within New Westminster’s Downtown, SkyTrain areas and Frequent Transit Network corridors.
  o **Policy 8F:** Integrate Transportation Demand Management into City Planning
    ▪ **Policy 8F.1:** Continue to incorporate requirements into the planning and development processes that seek to reduce travel demand and dependency on the private vehicle.

• **2019-2022 Council Strategic Plan:** One of the priority areas, Sustainable Transportation, includes the following relevant key directions:
City of New Westminster
January 13, 2020

- Create great streets, infrastructure, and places that support everyone in making sustainable transportation choices that are safe, and that reduce GHGs.
- Work in partnership with Translink and others to ensure a transit-friendly city by addressing barriers to safe, efficient, and reliable transit.
- Ensure that travel to school is as safe, comfortable, convenient, and sustainable as possible for everyone.
- Use a disability justice lens to recognize and mitigate barriers to universal access and mobility.

**Climate Emergency Seven Bold Steps**: There are two Bold Steps that will benefit from Zoning Bylaw amendments:

- **Car Light Community**: Accelerate the Master Transportation Plan targets for mode split: 60% of all trips within the City will be by sustainable modes of transportation (walk, transit, bike, multi-occupant shared) by 2030.
- **Quality, People Centered, Public Realm**: A minimum of 10% of today’s street space that currently only serves motor vehicles, excluding transit, will be reallocated for sustainable transportation or public gathering by 2030. The natural environment will be integrated with the public realm.

**ANALYSIS / DISCUSSION**

Given the depth and breadth of review required, a three stage work program has been developed, to be completed in three stages, as follows:

- **Stage 1 – Administration and Clarity Improvements**: Bylaw amendments that improve and assist with the day-to-day administration of off-street vehicle and bicycle parking, and off-street loading regulations. The amendments would include changes to existing regulations that improve clarity, understanding and implementation to better achieve the primary objective(s) of a particular bylaw requirement.

- **Stages 2 and 3 – Key Policy Implementation**: Would comprise bylaw amendments that represent significant changes or new regulations to implement key polices of the OCP and MTP and which would require consultation with stakeholders in advance of Council’s consideration of a draft amending bylaw. Stage 2 would include amendments to payment in-lieu and transportation demand management (TDM) in-lieu of parking and Stage 3 would encompass a comprehensive review of off-street parking space requirements.

The three-stage work program would include the following work scope, methodology and approximate timing.

**Stage 1: Administration and Clarity Improvements**:

- **Scope of Amendments** - Amend, update, and make more clear:
  - Accessible parking space requirements and design standards
City of New Westminster
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- Size, location and number of off-street loading spaces
- Bicycle parking space design standards
- Formatting to assist with interpretation and administration

- **Methodology /Approach:**
  - Complete municipal best practice review of other municipalities in Metro Vancouver.
  - Complete staff interdepartmental review of proposed bylaw amendments
  - Prepare draft amending bylaw for Council’s consideration

- **Schedule and Timing:**
  - First quarter of 2020: Draft bylaw for Council’s consideration

### Stage 2: Key Policy Implementation – TDM Initiatives:

- **Scope of Amendments:** Add payment and TDM in-lieu of parking provisions and associated TDM measures that would be considered in-lieu of providing a specified percent of the required off-street parking spaces.

- **Methodology /Approach:**
  - Complete best practice review of combined parking reduction and TDM programs throughout North America, including, at a minimum, Vancouver, Portland, and San Francisco, to confirm what is being successfully implemented in other locations.
  - Evaluate and recommend locations where payment in-lieu makes sense and supports a broad range of MTP policies, including areas with high levels of transit accessibility and near-by amenities.
  - Complete staff interdepartmental review of proposed bylaw amendments
  - Consult with key stakeholders including UDI, business improvement associations and advisory committees regarding proposed in-lieu provisions and TDM options.
  - Present proposed bylaw amendments for consideration by the Sustainable Transportation Task Force prior to consideration by Council.

- **Schedule / Timing:**
  - First quarter of 2020: Public Stakeholder Consultation
  - Second quarter of 2020: Draft amending bylaw and policy for Council’s consideration

### Stage 3: Key Policy Implementation – Off-Street Parking Space Update:

- **Scope of Amendments:** Amend off-street parking space requirements to align with current best practices (i.e., parking demand rates) and consider parking maximums in addition to parking minimums.

- **Methodology/Approach:**
  - Complete best practice review of other municipalities
  - Complete staff interdepartmental review of proposed bylaw amendments
City of New Westminster  January 13, 2020

- Consult with key stakeholders including UDI, business improvement associations and advisory committees regarding proposed in-lieu provisions and TDM options.
- Present proposed bylaw amendments for consideration by the Sustainable Transportation Task Force prior to consideration by Council.

**Schedule/Timing**: This work will proceed upon completion of Stage 2 amendments, therefore timing is to be determined; the goal is to complete this stage of work prior to end of 2020.

**SUSTAINABILITY IMPLICATIONS**

TDM measures are a key “Descriptor of Success” in Envision 2032. The Transportation and Accessibility chapters notes:

Through pricing and regulation, combined with the provision of attractive low-impact transportation options, Transportation Demand Management practices have created a level playing field between modes, with motor vehicles paying for all of their true costs on society and priority modes being affordable and convenient travel options. (p. 28)

**FINANCIAL IMPLICATIONS**

A consultant has been engaged to complete the research and policy analysis required and a budget of $50,000 has been assigned.

**NEXT STEPS**

The following actions are proposed as next steps:

- Begin Stage 1 bylaw updates and prepare a draft amending bylaw for Council’s consideration in the first quarter of 2020;
- Commence Stage 2 updates and prepare a draft parking in-lieu strategy and TDM program for stakeholder consultation and input.

**OPTIONS**

There are two options for Council’s consideration:

**Option 1** – That Council receive this report for information, and;

**Option 2** – That Council provide staff with other direction.

Staff recommend Option 1.
INTERDEPARTMENTAL LIAISON

Given their responsibility for the administration of the Zoning Bylaw, Development Services staff provided input on the proposed Zoning Bylaw amendments work program methodology and approach and a preliminary list of recommended amendments. Development Services anticipates that the proposed scope of amendments would likely reduce the number of applications for variances and will be consistent with application review and bylaw streamlining reviews currently underway.

Moving forward, Engineering Services will continue to engage key interdepartmental and division staff in the development of the proposed Zoning Bylaw revisions.

CONCLUSION

Transportation Division staff have begun a three stage review of the Zoning Bylaw, to modify regulations for off-street vehicle parking, bicycle parking, and off-street loading requirements, to address administrative improvements and improvements to better address the City’s sustainable transportation and accessibility goals.

This report has been prepared by:
Erica Tiffany, Consultant Planner

This report was reviewed by:
Lisa Leblanc, Manager, Transportation

Approved for Presentation to Council

Jim Lowrie, Eng. L, MBA  Lisa Spitale
Director of Engineering Services  Chief Administrative Officer
RECOMMENDATION

THAT Mayor and Council approve the Child Protection Policy & Procedures as outlined in this report.

PURPOSE

The purpose of this report is to provide information on implementing a new child protection initiative that includes updated and new policies, marketing, staff training and recruitment screening.

BACKGROUND

The Commit to Kids program is developed by the Canadian Centre for Child Protection, a national non-profit organization dedicated to the personal safety of children, to help organizations create safe environments for children. It provides strategies, policies, and a step-by-step plan for reducing the risk of child exploitation. The program encourages organizations to take an active, participatory role in protecting children in their care.

At the recommendation of the Parks and Recreation Committee, in the November 19, 2018 Council Open Workshop, a presentation was provided by the Director of Education from the
Canadian Centre for Child Protection regarding present protection programs and services offered by the organization as an opportunity to enhance City policies, programs and infrastructure design development (i.e. New Westminster Aquatic and Community Centre) with a focus on child protection. Council approved the following motion:

_THAT staff be directed to implement the child protection initiative – Commit to Kids, as outlined in the staff report dated November 19, 2018._

The Parks and Recreation Committee, in their September 18, 2018 meeting, recommended that Mayor and Council adopt the Child Protection program, policies and procedures.

**EXISTING POLICY**

The Parks and Recreation Department has always incorporated child protection measures into its programs, facility development and staff training. Although satisfactory, the previous policies and measures were dated and could be improved by means of a consolidated interdepartmental approach.

The Commit to Kids initiative will help staff design and operationalize our new facilities with particular attention to child protection (i.e. New Westminster Aquatic and Community Centre and the Queen's Park Sportsplex).

**ANALYSIS**

The Commit to Kids program and policy implementation has included the following milestones:

**Staff Training** – Multiple in-person training sessions were provided, in May 2019, to City staff from the Parks and Recreation, Anvil Centre and the Library. Approximately 200 staff received the training and the remaining staff will complete the required training online in the coming months.

**Policy Development** – a leadership team comprised of senior staff from Parks and Recreation, Library and Cultural Services developed and/or revised several City policies to create a consolidated and encompassing approach to child protection involving public facing services and spaces. The policy work included:
## Policy
<table>
<thead>
<tr>
<th>Policy</th>
<th>Purpose</th>
<th>Document #</th>
<th>Status</th>
<th>Attachment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code of Conduct Policy &amp; Signage</td>
<td>The Code of Conduct provides Customers with clear direction on conduct expectations while accessing City services or spaces. Further, the Code of Conduct will clearly state behaviors or actions deemed unacceptable.</td>
<td>157148V3</td>
<td>Updated</td>
<td>A</td>
</tr>
<tr>
<td>Child Protection Policy &amp; Procedures</td>
<td>The purpose of this policy is to enact Child Protection measures to reduce the risk of Sexual Abuse for Children and Youth accessing City Services or Spaces.</td>
<td>1418121</td>
<td>New</td>
<td>B</td>
</tr>
<tr>
<td>Working with Vulnerable Populations Policy &amp; Procedures</td>
<td>The purpose of this policy is to ensure the safety of Vulnerable Populations participating in Department Services.</td>
<td>1292817</td>
<td>New</td>
<td>C</td>
</tr>
</tbody>
</table>

### Actions

a) Parks and Recreation (September 19, 2019), Library (November 12, 2019) and Cultural services (October 3, 2019) have updated their respective Committees and Boards on the City’s Commit to Kids program, which in turn, were endorsed by each;
b) Staff training and recruitment policies and processes have been updated to reflect the Commit to Kids program and policies;
c) Staff training will continue on an ongoing and as needed basis;
d) Facility improvements and new facility designs have incorporated the Commit to Kids initiative through universal design criteria and principles that has informed the planning and design of new civic facilities; and

e) City branded Commit to Kids marketing will commence, in multiple, mediums to inform the public of the City’s commitment to protecting children from abuse. See Attachment “D” for an example.

In addition, the Parks and Recreation Department will liaise with community groups (i.e. minor sports and arts) to communicate the program benefits and to seek their participation by means of adopting the Commit to Kids program and/or having their staff/volunteers complete the online training program.

FINANCIAL IMPACT

The Commit to Kids program, policy and marketing resources, in-person and online training has been accommodated within the Parks and Recreation Department’s 2019 operational budget.

INTERDEPARTMENTAL LIAISON

Staff from Parks and Recreation have collaborated in the development of these policies, marketing materials and training needs with staff from Library Services, Anvil Centre, Cultural Services and Human Resources. In addition, staff in Social Planning and the New Westminster Police Departments have supported this initiative.

OPTIONS

1. That Mayor and Council approve the Child Protection Policy and Procedures as outlined in this report; or
2. Provide staff with alternative direction.

Staff recommend option #1.

CONCLUSION

The Commit to Kids program helps to ensure children are protected from abuse when accessing City services or spaces. The implementation of the associated policies, training,
screening and marketing pursuits will improve the City’s ability to be successful in this regard.

This report was prepared by Steve Kellock, Senior Manager - Recreation Services and Facilities

ATTACHMENTS

Attachment A: Code of Conduct Policy & Signage
Attachment B: Child Protection Policy & Procedures
Attachment C: Working with Vulnerable Populations Policy & Procedures
Attachment D: Example of Commitment to Kids Public Signage

This report was reviewed by:

Approved for Presentation to Council

Dean Gibson
Director of Parks and Recreation

Lisa Spitale
Chief Administrative Officer
Attachment A:
Code of Conduct Policy & Signage
CODE OF CONDUCT

All customers, visitors and volunteers are expected to treat each other with respect, dignity and fairness. As such, the following is prohibited:

- Behaviour, actions or language that promotes discrimination, racism, hatred or is demeaning
- Aggressive acts, threats, violence or profanity
- Illegal behavior or destruction of property
- Use or possession of alcohol, cannabis, drugs or other intoxicating substances
- Use or possession of weapons
- Any actions or interactions with children or youth deemed harmful, abusive, coercive, manipulative or illicit in nature

Help us make this a Safe Place for Everyone!

Please report any unusual behaviour to a staff member.

NEW WESTMINSTER
PURPOSE

The Department is committed to offering Customers and Staff a positive and wholesome environment free of harm, to pursue healthy lifestyles and rewarding experiences.

AUTHORIZATION

This policy is enforceable by all Department Staff. However, it will be the responsibility of Customers to support this policy, and further, report any Code of Conduct violations to Staff for action.

DEFINITIONS

Customer – means anyone accessing free or paid Department Services that take place on or off civic Spaces.

Department – means the following City departments or divisions: Parks and Recreation, Anvil Centre and Cultural Services.

Spaces – means any City or Department space (i.e. recreation facility, building, park, trail, etc.) where people can freely enter and participate in structured or unstructured activities within the space’s operating hours or Bylaw requirements.

Services – means any paid or free activities or courses offered by City Departments.

Staff – means any Department employee or volunteer.

OBJECTIVES

The Code of Conduct will provide Customers with clear direction on conduct expectations while accessing Department Services or using civic Spaces. Further, the Code of Conduct will clearly state behaviors or actions deemed unacceptable. Code of Conduct violations will result in consequences outlined herein.

CODE OF CONDUCT

The Department expects all Customers and Staff to treat each other with respect, dignity and fairness. As such, the following is prohibited:
• Behaviour, actions or language that promotes discrimination, racism, hatred or is demeaning
• Aggressive acts, threats, violence or profanity
• Illegal behaviour or destruction of property
• Illegal use or possession of alcohol, cannabis, drugs or other intoxicating substances
• Use or possession of weapons
• Any actions or interactions with children or youth deemed harmful, abusive, coercive, manipulative or illicit in nature

Signage will be placed in Department facilities to outline expectations and to include the public in watching for and reporting any suspicious behaviours or violations to a staff member.

CODE OF CONDUCT VIOLATIONS

Staff will respond to Code of Conduct violations by:

• Identifying the individual(s) or group(s) involved;
• Confirming the Code of Conduct violation(s), extent and context by all means available;
• Documenting violation(s) on the Staff Statement Form (#100386) or the Abuse Reporting Form (#1418121) as applicable; and
• Responding to violator(s) based on severity and/or frequency of the violation(s) or escalate the matter to senior staff, Bylaw Enforcement and/or New Westminster Police Services.

Code of Conduct violators may be subject to one or more of the following actions and/or conditions:

1. Restrict access to Department Service(s) or Spaces;
2. Loss of admission, registration, membership, rental and/or rental deposit fee(s);
3. Temporary or permanent restriction of rental bookings per the Department Facility Allocation Policy;
4. Requirement to compensate the Department for intentional damage or destruction of civic Spaces; and/or
5. Be ticketed, fined or be issued other orders by City staff, New Westminster Police Services or other authorities, in accordance with City policies, Bylaws or law.

Appeals related to the above actions and conditions can be made in writing to the Department Director or designate. If unresolved, the appeal will be escalated to the City’s Chief Administrative Office, Cultural Services department head or Anvil Centre General Manager.

Whereupon a user or user group is sanctioned to consume alcohol (i.e. by means of a rental agreement, beer garden permit or City held liquor license) the Code of Conduct will not be considered ‘violated’ unless the user or user group breaches any other Code of Conduct criteria.

SUPPORTING POLICY AND LEGISLATION

The following policies and legislation support the Department Code of Conduct policy and/or provide addition clarity with customer, visitor or staff behavior expectations and rights:
City of New Westminster

- Child Protection Policy & Procedures, #1418121
- Working with Vulnerable Populations Policy & Procedures, #1292817
- Human Resources Code of Conduct Policy, #326244
- Respectful Workplace and Human Rights Policy, #133506
- Parks Bylaw No. 3646, 1959
- Public Health Bylaw No. 4271, 1967
- Business License Bylaw No. 5640, 1986
- Smoking Control Bylaw No. 6263, 1995
- Noise Bylaw No. 6520, 1999
- Business License Bylaw No. 5640, 1986
- Street Activity Program Policy
- Active Access Policy, #149760
- Access & Inclusion Policy and Procedures, #1229870
- Facility Allocation Policy, #69836 & #506823
- Special Occasion Permits
- Facility Booking Agreements
- Community Group Lease Agreements for civic space
- Municipal Ticketing Information Bylaw No. 6482, 1998

Province of British Columbia

- British Columbia Human Rights Code
Attachment B:  
Child Protection Policy & Procedures
City of New Westminster Policy & Procedure

CHILD PROTECTION POLICY & PROCEDURES

<table>
<thead>
<tr>
<th>Approved by:</th>
<th>City Council</th>
<th>Library Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Endorsed by:</td>
<td>Arts Commission</td>
<td>Parks &amp; Recreation Committee</td>
</tr>
</tbody>
</table>

Effective Date: XXXX, 2019
Supersedes Date: n/a
File No. 1418121

PURPOSE

The purpose of this policy is to create Child Protection measures to reduce the risk of Sexual Abuse for Children and Youth accessing City Services or Spaces.

SCOPE

This policy applies to all City staff and volunteers entrusted to work with Children and Youth or who have access to Children and Youth accessing City Services or Spaces.

AUTHORIZATION

Staff is authorized to implement this policy, and its procedures, as empowered by City Council and the Library Board.

INTERRELATED

This policy supersedes and replaces the following:

i. New Westminster Parks, Culture and Recreation General Guidelines for Staff & Volunteers Working Alone with Children (105898)
ii. New Westminster Children’s Charter (206238 & 157118)

This policy compliments the following:

i. Working Alone with Vulnerable Populations (1292817)
ii. Department Code of Conduct Policy (157148) and Signage
iii. Government of Canada Rights of Children

DEFINITIONS

Adult – means any person 19 years and older, or any person five years older than the child, or any person in a position of trust over the child (i.e. activity leader, babysitter, instructor, etc.).

Child Protection - means safeguarding Children and Youth from abuse with an emphasis on Sexual Abuse.

Children and Youth – means any person less than 19 years of age.
City – means the City of New Westminster.

Department – means the following City departments or divisions: Parks and Recreation, Anvil Centre, Library and Cultural Services.

Filming – means the recording of individual images or video.

Grooming – means a gradual process whereby Adults inappropriately and deceitfully build trust and an emotional connection with Children and Youth for the purpose of lowering and distorting their inhibitions with the objective of Sexual Abuse.

Spaces – means any City or Department space (i.e. recreation facility, library, building, park, trail, etc.) where people can freely enter and participate in structure or unstructured activities within the space’s operating hours or Bylaw requirements.

Services – means any paid or free activities or courses offered by City Departments.

Sexual Abuse – means an Adult or older adolescent uses their power over Children or Youth for sexual interaction, stimulation, activity, Grooming, exposure, exploitation and/or pornography. This could include Filming. In addition, the staff and volunteers are responsible for monitoring and reporting other forms of abuse including, but not limited to: physical, emotional, verbal, mental/psychological, financial and cultural abuse.

UNDERSTANDING

Public Spaces, by their nature, create places for people to gather, meet and socialize. In turn, public Spaces are at risk of being used for Sexual Abuse purposes. The City, through this policy, is committed to safeguarding Children and Youth from any form of Sexual Abuse in City Services or Spaces.

OBJECTIVES

The objectives of this policy are to:

1. Reduce the risk of Sexual Abuse and victimization of Children and Youth accessing City Services and Spaces;
2. Promote early identification and/or the disruption of potential or actual Sexual Abuse or Grooming;
3. Provide staff and/or volunteers with clear, fair and transparent training, support, supervision, responsibilities and an understanding of appropriate relationship boundaries associated to working with Children and Youth and mitigating Sexual Abuse;
4. Educate Adults accessing public Spaces on appropriate behaviours, expectations and relationships when interacting with Children and Youth by means of policies, signage, Code of Conduct and other mediums;
5. Report unusual activity or relationships that can or have led to Sexual Abuse; and
6. Create a healthy and safe environment for Children and Youth in City Spaces.
PRINCIPLES

It is the City's legal responsibility to protect Children and Youth accessing our Services and Spaces. To this end, the City will incorporate Sexual Abuse prevention measures through the following principals and processes:

- Established policies and procedures
- Employee and volunteer training, education, awareness, supervision and a clear understanding of responsibilities and accountability
- Employee and volunteer recruitment, screening and dismissal practices identified by the City's Human Resources Department
- Clear lines of communication, authority and decision making for staff
- An ongoing evaluation, and improvements, to City Services, Spaces and policies
- Create a protective culture based on clear expectations, industry standards, and accountability whereby a reasonable observer will not deem any Adult-to-Children and Youth interaction as inappropriate
- All interactions with Children and Youth must be focused on meeting their needs, not meeting the Adults needs

POLICY STATEMENT

The City will not tolerate Sexual Abuse in any of its Services or Spaces, and further, the City is committed to taking a pro-active position regarding the prevention of Child Abuse through effective policies, procedures, hiring practices, staff training and public education.

PROCEDURES

Recruitment
The City Human Resources Department is responsible for establish hiring criteria, forms and processes that meet or exceed all legislation and regulations requirements associated to hiring staff or volunteers. Further, an emphasis and supporting processes will be placed on screening applicants that have access to Children and Youth.

Training & Education
The City is requiring that all Department staff complete an in-person training session or pass the online Child and Youth Sexual Abuse training program from the Canadian Centre for Child Protection: https://vta.c3p.ca/app/en/create_account?key=5FDD6F6470D411E997ADE7597C889D8E.

In addition, Departments may offer additional direct and indirect training on Children and Youth abuse prevention. The Resources section herein also offers additional information. It is the Employer's responsibility to evaluate and support staff as may be required.
Reporting

**Staff and Volunteers**
City staff and volunteers are required to promptly act upon and report any Adult allegations or suspicions of Sexual Abuse to their supervisor or manager. This may include reporting on members of the public or coworkers. Further, staff and volunteers are to report any incidents of coworkers where their behaviour is perceived as inappropriate (i.e. meeting or communicating with children and youth outside the workplace).

**Members of the Public**
Members of the public are welcomed into City Services and Spaces, and in turn, some Adults may inappropriately use public Spaces for Grooming, Sexual Abuse or the non-consensual Filming of Children and Youth. The public is encouraged to watch for and report, to City staff, any suspicious or inappropriate activities, behaviours or interactions between an Adult and Children/Youth using City Services and Spaces. To support this action, the Department will post signage and information within facilities and online that messages expectations.

**Children and Youth**
Children and Youth may form trusting relationships with staff or volunteers, and in turn, make a Sexual Abuse disclosure. Staff and volunteers must not promise the discloser confidentiality, and further, are obligated to report the disclosure.

In any reporting situation, staff and volunteers will:
- Treat the disclosure seriously
- Document the disclosure (see Attachment "A")
- Immediately report the disclosure to your supervisor or manager
- Ensure confidentiality
- Do not investigate the allegation or try to determine accuracy
- Managers will seek direction from their Department Director and the Director of Human Resources if the allegation is against a staff member. In such situations, the Director of Human Resources will oversee any investigations, contact pertinent authorities and implement related City policies and/or legislation.

In all reporting cases, the City is legally required to follow the Child, Family and Community Service Act reporting process. Reporting may be done by the staff member, volunteer, supervisor or manager by contacting the:
- New Westminster Police Services, 911, if the Child or Youth is immediate danger and intervention is needed; and the
- Provincial Centralized Screening Team 24 hour line, 1-800-663-9122 or 604-660-4927, if it is a non-emergency situation but may need intervention.

The manager and reporting person may be further interviewed by the above authorities.
To reinforce, all disclosures, allegations, reporting and documentation will be treated as highly confidential and shared only as required and outlined herein.

**WORKING WITH CHILDREN & YOUTH**
Complementing this policy is the Working with Vulnerable Populations Policies and Procedures, document #1292817. This policy provides staff and volunteers with direction, expectations, boundaries and responsibilities when working with Children and Youth. The goal is to create clear expectations to foster healthy and appropriate relationships between Children and Youth and staff and volunteers.

RESOURCES

Reporting Child Abuse in BC
Child, Family and Community Service Act
Responding to child Welfare Concerns (Province of BC)
Child Protection Manual (Canadian Centre for Child Protection)
Child Protection Overview Video (Canadian Centre for Child Protection)
Child Protection Training Video (Canadian Centre for Child Protection)
ATTACHMENT “A”

MISCONDUCT REPORTING FORM

----------

MISCONDUCT REPORTING FORM

*Formatting efforts will be made upon form content agreement*

Employee/Reporter Information

Employee: ____________________________  Position: ____________________________

Service: ____________________________  Incident Date: ____________________________

Space: ____________________________  Incident Time: ____________________________

Phone #: ____________________________  email: ____________________________

Supervisor/Manager Information

Supervisor: ____________________________  Position: ____________________________

Phone #: ____________________________  email: ____________________________

Context of Reporting

€ Did a child or youth disclose a form of abuse to you? If yes, how would categorize it:
   Sexual  Physical  Verbal  Emotional  mental/psychological  Financial  Cultural

Or

€ Did you witness abuse a form of abuse?
€ Is a member of the public reporting suspected abuse to you?
€ Do you suspect child or youth abuse?
€ Are you reporting unusual behaviour, relationships or a breach of City policy?
Reporting Information

In reporting suspected abuse, it is important that you provide as much detail and accuracy as possible. Reporting child abuse 24 hour phone number: 1-800-663-9122.

1. Recount the incident or disclosure to the best of your ability, using the discloser’s words, and provide a description of the person(s) involved (i.e. height, weight, physical characteristics, etc.): ___________________

2. What is the child or youth’s:
   - Full name: __________________________________________
   - Mailing address: __________________________________________
   - Phone: __________________________________________
   - Age: __________________________________________
   - Gender: __________________________________________
   - Vulnerability: __________________________________________
   - Primary Language: __________________________________________

3. How long have you known the child or youth? ______________

4. What is your relationship to the child or youth? __________________

5. What service(s) does the child or youth member participate in? __________________________________________

6. Where was the disclosure (if applicable): __________________________________________

7. What was the child or youth’s disclosure or statement(s)? __________________________________________

8. Do you feel that there is an immediate concern about the child’s or youth’s safety? __Yes or __ no. If yes, why do you believe the child or youth is in immediate risk?

9. What information do you have on the alleged offender? ________

10. What information do you have on the family: siblings and parents? ______________

11. Do you feel that any other children or youth may be at risk? ________

12. Is there anyone else that witnessed the incident, can corroborate your information or has additional information about the child or youth? _____________

13. Do you know of any previous incidents involving concerns about the child or youth? _____________

14. Does the child or youth access any social or disability services that you are aware of? ______

15. Is there any other relevant information concerning the child, youth or family? ________
    __________________________________________
Reporter Signature (required)

Witness or Member of the public Signature (if applicable)

Supervisor Signature (if applicable)

Manager Signature
Attachment C:

Working with Vulnerable Populations
Policy & Procedures
City of New Westminster – Parks and Recreation Department

Department Policy & Procedure

WORKING WITH VULNERABLE POPULATIONS POLICY & PROCEDURES

Policy Number: 1292817
Effective Date: July 9, 2019
Supersedes Date: File No. 1292817V2

Approved by: ☑ Human Resources ☑ Library Board ☑ Department Administration

Endorsed by: ☑ Arts Commission ☑ Parks & Recreation Committee

PURPOSE

The purpose of this policy is to ensure the safety of Vulnerable Populations and Staff participating in Department Services.

AUTHORIZATION

The policy is implemented and monitored by the Department management teams.

INTERRELATED

The following policies relate to or supersede this policy:
  - Youth Volunteer Code of Ethics
  - Department Code of Conduct Policy and public expectations
  - All applicable City Policy
  - All applicable legislation

DEFINITIONS

Amenity – means any publicly accessible Department space, feature or equipment that offers unstructured use, activities or spectator opportunities.

Department – means the following City of New Westminster departments or divisions: Parks and Recreation, Anvil Centre, Library Services and Cultural Services.

Participant – means any person participating in a Department Service or using a Department Amenity.

Random Access – means that any Staff member or Participant (without limitation or restriction) can see, walk by or enter a space where a Staff member is interacting with a Participant on a one-to-one basis. Random Access permits an individual Staff member and an individual Participant to have a semi-private discussion, or do an activity, in a safe publicly accessible space with other Staff and Participants knowing your location. This may include rooms with closed
doors if there is a window in the door and/or office, with an unobstructed view that allows visibility of the Staff and Participant. For clarity, Random Access is only considered present when there is a reasonable number of other Staff or Participants nearby that regularly see and/or access the area where the individual Staff member and Participant are located.

**Service(s)** – means

a) any paid Department offering such as registered programs, drop-in admission services, day camps or private lessons offered at any location; and

b) any non-paid (free) Department offering such as registered programs, drop-in admission services, day camps or private lessons offered at any location; and

c) any non-paid (free) Department Amenity.

**Staff** – means any paid employee, contractor or volunteer working for the Department.

**Vulnerable Populations** – means any person who is either suppressed or more susceptible to potential harm. This typically refers to someone who is in need of assistance to meet their basic needs with regard to personal care and/or management of their property (i.e. children, youth, seniors or adults living with a mental disability or addiction).

**POLICY STATEMENTS**

Department Staff, when working with Vulnerable Populations, will prevent situations whereby Staff are working with an individual Participant in a private setting and without Random Access.

Further, Department Staff are required to conduct themselves with the highest standards of ethics and propriety with all Participants.

Finally, the Departments will meet or exceed best practices, industry standards, training requirements and legislation to ensure the safety and quality of experience for all Participants.

**OBJECTIVE**

The objective of this policy is to establish a framework for safe, successful and appropriate interactions between Staff and Participants enjoying Department Services or Amenities.

**PROCEDURES**

1. All Staff are subject to the City of New Westminster Human Resources Department hiring policies, procedures, training and guidelines per legislated and City requirements;

2. Staff working with Vulnerable Populations are required to read and comply with this policy;

3. Staff are required to prevent any situation whereby an individual Staff member is working alone with a single Participant in a private setting (i.e. in a room with a closed door and no windows or in any situations without Random Access);

4. At all times Staff must work with Participants whereby

   a. there are a minimum of at least three people (i.e. two Staff and one Participant or one Staff and two Participants); and/or
b. there is Random Access with the Staff member and Participant at all times; and
c. A Participant may not be alone with another Participant in a private and/or unsupervised environment without Random Access; and
d. A Volunteer less than 19 years of age cannot be alone with a Staff member in a private and/or unsupervised environment without Random Access.

5. Under no circumstances is it appropriate for a Staff member to meet, contact, share contact information, connect on non-Department social media channels (private or public messaging) or otherwise engage with a Participant outside of Department Services (exclusion: random public encounters). Staff are not permitted to post recordings or images of Department Participants on their personal social media channels.

6. Under no circumstances will Staff abuse any Participant (i.e. physical, verbal, sexual, mental and/or neglect).

7. Staff may be subject to disciplinary or punitive action if they fail to abide by the criteria herein per City Human Resources policies and procedures.

EXCLUSIONS

The Departments offer some services, directly or indirectly, where one-to-one private sessions are conducted by licensed professionals that require a private environment. In most cases, these licensed practitioners are held accountable by their associations’ practice standards, professions’ guidelines, code of conduct and governing body. Examples include doctors, physiotherapists, psychologists and professional counsellors.

The following services are excluded from this policy:
  a) Psychological or Clinical Counselling Services offered by a licensed practitioner;
  b) Seniors Peer Counselling Services;
  c) Student lawyers or bar qualified lawyers offering legal advice;
  d) Certified accountants offering tax or retirement advice;
  e) Registered Massage or Physiotherapy services offered by a licensed practitioner; and
  f) Any recognized and licensed professional counselor or doctor.
Attachment D:

Example of Commitment to Kids Public Signage
WE’RE COMMITTED TO KIDS
You can help us protect them
Learn more at protectchildren.ca/newwestcity
There is no Report with this Item. Please see Attachment(s).
NOV 28 2019
Mayor Jonathan Coté and Council
City of New Westminster
511 Royal Avenue
New Westminster, BC V3L 1H9

Dear Mayor Coté and Council:

Re: Amending Metro Vancouver 2040: Shaping our Future to Align with the IPCC Special Report on Global Warming of 1.5°C – Bylaw No. 1295, 2019

At its November 1, 2019 regular meeting, the Board of Directors of the Metro Vancouver Regional District (Metro Vancouver) adopted the following resolution:

That the MVRD Board:

a) initiate a Type 3 minor amendment to Metro Vancouver 2040: Shaping our Future to reflect a commitment to a carbon neutral region by 2050, and an interim target of reducing greenhouse gas emissions by 45% from 2010 levels by 2030;

b) give first, second, and third readings to “Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1295, 2019”; and

c) direct staff to notify affected local governments and agencies as per Section 6.4.2 of Metro Vancouver 2040: Shaping our Future.

In accordance with Section 437 of the Local Government Act, and Section 6.4.2 of Metro Vancouver 2040: Shaping our Future (Metro 2040), the regional growth strategy, this letter provides an opportunity for affected local governments to provide written comment on the proposed Type 3 minor amendment to Metro 2040. The proposed amendment requires the adoption of an amendment bylaw with an affirmative 50%+1 weighted vote of the MVRD Board.

You are invited to provide comments on the proposed amendment to Metro 2040. Please provide comments in the form of a Council or Board resolution, as applicable, and submit to Chris Plagnol, Corporate Officer/Director of Board and Information Services, by email at Chris.Plagnol@metrovancouver.org by January 17, 2020.

33385170
The proposed *Regional Growth Strategy Amendment Bylaw No. 1295, 2019* would replace the existing greenhouse gas emission reduction targets in *Metro 2040* in accordance with the table below:

<table>
<thead>
<tr>
<th>Current GHG Reduction Targets in <em>Metro 2040</em></th>
<th>Proposed GHG Reduction Targets (Aligned with <em>Climate 2050 Strategic Framework</em> and the <em>IPCC 2019 Special Report</em>)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 33% below 2007 levels by 2020</td>
<td>• 45% reduction from 2010 levels by 2030</td>
</tr>
<tr>
<td>• 80% below 2007 levels by 2050</td>
<td>• Carbon neutral by 2050</td>
</tr>
</tbody>
</table>

Updating the targets in *Metro 2040* is consistent with recent MVRD Board direction, the 2019-2022 Board Strategic Plan and the *Climate 2050 Strategic Framework*.

*Metro 2040* represents the regional federation’s collective vision and commitment on how to manage anticipated growth to the region in a way that: supports the development of complete, connected and resilient communities, protects important lands (i.e. agricultural, conservation, and industrial), and supports the efficient provision of urban infrastructure (i.e. transit and utilities). Centred around 5 goals, *Metro 2040* contains a set of policy actions for Metro Vancouver and member jurisdictions to collaboratively work together to meet that vision.

Under Strategy 3.3, ‘Encourage land use and transportation infrastructure that reduce energy consumption and greenhouse gas emissions, and improve air quality’, the role of member jurisdictions is to adopt regional context statements that identify how they will use their land development and transportation strategies to meet their greenhouse gas reduction targets and consider how these targets will contribute to the regional targets.

The proposed Metro 2040 amendment would not trigger a requirement to immediately update regional context statements, however, if the amendment bylaw is adopted, member jurisdictions would be requested to update their regional context statements to reflect actions toward the updated targets as feasible, either concurrent with updates to their Official Community Plans, Community Energy and Emissions Plans, or other strategic planning documents. Meeting the regional commitment to carbon neutrality for the region will require significant cooperation, collaboration, and commitment from Metro Vancouver, member jurisdictions, other orders of government, partner organizations, stakeholders, and the public.

Enclosed is a copy of the staff report that summarizes the proposed changes to *Metro 2040* that will result from *Regional Growth Strategy Amendment Bylaw No. 1285, 2019*. If you have any questions with respect to the proposed amendment please contact Heather McNell, Director of Regional Planning and Electoral Area Services by phone at 604-436-6813 or by email at Heather.McNell@metrovancouver.org.
Yours sincerely,

Sav Dhaliwal
Chair, Metro Vancouver Board

SD/NC/st

cc: Emilie Adin, Director, Development Services, Planning, Building, and Development, City of New Westminster

Encl: Report dated October 31, 2019, titled “Amending Metro Vancouver 2040: Shaping our Future to Align with the IPCC Special Report on Global Warming of 1.5°C – Bylaw 1295, 2019” (Doc# 33424692)

33385170
There is no Report with this Item. Please see Attachment(s).
NOTICE OF OPPORTUNITY TO BE HEARD

Development Variance Permit for 312 Fifth Street (DVP00672)

MONDAY, JANUARY 13, 2020 AT 7:00 P.M.
Council Chamber, Second Floor of City Hall, 511 Royal Avenue

An application has been received to vary the maximum permitted distance of a front porch projection for a principal dwelling at 312 Fifth Street. The zoning bylaw permits a maximum of 1.2 metres (4 feet) and the variance is for a projection of 2.10 metres (6.91 feet). This variance for the front porch projection was previously approved under Heritage Revitalization Agreement Bylaw 7979, 2018, which Council is considering rescinding. The new front porch has already been constructed and this DVP would facilitate continued re-creation work on this heritage house in the Queen’s Park Heritage Conservation Area.

HOW DO I GET MORE INFORMATION?
From December 27, 2019 to January 13, 2020 read the related material in the Planning Division at City Hall: Mondays between 8:00 am and 7:00 pm and Tuesdays through Fridays between 8:00 am and 5:00 pm except statutory holidays.

HOW CAN I BE HEARD?
Email clerks@newwestcity.ca or call 604-527-4523 to register to speak. Everyone who attends the Opportunity to be Heard may address Council; however registered speakers will speak first. Note all speakers have five minutes. Written comments addressed to Mayor and Council are received until the closing of the Opportunity to be Heard and will be published.

QUESTIONS?
Phone: 604-527-4523
Email: clerks@newwestcity.ca
Post: Legislative Services Department
511 Royal Avenue
New Westminster, BC V3L 1H9

Jacque Killawee, City Clerk

More information is available at www.newwestcity.ca/publicnotices
IMPORTANT INFORMATION. Please have this translated.

此乃重要资讯，请找人帮您翻译。

此乃重要資訊，請找人幫您翻譯。

MAHALAGA ANG IMPORMASYONG ITO. Mangyaring ipasalin ito.

IL S'AGIT DE RENSEIGNEMENTS IMPORTANTS. Veuillez les faire traduire.

 중요한 내용이므로 영어로 이는 분에게 읽어달라고 하시기 바랍니다.

दिव संबंधी महत्त्वपूर्ण है। त्रिश्डा बहके किसने यह अभियुक्त करे।

ACESTE INFORMAȚII SUNT IMPORTANTE. Vă rugăm să solicitați o traducere.

ДАННЫЙ ДОКУМЕНТ СОДЕРЖИТ ВАЖНУЮ ИНФОРМАЦИЮ. Просьба обеспечить его перевод.

ESTA INFORMACIÓN ES IMPORTANTE. Pida que alguien se la traduzca.

Please note that the City of New Westminster deems any response to this notification to be public information. If you have a financial interest in the land subject to this Opportunity to be Heard and have contracted to sell or lease all or part of your property to any person, firm or corporation, we strongly urge you to deliver this notification, as soon as possible, to the prospective buyer or tenant.
REPORT
Development Services

To: Mayor Coté and Members of Council  Date: 12/9/2019

From: Emilie K Adin, MCIP  File: DVP00672
Director of Development Services  HER00636

Item #: 472/2019

Subject: 312 Fifth Street: Bylaw No. 8171, 2019 to Rescind Heritage Revitalization Agreement Bylaw No. 7979, 2018 and Heritage Designation Bylaw No. 7980, 2018 – Bylaw For Three Readings and Consideration of Notice of Opportunity to be Heard for Development Variance Permit

RECOMMENDATION

THAT Council consider Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019 for Three Readings, and

THAT Council issue notice that it will consider a resolution to issue Development Variance Permit DVP00672 to vary the maximum permitted front porch projection of the principal dwelling at 312 Fifth Street following an Opportunity to be Heard on January 13th, 2020.

EXECUTIVE SUMMARY

The property located at 312 Fifth St was the subject of a Heritage Revitalization Agreement (HRA) and Heritage Designation Bylaw, which were adopted by Council on May 7, 2018. The HRA permitted moving the heritage house forward on the lot, additional density on the heritage house to allow a secondary suite, and the construction of a larger infill laneway house, in exchange for the restoration and protection of the existing 1897 William Townsend Residence at 312 Fifth Street.
Work on the building inconsistent with the Heritage Revitalization Agreement, Heritage Alteration Permit and Building Permit was undertaken by the contractor. These changes were not signed off by the project Heritage Professional, including the removal and destruction of original materials and incorrect construction of the roof and porch, who notified the City upon discover of the breaches. Based on the low level of remaining original materials, extensive reconstruction that would be involved to replicate the original front porch and roof, and past history of non-compliance with heritage requirements by the contractor, the Heritage Consultant subsequently resigned from the project, and the owners have been unsuccessful in retaining a new Heritage Consultant. Given this, the owners are requesting that the associated bylaws be rescinded which would remove the conferred benefits.

If the HRA and Heritage Designation were to be rescinded, the owners propose continuing the reconstruction work, but not to the high standard required by the HRA. The property would remain in the Advanced Category “Protected” property in the Queens Park Heritage Conservation Area. The property would be returned to its underlying zone, RS-4, which now permits as of right the additional density previously granted by the HRA. However, a Development Variance Permit to allow the increased front porch projection would be required. The larger laneway house would no longer be permitted, but the homeowner could apply for a typical laneway house under the Laneway and Carriage House Program.

**PURPOSE**

The purpose of this report is to request that Council give Three Readings of Bylaw 8171, 2019, a bylaw to rescind Heritage Revitalization Agreement Bylaw 7979, 2018 and Heritage Designation Bylaw 7980, 2018 for 312 Fifth Street, and to request that Council issue notice that it will consider issuance of Development Variance Permit DVP00672 for the projection of the front porch into the required front yard, following an Opportunity to be Heard on January 13th, 2020.

**BACKGROUND**

**Site Context**

The house at 312 Fifth Street was built in 1897. The William Townsend Residence is an Advanced category “Protected” property under the Queens Park Heritage Conservation Area (QPCHA). There are single-detached residential dwelling located on either side of the property, and to the rear across the lane, there are commercial properties on Sixth Street. See Attachment 1 for a site context map. See Attachment 2 for descriptions of policies and regulations that apply to this project.
Heritage Revitalization Agreement

On May 7, 2018, Council adopted a Heritage Revitalization Agreement (HRA) and a Heritage Designation Bylaw for 312 Fifth Street. The HRA authorized lifting and moving the heritage house forward on the lot, an addition of floor area at the rear of the heritage house, the addition of a secondary suite and a one-and-a-half storey laneway house on the rear property. In exchange, the heritage house was to be fully restored and received long term legal protection through both a Heritage Revitalization Agreement and a Heritage Designation Bylaw. This HRA application was supported by the Community Heritage Commission, Advisory Planning Commission, and the Queen’s Park Residents Association.

The HRA provided three relaxations:

- increase in the Floor Space Ratio for the principal dwelling from 0.5 FSR to 0.57 FSR;
- an increase in the projection of the front porch into the front yard setback to 2.12 m (6.96 ft.);
- an increase in area for the laneway house to 97m² (1,044 sq.ft.).

Restoration

Work on the building inconsistent with the Heritage Revitalization Agreement, Heritage Alteration Permit and Building Permit was undertaken by the contractor, including:

- the removal and destruction of remaining original front porch trim and columns,
- the removal and destruction of shiplap placed inside the studs,
- incorrect framing of the replica dormers missing the horizontal return, and
- incorrect framing location of the rear windows,
- Added three skylights at the rear of the house, and
- Unapproved changes to the rear roofline, not permitted anyways
- Incorrect installation of the roof and porch. The front porch roof and skirt roof have been combined into a single roof line, whereas the original house had district front porch and skirt roof forms. This resulted in the loss of the character defining bell-flair element of the roofline.

Some original material remains on the heritage house, including the two original wood framed front windows. See Attachment 3 for photographs of the front porch and roof of the heritage house.

These changes were not approved by the Heritage Consultant, who signed a confirmation of commitment letter, and who notified the City of the breaches upon discovery. Given the losses of original material and character defining elements the Heritage Consultant subsequently resigned from the project. The owners have been unsuccessful in retaining a new Heritage Consultant, based on the low level of remaining original materials, extensive
reconstruction that would be involved to replicate the original front porch and roof and past history of non-compliance with heritage requirements by the contractor. Supervision of a Heritage Consultant would be necessary to reconstruct the house. As such, the owners are no longer able to meet the expectations outlined in the HRA, and have requested that Council consider rescinding the associated Bylaws. See Attachment 4 for the owners’ rationale letter. The owners have agreed to stop work on the project until the matter can be considered by Council.

**DISCUSSION**

**Bylaws**

Bylaw 8171, 2019 has been prepared to rescind the HRA and Heritage Designation, and is available in Attachment 5. A copy of the original Heritage Revitalization Agreement (312 Fifth Street) Bylaw No. 7979, 2018 is available in Attachment 6, and Heritage Designation (312 Fifth Street) Bylaw No. 7980, 2018 in Attachment 7.

**Heritage Alteration Permit (HAP)**

If the HRA and Designation were to be rescinded, the owners would continue the reconstruction work, not as a heritage restoration project, but replication project. The property would be returned to its underlying zone, RS-4. The property would remain an Advanced Category “Protected” property in the QPHCA.

Construction work on the principal dwelling would continue with the rebuilding of the house under a new HAP and reviewed under the QPHCA guidelines for work on existing buildings. The applicant would be required to submit updated building drawings for review and approval prior to work beginning again on the house. This would also allow the windows and doors to be installed to protect the interior walls and house from weather, subject to final Building Permit review.

**Floor Area and Density**

The HRA was negotiated in the spring of 2018. As part of the HRA, the allowable density on the property was increased from the base RS-1 density of 0.5 to 0.57 FSR. On June 19, 2018, as part of the QPHCA Incentives Program, single family properties in the neighbourhood were rezoned from RS-1 to RS-4. With this new zone, “Protected” properties, including the subject property, were permitted an increase in as of right density from 0.5 to 0.7 FSR. If the HRA were to be rescinded, the floor area of the heritage house would still be permitted.
Development Variance Permit (DVP00672)

One variance would be required for the front porch projection on the house, as it does not meet the Zoning RS-4 bylaw requirements. Front porches may project up to 1.22 metres (4 feet) into the front yard. The newly constructed front porch projects 2.10 metres (6.91 feet) into the front yard, an increased encroachment of 0.88 metres (2.91 ft.). Although this was approved by Council under the HRA, removing the HRA would mean that it needs to be approved by variance. The front porch has already been constructed, and images are available in Attachment 3.

Principles for Considering Variances for Existing Single Detached Dwellings

Requests for variances to existing lawfully constructed single and two family dwellings may be supportable if the addition does not cause undue shadowing, privacy concerns or view obstruction for neighbouring properties and if the massing is compatible with the existing structure.

The proposed front setback would not cause undue shadowing or view obstruction for neighbouring properties, and the front porch overall massing is original to the heritage house and compatible with both the building and neighbouring homes. The remaining front yard would also be fully landscaped. There is also mature landscaping, including a number of existing trees, along the side property lines which will generally be maintained.

The front yard setbacks and projections for the subject property and neighbouring properties are provided below:

<table>
<thead>
<tr>
<th>Address</th>
<th>Front yard</th>
<th>Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Allowed</td>
<td>Existing</td>
</tr>
<tr>
<td>308 Fifth St</td>
<td>5.79 meters</td>
<td>5.15 metres</td>
</tr>
<tr>
<td>312 Fifth St</td>
<td>19 feet</td>
<td>16.9 feet</td>
</tr>
<tr>
<td>318 Fifth St</td>
<td>minimum</td>
<td>7.26 metres</td>
</tr>
<tr>
<td></td>
<td>7.62 metres</td>
<td>23.84 feet</td>
</tr>
<tr>
<td></td>
<td>25 feet</td>
<td></td>
</tr>
</tbody>
</table>

General Evaluation Criteria for Variances

What is the intent of the bylaw which the applicants are seeking to have varied?

The intent of the projection limit is to allow front porches of a reasonable size that does not impact other houses in the neighbourhood.
Is there a community benefit to the granting of the variance beyond that received by the owners?

Yes. The variance for the front porch would facilitate the ongoing retention and replication of the heritage house at 312 Fifth Street in the Queen’s Park Heritage Conservation Area.

Is there a hardship involved in adhering to the pertinent bylaw?

No.

Is this the most appropriate mechanism for achieving the end result of the proposed variance?

Yes. The proposed variance is required to maintain the existing front porch as it is currently constructed. As the front porch roof and house skirt roof have been combined, it would not be possible to reduce the front porch without impacting the roof form of the rest of the building. Removing the newly constructed front porch would be expensive and wasteful in terms of materials.

Is the proposed variance relatively minor?

Yes. The maximum projection is 1.2 metres (4 feet) into the 5.8 metre (19 feet) front yard. The request projection is 2.10 metres (6.91 feet) into the front yard, which is an increase of 0.90 metres (3 feet), or 75% more than currently permitted. This variance was also previously approved under the Heritage Revitalization Agreement. The front of the house at 308 Fifth St also projects into the required front yard by 0.64 metres (2.1 feet).

Laneway House

Rescinding the HRA means that the 97 square metres (1044 sq.ft.) infill laneway house would no longer be permitted. Instead the owner could apply for a Development Permit for a smaller laneway house, of a maximum 89 square metres (958 sq.ft.) under the Laneway and Carriage House Program. A HAP for the laneway house would also be required for new construction in the QPHCA.
Heritage Register

The property was added to the City’s Heritage Register in November of 2018. Although significant loss of original materials has been experienced, some heritage features remain, including the original front windows, and some others have been replicated. As there is some remaining heritage value, it is recommended that the property remain on the City’s Heritage Register.

Next Steps

<table>
<thead>
<tr>
<th>May 2018</th>
<th>Adoption of HRA and Heritage Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2018 to October 2019</td>
<td>Restoration work on heritage house</td>
</tr>
<tr>
<td>November 2019</td>
<td>Applicants’ request to rescind the HRA</td>
</tr>
<tr>
<td>December 9th, 2019 (we are here)</td>
<td>Report to Council</td>
</tr>
<tr>
<td></td>
<td>Three Readings of Bylaw 8171, 2019 to rescind HRA and Heritage Designation Bylaws</td>
</tr>
<tr>
<td></td>
<td>Notice of Consideration of Opportunity to be Heard (OTBH)</td>
</tr>
<tr>
<td>December 18th, 2019</td>
<td>Update memo to the Community Heritage Commission</td>
</tr>
<tr>
<td>January 13, 2020</td>
<td>OTBH and Consideration of Issuance of DVP00672</td>
</tr>
<tr>
<td></td>
<td>Adoption of Bylaw 8171, 2019 to rescind HRA and Heritage Designation Bylaws (potential)</td>
</tr>
<tr>
<td>Subsequently, if Bylaw 8171, 2019 is approved</td>
<td>Issuance of HAP for continued work on heritage house</td>
</tr>
<tr>
<td></td>
<td>Application for a Development Permit for a new Laneway house on the property</td>
</tr>
</tbody>
</table>

OPTIONS

The following options are available for consideration by Council:

1) That Council consider Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019 for Three Readings, and

2) That Council issue notice that it will consider a resolution to issue Development Variance Permit DVP00672 to vary the maximum permitted front porch projection of the principal dwelling at 312 Fifth Street following an Opportunity to be Heard on January 13th, 2020.
3) That Council give staff alternative direction.

Staff recommends Option 1 and 2.

ATTACHMENTS

Attachment 1: Site Context
Attachment 2: Policy & Regulations
Attachment 3: Photographs of Heritage House
Attachment 4: Owners Rationale letter
Attachment 5: Bylaw No. 8171, 2019
Attachment 6: Heritage Revitalization Agreement (312 Fifth Street) Bylaw 7979, 2018
Attachment 7: Heritage Designation Bylaw (312 Fifth Street) Bylaw 7980, 2018

This report has been prepared by:
Janet Zazubek, Planning Analyst

This report was reviewed by:
Jackie Teed, Senior Manager of Development Services

Approved for Presentation to Council

Emilie K Adin, MCIP
Director of Development Services

Lisa Spitale
Chief Administrative Officer
Attachment 1

*Site Context Map*
Attachment 2

Policy and Regulations
1.0 Official Community Plan Land Use Designation

Residential – Detached and Semi-Detached Housing (RD). The removing the Heritage Revitalization Agreement would still allow uses that are compatible with the OCP Land Use Designation described below.

**Purpose:** To allow low density ground oriented residential uses including gentle infill which increases housing choice and retains existing neighbourhood character.

**Principal Forms and Uses:** Single detached dwellings and duplexes. Single detached dwellings may also include a secondary suite and/or a detached accessory dwelling unit (e.g. laneway house, carriage house).

**Complementary Uses:** Home based businesses, small scale local commercial uses (e.g. corner stores), small scale institutional uses (e.g. child care, care facilities, places of worship), utilities, transportation corridors, parks, open space, and community facilities.

**Maximum Density:** Low density residential.

**Heritage Assets:** Through a Heritage Revitalization Agreement, or similar tool, a property may be eligible for incentives such as a smaller minimum lot size, an increase in density, or reduced parking requirements, which would make it viable to conserve assets with heritage merit. A Heritage Revitalization Agreement may also be used to permit the housing forms listed in Residential – Ground oriented Infill Housing designation or to formalize an existing, larger scale land use such as a low rise or a place of worship.

2.0 Zoning Bylaw

The subject site is zoned Single Detached Residential District (Queen’s Park) (RS-4). This district permits single detached dwellings and detached accessory dwellings that comply with the requirements of the Single Detached dwelling district (RS-1), except that Advanced Category properties are permitted an increase floor space ratio for the principal dwelling.

3.0 Queen’s Park Heritage Conservation Area

The subject site is a “Protected” property within the Queen’s Park Heritage Conservation Area, and would remain so after the removal of the HRA and Heritage Designation bylaws. As such, Heritage Alteration Permits are required for changes to the front, sides or roofline of the principal building, and for construction of a new accessory dwelling unit (laneway house) on the site.
4.0 Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a negotiated agreement between the City and a property owner for the purposes of heritage conservation. In exchange for long-term legal protection and exterior restoration, certain zoning relaxations, including an increase in density, are considered. An HRA does not change the zoning of the property, rather it adds a new layer which identifies the elements of the zone that are being varied or supplemented. An HRA is not legally precedent setting as each one is unique to a specific site. Provisions for the local government to negotiate an HRA are set out in Section 610 of the Local Government Act.

5.0 Heritage Policy for the Use of Heritage Revitalization Agreements

The City has a “Heritage Policy for the Use of Heritage Revitalization Agreements” that has the following objectives:

- Ensure that the HRA policy is integrated with other important City policies.
- Ensure that HRAs are used appropriately, and that they balance both public and private benefits.
- Create an application process that is clear.
- Establish a follow-up procedure to ensure that heritage conservation work is completed as promised.

6.0 Heritage Designation Bylaw

A heritage property which is the subject of an HRA is also protected with a Heritage Designation Bylaw. A Heritage Designation Bylaw is a form of land use regulation that places long-term legal protection on the land title of a property and which is the primary form of regulation that can prohibit demolition. Any changes to a protected heritage property must first receive approval from City Council (or its delegate) through a Heritage Alteration Permit. Provisions for the local government to place Heritage Designation Bylaws on properties are set out in Sections 611-613 of the Local Government Act.

7.0 Heritage Register

The City has added the property to the Heritage Register. A Heritage Register is an official list of properties identified by the City as having heritage value or character.

The Heritage Register is used as a planning tool by the City as an opportunity to discuss options with the property owner, and as a way to offer guidance and support to property owners. Inclusion on the Heritage Register allows Council to temporarily withhold a Building Permit, a Demolition Permit, or to order a Heritage Impact Assessment.
A Heritage Register is used to:
- Officially list the heritage resources in a community.
- Give notice to property owners and potential buyers of heritage factors which may affect development options for a listed property.
- Enable monitoring of proposed changes to properties through the local government licensing and permit application processes.

8.0 Standards and Guidelines for the Conservation of Historic Places in Canada:

Council adopted the “Standards and Guidelines for the Conservation of Historic Places in Canada” (“Standards & Guidelines”) in 2008 as a basis for assessing heritage projects within the city.
Attachment 3

Photographs of Heritage House
Photo 1: 312 Fifth Street, new front porch and roofline facing south west from Fifth St (submitted by owner).

Photo 2: 312 Fifth Street, rear of house (submitted by project heritage consultant).
Attachment 4

Owners’ Rationale Letter
Hello Britney and Janet,

We are writing to request we move to option 2 – Request council to remove the HRA. It is with heavy hearts Tara and I have come to this decision.

An extraordinary and unfortunate set of events have led us to this point. From the lack of expected heritage restoration value in the house, to the miscommunication between all parties due to the vacuum left by our general contractor suddenly falling deathly ill. We are left with a perfectly sound front porch in the general character of the neighbourhood, with a design that falls short of the historical replica. It would be extremely wasteful to destroy this well-built front porch; not to mention punitively expensive when we are already well over budget and rapidly running out of funds.

Please let us know if you need anything further to submit the motion to the council. We fully understand the magnitude of our obligation under the HRA contract. If it were not for this extraordinary set of events we would be well on our way fulfilling our side of the deal. We hope council will understand the unique nature of this situation and grant us relief from the contract, so that we may move forward with building our home.

We understand there is a December council meeting. We would be extremely grateful if it was possible to have our motion placed on the agenda for this upcoming meeting. It would give us critical information regarding our options moving forward, thank you for your consideration!

On another note and in light of our decision to be removed from the HRA, would you consider allowing us to install the windows and wrap the house to protect the new and salvaged heritage materials from the weather? We would seal the house and then stop any further work on the external building until the council has made their decision.

We understand, upon approval, we will need to redesign the laneway home to meet the square foot limit, as well as request for council’s approval for a Development Variance Permit for the front porch setback.

We look forward to hearing from you. Please feel free to contact us if you have any questions or require clarification. Thank you, in advance, for your time and consideration.

Cheers,

David and Tara...
Attachment 5

Bylaw 8171, 2019
CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8171, 2019

A Bylaw to rescind Heritage Revitalization Agreement (312 Fifth Street) Bylaw 7979, 2018 and Heritage Designation (312 Fifth Street) Bylaw 7980, 2018

The Council of the City of New Westminster enacts as follows:

1. This Bylaw may be cited as “Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019”.

2. Heritage Revitalization Agreement (312 Fifth Street) Bylaw No. 7979, 2018 is hereby rescinded in its entirety.

3. Heritage Designation (312 Fifth Street) Bylaw No. 7980, 2018 is hereby rescinded in its entirety.

READ A FIRST TIME this _____________ day of _______________, 2019.

READ A SECOND TIME this __________ day of _______________, 2019.

READ A THIRD TIME this ____________ day of ________________, 2019.

ADOPTED this ________________ day of ______________, 2019.

________________________________
MAYOR

_________________________________
CITY CLERK
Attachment 6

Heritage Revitalization Agreement

(312 Fifth Street) Bylaw 7979, 2018
CORPORATION OF THE CITY OF NEW WESTMINSTER

HERITAGE REVITALIZATION AGREEMENT (312 FIFTH STREET)

BYLAW NO. 7979, 2018

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

WHEREAS the City of New Westminster and the owners of the property located at 312 Fifth Street, New Westminster, British Columbia wish to enter into a Heritage Revitalization Agreement in respect of that 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 (312 Fifth Street) Bylaw No. 7979, 2018”.

Heritage Revitalization Agreement

2. The City of New Westminster enters into a Heritage Revitalization Agreement with the registered owners of that property located at 312 Fifth Street, New Westminster, British Columbia, legally described as PID: 013-410-202, Lot 42 of Lots 8 and 9 and 35 to 38 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 5th day of March, 2018

READ A SECOND TIME this 5th day of March, 2018

PUBLIC HEARING held this 30th day of April, 2018

READ A THIRD TIME this 30th day of April, 2018

ADOPTED this 7th day of May, 2018.

Mayor

City Clerk

MAYOR JONATHAN X. COTÉ

JACQUE KILLAWEE CITY CLERK
SCHEDULE “A”

HERITAGE REVITALIZATION AGREEMENT (312 FIFTH STREET)

THIS AGREEMENT dated for reference the 1st day of January, 2018 is

BETWEEN:

DAVID MICHAEL REDFERN VICKARS and TARA MELANIE FRASER, 312 – 5th
Street, New Westminster, British Columbia, V3L 2X2, as joint tenants
(together, the “Owners”)

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 the lands and all improvements
located at 312 Fifth Street, New Westminster, British Columbia, legally described as PID:
013-410-202, Lot 42 of Lots 8 and 9 and 35 to 38 Suburban Block 6 Plan 2620 (the
“Lands”);

B. There is one principal building currently situated on the Lands, known as the William
Townsend Residence (the “Heritage House”), which building will be listed in the City’s
Heritage Register in 2018;

C. The City and the Owners agree that the Heritage House has heritage value and should
be conserved;

D. The Owners wish to make certain alterations and additions to the Heritage House,
including the addition of approximately 55 square metres of floor space and the
addition of a secondary suite (together, the “Alterations”) and the Owners wish to
construct a one-and-a-half-storey two-bedroom laneway house on the Lands, measuring
approximately 97 square metres in size (the “Laneway House”);

E. 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;
F. The Owners 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 House 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 Owners and the City each covenant with the other pursuant to Section 610 of the Local Government Act as follows:

**Conservation Work**

1. Upon execution of this Agreement, the Owners shall promptly commence the preservation, rehabilitation, and restoration of the Heritage House (the “Work”) in accordance with the Heritage Conservation Plan prepared by Leslie Gilbert, Heritage Consultant, and dated October 2017, a copy of which is attached as Appendix 1 (the “Conservation Plan”).

2. Prior to commencement of the Work, the Owners shall obtain from the City all necessary permits and licenses, including a heritage alteration permit.

3. The Work shall be done at the Owners’ sole expense in accordance with generally accepted engineering, architectural, and heritage conservation practices. If any conflict or ambiguity arises in the interpretation of Appendix 1, 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, published by Parks Canada in 2003 and amended in 2010.

4. The Owners shall, at the Owners’ sole expense, engage a member of the Architectural Institute of British Columbia, 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 5 of this Agreement.

5. The Registered Professional shall:

   (a) prior to commencement of the Work, provide to the City an executed and sealed Confirmation of Commitment in the form attached as Appendix 2 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 and sealed Confirmation of Commitment;

   (b) erect on the Lands 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 Lands that the Work involves protected heritage property and is being carried out for heritage conservation purposes;

(c) obtain written approval from the City’s Director of Development Services for any changes to the Work, and obtain any amended permits that may be required for such changes to the Work, including a building permit and heritage alteration permit as required by the City;

(d) upon substantial completion of the Work, provide to the City an executed and sealed Certification of Compliance in the form attached as Appendix 3; and

(e) notify the City within one business day if the Registered Professional’s engagement by the Owners is terminated for any reason.

Timing and Phasing of Restoration Work

6. The Owners shall commence and complete all actions required for the completion of the Work within three (3) years following the date of adoption of the Bylaw authorizing this Agreement.

Ongoing Maintenance

7. Following completion of the Work, the Owners shall maintain the Heritage House in good repair in accordance with the maintenance requirements set out in the Conservation Plan in Appendix 1 and the maintenance standards set out in City of New Westminster Heritage Property 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 Owners shall continue to maintain the Heritage House to the standards that applied under Bylaw No. 7971 immediately prior to its repeal.

Construction of Alterations and Laneway House

8. The Owners shall construct the Alterations and the Laneway House in strict accordance with the Conservation Plan and the design plans and specifications prepared by Dimensions Drafting Design Inc. attached hereto as Appendix 4 (together, the “Design Plans”), full-size copies of which plans and specifications are on file at the New Westminster City Hall. The Owners agree that 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 applied for in respect of the Alterations or the Laneway House if the work that the Owners wish to undertake is not in accordance with the Conservation Plan and the Design Plans.

9. The Owners shall not construct the Laneway House, other than foundations, until the Owners have substantially completed the Work in respect of the Heritage House to the satisfaction of the City’s Director of Development Services, and 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 applied for in respect of the Laneway House if the Owners have not substantially completed the Work to the satisfaction of the City’s Director of Development Services. For certainty, the Work in respect of the Heritage House will not be considered substantially complete until the foundation, rear addition envelope, and installation of new doors, windows, roofing and cladding is all complete to the satisfaction of the City’s Director of Development Services. The Owners may complete the painting and refurbishing details on the Heritage House after commencing construction of the Laneway House. For clarity, nothing herein prohibits the Owners from demolishing the existing garage, constructing foundations for the Laneway House, or completing fill, servicing, and electrical work concurrently for both the Heritage House and the Laneway House.

No Subdivision

10. The Owners shall not subdivide the Lands or the buildings located on the Lands by any method, including by way of a building strata plan under the provisions of the Strata Property Act (British Columbia), or any successor legislation dealing with the creation of separate titles to buildings or portions of a building.

Damage to or Destruction of Heritage House

11. If the Heritage House is damaged, the Owners shall obtain a heritage alteration permit and any other necessary permits and licenses and, in a timely manner, shall restore and repair the Heritage House to the same condition and appearance that existed before the damage occurred.

12. If, in the opinion of the City, the Heritage House is completely destroyed, the Owners shall construct a replica, using contemporary materials if necessary, of the Heritage House that complies in all respects with the Conservation Plan in Appendix 1 and with City of New Westminster Zoning Bylaw No. 6680, 2001, as varied by this Agreement, after having obtained a heritage alteration permit and any other necessary permits and licenses.

13. The Owners shall use their best efforts to commence and complete any repairs to the Heritage House, or the construction of any replica building, with reasonable dispatch.

Heritage Designation

14. The Owners irrevocably agree to the designation of the Heritage House as protected heritage property, in accordance with Section 611 of the Local Government Act, and release the City from any obligation to compensate the Owners in any form for any reduction in the market value of the Lands or the Heritage House that may result from the designation.
Variance to City’s Zoning Bylaw

15. City of New Westminster Zoning Bylaw No. 6680, 2001, is varied and supplemented in its application to the Lands in the manner and to the extent set out in Appendix 5.

Interpretation

16. In this Agreement, “Owners” shall mean all registered owners of the Lands or subsequent registered owners of the Lands, as the context requires or permits.

Conformity with City Bylaws

17. The Owners acknowledge and agree that, except as expressly varied by this Agreement, any development or use of the Lands, including any preservation, rehabilitation, restoration, alterations, and repairs done with respect to the Heritage House (including the Alterations) and the construction of the Laneway House, must comply with all applicable bylaws of the City.

No Application to Building Interiors

18. Unless otherwise stated in this Agreement or in the Conservation Plan, the terms and conditions of this Agreement respecting restoration and conservation of the Heritage House apply only to the structure and exterior of the building, including without limitation the foundation, walls, roof, and all exterior doors, windows and architectural ornamentation.

Future Alterations

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

Statutory Authority Retained

20. 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

21. The Owners hereby release, indemnify, and save 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 Owners of any term or provision of this Agreement, or by reason of any work or
action of the Owners in performance of their obligations under this Agreement or by reason of any wrongful act or omission, default, or negligence of the Owners.

22. 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 Owners or by any other person who may be on the Lands; or

(b) any loss or damage of any nature whatsoever, howsoever caused to the Lands, or any improvements or personal property thereon belonging to the Owners 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 Owners with the restrictions or requirements in this Agreement or with any other term, condition, or provision of this Agreement.

No Waiver

23. 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.

Inspection

24. Upon request by the City, the Owners shall advise or cause the Registered Professional to advise the City’s Development Services Department, Planning Division, of the status of the Work, and, 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 Lands for the purpose of ensuring that the Owners are fully observing and performing all of the restrictions and requirements in this Agreement to be observed and performed by the Owners.

Enforcement of Agreement

25. The Owners acknowledge that it is an offence under Section 621(1)(c) of the Local Government Act to alter the Lands or the Heritage House 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.
26. The Owners acknowledge 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 Owners pursuant to this Agreement and Section 617 of the Local Government Act, punishable in the manner described in the preceding section.

27. The Owners acknowledge that, if the Owners alter the Lands or the Heritage House in contravention of this Agreement, the City may apply to the British Columbia Supreme Court for:

(a) an order that the Owners restore the Lands or the Heritage House, or both, to their condition before the contravention;

(b) an order that the Owners undertake compensatory conservation work on the Lands or the Heritage House, or both;

(c) an order requiring the Owners 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 Owners.

28. The Owners acknowledge 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 Owners’ 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 Lands, or may recover the cost from any security that the Owners have provided to the City to guarantee the performance of the terms, requirements or conditions of the permit, or both.

29. The Owners acknowledge that the City may file a notice on title to the Lands in the land title office if the terms and conditions of this Agreement have been contravened.

30. The City may notify the Owners in writing of any alleged breach of this Agreement and the Owners shall have the time specified in the notice to remedy the breach. In the event that the Owners fail 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.
Headings

31. 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

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

Number and Gender

33. 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.

Successors Bound

34. 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 Owners and the City have executed this Agreement as of the date written above.

Signed, Sealed and Delivered in the presence of:

______________________________         )
Name )
______________________________         )
Address )
______________________________         )
Occupation )

DAVID MICHAEL REDFERN VICKARS

______________________________
TARA MELANIE FRASER

CORPORATION OF THE CITY OF NEW WESTMINSTER
by its authorized signatories:

______________________________
Mayor:

______________________________
City Clerk:
APPENDIX 1

CONSERVATION PLAN
HERITAGE CONSERVATION PLAN
312 FIFTH STREET
NEW WESTMINSTER

Submitted to the City of New Westminster
October 2017
Leslie Gilbert, Heritage Consultant
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1.0 INTRODUCTION

The William Townsend Residence at 312 Fifth Street, constructed in 1897, is considered to be an historic building with historic and social community heritage values. An early example of the popular Shingle Cottage Style, the residence is associated with a building contractor who constructed a number of prominent houses throughout New Westminster, many of which remain.

The City of New Westminster has received an application from the owner of 312 Fifth Street to negotiate a Heritage Revitalization Agreement for the property to construct a heritage style carriage house off the lane and rehabilitate the existing house according to the Heritage Conservation Plan included in this report. The intent of the Conservation Plan is to restore the William Townsend Residence to its original appearance in accordance with the historic photos of the property included in this report.

1.1 Report Scope

This report includes a description of the site and a Statement of Significance (SOS) for the Townsend Residence, attesting to its community heritage value. The SOS describes the heritage value of the house and lists the unique character-defining elements to be conserved as part of the proposed project. The report draws upon the character-defining elements listed in the SOS as a basis for a condition assessment of the Townsend Residence. The main section of the report contains the Heritage Conservation Plan to rehabilitate historic elements of the house.

Site visits were conducted by the heritage consultant in September and October, 2015 for the purpose of visually assessing the property and meeting with the project manager to discuss the project. Photographs of the exterior elevations were taken to document the condition of the historic place. All images contained in this report were taken by the report author.
2.0 DESCRIPTION OF HISTORIC SITE

2.1 Site Location

The William Townsend Residence is located at 312 Fifth Street mid-block on the west side of Fifth Street between Third Ave and Blackford Street. Situated in the heart of the Queen’s Park residential neighbourhood of New Westminster, the house is part of a grouping of houses of similar size and vintage.
2.2 Neighbourhood Background

Prior to the 1900’s, and before the Townsend Residence was constructed, the Queen’s Park neighbourhood was a collection of farms, wooded areas and scattered Victorian or Edwardian houses on large lots. The neighbourhood grew extending the grid street pattern evident west of Queen’s Park. The Queen’s Park neighbourhood is bounded by Sixth Street to the west, Sixth Avenue to the north, First Street to the east and Queen’s/Royal Avenue to the south.

Today, Queen’s Park is a popular area due to its walkable streets, proximity to commercial areas, connections with Queens Park and Terry Hughes Park, highly rated elementary and secondary schools and valued local amenities. Properties on Fifth Street are enhanced by mature street trees and a wide green boulevard. The Queen’s Park neighbourhood is noted for having one of the largest and most intact concentrations of preserved historic houses in the province.

2.3 Condition Assessment

The Townsend Residence has been continually occupied for residential purposes (with some years of rental use and vacancy) but has had several long term owners over the years, notably: William E. Townsend (1904 – 1914), WE Pinson (1933 – 1947) and Edwin Ellingson (1948 - 1973). The house continues to be occupied for residential use and is habitable but in poor physical condition.

This modest wood frame home consists of one and a half stories and a basement. It is set back from Fifth Street, resulting in a relatively small back yard with lane access which borders on commercial uses along Sixth Street. Named after its first long term owner, William E. Townsend, the house has been altered considerably over the years, including the construction of an awkward rear addition, the installation of metal windows, stucco cladding and an oversize vinyl sliding window on the upper front façade. Other unsympathetic “heritage” style alterations to the front facade include chamfering the roofline and adding two large brackets under the roofline. The main floor façade and front porch remain relatively unaltered. Building permits were approved in 1932 and again in 1938 to construct rear additions to the house; permits were also taken out in the 1970’s to close in a back sleeping porch and construct a secondary suite on the upper floor.

The house can currently be described as being in poor condition due to poorly constructed alterations over the years and a lack of regular maintenance. Although the building does not appear to be experiencing major structural issues or failures, the owner intends to retain a professional to assess the roof, foundation and exterior staircase. In addition, landscaping on the property has been neglected; the site needs to be regraded, the lawn reseeded and shrubs pruned or replaced.
3.0 HERITAGE VALUE

STATEMENT OF SIGNIFICANCE FOR THE RESIDENCE
312 FIFTH STREET

West side 300 block Fifth Street, Queen’s Park, circa 1910. 312 Fifth Street on left.
Source: New Westminster Museum and Archives

DESCRIPTION OF HISTORIC PLACE

The William Townsend Residence at 312 Fifth Street is a modest one-and-one-half storey wood frame house with a recessed full width front veranda. Constructed circa 1897, it is situated among other houses of similar vintage, size and style in the historic Queen’s Park residential neighbourhood.

HERITAGE VALUE

The house at 312 Fifth Street has significant heritage merit due to its historic and social heritage values.

The William Townsend Residence is significant for its association with the Edwardian era development of the Queen’s Park neighbourhood. When the house was constructed, it was one of only three houses located on the west side of Fifth Street. Local bricklayer and contractor, William E. Townsend (b. 1862) who immigrated to Canada from the UK in 1882, constructed the house and lived there with his family.
from 1904 to 1920. The house was subsequently occupied by several long term owners until the mid-1970’s, at which time the house was altered, a suite added in the attic and the house was tenanted.

The house at 312 Fifth Street is an early example of the Shingle Cottage architectural style popular in the 1910’s. This style features an attractive A-frame gabled roof with side dormers as well as low pitch roofs with wide unenclosed eaves. The Townsend Residence features a full width front porch set under the main roof with four square cut posts supporting the roof. The building exterior is clad in double bevelled wooden clapboard with shingles in the gable peak. The house appears to originally have been painted in a tri-colour palette.

The house reflects a shift to simpler styles reflected in the social and economic consciousness of its times; in the 1890’s, New Westminster experienced slow economic growth and a decrease in population. While there are a number of houses throughout Queen’s Park constructed in the popular Shingle Cottage style, most were constructed during the building boom of the 1910s and are, in comparison, larger and more ornate. The William Townsend House at 312 Fifth Street is one of the oldest remaining examples in Queen’s Park of the popular Shingle Cottage style of architecture. It retains a physical and historic relationship to the site and contributes to the heritage character of the Fifth Street streetscape. The house is not listed on the New Westminster Heritage Resource Inventory or Heritage Register.

The dwelling has undergone a series of unsympathetic alterations over the years, including the addition of metal windows, stucco cladding and chamfering of the front roofline. At some point, the rear sleeping porch was filled in and consolidated into an upstairs suite, accessed by means of an exterior staircase on the north elevation of the house. The intent is to restore the dwelling to its original appearance, enhance the building’s overall functionality and prolong its longevity.

As the house at 312 Fifth Street is modest in size, has been subject to unsympathetic exterior alterations and is situated on a relatively large lot, it is vulnerable to demolition. The current property owners intend to conserve and protect the house through a Heritage Revitalization Agreement which will involve relocating an existing secondary unit from the attic to the basement and constructing a heritage style carriage house at the rear of the property. When fully restored, the Townsend Residence will be an asset to the Queen’s Park neighbourhood and valuable contribution to the enclave of authentic historic houses on Third Street.

**CHARACTER-DEFINING ELEMENTS**

Key elements that define the heritage character of the house include its:

- location on the west side of Fifth Street, a wide tree-lined boulevard in the heart of the Queen’s Park neighbourhood
- a relatively flat property with lane access to the rear
- symmetrical placement of door and window elements on the front façade as well as an overall rectangular plan form, modest residential scale and simple massing
- wood frame construction with original wooden cladding under stucco siding
- floorplan with staircase leading upstairs from the kitchen at the back of house
- roof with slightly flared side eave overhangs and two large shed dormers on the upper north and south elevations increasing the habitable area in upper storey
- recessed central front entry porch set under roof with four square pillar supports
- several remaining original double hung wood-sash windows

Source: City of New Westminster Development Services Department
City of New Westminster Museum and Archives
4.0 HERITAGE CONSERVATION STANDARDS

Conservation of the William Townsend Residence will be carried out in accordance with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada, adopted by New Westminster City Council in 2008 as the basis to consider heritage applications and processes. The proposed HRA for the Townsend Residence will include retention of the exterior character-defining elements as identified in the Statement of Significance, where feasible.

The “Standards and Guidelines” defines the following three conservation approaches:

**Preservation**: a program of maintenance and intervention designed to prevent further deterioration and to keep a building or structure “as is” – that is, to respect the present form, material, material and integrity. Emphasis is placed on the conservation of existing material.

**Restoration**: the process of returning a building or structure to the appearance of an earlier time by removing later material and by replacing missing elements and details.

**Rehabilitation**: the process of returning a property to a useable state through repair or alteration. Rehabilitation makes possible an efficient contemporary use while preserving those portions and features that are significant to the property’s historic, architectural and cultural values.

The overall conservation approach for the Townsend Residence will primarily involve a program of Rehabilitation. Some individual components of the proposed work, however, may require Preservation, as identified in the Heritage Conservation Plan. Recommendations for conservation of the interior are beyond the scope of this Plan.

If the Townsend Residence is listed in the New Westminster Heritage Register, the building may be eligible for variances under the applicable legislation that could result in a higher degree of heritage conservation. In addition, buildings listed on a Heritage Register may be exempt from provincial energy efficiency standards, allowing upgrades to heritage character-defining elements, such as original windows and doors, which would otherwise be compromised. The provisions allow a more sensitive approach to energy efficiency standards resulting in a higher degree of heritage retention. Detailed information relating to energy efficiency considerations is available in the Parks Canada Standards and Guidelines.

General standards for preservation, rehabilitation and restoration should be followed in the planning and implementation of all rehabilitation projects. The challenge of the rehabilitation process is to accommodate both old and new building elements and to find creative solutions to extend the useful life of a house while respecting its unique heritage values. The following chart sets
out general standards for preservation, rehabilitation and restoration and describes how the proposed conservation plan for the Townsend Residence achieves those standards.

<table>
<thead>
<tr>
<th>General Standards for Preservation, Rehabilitation and Restoration</th>
<th>Townsend Residence Heritage Conservation Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Conserve the heritage value of a historic place. Do not remove, replace or substantially alter its intact or repairable character-defining elements. Do not move a part of an historic place if its current location is a character-defining element.</td>
<td>The house at 312 Fifth Street is set further back on the property relative to other house on the street. Moving the house forward will maintain a consistent setback with neighbouring houses and allow room for construction of the carriage house off the lane.</td>
</tr>
<tr>
<td>2. Conserve changes to an historic place that, over time, have become character-defining elements in their own right.</td>
<td>No changes to the historic place have evolved into what could be considered character-defining elements over time.</td>
</tr>
<tr>
<td>3. Conserve heritage value by adopting an approach calling for minimal intervention.</td>
<td>The proposed conservation approach will be based on minimal intervention.</td>
</tr>
<tr>
<td>4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or properties or by combining features of the same property that never coexisted.</td>
<td>Elements from other historic places or eras will not be added to the property. Throughout the conservation process, the Townsend Residence will be respected as an authentic record of its time, place and use.</td>
</tr>
<tr>
<td>5. Find a use for an historic place that requires minimal or no change to its character-defining elements.</td>
<td>Conservation of the historic place will continue its residential use and rehabilitate the existing character-defining elements.</td>
</tr>
<tr>
<td>6. Protect and, if necessary, stabilize an historic place until and subsequent intervention is undertaken. Protect and preserve archeological resources in place. Where there is potential to disturb archeological resources, take mitigation measures to limit damage and loss of information.</td>
<td>An engineer will be retained to provide professional advice regarding stability of the house (e.g. foundation and stairs). Measures will be taken to stabilize the historic place during the conservation process, as needed.</td>
</tr>
<tr>
<td>7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect the heritage value when undertaking an intervention.</td>
<td>Appropriate means of intervention will be followed in the rehabilitation process, as set out in the Parks Canada Standards and Guidelines and as determined by a property condition assessment.</td>
</tr>
</tbody>
</table>
8. Maintain character-defining elements on an ongoing basis. Repair elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes. Recommendations for a maintenance plan are included in this Heritage Conservation Plan for the Townsend Residence. Deteriorated or missing elements will be either repaired or replaced in kind, where possible.

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference. Every effort will be made to ensure character-defining elements are compatible with the historic place and documented for future reference.

**Additional Rehabilitation Standards**

10. Repair rather than replace character-defining elements. Where elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place. Deteriorated character-defining elements will be repaired instead of being replaced, where possible. For example, rotten fascia boards will be replicated to match existing and chimney bricks will be cleaned, patched and the mortar repointed to match existing.

11. Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place. This project involves minimal new construction. The heritage value of the house will be enhanced by removing incompatible alterations that were made to the house over time.

12. Create any new additions or related new construction so that the essential form and integrity of the historic place will not be impaired if the new work is removed in future. The essential form and integrity of the house will be intact.
### Additional Restoration Standards

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<tr>
<td>13. Repair rather than replace character-defining elements from the restoration period. Where elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the form, materials and detailing of sound versions of the same elements.</td>
<td>Character-defining elements will be repaired instead of being replaced where possible.</td>
</tr>
<tr>
<td>14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.</td>
<td>New features will be replaced with like elements based on documentary or oral evidence.</td>
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</table>

The rehabilitation conservation work will preserve the overall form, scale and massing of the dwelling and emphasize the retention and enhancement of its character-defining elements. The work will primarily involve relocating the house forward on the property, pouring a concrete foundation regarding and installing drain tile around the perimeter of the house. Conservation of the house will include: replacing the sloping porch roof overhang, repairing and repainting the original wood cladding, replacing the second storey window on the front façade with a wood casement mullioned window, restoring/replacing windows and repairing steps to the front entry, reroofing the dwelling, removal of a rear porch and landscaping. All work to be done in accordance with the building conservation standards established by Parks Canada’s “Standards and Guidelines for the Conservation of Historic Places in Canada.” A carriage house will be constructed in the rear yard in a heritage style consistent with the primary historic dwelling.
## 5.0 CONSERVATION PLAN

### 5.1 Foundation and Landscaping

<table>
<thead>
<tr>
<th>Character-defining elements</th>
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<tr>
<td>• Midblock location on the west side of Fifth Street, a wide boulevard lined with mature trees in the heart of the Queen’s Park neighbourhood</td>
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<tr>
<td>• Relatively flat property with lane access at the rear bordering on commercially zoned properties on Sixth Street</td>
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</table>

| Conservation Approach | Replacement Maintenance with minimal intervention |  |

| Description | The Townsend House has a large front yard setback from the street resulting in a small and underutilized rear yard. The intention is to relocate the house approximately 23 feet closer to Fifth Street resulting in a more consistent alignment with other houses on the street and greater street appeal. Moving the house forward on the property will also provide room in the rear yard to construct a carriage house with private open space. The house has a poured concrete basement with a ceiling height less than 7 feet (not to code). At present, the basement walls are showing minor cracks and water penetration is evident. The proposal is to lift the house from its current foundation, excavate and pour a new cast in place concrete foundation. The basement will be full height and create a habitable area. The new building height will be 3 feet higher than existing. Over the decades, the grade around the house has risen, typical in an urban environment, so the house almost appears to be sunken. Raising the house would likely enhance its street presence. The house will also be relocated closer to Fifth Street to allow for the rear addition and coach house. After relocation, the house will be set back 23'10" from Fifth Street and 5' from the north side yard. A structural engineer will be retained to oversee the excavation, new building foundation and house relocation. The house will be picked up and relocated from the first floor joists to avoid damaging the house frame. A qualified contractor with experience in house moving will be retained to oversee the physical relocation of the house. Wood lapped siding will be added to match original where the building has been heightened. |  |
A concrete pathway leading from Fifth Street to the front and side of the house is in poor condition and will be replaced with a new concrete path with steps. A wooden fence bordering the lane at the rear will be removed and replaced with a new wooden fence to meet bylaw specifications.

With respect to landscaping, several mature shrubs on the property will be retained and pruned back. Low shrubs will be added to soften the base of the front porch. Four stumps in the front yard, remnants of a small hedge, will be ground and removed. The lawn will be torn up, the site regraded and resodded.
### 5.2 Roof and Dormers

<table>
<thead>
<tr>
<th>Character-defining elements</th>
<th>• Roof with slightly flared side eave overhangs and two large shed dormers on the upper north and south elevations increasing the habitable area in upper storey</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation Approach</td>
<td><strong>Rehabilitation</strong> – installing a new duroid roof on the house. Shed dormers to be replaced with peaked roof dormers, similar in appearance to the original house.</td>
</tr>
</tbody>
</table>
| Description                 | The owner intends to replace the roof with a new duroid shingle roof in a colour to match the proposed heritage colour palette. A traditional single colour 3-tab asphalt shingle is recommended for the replacement roofing.  

A condition assessment will be conducted of the wooden roof soffits and rafter ends; damaged elements will be repaired or replaced as needed. Damaged fascia boards will be removed and replicated to match existing. The area at the intersection of the roof overhang and front facade will also be restored to match original alignment (see architectural plans). An important recommendation is to remove the chamfered roofline and replace the front and back gable ends with peaked roof dormers, in keeping with the original appearance of the house.  

The side dormers are not original to the house and are shed in profile. These dormers will be removed and replaced with peak roof dormers in a similar profile to original. Two dormers are proposed on the south elevation design instead of one to allow more light into upstairs rooms; the total number of dormers will increase from two to three.  

It is worth noting that the existing brick chimney is not a visible feature of the existing house and therefore is not included as a character-defining element. The chimney is to be dismantled and will not be replaced. A wood burning fireplace is not being included in the revised layout as it would not be consistent with the green energy objectives of the house. |
North elevation staircase to be removed

South elevation showing overgrown foliage; shed dormers to be retained
### 5.3 Front and Rear Facades

| Character-defining elements | • Symmetrical placement of door and window elements on the front façade as well as an overall rectangular plan form, modest residential scale and simple massing  
• Recessed central front entry porch set under roof with four square pillar supports |
| Conservation Approach | **Preservation** - window and door elements  
**Rehabilitation** - porch with projecting roof and wooden railings |
| Description | The front elevation of the Townsend Residence will be taken back to its original appearance at construction (circa 1893). Remaining original elements will be retained and enhanced, including the recessed front porch and wood casement windows on either side of the front door.  

The original cedar siding exterior of the Townsend Residence was covered in rusticated stucco cladding by a previous owner. The stucco on all elevations will be removed, exposing the original cedar siding. Lapped wood siding and wood window trim will be refinished and repainted. Concrete steps leading up to the front door are in poor condition and will be replaced with either stone or concrete steps in keeping with their original configuration.  

All stucco on the building exterior will be carefully removed and original wooden clapboard underneath restored. Wood siding on the front and sides of the house is to be gently cleaned with water on low pressure or a natural bristle brush, then holes and cracks patched, primed and painted in a heritage palette. Missing or damaged clapboard will be replaced with similar lapped wood, patched and painted to match original.  

The exterior staircase on the north elevation of the house will be removed and, where it was attached to the house, holes in the siding will be repaired and restored. Original wood lapped siding and shingles (located under the front gable and on the front porch panels) will be restored to original as per historic photos. Refer to architectural plans. |
The front porch railing will be replaced with a solid wood panel on either side of the stairway. The panels will be 3 feet in height and clad in lapped siding on the exterior, similar to the original porch as based on historic photos. The panels will be painted to match the field colour of the house. As the 3 foot height does not meet the building code for railing height, a 6” high recessed and unobtrusive metal bar will be installed on top of the panel to meet the railing height requirement of 3’6”. The front porch panel will have a gap at the base to allow water to drain from the porch. In addition, replacement porch columns will be squared and slightly tapered, as per original.

The wooden staircase on the north elevation will be removed entirely as access to the second storey suite will no longer be required.

An addition is planned at the rear of the house to accommodate an expanded kitchen and eating area. The rear addition incorporates all the add on additions that were made over time into a coordinated and simplified plan. The rear addition will include a large section of paned windows to provide light into the kitchen area as well as a rear deck on the second level (refer to architectural plans). Dormer sides will be finished with lapped siding to match field colour of house and will feature wood windows.
Rear elevation with unsympathetic additions to be removed
5.4 Windows and Doors

<table>
<thead>
<tr>
<th>Character-defining elements</th>
<th>• Several original double hung wood sash windows;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation Approach</td>
<td>Preservation - original wood frame windows and repurpose</td>
</tr>
<tr>
<td></td>
<td>Rehabilitation - replace aluminum window on upper front façade with wood frame windows in the same era as the house</td>
</tr>
<tr>
<td>Description</td>
<td>The two windows on either side of the front door are wood sash one-over-one or two-over-two windows original to the house. The condition of the windows is to be assessed before commencement of work. Window rehabilitation would involve repairing deteriorated wood windows and returning the windows to operational condition. Security grilles in the basement windows to be removed and replaced with wood sash windows in a matching historic style with true divided lites, then painted to match historic palette. A discreet metal flashing could be installed on the top of the window to shed rainwater, painted to match the window trim colour.</td>
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<td></td>
<td>Except for the two windows by the front door, all other windows are primarily composed of vinyl or aluminum. These will be replaced with new wood frame casement windows appropriate to the era and similar to historic photos, painted to match paint palette. The sliding glass door above front the porch will be replaced by a wood frame window of a configuration to match historic photos. Original double hung wood-sash windows will be restored and reused where possible.</td>
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<td></td>
<td>The existing front door is not original to the house. The owner would like to replace it with a solid wood panelled door with upper windows (for increased privacy and security) similar to the image below.</td>
</tr>
</tbody>
</table>
### 5.5 Drainage

<table>
<thead>
<tr>
<th>Character-defining elements</th>
</tr>
</thead>
</table>
| • No specific character-defining element  
| • Relates to the overall building by protecting, maintaining and stabilizing existing materials and integrity of the historic place while protecting its heritage value  

<table>
<thead>
<tr>
<th>Conservation Approach</th>
</tr>
</thead>
</table>
| Rehabilitation – drainage system of gutters, downspouts and drain tile  

<table>
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<tr>
<th>Description</th>
</tr>
</thead>
</table>
| A functioning drainage system is intended to convey water away from the house avoid moisture penetration. The owner intends to replace the drain tile surrounding the house after raising the house and prior to completing the landscaping. A site drainage and continuous aluminum gutter system will be installed in accordance with the heritage style of the house. In places, some of the existing gutters are in good condition and may be reused. All gutters and rain water leaders will be painted to match the colour scheme of the house. The entire gutter and eave system, once installed or repaired will be painted in accordance with the approved paint schedule.  

5.6 Exterior Paint

<table>
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<tr>
<th>Character-defining elements</th>
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</tr>
</thead>
<tbody>
<tr>
<td>• No specific character-defining element</td>
<td></td>
</tr>
<tr>
<td>• Relates to the overall building by protecting and maintaining exterior materials and integrity of the historic place while protecting its heritage value; enhancing aesthetic appeal of the house</td>
<td></td>
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</tbody>
</table>

Conservation Approach

Preservation

Description

Painting of wooden cladding to be done to Master Painters’ Institute Specifications for a custom finish (one prime coat and two top coats). The owner anticipates that the original wood clapboard and shingles remain under the stucco cladding. Wood siding to be cleaned using a gentle method; washing with a low pressure hose or a natural bristle brush, wood repaired and patched as required, then primed before painting. All paint is to be acrylic exterior latex.

The proposed paint colour scheme for 312 Fifth Street is included in the architectural plans. The Benjamin Moore Historic Vancouver “True Colours” paint palette is an example of a paint palette historically appropriate to the 1890’s era of house.

Sample: Benjamin Moore’s Historical Vancouver “True Colours” Paint Palette
6.0 CONCLUSION

The William Townsend Residence is a valued heritage building associated with the residential development of New Westminster’s Queen’s Park neighbourhood. When rehabilitated to its former historic appearance, the dwelling will contribute significantly to the enclave of other heritage homes on Third Street. This Heritage Conservation Plan provides guidelines and recommendations to rehabilitate and extend the life of the Townsend House. The Conservation Plan will be used to inform a proposed Heritage Revitalization Agreement for the property.

Recommendations contained in the Heritage Conservation Plan include the rehabilitation and restoration of character-defining elements and significant architectural features of the Townsend Residence. A minimal intervention approach is proposed for the conservation work. Any new work to the exterior will respect the historic fabric and character of the building. Once the conservation is complete, the Townsend Residence will be an asset to the Queen’s Park neighbourhood.

6.1 Maintenance Schedule

A maintenance plan for the Townsend Residence should be implemented by the property owner to ensure the building’s long term protection. The plan should include a list of routine tasks such as periodic inspections, proposed non-invasive cleaning methods and minor repairs, identifying elements needing replacement on an as needed basis. It is recommended that a list of routine activities be recorded and a log kept recording dates when actions were completed. The log could also include receipts, photographs, an inspection checklist and commentary on the maintenance plan.

6.2 Heritage Reviews

A heritage professional should be retained to review and comment on the heritage conservation work detailed in this Heritage Conservation Plan to ensure its conformity with the Parks Canada Standards and Guidelines. Specific areas to be considered for review could include:

- window treatments, including the installation of dual panes of glass in existing wood windows and possible installation of metal flashing over the wood frame windows,
- proposed historic paint schedule for the house,
- treatment of the concrete walkway and front stairs as well as wooden porch railings, which could include panels, as per historic photos of the house,
- selection of historic exterior paint palette, and
- selection of duroid roof in keeping with historic character of the house.
6.3 References


APPENDIX 2

CONFIRMATION OF COMMITMENT BY REGISTERED PROFESSIONAL

Date: _________________

City of New Westminster
511 Royal Avenue
New Westminster, B.C. V3L 1H9

Attention: Director of Development Services

Re: Heritage Revitalization Agreement for 312 Fifth 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 1 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

__________________________________
Signature and Seal

__________________________________
Telephone No.
APPENDIX 3

CERTIFICATION OF REGISTERED PROFESSIONAL

Date: ______________

City of New Westminster
511 Royal Avenue
New Westminster, B.C. V3L 1H9

Attention: Director of Development Services

Re: Heritage Revitalization Agreement for 312 Fifth 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 1 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

__________________________________
Signature and Seal

__________________________________
Telephone No.
APPENDIX 4

DESIGN PLANS
Title: 312 Fifth Street - New Westminster

Tara and David

A100

Sheet List:

A101 Site Plan
A102 Area Plan
A103 Main Floor Plan
A104 Upper Floor Plan
A105 Basement Plan
A106 Roof Plan
A107 N + W Elevations
A108 S + E Elevations
A109 Cross Sections
A110 Laneway Floor Plans
A111 Laneway Elevations
A112 Laneway Cross Sections
**Zoning Analysis - Main Structure**

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**Zoning Analysis - Laneway House**

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**BUILDING SCHEME SUMMARY**

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**PLAN # 1431**

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**GENERAL NOTES**

- Exterior dimensions to be measured from outside of sheathing.
- All work done by D3 Dimension Drafting Design Ltd., is and will remain solely the property of the same.
- The Builder is responsible for ensuring that all construction coments conformed to local codes and bylaws.
- These drawings have been prepared by D3 Dimension Drafting and Design Inc. to conform to the current residential standards of the BCBC (2014).
- All Construction and installation of materials and equipment shall be done in accordance with good workmanship and with all local codes and bylaws.
- Dimensions take precedence to scale drawings.
- Dimensions are provided to aid design.
- Project Number, Site Address, and IRS Information should be included in the project.
- Only a building permit is required for the construction of a new structure or for changes to an existing structure.
- The back yard offers a parking space for the laneway house and suite.
- No retaining wall shall be constructed on any lot having an exposed height greater than 4 ft.
TYPICAL ELEVATION CONSTRUCTION NOTES:

1. WALL CLADDING TO BE ON RAINSCREEN (MIN. 3/8" STRAPPING)
2. CAULK JOINTS BETWEEN DISSIMILAR MATERIALS
3. FLASH ALL UNPROTECTED EXTERIOR OPENINGS
4. FLASHING TO BE MIN. 6% SLOPE AND HAVE END DAMS
5. ALL WINDOW OPENER'S TO BE CONFIRMED BY OWNER
6. DOORS TO CONFORM TO SECTION 9.6 OF THE BUILDING CODE
7. WINDOWS TO CONFORM TO SECTION 9.7 OF THE BUILDING CODE
8. SEE ROOF PLAN FOR ROOF PITCH(ES) AND OVERHANGS
9. ALL HANDRAILS & GUARDS TO B.C.B.C. 9.10.15.5.
10. ALL EXTERIOR WINDOWS AND DOORS TO MEET NORTH AMERICAN FENESTRATION STANDARDS
11. ALL BEDROOM WINDOWS TO BE CRANK OUT, RATHER THAN HUNG WINDOWS TO MEET EGRESS ALLOWANCE OF 0.35m
12. ASHRAE 90.1 PERSCRIMPTIONS REQUIRE ALL FACES BE VERTICAL FENESTRATION EQUAL OR LESS THAN 40% AND SKYLIGHT FENESTRATION EQUAL OR LESS THAN 5%.

IMPORTANT NOTE:

THIS DRAWING SET WAS CAREFULLY PRODUCED AND CHECKED BY D3 DIMENSION DRAFTING DESIGN Ltd. AND WAS DETERMINED TO MEET THE RESTRICTIONS AND REQUIREMENTS OF THE CURRENT EDITION OF THE BC BUILDING CODE; HOWEVER, DUE TO ANY UNINTENTIONAL OVERSIGHT OR DUE TO OTHERS CHANGING OR AUGMENTING THE DESIGN WITH STRUCTURAL INFORMATION SHOULD ANY LINTEL, BEAM, FOOTING, OR ANY OTHER STRUCTURAL ASPECT(S) OF THIS SET OF DRAWINGS BE INCORRECTLY POSITIONED, SIZED, SPECIFIED, OR BEYOND THE SCOPE OF THE BUILDING CODE HAVING JURISDICTION, THE COMPLETE SET OF DRAWINGS MUST BE CHECKED, SIGNED, DATED AND SEALED BY A QUALIFIED CERTIFIED STRUCTURAL ENGINEER.
**LWH ELEVATIONS**

**LWH Upper Level**
- **PEAK**: 320' - 5 7/8"
- **T.O.W.**: 315' - 1 3/8"
- **LVL**: 307' - 1 3/8"

**LWH Main Level**
- **LVL**: 298' - 1 3/8"

**LWH Peak**
- **PEAK**: 320' - 5 7/8"
- **T.O.W.**: 315' - 1 3/8"
- **LVL**: 307' - 1 3/8"

**LWH Midpoint Elevation**
- Average of midpoint from each side: \( \frac{(297.225 + 297.905 + 298.265 + 298.405)}{4} = 297.95 \) ft

**Materials**
- Oxford Ivory Hardie Siding
- Asphalt Shingle
- Oxford Ivory Hardie Shingle
- Window, Door, and Fascia Trim Dunbar Grey

**Path lighting**
- Type to not use a motion sensor

---

**Scale**
- 3/16" = 1'-0"
### APPENDIX 5

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

<table>
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<th>Requirement/Allowance</th>
<th>(RS-1)</th>
<th>HRA Variance</th>
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<tbody>
<tr>
<td><strong>Maximum Floor Space Ratio for Principal Building</strong></td>
<td>0.50 382 m² (4112 sqft)</td>
<td>0.5716 435 m² (4689 sqft)</td>
</tr>
<tr>
<td><strong>Maximum front porch projection into front yard</strong></td>
<td>1.2 metres (4 feet)</td>
<td>2.12 metres (6.96 feet)</td>
</tr>
<tr>
<td><strong>Maximum Detached Accessory Area</strong></td>
<td>10% of site area 89 m² (822.4 sqft)</td>
<td>12.7% of site area 97 m³ (1044 sqft)</td>
</tr>
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</table>
Attachment 7

Heritage Designation Bylaw

(312 Fifth Street) Bylaw 7980, 2018
THE CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 7980, 2018

A bylaw of the Corporation of the City of New Westminster to designate the principal building currently located at 312 Fifth Street as protected heritage property

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

AND WHEREAS the registered owners of the land located at 312 Fifth Street, New Westminster, British Columbia, legally described as PID: 013-410-202, Lot 42 of Lots 8 and 9 and 35 to 38 Suburban Block 6 Plan 2620 (the “Land”) have entered into a heritage revitalization agreement in relation to the principal building currently located thereon and shown on the aerial photo attached hereto as Schedule “A” (the “Heritage House”), as authorized by Heritage Revitalization Agreement (312 Fifth Street) Bylaw No. 7979, 2018 (the “Heritage Revitalization Agreement”), have requested that Council designate that Heritage House as protected heritage property, and have released the City from any obligation to compensate the registered owners for the effect of such designation;

AND WHEREAS Council considers that the Heritage House 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 Heritage House 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 (312 Fifth Street) No. 7980, 2018."

INTERPRETATION

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

DESIGNATION

3. The Land, excluding that portion of the Land covered by the Laneway House, and the Heritage House currently located on the Land are hereby designated in their entirety as protected heritage property under section 611 of the Local Government Act.
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 Heritage House:

(a) alter the exterior facade of the Heritage House;

(b) make a structural change to the Heritage House including, without limitation, demolition of the Heritage House or any structural change resulting in demolition of the Heritage House;

(c) move the Heritage House; or

(d) alter, excavate or build on the Land, excluding that portion of the Land covered or to be covered by the Laneway House, as shown on the site plan attached hereto as Schedule “A”.

EXEMPTIONS

5. Despite Section 4, the following actions may be undertaken in relation to the Heritage House without first obtaining a heritage alteration permit from the City:

(a) non-structural renovations or alterations to the interior of the Heritage House that do not alter the exterior appearance of the Heritage House; and

(b) normal repairs and maintenance that do not alter the exterior appearance of the Heritage House.

6. For the purpose of section 5, “normal repairs” means the repair or replacement of non-structural elements, components or finishing materials of the Heritage House 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 Heritage House and that portion of the Land designated by section 3 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, and, in the event that Bylaw No. 7971 is repealed and not replaced, the registered owner shall continue to maintain the Heritage House to the standards that applied under Bylaw No. 7971 immediately prior to its repeal.
HERITAGE ALTERATION PERMITS

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

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

(a) issue a heritage alteration permit for situations in which the proposed action would be consistent with the heritage protection provided for the Heritage House 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 Heritage House 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 Heritage House 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 Heritage House 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.

READ A FIRST TIME this 5th day of March, 2018.

READ A SECOND TIME this 5th day of March, 2018.

PUBLIC HEARING held this 30th day of April, 2018.

READ A THIRD TIME this 30th day of April, 2018.

ADOPTED this 7th day of May, 2018.

Mayor

Mayor JONATHAN X. COTÉ

City Clerk

JACQUE KILLAWEE CITY CLERK
SCHEDULE "A"

SITE IMAGE
There is no Report with this Item. Please see Attachment(s).
Mayor and Council,

We are writing in regards to the Development Variance Permit for 312 Fifth Street (DVP00672). My husband (Hugo Shaw) and I (Nancy Shaw) are owners of the neighbouring property (Fifth Street).

We would ask the city staff, mayor and council to grant this development permit and allow the HRA granted on the property (Bylaw 7979) to be rescinded.

It is our opinion that the owners of 312 Fifth Street started this HRA project in good faith with the intention to reconstruct and renovate the original house. This was a very old wood construction house (120 years+) which had been allowed to deteriorate in recent years. After moving the old structure to the forward location on the lot, it became more and more obvious that the original goal was overly optimistic due to the poor condition of what remained of the 120 year old structure.

Even if the HRA is rescinded, it is our opinion the porch (if allowed by the granting of the variance) and much of the newly rebuilt building will resemble the original old heritage house and the streetscape will conform with the goals of the Queens Park Heritage Conservation Area.

In conclusion, we are in favour of the Variance Permit DVP00672 and rescinding HRA Bylaw 7979.

Thank you

Nancy and Hugo Shaw
5th Street
New Westminster, BC V3L 2X2
RECOMMENDATION

THAT Council direct staff to undertake additional community engagement as described within this report in order to determine community waste reduction and recycling needs as recycling depot drop-off services are transitioned to a new regional recycling facility.

PURPOSE

This report provides Council with an update on the regional recycling facility to be located at the new Coquitlam Transfer Station. This report also outlines an approach for further community engagement proposed to be undertaken with the view to identifying barriers to recycling for residents across the City, possible measures to address those barriers, and ideas for how the City can help support waste reduction community-wide.

BACKGROUND

During conceptual planning for the new Aquatic Centre, it was determined that it will be necessary to relocate the recycling depot from its present location. The new Aquatic Centre and Community Centre will be approximately 40% larger than the existing Canada Games Pool and Centennial Community Centre, and it will be necessary to keep these facilities in operation while the new facility is under construction. Given there is insufficient space for vehicular circulation and other site constraints including the presence of a large diameter regional combined sewer main that traverses the site, it is not possible to accommodate the existing all-weather sports field and recycling depot. A copy of the proposed site plan is
shown in fig. 1. below. As a suitable alternative site for a recycling depot could not be identified, the City is partnering with Metro Vancouver and the Tri-Cities of Coquitlam, Port Coquitlam and Port Moody in a new regional recycling facility at the new Coquitlam Transfer Station (995 United Blvd., Coquitlam). Each of the participating communities will pay a proportional amount of the capital and operating costs on the basis of population and use of the facility. The new recycling facility is proposed to open to the public in late 2020.

**EXISTING POLICY/PRACTICE**

The waste reduction hierarchy has taken many forms over time but the basic principles remain the same with the aim to attain maximum benefit from materials and to generate the minimum amount of residual waste. The 5R’s hierarchy shown in fig 2. below implies that consumers should first be making wise choices that reduce the amount of waste generated and refuse to accept unnecessary packaging and single use items. Reusing or repurposing of materials is typically next on the hierarchy followed by recycling and Residual management (or Rotting). The concept of the 5R’s is ingrained in the Metro Vancouver Integrated Solid Waste and Resource Management Plan which applies to all member municipalities in the Metro Vancouver region.

![Proposed Aquatic Centre Site Plan](image-url)
DISCUSSION

Given the lack of available land, proximity to private recycling facilities, and the breadth of the City’s residential curbside collection program, it is considered more cost-effective to establish a new recycling depot in partnership with neighbouring cities. Most recyclables are accepted through the City’s curbside and multifamily collection programs with the exception of Styrofoam, glass packaging, soft plastics and other flexible plastic packaging. These items are currently accepted for free at the existing Coquitlam Transfer Station, as well as other private recycling locations located within the City. A full listing of locations can be found in Attachment “A” to this report. As of January 2, 2020, the Coquitlam Transfer Station is accepting excess yard trimmings from New Westminster residents at no cost.

The City is committed to supporting the community’s waste reduction and recycling needs and is open to hearing suggestions for new programs and initiatives. Staff are planning to undertake additional community consultation in early 2020 including two open house sessions, intercept surveys at the recycling depot, and interactive online polls to gather feedback on barriers and gaps to recycling, suggestions for measures to help address barriers, and ideas for waste reduction. These engagement efforts will provide an interactive opportunity for community members to engage with staff and to assist the City in determining what additional programs or services could be initiated to support further waste reduction in the community.

Staff will keep the community informed as we move closer to closure of the City’s recycling depot. An infographic style video to promote alternative waste reduction and recycling options for residents during the transition is currently under preparation. In addition, regular updates will continue to be posted on City Page and on the City’s social media channels.
In terms of proximity and access to drop-off recycling depots, the map below identifies municipal and/or regionally operated facilities within the Metro Vancouver region. As indicated, the size and location of these facilities varies significantly. The average population being served by each depot is approximately 240,000 residents, and an average area of 126 sq.km. Private recycling depot facilities are not represented on this map but may be found at the [RecycleBC website](http://www.recyclebc.ca).

![Metro Vancouver Regional Solid Waste Facilities and Recycling Depots](image-url)

**Figure 3.** Metro Vancouver Regional Solid Waste Facilities and Recycling Depots.

<table>
<thead>
<tr>
<th>Recycling Depots</th>
<th>Approx. Population Served</th>
<th>Approx. Area Served (Taxable sq. km)</th>
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<tr>
<td>North Shore</td>
<td>192,441</td>
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<tr>
<td>Vancouver</td>
<td>672,963</td>
<td>65.33</td>
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<tr>
<td>Coquitlam (Town Centre)</td>
<td>74,745</td>
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<td>Coquitlam (Tri-Cities)</td>
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<td>Richmond</td>
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<tr>
<td>Delta</td>
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<td>Surrey</td>
<td>569,065</td>
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<tr>
<td>Maple Ridge</td>
<td>108,398</td>
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<td>Langley</td>
<td>243,493</td>
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<td>Burnaby</td>
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<td>New Westminster</td>
<td>76,799</td>
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<tr>
<td><strong>Average</strong></td>
<td><strong>244,124</strong></td>
<td><strong>125.72</strong></td>
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**Notes:**
- City of White Rock has no recycling depot
- Belcarra has a recycling depot but no curbside collection program
- Coquitlam Town Centre provides drop-off to Coq. residents only
- Coq. Town Centre assumes 50% pop. and 50% area served
- Village of Anmore has no recycling depot
User surveys were conducted at the City’s recycling depot on November 2017 and March 2018 to determine frequency of use and area of residence. Results did not vary between the two months showing 77% of respondents attended the Recycling Depot regularly, making a trip at least once per month, with 56% of respondents residing within the immediate neighbourhoods. Results of the survey are summarized below.

Place of residence:
- 27% of respondents live in the Queens Park neighbourhood
- 25% live in the Glenbrook neighbourhood
- 17% live in the Sapperton neighbourhood
- 13% live in the West End
- 12% live in the Massey neighbourhood
- 7% live in Queensborough or other neighbourhood

Frequency of visit:
- 37% of respondents visited the recycling depot once per week
- 40% of respondents visited the recycling depot once per month
- 13% of respondents visited once every 3 months
- 11% of respondents visited once every 6 months

The results of the survey suggest that the existing depot has been largely providing a localized level of service. The largest volume of materials processed (2017) was yard trimmings (1,800 tonne) followed by scrap metal (250 tonne) and appliances (600 tonne). Plastic wrapping, foam packaging represented approximately (80) tonne, while paper & cardboard, mixed containers and glass accounted for approximately (200) tonne. Given the extent of our curbside collection program for greenwaste including yard trimmings, and recyclable packaging products, it is the intent of staff to focus on those materials that cannot be recycled by increasing educational programs on waste reduction programs including elimination of single use materials and facilitating greater involvement of private sector waste reduction, recycling programs and facilities.

**NEXT STEPS**

Staff are proposing the following next steps:

**Public Open House**
Staff are currently planning two open house sessions in early February. One open house will be held either at the Centennial Community Centre or City Hall (depending on availability), and one will be held at the Queensborough Community Centre. Once final dates have been determined, these will be broadly advertised to the community. The purpose of the open houses is to share information about various recycling options and locations, and seek
community feedback about recycling barriers and gaps, possible measures to help address barriers and to receive suggestions for other forms of waste reduction.

**Public surveys**
Intercept surveys will be undertaken at the recycling depot and interactive online polls are currently being prepared to seek community input on barriers to recycling that residents are experiencing, suggestions for measures to help address those barriers and suggestions for other waste reduction initiatives.

**Neighbourhood level events**
Staff are also planning a series of neighbourhood level waste reduction engagement and recycling events designed to bridge gaps in recycling. During these events, residents will be able to recycle Styrofoam, glass packaging, soft plastics and other flexible plastic packaging and textiles. These events may also host repair cafes where residents will be offered an opportunity to have damaged household goods repaired for free with the help of skilled volunteers. Information booths will also provide information to residents of waste reduction and recycling resources. It is anticipated that these events could be held at the parking lot in Tipperary Park and in Queensborough in partnership with the Starlight Casino. The frequency of these events would be determined through the community engagement process however are anticipated to commence in March upon closure of the recycling depot until at least the opening of the new regional facility. Depending on feedback received and participation levels, the frequency of these events could be modified to suite resident’s needs and potentially be extended beyond the opening of the new regional facility.

**FINANCIAL IMPLICATIONS**
In 2020, operating costs for the City’s recycling depot will be reallocated to fund pop-up events and other recycling initiatives. Staff estimate costs to run 10 pop-up recycling events to be approximately $60,000. Staff estimate the cost to promote the online survey and infographic video at approximately $10,000.

**OPTIONS**
The following options are presented for Council’s consideration:

1. THAT Council direct staff to undertake additional community engagement as described within this report in order to determine community waste reduction and recycling needs as recycling depot services transition to a new regional facility;

   2. THAT alternative direction be provided to staff.

Staff recommends Option 1.
INTERDEPARTMENTAL LIAISON

This report has been prepared in consultation with the Communications Department and the Manager of Public Engagement.

CONCLUSION

The City is partnering with Metro Vancouver and the Tri-Cities of Coquitlam, Port Coquitlam and Port Moody in a new regional recycling facility being constructed as part of the new transfer station located on United Boulevard in proximity to the Braid Industrial Park. Staff plan to inform the public of changes to the City’s recycling depot services and to solicit feedback on waste reduction needs and alternative recycling options for products not currently accepted in our curbside collection programs. The City will inform the public on these changes and solicit feedback through two open house sessions, intercept surveys at the recycling depot and online polls, infographic videos, neighbourhood recycling events, and both online and print media. Input generated through this public engagement will be reported back to Council in a future report.

ATTACHMENTS

Attachment A – Alternative Recycling Locations

This report has been prepared by:
Kristian Davis, Superintendent, Solid Waste & Recycling Branch

This report was reviewed by:
Dave Cole, Manager, Engineering Operations

Approved for Presentation to Council

Jim Lowrie, Eng. L, MBA
Director of Engineering Services
Lisa Spitale
Chief Administrative Officer
Attachment A

Alternative Recycling Locations
## Alternative Recycling Locations

<table>
<thead>
<tr>
<th>Item</th>
<th>Bridgeview Bottle &amp; Return-It Depot</th>
<th>Coquitlam Transfer Station</th>
<th>Eco-Centre Burnaby (City of Burnaby)</th>
<th>Edmonds Return-It Depot</th>
<th>New Westminster Recycling Depot</th>
<th>New West Bottle</th>
<th>Royal City Fire Supplies Return-It Depot</th>
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<td>Ink cartridges and Toner</td>
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<td>Yard Trimnings *fees may apply</td>
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EDMS Doc #1366943
There is no Report with this Item.
Please see Attachment(s).
CORPORATION OF THE CITY OF NEW WESTMINSTER

AMENDMENT BYLAW NO. 8161, 2020

ADOPTED ______________________

A Bylaw to Amend Building Bylaw No. 8125, 2019.

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 "Building Bylaw Amendment Bylaw No. 8161, 2019."

2. Building Bylaw No. 8125, 2019 is amended as follows:

(a) Section 5.7 is amended by replacing Article 5.7.1 with the following wording:

5.7.1 Every person making an application for a building permit or obtaining a service from the City shall pay the applicable fee and charges imposed in the Development Services Fees and Rates Bylaw No. 7683, and the Engineering Fees and Rates Bylaw No. 7553, 2013, as amended or replaced from time to time.

(b) Add a new Article 5.12.15 and renumber subsequent Articles in section 5.12:

5.12.15 If an owner changes contractors before construction is completed, a valid permit may be transferred to a new contractor upon payment of a transfer fee as specified in the Development Services Fees and Rates Bylaw No. 7683, 2014, as amended or replaced from time to time.

(c) Add the following to Part 14:

14.3 Energy Efficiency Performance Bond:
To ensure compliance with the applicable step of the BC Energy Step Code is achieved in accordance with the requirements of Section 14.1, an energy efficiency performance bond, as specified in the Development Services Fees and Rates Bylaw No. 7683, 2014, as
amended or replaced from time to time, shall be provided prior to issuance of a building permit. The energy efficiency performance bond will be released once it has been verified that the project has been constructed to achieve the energy efficiency performance level in accordance with Section 14.1 and the project has been granted occupancy. The bond, if forfeited, will be utilized to improve energy performance in the subject building or will be rolled into the City’s Carbon Reserve Fund and utilized to meet the City’s energy use and GHG emissions targets.

(d) Add a new Part 15 as follows:

**PART 15 SECURITY FOR DAMAGE TO MUNICIPAL FACILITIES AND/OR OBSTRUCTION OF ROADS BY BUILDERS**

15.1 In addition to any other fee payable pursuant to this bylaw, where the construction site is served by any street upon which there is a sidewalk, curb and gutter, drainage swale, street light, storm sewer, sanitary sewer, water service, or a combination of any of these, either existing or required to be completed prior to final inspection and acceptance of the property, every applicant for a building permit shall, at the time of application, deposit with the City security, in a form acceptable to the City in the amount prescribed in and the Engineering Fees and Rates Bylaw No. 7553, 2013, as amended or replaced from time to time.

15.2 The applicant shall make an inspection of all City properties adjacent to the construction site and shall submit a report, with photographs attached, of any existing damage to the City Engineering Department prior to commencing work. All damage to City property observed at final inspection shall be deemed to be caused by the applicant, unless reported as outlined above.

15.3 The Security may be applied by the City in payment of any costs or expenses which may be incurred by the City in repairing, installing or replacing City properties which are damaged during, and such damage is attributable to the carrying out or construction of the works authorized by the building permit or
which are incidental to such works; or, for clearing any debris, materials, dirt, chattels or equipment which has accumulated on any street, road, avenue, alley, sidewalk, boulevard or any part of a road allowance as a result of work carried out in connection with the building permit.

15.4 Engineering Operations shall inspect City properties adjacent to the construction site after final inspection and acceptance by the Building Official. Any damage to City properties caused directly or indirectly by the construction related to the permit not repaired or corrected at the date of such inspection shall be recorded. The City shall, at its convenience, complete the necessary repairs and the full cost of the repairs shall be taken from the Security. Should the Security be more than the cost of the repairs, the remainder shall be returned to the applicant. Should the cost of the repairs be more than the Security, the applicant or owner of the property for which the building permit has been issued shall be required to pay those costs exceeding the Security. If the costs are not paid, they may be added to, and collected in the same manner as ordinary taxes per Article 3.2.4 of this bylaw.

15.5 Where during the course of construction, the City discovers that any street, road, avenue, alley, sidewalk, boulevard or any part of a road allowance is obstructed by debris, materials, dirt, chattels or equipment of the owner or his agent, the owner shall remove the obstruction immediately. Failure to comply will result in the City removing the obstruction and claiming the full cost of removal from the Security. The owner shall then deposit sufficient money to return the Security to its original amount.

15.6 The Security shall be returned to the applicant after:

(a) a final inspection, acceptable to the Building Official has been conducted; and

(b) Engineering Operations has ascertained either that no damage has occurred or that, if any damage to City property has occurred, the damage has been repaired or corrected to the satisfaction of the City.
15.7 Forfeiture of the Security in no way relieves the applicant of responsibility for the total cost of repair or correction should the cost exceed the Security.

3. Severability

If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction the invalid part, section, sentence, clause, phrase or word shall be severed and the decision that is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the Bylaw had been adopted without such invalid portions.

READ A FIRST TIME this _________ day of ________________, 2020.

READ A SECOND TIME this _______ day of ________________, 2020.

READ A THIRD TIME this _________ day of ________________, 2020.

ADOPTED this __________ day of ______________, 2020.

MAYOR JONATHAN X. COTE

JACQUE KILLAWEE, CITY CLERK
There is no Report with this Item. Please see Attachment(s).
CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8177, 2020

A Bylaw to Amend Development Services Fees and Rates Bylaw No. 7683, 2014

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

(1) This Bylaw may be cited for all purposes as “Development Services Fees and Rates Amendment Bylaw No. 8177, 2020.”

(2) The City of New Westminster Development Services Fees and Rates Bylaw No. 7683, 2014 is hereby amended as follows:

   a) Schedule ‘A’ (Building Permit Fees) and Schedule ‘D’ (Plumbing Fees) to Development Services Fees and Rates Bylaw No. 7683, 2014 are hereby replaced with the Schedule ‘A’ and Schedule ‘D’ attached in Appendix 1 to this amending bylaw; and,

   b) In Schedule ‘C’ to Development Services Fees and Rates Bylaw No. 7683, 2014 replace the Pre Application Review fee of “$528.00” with “$5,000.00”.

READ A FIRST TIME on an affirmative vote of a majority of all members of Council this _______ day of ______________, 2020.

READ A SECOND TIME on an affirmative vote of a majority of all members of Council this _______ day of ______________, 2020.

READ A THIRD TIME on an affirmative vote of a majority of all members of Council this _______ day of ______________, 2020.

ADOPTED on an affirmative vote of a majority of all members of Council on this _____ day of ______________, 2020.

__________________________________________   ________________________________
MAYOR JONATHAN X. COTE               JACQUE KILLAWEE, CITY CLERK
CORPORATION OF THE CITY OF NEW WESTMINSTER

Development Services Fees and Rates Bylaw

Appendix 1

2020 Building Permit Fees

Bylaw No. 8157, 2019
1.0 GENERAL

1.1 ALTERNATE SOLUTION FEES
   (a) up to two items included in one report $520.00 (plus GST)
   (b) each subsequent item in same report $230.00 (plus GST)
   (c) for an amendment to an original report after acceptance or rejection of the report $145.00 (plus GST)

1.2 CHANGE OF ADDRESS - A fee of $625.00 shall be paid where an address change based on personal preference is requested.

1.3 COMFORT LETTERS - For the preparation of a comfort letter (includes responses from the Planning, Fire, Licensing, Building Departments) a fee of $321.00 shall be payable. For the preparations of a response from any individual department only a fee of $145.00 shall be payable.

1.4 CONDITIONAL OCCUPANCY CERTIFICATES
   (a) Residential $100 per dwelling unit (maximum $7500) per 30 days
   (b) Other $550 per 30 days

1.5 DOUBLE PERMIT FEE - If any work for which a permit is required under this bylaw shall commence before a permit has been obtained, the fees and charges payable shall be doubled, to maximum fee of $10,000.

1.6 Reserved

1.7 EXTENSION OF PERMIT - Where a permit has lapsed and the City has established that the proposed work complies with this bylaw and all other applicable bylaws, the permit may be extended on payment of an extension fee of $145.00.

1.8 OCCUPANT LOAD – A fee of $145.00 shall be paid to review floor plans for the purposes of establishing the maximum occupant load for a business where there is no current building permit application.
1.9 **REFUNDS** - No fees or part thereof paid to the City shall be refunded if a start has been made on construction or an inspection conducted. If no start has been made and no inspection conducted and if the Building Official so certifies, the City shall refund to the applicant with respect to a valid building permit, 50% of the building permit fee, such refund shall not include the plan processing fee.

1.10 **RE-INSPECTION FEES**

(a) Where more than two inspections are necessary due to non-compliance with the provisions of this bylaw or to correct violations from previous inspections the following charges (plus GST) shall be administered:

- Third inspection $145.00
- Fourth inspection $290.00
- Fifth inspection $435.00
- Each subsequent inspection $580.00

(b) Where work is not ready for inspection when the inspector calls, a re-inspection fee shall be charged at $145.00 (plus GST).

1.11 **REVISIONS TO PERMITS**

**REVISION PRIOR TO PERMIT ISSUANCE** - A fee, based upon the City hourly rate for staff time (min. 1 hour), will be charged on an application:

(a) That requires 3 or more revisions, and/or

(b) where the design is revised and/or substituted with a new design

**REVISION TO ISSUED BUILDING PERMIT** - A fee, based upon the City hourly rate for staff time (min. 1 hour), shall be paid.

1.12 **SIGN PERMIT FEES** – Every application for a sign permit, as required by Sign Bylaw No. 7867, 2017, shall be accompanied by the applicable fees:

1.12.1 **NEW SIGN** - $500.00

1.12.2 **FACE CHANGE** – $145

1.13 **SOLAR HOT WATER READY EXEMPTION** A non-refundable fee of $520.00 (plus GST) shall be paid.

---

Schedule A
1.14 **SPECIAL INSPECTIONS** – for inspection of work linked or not linked to an issued permit.

(a) Special inspection during normal working hours: A fee, based on the City hourly rate for staff time (min. 1 hour), shall be paid;

(b) Special inspection outside normal working hours:
   
   i. Monday to Friday:
      
      First 2 hours – a fee, based on 1-1/2 times the City hourly rate for staff time
      
      Each additional hour – a fee, based on double the City hourly rate for staff time

   ii. Weekends – a fee, based on double the City hourly rate for staff time (min. 4 hours) plus a ½ hour meal break

1.15 **TRANSFER OF PERMIT:**

(a) **CHANGE OF OWNER** - In the event of a change of ownership before construction is complete, a valid permit may be transferred upon payment of a recording fee of $145.00 each. The new permit holder shall become responsible for depositing with the City, Security as required under this bylaw.

(b) **CHANGE/REMOVAL OF CONTRACTOR** – In the event of a change of contractor before construction is completed; a valid permit may be transferred to a new contractor upon payment of a recording fee of $145.00. The new contractor must take full responsibility for the work completed to date.

2.0 **BUILDING PERMIT FEES**

2.1 Every person shall pay the following fees (minimum fee $150.00) for the issuance of a building permit:

(a) $13.80 for each $1,000.00 of construction value or fraction thereof up to and including $50,000.00

(b) $13.55 from each $1,000.00 of construction value or fraction thereof between $50,001.00 and $150,000.00

(c) $11.99 for each additional $1,000.00 of construction value or fraction thereof in excess of $150,000.00

2.2 **PLAN PROCESSING FEE:** - A plan processing fee shall be paid for all applications in the amount of 50% of the calculated permit fee, with a minimum fee of $145.00 and a maximum fee of $15,000.00. The plan processing fee is non-refundable and shall be credited against the building permit fee when the building permit is issued.

Schedule A
2.3 **ENERGY EFFICIENCY PERFORMANCE BOND:** Building permit applications for construction at Step Code Level 3 or higher shall be accompanied by a deposit of 1% of the total construction value, to a maximum of $25,000. The deposit shall be non-refundable if the Step Code Level 3 performance standard is not achieved or complied with.

3.0 **DOCUMENT FEES**

3.1 **PERMANENT RECORDS** - To assist in the cost of preparing efficient permanent Construction Records, every person making application for a building permit shall pay a fee equal to 1.0% of the construction value, subject to $11.75 minimum and $292.00 maximum.

3.2 **BUILDING RECORDS SEARCH**

(a) Document Request Fee $21.00 (plus GST) per document
(b) Drawing Request Fee
   - Administration Fee $50.00 (plus GST)
   - All copies (paper and/or digital) $1.50 per page (plus GST)

4.0 **DEMOLITION PERMITS**

4.1 Where an accessory building such as a garage or shed is to be demolished, the permit fee for such work shall be $145.00. The fee payable for all other structures shall be $1,265.00.

4.2 **WASTE DISPOSAL AND RECYCLING SERVICES FEES**

The fees in the table below shall be required for demolition permits

<table>
<thead>
<tr>
<th>Waste Disposal and Recycling Services Fee</th>
<th>$270.00 non-refundable portion, plus $5000.00 per single family or duplex building to be demolished, deconstructed, or disassembled (refundable portion)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee Incentive</td>
<td>• 100% of the refundable portion of the Waste Disposal and Recycling Services Fee if the level of compliance stated on the accepted Compliance Report is greater than or equal to 70%; or</td>
</tr>
<tr>
<td></td>
<td>• $0 if the level of compliance stated on the accepted Compliance Report is less than 20%; or</td>
</tr>
<tr>
<td></td>
<td>• in all other cases, the following as calculated using the level of compliance</td>
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</tbody>
</table>

Doc 1510535
4.3  **DELAYED DEMOLITION** –
Every application to delay demolition of a dwelling or to relocate a second dwelling on a lot shall be accompanied by the applicable fees prescribed in Schedule A, Section 2.0 Building Permit Fees (including the Plan Processing Fee) and a security deposit in a form acceptable to the City in the amount $50,000.

5.0  **TEMPORARY BUILDINGS** - Every application a temporary building shall be accompanied by the applicable fees prescribed in Schedule A, Section 2.0 Building Permit Fees (including the Plan Processing Fee) and a security deposit in a form acceptable to the City in the amount of $25,000.00.
CORPORATION OF THE CITY OF NEW WESTMINSTER

Development Services Fees and Rates Bylaw

Appendix 4

2020 Plumbing Fees

Bylaw No. 8157, 2019
Schedule ‘D’
2020 Plumbing Permit Fees

Plumbing Fixture Permit Fee Schedule

1 To 4 Fixtures ........................................... $145.00 (minimum permit fee)
Each additional fixture ........................................... $34.50
Backflow Assembly Test Report ............................ $23.50 (annual retest)

For the purpose of this section the following shall be considered plumbing fixtures:

<table>
<thead>
<tr>
<th>Automatic washer</th>
<th>Grease Interceptor</th>
<th>Planter Drain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bar sink</td>
<td>Hand sink</td>
<td>Pot sink</td>
</tr>
<tr>
<td>Bathtub</td>
<td>Hose Bib</td>
<td>Roof Drain</td>
</tr>
<tr>
<td>Bed pan washers/grinder</td>
<td>Hot Water Heater</td>
<td>Sanitary B.W.V.</td>
</tr>
<tr>
<td>Bidet</td>
<td>Hot Water Storage Tank</td>
<td>Sanitary Lift Station</td>
</tr>
<tr>
<td>Condensate Drain</td>
<td>Hub drain</td>
<td>Shower</td>
</tr>
<tr>
<td>Deck Drain</td>
<td>Ice makers</td>
<td>Steam Machine</td>
</tr>
<tr>
<td>Dialysis machine</td>
<td>Janitor sink</td>
<td>(Swimming pool backwash sump)</td>
</tr>
<tr>
<td>Dishwasher</td>
<td>Kitchen sink</td>
<td></td>
</tr>
<tr>
<td>Drinking Fountain</td>
<td>Laundry tub</td>
<td>Urinal</td>
</tr>
<tr>
<td>Floor Drain</td>
<td>Mop Sink</td>
<td>Wash basin</td>
</tr>
<tr>
<td>Foot bath</td>
<td>Neutralizing tank</td>
<td>Water closet</td>
</tr>
<tr>
<td>Glass Washer</td>
<td>Patio Drain</td>
<td>Water filter</td>
</tr>
</tbody>
</table>

Future Drainage/Venting/Water Connection
**Backflow Assembly
*Specialty and/or Proprietary equipment/fixture

*Specialty and/or proprietary equipment/fixtures typically found in medical, mercantile, commercial and industrial applications requiring a connection to the domestic water supply system and/or storm sewer system and/or sanitary sewer system. (Specialty equipment designation, if in question, shall be determined by the Plumbing Inspector.)

**All new backflow assembly installation permits include one “City of New Westminster Backflow Test Report” form per device.
1. **a) Domestic Water Re-pipe Plumbing Permit Fee Schedule**

   $58.25 per suite (Fee includes in-suite water pipe and distribution mains)

   **b) Domestic Water Mains and/or Risers Re-pipe Installation Only Plumbing Permit Fee Schedule**

   $145.00 for the first 100 feet or less
   $57.75 for each additional 100 feet or portion thereof
   $145.00 (minimum permit fee)

2. **Plumbing Services Permit Fee Schedule**

   **a) Residential (SFD & Duplex)**

   $69.20 each item ($145.00 minimum permit fee)

   - Back Flow assembly
   - Catch Basin
   - Drain Tile
   - Sanitary Lift Station
   - Sanitary Sewer
   - Septic Tank Removal
   - Solid Rain Water Leader Piping
   - Storm Lift Station
   - Storm Sewer
   - Storm Sump
   - Trench Drain
   - Water Service
b) **Multi-residential (three or more dwelling units), Commercial & Industrial Plumbing Services Permit Fee Schedule**
All piping $2.95 per foot ($145.00 minimum permit fee)

- Sanitary Sewer
- Storm Sewer
- Drain Tile
- Solid Rain Water Leader Piping


c) **Precast Concrete Works & Associated Receptacles**
$69.20 each item ($145.00 minimum permit fee)

- Catch Basin
- Oil Interceptor
- Trench Drain
- Sanitary Lift Station
- Manhole
- Storm Lift Station
- Floor Drain
- Storm Sump

d) **Waterworks**
$69.20 each item ($145.00 minimum permit fee)

- Fire Hydrant
- Yard Hydrant
- Isolating Valve
- Fire Line
- Combined Water Service
- Domestic Water Service
- Back Flow Assembly

3. **Hot Water Heating Permit Fee Schedule**

a) **Residential (SFD & Duplex)**
$403.50 Flat Rate per dwelling unit

**Hot water heating systems serving three or more dwelling units must be a professionally engineered design and inspected and approved by the engineer of design. (Permit not required)**
4. **Sprinkler Permit Fee Schedule**

   a) **Residential (SFD & Duplex)**

      1st Sprinkler head $145.00
      Each additional sprinkler head $3.00 each

   b) **All other Buildings**

      1st Sprinkler head $290.00
      Each additional sprinkler head $3.00 each

   c) **Additional Sprinkler Permit Charges**

      $69.20 each item ($145.00 minimum permit fee)

      Dry Pipe Valves          Alarm Valves
      Fire Department Connection Fire Hydrants
      Yard Hydrants            Fire Pump
      2 1/2” Hose Valve        1 1/2” Hose Valve
      Standpipe                Fire Pump
      Deluge Valve             Pre-action Valve
      Compressor               Flow Switch
      Chemical Based System

5. **Miscellaneous Fee Schedule**

   a) **DOUBLE PERMIT FEE** - If any work for which a permit is required under this bylaw commences before a permit has been obtained, the fees and charges payable shall be doubled, to a maximum fee of $10,000.

   b) **REFUNDS** - No fees or part thereof paid to the City shall be refunded if a start has been made on construction or an inspection conducted. If no start has been made and no inspection conducted and if the Building Official so certifies, the City shall refund to the applicant 50% of the applicable permit fee.
c) RE-INSPECTION FEES –
(c) Where more than two inspections are necessary due to non-compliance with the provisions of this bylaw or to correct violations from previous inspections the following charges shall be administered:
- Third inspection: $145.00 plus applicable taxes
- Fourth inspection: $290.00
- Fifth inspection: $435.00
- Each subsequent inspection: $580.00

- Where work is not ready for inspection when the inspector calls, a re-inspection fee shall be charged at $145.00, plus GST.

  d) CHANGE/REMOVAL OF CONTRACTOR - In the event of a change of contractor before construction is completed; a valid permit may be transferred to a new contractor upon payment of a recording fee of $145.00. The new contractor must take full responsibility for the work completed to date.

  e) CHANGE OF USE - For an inspection related to the change of occupancy or use of a building, a fee in the amount of $145.00 shall be paid.

  f) RENEWAL OF LAPPED PERMITS - Where a permit has lapsed and the proposed work is at a stage that is still accessible for inspection the permit may be renewed upon payment of $145.00.

  g) REVISED PLAN REVIEW SUBMISSION - Where a revision to the originally submitted and approved plumbing, sprinkler or hot water heating permit plans is received an administrative fee calculated based upon City costs per hour of staff time (min. 1 hour) shall be paid.

  h) SUBDIVIDING A SINGLE PROJECT BETWEEN MULTIPLE CONTRACTORS - Where a plumbing/sprinkler/hot water heating project covered by a single Building Permit is then divided into two or more phases with multiple mechanical contractors the full permit fee shall be collected from each individual contractor for their portion of work.
6. **Special Inspections**

Special inspection requests for work linked or not linked to an issued permit:

- Special inspection during normal working hours:
  A fee based on City costs per hour (min. 1 hour) shall be paid;

- Special inspection outside normal working hours:
  
  **Monday to Friday:**
  First 2 hours – a fee based on 1-1/2 times the City hourly rate
  Each additional hour – a fee based on double the City hourly rate
  
  **Weekends** – a fee based on double the City hourly rate (min. 4 hours)
  plus a ½ hour meal break
There is no Report with this Item. Please see Attachment(s).
CORPORATION OF THE CITY OF NEW WESTMINSTER

SIGN BYLAW AMENDMENT BYLAW No. 8132, 2019

ADOPTED ________________

A Bylaw to Amend Sign Bylaw No. 7867, 2017.

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

1. This Bylaw may be cited for all purposes as “Sign Bylaw Amendment Bylaw No. 8132,
2019”.

2. Sign Bylaw No. 7867, 2017 is hereby amended as follows:

1) Under the Table of Contents, make the following changes:
   i. Adding section 8.14 Mural Signs
   ii. Update the page numbers to reflect the changes made by this amendment bylaw.

2) Adding the following new definitions to section 2.1 in alphabetical order, and adding
   bold text to these terms in all locations where they are referenced in the Bylaw:
   
   “anchor tenant” means the largest occupier of contiguous commercial or office floor
   space, or the business that attracts the most users to the site, within a building that
   contains one or more businesses;

   “face change” means the removal and replacement of the sign face or sign copy while
   retaining the existing support structure;

   “fuel island” includes the elevated concrete pump island, dispensing pumps, canopy
   columns, and all other equipment and structures located beneath a fuel island canopy;

   “support structure” means the frame and attachments used to affix a sign to a building
   or surface;

3) Deleting the following from section 2.1:

   “under-awning sign” means any sign located entirely beneath an awning;

   And replacing with:

   “under-awning sign” means any sign located entirely beneath and attached to or
   suspended from an awning;
4) Deleting the following from section 2.1:

“under-canopy sign” means any sign located entirely beneath a canopy;

And replacing with:

“under-canopy sign” means any sign located entirely beneath and attached to or suspended from a canopy;

5) Deleting the following from section 2.1:

“identification sign” means a sign containing only the name, logo, address and/or number of the building, institution or person, or the activity carried on in the building, or the occupation of the person;

And replacing with:

“identification sign” means a sign containing only the name, logo, address and/or number of the building;

6) Deleting and replacing sub-sections in 4.2.2. with the following:

4.2.2.1 signs described in section 8, sub-sections 8.1 to 8.12 and 8.14;

4.2.2.2 signs described in section 10, sub-sections 10.7, 10.8, 10.9 and 10.10.3; and

4.2.2.3 signs described in section 11, sub-sections 11.2 to 11.6; or

7) Adding new sub-section 4.2.2.4:

4.2.2.4 face changes on existing signs that were permitted, legally installed, and are maintained.

8) Deleting and replacing section 4.3.7 with the following text:

4.3.7 Except as permitted in 4.3.8., the installation of a sign requires a letter of assurance and drawings from a professional engineer qualified and in good standing in the Province of British Columbia certifying the structural safety of the sign.

9) Adding new subsection 4.3.8 with the following:

4.3.8. Except as required by the Chief Building Official, the following signs are exempted from the requirements of section 4.3.7:

4.3.8.1 All under-awning and under-canopy signs; or

4.3.8.2 Fascia signs, awning signs, canopy signs, and projecting signs below 25kg in weight;
4.3.8.3 Freestanding signs lower than 2.2 meters in height;

4.3.8.4 Development signs smaller than 3.0 square metres; or

4.3.8.4 Any other sign at the discretion the Chief Building Official.

10) Replace “.” at the end of section 4.4.5 with “; or”

11) Adding a new sub-section to 4.4:

4.4.6 the sign or support structure could cause damage to historic materials on a protected heritage building.

12) Inserting the following text at the end of section 4.7 after the word “plans”:

4.7 “, except for signs exempted under section 4.3.8 from the requirements of section 4.3.7.”

13) Under section 8.13 making the following change:

Deleting the following text:

8.13.1 there is a maximum of one identification sign per building or business unit which does not exceed a sign area of 0.65 square metres;

And replacing with:

8.13.1 there is a maximum of one identification sign per building which does not exceed a sign area of 1.0 square metres;

14) Adding new section 8.14 with the following:

8.14 Murals provided that not more than 10 percent of the copy area is for advertising, in which case the advertising sign area will be considered a fascia sign as permitted under section 10.4.

15) Under Section 9.3 making the following changes:

Replacing the text “and” at the end of 9.3.3 with:

“, except where any portion of the sign is located within 4.57 metres of the corner of a site at the intersection of streets freestanding signs shall not block or interfere with visibility of pedestrians or traffic from a point 0.92 metres to a point 1.83 metres above the ground;”

Replacing “.” at the end of section 9.3.4 with “; or”

Adding sub-sections:
9.3.5  **Awning signs, canopy signs, fascia signs, under-awning and under-canopy signs and projecting signs** may have a minimum **clearance** of 2.0 metres if one or more of the following conditions exists:

9.3.5.1 Where a **sign** meets the 2.5 metre clearance requirement on the lower slope but not on the upper slope of a steeply sloping site;

9.3.5.2 Where a **canopy, awning** or architectural feature of the **building** restricts the **height** at which a **sign** can be placed;

9.3.5.3 Where reducing the **clearance** allows for consistent and compatible **height**, character and design of all **signs** across the **building, business unit or parcel**, consistent with section 6.4.

16) Under section 10.1 making the following changes:

   i.  Inserting the following text at the end of section 10.1.2:

   “except that where more than one **sign** is permitted, the signs may extend along each awning face to meet at the corner of the **awning** common to both **signs**;”

   ii.  Deleting the following text from section 10.1.3:

   “the awning sign shall not project more than 0.3 metres beyond the awning of and shall not project within 0.6 metres of any curb line; and”

   And replacing with:

   “the awning sign shall not project more than 0.3 metres beyond the awning face and shall not project within 0.6 metres of any curb line; and”

17) Deleting the following from section 10.2:

   “**Canopy signs** shall be permitted on the front and sides of canopies provided that;”

   And replacing with:

   “**Canopy signs** shall be permitted on the front, sides and top of canopies provided that;”

18) Under section 10.4, making the following change:

   Delete the following text:
10.4.1 not more than one **fascia sign** shall be permitted for each **street** fronting wall of a **building** or **business unit**, except in the C-10 Large Format Commercial District where one **fascia sign** is permitted for each **building** wall;

And replacing with:

10.4.1 not more than one **fascia sign** shall be permitted for each **street** fronting wall of a **building** or **business unit**, except:

10.4.1.1 in the C-10 Large Format Commercial District where one **fascia sign** is permitted for each **building** wall; or

10.4.1.2 where there is an **anchor tenant**, one sign advertising the **anchor tenant** per street fronting wall of a **building** is permitted in addition to other fascia signs;

19) Under section 10.6, making the following changes:

i. Remove the “.” at the end of section 10.6.8

ii. Inserting the following text at the end of section 10.6.8:

> “,except that the area of the required landscape planter may be reduced by a maximum of 50% if otherwise meeting the size requirement would prevent meeting the minimum parking requirements as specified in the Zoning Bylaw.

iii. Removing the text “**a freestanding signs**” from the beginning of section 10.6.8 and replacing it with “**a freestanding sign.**”

20) Deleting the following from section 10.9:

> “, and provided that the **mural** has been reviewed under, and complies with the City’s Mural Policy”

21) Under section 10.10 making the following changes:

i. Deleting the following sentence:

> “Service station **signs** are permitted on pump island canopies and as **freestanding signs** at service stations provided that:”

And replacing with:

> “Service station **signs** are permitted on **fuel island** canopies, **fuel islands**, and as **freestanding signs** and as **directional signs** at service stations provided that:”

ii. Adding new sub-section 10.10.3 with the following:
10.10.3 **Directional signs** and advertising for products and promotions available on site may only be installed on the **fuel island** and must be located wholly under the **fuel island** canopy.

22) Under section 11.2, making the following changes:

   i. Deleting the text “or” from the end of section 11.2.1

   ii. Replacing “.” with “; or” at end of section 11.2.2

23) Adding new sub-section 11.2.3:

   11.2.3 provided that the maximum sign area of **banner** signs shall not exceed 1.0 square metre of sign area for each 1.0 linear metre of building wall to a maximum sign area of 14.0 square metres.

24) Deleting the word “square” from section 11.3.2

25) Inserting the word “of” before the text “0.6 metres;” in section 11.3.2

26) Replace the word “are” with “is” in sub-section 11.4.2

27) Under sub-section 11.4.2 delete the phrase “within 48 hours of the event; and” and replace with “no later than 48 hours following the event; and”

28) Deleting and replacing sub-section 11.7.1 with the following:

   11.7.1 for residentially zoned properties only, a minimum of five units are contained within the project at which the **development sign** is placed;

29) Under section 11.7.5, making the following changes:

   i. Deleting and replacing subsection 11.7.5.1 with:

   3.0 square metres, with a maximum height of 2.2 metres, in one and two unit residential **zoning districts**;

   Deleting “a sign area of” from sections 11.7.5.2 and 11.7.5.3:

30) Deleting and replacing section 12.1 with the following:

   **12.1 Special Design Districts**

   Special Design Districts include the Columbia Street Historic Area and Twelfth Street Area, the design guidelines for which are attached as Appendix A. Special Design Districts do not apply to buildings that are used exclusively for residential purposes, and are specific to the following properties:
12.1.1 Columbia Street Historic District: Properties fronting on Columbia Street between Fourth Street and Eighth Street;

12.1.2 Twelfth Street Area: Properties fronting on Twelfth Street between Royal Avenue and Tenth Avenue; and

12.1.3. Any protected heritage property or any building on the Heritage Register.

31) Replace the word “awing” with the word “awning” in section 12.2.1

32) Under Section 12.3 make the following changes:

i. Replace the title “Heritage Buildings” with “Heritage Building Sign Compliance” in section 12.3

ii. Insert the following text after the first paragraph:

“All provisions of Sign Bylaw 7867, 2017 shall apply, except that:”

Adding new sub-sections 12.3.1, 12.3.2 and 12.3.3 with the following:

12.3.1. The installation of a sign that would cause damage to or otherwise affect the historic materials or detract from heritage value of any building is not permitted;

12.3.2. In the case of 12.3.1, alternate solutions may be approved by the Director of Development Services, should they be deemed to fulfill the original intent of Sign Bylaw 7867, 2017 and;

12.3.3 If in substantial compliance with Sign Bylaw 7867, 2017, a sign is not considered an alteration subject to the review of the Community Heritage Commission.

33) Under Appendix A, making the following changes:

Inserting the following text at the end of the third paragraph:

i. “and may be referred to the Community Heritage Commission at the discretion of the Director of Development Services.”

ii. In the heading of paragraph four, deleting and replacing the word “TERMPORARY” and replacing with the word “TEMPORARY”.

iii. Under the section “Method of Attachment” deleting the sentence “Original materials on historic buildings should not be damaged by sign attachments.”

And replacing with:
“Original materials on historic buildings should not be damaged by the sign, support structure or attachments.”

GIVEN FIRST READING this _______ day of __________________, 2019.

GIVEN SECOND READING this _______ day of __________________, 2019.

GIVEN THIRD READING this _______ day of __________________, 2019.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this _______ day of __________________, 2019.

_____________________________________
MAYOR JONATHAN X. COTE

__________________________________
JACQUE KILLAWEE, CITY CLERK
There is no Report with this Item. Please see Attachment(s).
CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8171, 2019

A Bylaw to rescind Heritage Revitalization Agreement (312 Fifth Street) Bylaw 7979, 2018
and Heritage Designation (312 Fifth Street) Bylaw 7980, 2018

The Council of the City of New Westminster enacts as follows:

1. This Bylaw may be cited as “Heritage Revitalization Agreement and Heritage Designation (312 Fifth Street) Rescinding Bylaw No. 8171, 2019”.

2. Heritage Revitalization Agreement (312 Fifth Street) Bylaw No. 7979, 2018 is hereby rescinded in its entirety.

3. Heritage Designation (312 Fifth Street) Bylaw No. 7980, 2018 is hereby rescinded in its entirety.

READ A FIRST TIME this ___________ day of ______________, 2019.

READ A SECOND TIME this __________ day of ______________, 2019.

READ A THIRD TIME this ____________ day of ______________, 2019.

ADOPTED this ___________________ day of ______________, 2019.

__________________________________________
MAYOR

__________________________________________
CITY CLERK
There is no Report with this Item. Please see Attachment(s).
CORPORATION OF THE CITY OF NEW WESTMINSTER

HERITAGE REVITALIZATION AGREEMENT (647 Ewen Avenue)

BYLAW NO. 8068, 2019

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

______________________________________________________________________________

WHEREAS the City of New Westminster and the owner of the property located at 647 Ewen Avenue, New Westminster, British Columbia wish to enter into a Heritage Revitalization Agreement in respect of that 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 (647 Ewen Avenue) Bylaw No. 8068, 2019”.

Heritage Revitalization Agreement

2. The City of New Westminster enters into a Heritage Revitalization Agreement with the registered owner of that property located at 647 Ewen Avenue, New Westminster, British Columbia, legally described as PID: 013-039-067 Lot 1 Block 27 District Lot 757 Group 1 Plan 2620 and PID: 013-039-083 Lot 2 Block 27 District Lot 757 Group 1 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 ________ day of _______________, 2019.

READ A SECOND TIME this ________ day of _______________, 2019.

PUBLIC HEARING held this ________ day of _______________, 2019.

READ A THIRD TIME this ________ day of _______________, 2019.

ADOPTED this ________ day of _______________, 2019.

Mayor

City Clerk
SCHEDULE “A”

HERITAGE REVITALIZATION AGREEMENT (647 Ewen Avenue)

THIS AGREEMENT dated for reference the 12th day of March 2019, is

BETWEEN:

SATNAM SINGH SIDHU, 23137 Willett Avenue, Richmond, British Columbia, V6V 3C6

(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 Owner is the registered owner in fee simple of the lands and all improvements located at 647 Ewen Avenue, New Westminster, British Columbia, legally described as PID: 013-039-067 Lot 1 Block 27 District Lot 757 Group 1 Plan 2620 and PID: 013-039-083 Lot 2 Block 27 District Lot 757 Group 1 Plan 2620 (the “Lands”);

B. There is one principal building currently situated on the Lands, known as Slovak Hall (the “Heritage Hall”) which is shown on the design plan attached as Appendix 4 (the “Design Plans”);

C. The Owner wishes to make certain alterations and restorations to the Heritage Hall, including the development of two townhouses within the existing Heritage Hall (collectively, the “Work”) and the construction of three additional townhouses at the rear of the Lands fronting onto Wood Street as shown on the Design Plans (the “New Buildings”);

D. The Owner intends to apply to the City’s Approving Officer for approval to file a stratification plan (the “Stratification Plan”) in the Land Title Office in order to separately sell each of the five townhouse units to be constructed on the Lands;
E. The City and the Owner agree that the Heritage Hall has heritage value and should be conserved;

F. 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*;

G. 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 Hall 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:

**Heritage Designation**

1. The Owner irrevocably agrees to the designation of the Heritage Hall 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 Hall that may result from the designation.

**Conservation Work**

2. Upon execution of this Agreement, the Owner shall promptly commence the rehabilitation, and restoration of the Heritage Hall (the “Work”) in strict accordance with the Heritage Conservation Plan prepared by James D. Burton, Architect AIBC, Birmingham & Wood Architects and Planners, February, 2018, a copy of which is attached as Appendix 1 (the “Conservation Plan”).

3. Prior to commencement of the Work, the Owner shall obtain from the City all necessary permits and licenses, including a heritage alteration permit.

4. The Owner shall obtain written approval from the City’s Director of Development Services for any changes to the Work, and obtain any amended permits that may be required for such changes to the Work, including a building permit and heritage alteration permit as required by the City.

5. The Owner agrees that 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 applied for in respect of the Work to the Heritage Hall if the
work that the Owner wishes to undertake is not in accordance with the Conservation Plan or the Design Plans.

6. 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 1, the parties agree that the conflict or ambiguity shall be resolved in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd edition, published by Parks Canada in 2010.

7. The Owner shall erect throughout the course of the Work, a sign of sufficient size and visibility to effectively notify contractors and tradespersons entering onto the Lands that the Work involves protected heritage property and is being carried out for heritage conservation purposes.

8. The Owner shall, at the Owner’s sole expense, and throughout the course of the Work, engage a member of the Architectural Institute 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 9 of this Agreement.

9. 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 2 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 and sealed Confirmation of Commitment;

(b) supervise the Work and ensure compliance of the Work with the Conservation Plan in Appendix 1;

(c) provide regular reporting to the City’s Director of Development Services 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 3; and

(e) notify the City within one business day if the Registered Professional’s engagement by the Owner is terminated for any reason.
Construction of New Buildings

10. The Owner shall construct the New Buildings in strict accordance the Design Plans and specifications prepared by Birmingham & Wood Architects and Planners, dated February, 2018, pages A0.1, A0.2, A1.0, A1.1, A1.2, A1.3, A2.0, A2.1, and A3.0 attached as Appendix 4, full-size copies of which plans and specifications are on file at the New Westminster City Hall.

11. Prior to commencement of the construction of the New Buildings, the Owner shall obtain from the City all necessary permits and licenses.

12. The Owner shall obtain written approval from the City’s Director of Development Services for any changes to the New Buildings, and obtain any amended permits that may be required for such changes, including a building permit.

13. The Owner agrees that 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 applied for in respect to the New Buildings if the work that the Owner wishes to undertake is not in accordance with the Design Plans.

Landscaping

14. The Owner shall carry out and complete, at the Owner’s sole expense, all landscaping works (the “Landscaping Work”) shown in the landscape plan prepared by Bearmark Design & Landscape Ltd., referred to as drawing L01 and included with the Design Plans attached hereto as Appendix 4.

15. The Owner shall deposit with the City an amount equivalent to 125% of the value of a cost estimate of the Landscaping Work, as prepared by a member of the British Columbia Society of Landscape Architects and approved by the City, to be held as security (the “Landscaping Security”). The Landscaping Security would be returned to the Owner upon completion of the Landscaping Work in strict accordance with the Design Plans, to the satisfaction of the Director of Development Services.

Variances to City’s Zoning Bylaw

16. City of New Westminster Zoning Bylaw No. 6680, 2001, is varied and supplemented in its application to the Lands in the manner and to the extent set out in Appendix 5.

Timing and Phasing

17. The Owner shall commence and complete all actions required for the completion of the Work, as set out in the Conservation Plan in Appendix 1, within four years following the date of adoption of the Bylaw authorizing this Agreement.
18. The Owner shall not construct the New Buildings, other than foundations, until the Owner has completed at least 25% of the Work in respect of the Heritage Hall as set out in the Conservation Plan, to the satisfaction of the Registered Professional and the City’s Director of Development Services.

19. The City may, notwithstanding that such an inspection may be issuable under the City’s zoning and building regulations and the BC Building Code, withhold an inspection related to rain screening for the New Buildings if the Owner has not completed at least 50% of the Work in respect of the Heritage Hall as set out in the Conservation Plan, to the satisfaction of the Registered Professional and the city’s Director of Development Services.

20. 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 New Buildings or the new townhouses within the Heritage Hall if the Owner has not completed the Work with respect to the Heritage Hall to the satisfaction of the City’s Director of Development Services.

21. 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 permit revision applied for in respect of the Work to the Heritage Hall or the construction of the New Buildings if the Owner has not completed the Work to date to the satisfaction of the City’s Director of Development Services.

22. The Owner shall commence and complete all actions required for the completion of the New Buildings and Landscaping Work, as set out in the Design Plans in Appendix 4, within four years following the date of adoption of the Bylaw authorizing this Agreement.

23. The Owner shall enter into an Off-Site Works and Services Agreement as a condition of the Building Permit for any building.

24. Upon completion of the Work to the satisfaction of the Director of Development Services and submission by the Registered Professional of the Certification of Compliance attached hereto as Appendix 3, the Owner may apply to the City’s Approving Officer for approval to file the Stratification Plan in the Land Title Office.
Inspection

25. Upon request by the City, the Owner shall advise or cause the Registered Professional to advise the City’s Development Services Department, Planning Division, of the status of the Work, and, 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 Lands 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.

Damage to or Destruction of Heritage Hall

26. If the Heritage Hall 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 Hall to the same condition and appearance that existed before the damage occurred.

27. If, in the opinion of the City, the Heritage Hall is completely destroyed, the Owner shall construct a replica, using equivalent contemporary materials if necessary, that complies in all respects with the Conservation Plan in Appendix 1 and with City of New Westminster Zoning Bylaw No. 6680, 2001, as amended, and as varied by this Agreement, after having obtained a heritage alteration permit and any other necessary permits and licenses.

28. The Owner shall use its best efforts to commence and complete any repairs to the Heritage Hall, or the construction of any replica building, with reasonable dispatch.

29. If the Heritage Hall is damaged during the course of construction of the New Buildings, 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 applied in respect of the New Buildings or the new townhouses within the Heritage Hall, if the Owner has not repaired the damage to the satisfaction of the Director of Development Services.

Ongoing Maintenance

30. Following completion of the Work, the Owner shall maintain the Heritage Hall in good repair in accordance with the maintenance requirements set out in the Conservation Plan in Appendix 1 and the maintenance standards set out in the City of New Westminster Heritage Property 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 Heritage Hall to the standards that applied under Bylaw No. 7971 immediately prior to its repeal.
Conformity with City Bylaws

31. The Owner acknowledges and agrees that, except as expressly varied by this Agreement, any development or use of the Lands, including any rehabilitation, restoration, and repairs done with respect to the Heritage Hall, must comply with all applicable bylaws of the City.

No Application to Building Interiors

32. Unless otherwise stated in this Agreement or in the Conservation Plan, the terms and conditions of this Agreement respecting restoration of the Heritage Hall apply only to the structure and exterior of the building, including without limitation the foundation, walls, roof, and all exterior doors, windows and architectural ornamentation, other than in connection with the Work.

Subdivision by Strata Plan

33. If the Lands, or any portion thereof, are subdivided by a strata plan, this Agreement will charge title to the strata lots and the common property comprising such a strata plan and:

(a) The covenant and obligations herein will be registered against each individual strata lot and noted on the common property sheet;

(b) The strata corporation created will perform and observe the Owner’s covenants in this agreement, solely at the expense of the strata lot owners; and

(c) The liability of each strata lot owner for the performance and observance of the Owner’s covenants herein will be in proportion to the unit entitlement of his, her or its strata lot as established by the strata plan,

provided that, if the Lands are first subdivided by air space plan and then one or more of these parcels are further subdivided by strata plan, the easements and covenants registered concurrently with the air space plan may designate the air space parcel or the remainder, and therefore the strata corporation, responsible to perform and observe the Owner’s covenants in this Agreement.

Future Alterations

34. 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 Hall, except as permitted by a heritage alteration permit issued by the City.
Statutory Authority Retained

35. 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

36. 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.

37. 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 Lands; or

(b) any loss or damage of any nature whatsoever, howsoever caused to the Lands, 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

38. 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.
Enforcement of Agreement

39. The Owner acknowledges that it is an offence under Section 621(1)(c) of the Local Government Act to alter the Lands or the Heritage Hall 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.

40. 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.

41. The Owner acknowledges that, if the Owner alters the Lands or the Heritage Hall in contravention of this Agreement, the City may apply to the British Columbia Supreme Court for:
   
   (a) an order that the Owner restore the Lands or the Heritage Hall, or both, to their condition before the contravention;
   
   (b) an order that the Owner undertake compensatory conservation work on the Lands or the Heritage Hall, or both;
   
   (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.

42. The Owner acknowledges that if the City undertakes work to satisfy the terms, requirements or conditions of any heritage alteration permit issued to the Owner 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 Lands, 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.

43. The Owner acknowledges that the City may file a notice on title to the Lands in the Land Title Office if the terms and conditions of this Agreement have been contravened.
44. 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.

45. Notwithstanding anything to the contrary contained herein, no party shall be liable under any of his, her or its respective covenants and agreements contained herein where such liability arises by reason or any act or omission occurring after such party ceases to have any further interest in the Lands.

Interpretation

46. In this Agreement, “Owner” shall mean all registered owners of the Lands or subsequent registered owners of the Lands, as the context requires or permits.

Headings

47. 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

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

Number and Gender

49. 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.
Successors Bound

50. 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

Satnam Singh Sidhu

CORPORATION OF THE CITY OF NEW WESTMINSTER
by its authorized signatories:

______________________________
Mayor:

______________________________
City Clerk:
SLOVÁK HALL
CONSERVATION PLAN

647 EWEN AVENUE, QUEENSBOROUGH
NEW WESTMINSTER, B.C.

FEBRUARY 2018
# TABLE OF CONTENTS

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1.0 INTRODUCTION

**Address:** 647 Ewen Avenue, Queensborough, New Westminster, B.C.

**Historic Name:** Royal City National Slovak Society Home (Slovak Hall)

**Date of Construction:** 1939

The Royal City National Slovak Society Home (which hereafter in this report will be called the Slovak Hall), following a period of several decades of adaptive re-use as a daycare centre, is now proposed to be rehabilitated to form two residential units as part of a five-unit ground-oriented housing scheme.

The development proposal makes reference to a Statement of Significance prepared by Denise Cook Design, which outlines the heritage values and character-defining elements of the building and its site. The proposed development includes the removal of two additions on the north end of the original hall building, to be replaced with a new north end addition that is three townhouse units facing Wood Street.

The historic original hall structure is proposed to be set on new foundations with its main floor level raised to meet New Westminster’s elevation requirements in the Queensborough floodplain. The character-defining gabled roof form and front facade are being retained, as well as the original door and window openings on the front facade. In order to make the historic structure viable as a component of the development, dormers will be added on the east and west flanks of the historic gabled building form, replacing a small gabled dormer currently facing west. The east facing gable-roof building wing is being retained.

The conservation of the Slovak Hall is based on Parks Canada’s *Standards and Guidelines for Conservation of Historic Places in Canada*. It outlines the aspects of the building to be preserved, restored and rehabilitated as part of the overall adaptive re-use rehabilitation.
2.0 CONSERVATION GUIDELINES

2.1 STANDARDS AND GUIDELINES

The Slovak Hall is a significant historical resource in the Queensborough neighbourhood. The Parks Canada Standards and Guidelines for Conservation of Historic Places in Canada is the source used to assess the appropriate level of conservation. Under the Standards and Guidelines, the work proposed for the Slovak Hall includes aspects of preservation, restoration, and rehabilitation, as defined below:

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

**Slovak Hall Interventions**

Interventions to the Slovak Hall should be based upon the Standards outlined in the Standards and Guidelines, which are conservation principles of best practice.

Standards relating to all Conservation Projects:

1. Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.

2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.

3. Conserve heritage value by adopting an approach calling for minimal intervention.

4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.

5. Find a use for a historic place that requires minimal or no change to its character-defining elements.

6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.

7. Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

**Additional Standards relating to Rehabilitation**

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

**Additional Standards relating to Restoration**

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

**Conservation References**

The following conservation resources should be referred to:

3.0 CONSERVATION RECOMMENDATIONS

A condition review of the Slovak Hall was carried out during a site visit in December 2017. The recommendations for the preservation and rehabilitation of the historic building are based on the site review and archival documents that provide some information about the original appearance of the historic building.

The following chapter describes the materials, physical condition and recommended conservation strategy for the Slovak Hall based on Parks Canada Standards & Guidelines for the Conservation of Historic Places in Canada.

3.1 SITE

The Slovak Hall is a small wood-frame building situated tight to the Ewen Avenue property line (the front porch encroaches onto city property) near the southwest corner of the combined lots that form the property. The building is two storeys (the second storey is mostly concealed within the gabled roof form), is designed in a vernacular residential style with a Colonial Revival false front facade, and is rare institutional style building in the community of Queensborough. The original Hall has had two additions built onto its north (back) end. The remainder of the site is open, with a few mature trees. It should be noted that the Ewen Avenue and Wood Street road beds have been raised, leaving the building looking like it has sunken below street level.

Conservation Strategy: Preservation

- Preserve the original location of the building. The rehabilitation work should include the provision for the continuance of the encroachment of the restored front porch.
- Preserve and rehabilitate the exterior façades of the building

3.2 OVERALL FORM, SCALE & MASSING

The overall massing of the original portion of the Slovak Hall is characterized by a simple gabled structure with a false front. The building has been built out through several renovations converting from a hall to daycare space and residential space, and included additions to the building at the north end. The front and side porches announce historical entry points into the building.

The simple gabled building form was varied on the east side with a gabled shallow wing, and on the west side with a small gabled dormer.

The style of the Hall’s front facade is unique and a strong part of the interest in the building, making it recognizably other than a residential building. The building seems to have been originally constructed with stucco cladding, although the rear face of the front facade is clad with wood siding.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing including roof lines.
- Preserve the historic front façade including faithfulness to original cladding material (stucco front, wood siding back)
- The east gable-roofed shallow wing should be preserved and restored.
5.3 FOUNDATIONS
The foundations of the Slovak Hall are in a decayed state and as such should be replaced to insure the stability and safety of the building and occupants.

Conservation Strategy: Preservation or Rehabilitation.
• Existing foundations should be replaced with pile/concrete slab foundation. Concrete is a suitable material.

To ensure the prolonged integrity of the new foundations, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage. New vegetation may assist in concealing the newly exposed foundations, if desired.

3.4 EXTERIOR WOOD-FRAME WALLS
The exterior walls of the Slovak Hall are clad in stucco, except for the rear face of the false front facade, which is wood siding. The existing condition of the stucco is poor, often with cracked and patched areas.

The condition of the rear wall of the false front is fair to poor. Effort should be made to repair what is possible, otherwise material beyond repair should be replaced with siding to match.

Conservation Strategy: Repair and Restoration
• Due to the integrity of wood frame structure, the exterior walls should be preserved through retention and in-situ repair work if at all possible.
• Preserve the original wood-frame structure of the historic building.
• Preserve original siding, if possible, and clean surface for repainting.
• Replace damaged siding to match existing in material, size, profile and thickness.
• Replace damaged stucco with new stucco to match the texture of the existing.
• Design structural or seismic upgrades so as to minimize the impact to the character-defining elements.
• Utilize Alternate Compliance Methods outlined in the BCBC for fire and spatial separations including installation of sprinklers where possible.
• Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.
• Cladding materials are to be cleaned with a dry natural bristle brush. At no time should a power washer be used.
• Where paint is peeling, scrap and remove loose materials in situ. If material is deemed not stable and is to be removed and reset, anchoring and nailing patterns to be verified with engineer prior to work being undertaken. Nails are to be set flush to surface. Prime and paint using colours specified by the heritage consultant.
• Paints to be compatible with the original materials being used. Linseed oil paint to be used, or an alternate compatible primer and final finishing paint. A test patch and mock-up including paint and finishes will be provided, and samples of dressing work if replacement components are required.

3.5 WOOD TRIM
The wood trims on the exterior of the Slovak Hall includes the front and side porches. The front porch in particular needs careful repair and/or restoration work.
Conservation Strategy: Restoration
• Restore the curvilinear front porch roof and its posts supports using the existing wood members as a guide. Repair any individual members if repair is possible.
• Restore any existing trim where not beyond repair, and where new material is required, it is to be visually physically compatible with the original. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards and/or panels are not acceptable.

3.6 FENESTRATION
Windows, doors and storefronts are among the most conspicuous feature of the simple Hall. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design of the windows facing Ewen Avenue is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation.
Conservation Strategy: Restoration
• Restore the original wood doors and windows of the building, where new opening do not preclude the restoration (east and west facades)

3.7 ROOF
The Slovak Hall features a steep sloped roof structure with overhangs and soffits. The roof is currently clad in multiple layers of asphalt shingles that are in very poor condition. In addition numerous projections for antennas, stacks and conduit are clearly visible, and been layered into the roof assembly, and are causing water leakage on the interior of the building.
Conservation Recommendation: Rehabilitation
• Preserve the original design and shape of the roof.
• The roof should be re-shingled using asphalt shingles, and inconspicuously coloured metal flashings.
• Design and install an adequate rain water disposal system and ensure drainage from the site (eg. with perimeter drainage). Aluminum gutters should be ogee profile, and follow the colour schedule devised for integration with the project.

3.8 CHIMNEY
The Slovak Hall features a brick chimney.
Conservation Recommendation: Preservation
• The chimney may be removed.
3.9 EXTERIOR COLOUR SCHEDULE

Part of the restoration process is to finish the building in a historically appropriate colour palette. The colour scheme has yet to be researched by the Architect, but a colour scheme based on the Vancouver Heritage Foundation’s research into early colour palettes for the the Lower Mainland would be the palette to choose for the historic building. This is found in their True Colours program package.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Architect.

Conservation Strategy: Restoration

- Restore the finish, hue and placement of applied colour. Complete all basic repairs and replacements and remove surface dust and grime before preparing, priming and painting. Be sure that all surfaces to be painted are dry. Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay.

- Paint all areas of exposed wood elements with paint primer. Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, use an oil-based primer).

- Any substitutions or matching of custom colours shall be reviewed by the Architect. Test samples will be applied to the building prior to the commencement of painting so that the colour scheme can be reviewed under field conditions and approved.
APPENDIX 2

CONFIRMATION OF COMMITMENT BY REGISTERED PROFESSIONAL

Date: ________________

City of New Westminster
511 Royal Avenue
New Westminster, B.C. V3L 1H9

Attention: Director of Development Services

Re: Heritage Revitalization Agreement for 647 Ewen Avenue

The undersigned hereby undertakes to be responsible for field reviews of the construction carried out at the captioned address for compliance with the requirements of Appendices 1 and 4 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

__________________________________
Signature and Seal

__________________________________
Telephone No.
APPENDIX 3

CERTIFICATION OF REGISTERED PROFESSIONAL

Date: ________________

City of New Westminster
511 Royal Avenue
New Westminster, B.C. V3L 1H9

Attention: Director of Development Services

Re: Heritage Revitalization Agreement for 647 Ewen Avenue

I hereby give assurance that I have fulfilled my obligations for field review as indicated in my letter to the City of New Westminster dated ________________ in relation to the captioned property, and that the architectural components of the work comply in all material respects with the requirements of Appendices 1 and 4 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

__________________________
Signature and Seal

__________________________
Telephone No.
**Slovak Home**
**647 Ewen Avenue**
**1939**
**Mission Revival Style -- Modern Period**

Built in 1939 by the Royal City National Slovak Society, the Slovak Rest Home was subsequently converted to a Daycare Centre in 1973. The structure features a gabled roof with a false stepped gable facade. The front entrance is accentuated by an ogee pediment which indicates a secondary influence from the Colonial Revival style. The building has a single gable dormer, intersecting side gable, and stucco siding.
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of the Architect and must be returned upon request.
Reproduction of the contract documents in whole or part is
forbidden without the Architect's written permission.
SITE CONTEXT

The name Queensborough for this neighbourhood of the city was formally established in 1911. When the Queensborough Post Office was opened by early community leaders and Italian immigrant Anthony Spezzi, with its many lumber mills and canneries, the area became a focus of new immigrants looking for employment and inexpensive lots to establish family homes. These early groups built their own cultural halls, churches and had many different mutual aid societies. Early immigrants included the Japanese, Chinese, East Indians or Sikhs, Italians, Greeks, Slovaksians, Ukrainians and Finish peoples. The community grew slowly but developed a unique sense of place because of its unique cultural composition.

The Queensborough neighbourhood features a range of rural, suburban and industrial landscapes dating from the early 20th century to the present, with comparatively little urban infrastructure. Early field and subdivision patterns are still recognizable, drying and drainage infrastructure prominent and the area is surrounded on three sides by the Fraser River. Ewen Avenue functions as the organizing main street through the community and is the location for the earliest stores and community halls.

Unique buildings and structures contribute to the character of Queensborough, from early industrial buildings and structures such as the rail bridges to early marine industrial buildings as associated floats and planks. The area is dominated by the presence of large bridges and regional infrastructure and by the presence of rail rights of way.

The project site is located on Ewen Avenue, and is surrounded by single family neighbours to the north, east and south, and Sun Sagar Park to the west.

PLANNING CONTEXT

The project site is not located within a defined development permit area in the official community plan. Currently, the project site is zoned as single family (RQ-1), like many of its neighbouring properties. However, there are several properties zoned infill, townhouse and rowhouse (RT-2) nearby. Particularly, several RT-3 properties east and west of the project site on Ewen Avenue. The proposed building was designed using the RT-2/rowhouse/townhouse zoning as a framework, with several relaxations requested.

The proposed heritage revitalization agreement would result in increased density in exchange for the preservation and enhancement of a valuable heritage resource. This proposal advances the official community plan’s vision for heritage preservation and revitalization within the single family area.

The project is also located on existing and proposed greenways on Ewen Avenue and Wood Street respectively. As a result, accessibility is ample as the greenways will provide bicycle and pedestrian access, while the 444 bus route provides public transit.

The proposed building was designed to front both Ewen Avenue and Wood Street in keeping with the official community plan’s policies.
WEST & EAST ELEVATION

SLOVAK HALL
647 EWEN AVENUE
QUEENSBOROUGH
NEW WESTMINSTER, BC

231 Carrall Street
Vancouver, B.C., V6B-2J2
604-687-1594   |   bwarc.ca

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1 FEB 2018

DE SUBMISSION

IF NOT SIGNED AND SEALED,
SIGNED AND SEALED DRAWINGS
AVAILABLE UPON REQUEST FROM
CITY OF NEW WESTMINSTER.

2 APR 2019

LUPC

PL

914 X 2032
D01

914 X 2032
D01

914 X 2032
D01

914 X 2032
D01

1829 X 2032
D01

1000X2032
W01

1000X2032
W01

1000X2032
W01

1000X2032
W01

1000X2032
W01

1000X2032
W01

3204X1803
W01

3204X1803
W01

3204X1803
W01

1731X1346
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1731X1346
W01

1731X1346
W01

2477X1378
W01

972X2438
W01

914X318
W01

914X318
W01

914X318
W01

CEMENTITIOUS SIDING
ALUMINUM FLASHING
ASPHALT SHINGLES

WOOD RAILING
STUCCO FINISH TO MATCH EXISTING FINISH

ELEV. 3.04m
ELEV. 1.85m
FN 2.44m
ELEV. 3.83m
ELEV. 2.44m
ELEV. 2.44m
ELEV. 2.44m
ELEV. 2.44m
FN 2.08m
FN 2.44m
FN 2.44m

BASEMENT FLOOR
MAIN FLOOR
SECOND FLOOR
ROOF DECK
ROOF PEAK

9.48m
6.58m
10.38m
11.95m
1970mm
2435mm
3810mm

VINYL WINDOWS
WOOD WINDOWS
VINYL WINDOWS

HEDGE AT PROPERTY LINE

914X2032
W01

914X2032
W01

914X2032
W01

1830X1981
W01

1830X1981
W01

1.40m
BASEMENT FLOOR
3.83m
MAIN FLOOR
6.57m
SECOND FLOOR
10.38m
ROOF PEAK
2743mm
2435mm
3810mm
ANALYSIS:

These solar studies illustrate that while the proposed development can cast additional shade on the neighbour's rear yard at some times of the year, such as 4PM in March, June and September, an outright development would cast more shade than the proposed development at other times. This condition can be seen in March at 12PM, September at 12PM, and December at 4PM. These studies reveal that while the proposed development is significantly deeper than the outright alternative, the generous 9m (29') sideyard between the proposed development and the neighbouring property provides the neighbour comparable access to light.

*Note: Outright development assumes two identical buildings built to maximum of building envelope as specified in RD-1 zoning.
ANALYSIS:

These solar studies illustrate that while the proposed development can cast additional shade on the neighbour's rear yard at some times of the year, such as 4PM in March, June and September, an outright development would cast more shade than the proposed development at other times. This condition can be seen on March at 12PM, September at 12PM and December at 3PM. These studies reveal that while the proposed development is significantly deeper than the outright alternative, the generous (9m) sideyard between the proposed development and the neighbouring property provides the neighbour comparable access to light.

*Note: Outright development assumes two identical buildings built to maximum of building envelope as specified in RQ-1 Zoning.*
### Existing Willow Tree to be protected and retained

Provide privacy and security to front.

**Design & Landscape Ltd.**

**t: 604 319-9346**

<table>
<thead>
<tr>
<th>Symbol Qty</th>
<th>Botanical Name</th>
<th>Common Name</th>
<th>Size/Spec</th>
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<tbody>
<tr>
<td>MH</td>
<td><strong>1 Acer rubrum 'Armstrong'</strong></td>
<td>Armstrong Maple</td>
<td>7cm cal. B&amp;B, Specimen</td>
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<tr>
<td></td>
<td><strong>1 2-100mm COMM.</strong></td>
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<td><strong>2.15m</strong></td>
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<tr>
<td>P</td>
<td><strong>2.44m</strong></td>
<td>Br</td>
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- **Shrubs, Perennials and groundcovers**
  - **3.04m**
  - **2.44m**
  - **1.30m**
  - **1.25m**
  - **1.31m**

**Drawing Title:** Project No.: Drawing No.:
### APPENDIX 5

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

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<th>Attributes</th>
<th>RT-3 Zoning (Maximum)</th>
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<td>Rear Yard Setback</td>
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<td>0.91 m (3 ft)</td>
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<td>Side Yard Setback</td>
<td>4.57 m (15 ft)</td>
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<table>
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<th>Variances</th>
</tr>
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<td>Off-street parking</td>
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<tr>
<td>Visitor Parking</td>
<td>Required: 1 space</td>
<td>0 spaces</td>
<td>1 space</td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td>Required: 7 spaces</td>
<td>10 spaces</td>
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There is no Report with this Item. Please see Attachment(s).
THE CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 8069, 2019

A bylaw of the Corporation of the City of New Westminster to designate the Slovak Hall located at 647 Ewen Avenue as protected heritage property.

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

AND WHEREAS the registered owner of the land located at 647 Ewen Avenue has entered into a heritage revitalization agreement in relation to the principal building currently located on the land as authorized by Heritage Revitalization Agreement (647 Ewen Avenue) Bylaw No. 8068, 2019 (the “Heritage Revitalization Agreement”), has requested that Council designate that building 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 Slovak Hall located at 647 Ewen Avenue has significant heritage value and character and is a prominent and valued heritage property in the City;

AND WHEREAS Council considers that designation of the Slovak Hall located at 647 Ewen Avenue as protected heritage property under the provisions of the Local Government Act is necessary and desirable for its conservation;

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

TITLE

1. This Bylaw may be cited for all purposes as "Heritage Designation Bylaw (647 Ewen Avenue) No. 8069, 2019."

INTERPRETATION

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

DESIGNATION

3. The heritage building located on that parcel of land having a civic address of 647 Ewen Avenue, New Westminster, British Columbia, and legally described PID: 013-039-067, Lot 1 Block 27 District Lot 757 Group 1 Plan 2620 and PID: 013-039-083, Lot 2 Block 27 District Lot 757 Group 1 Plan 2620, shown outlined on the site plan attached hereto as Schedule “A” and labelled “Slovak Hall” (the “Slovak Hall”), 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 Slovak Hall:

(a) alter the exterior of the Slovak Hall;

(b) make a structural change to the Slovak Hall including, without limitation, demolition of the Slovak Hall or any structural change resulting in demolition of the Slovak Hall; or

(c) move the Slovak Hall.

EXEMPTIONS

5. Despite Section 4, the following actions may be undertaken in relation to the Slovak Hall without first obtaining a heritage alteration permit from the City:

(a) non-structural renovations or alterations to the interior of the Slovak Hall that do not alter the exterior appearance of the Slovak Hall; and

(b) normal repairs and maintenance that do not alter the exterior appearance of the Slovak Hall.

6. For the purpose of section 5, “normal repairs” means the repair or replacement of non-structural elements, components or finishing materials of the Slovak Hall 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 Slovak Hall 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, and, in the event that Bylaw No. 7971 is repealed and not replaced, the registered owner shall continue to maintain the Slovak Hall to the standards that applied under Bylaw No. 7971 immediately prior to its repeal.

HERITAGE ALTERATION PERMITS

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

(a) issue a heritage alteration permit for situations in which the proposed action would be consistent with the heritage protection provided for the Slovak Hall 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 Slovak Hall 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 Slovak Hall 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 Slovak Hall 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 ___________ day of __________________ 2019.

GIVEN SECOND READING this _________ day of __________________2019.

PUBLIC HEARING held this ___________ day of ___________________2019.

GIVEN THIRD READING this ___________day of ___________________2019.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this _________ day of ___________________ 2019.

_________________________________  
MAYOR

_________________________________  
CITY CLERK