

Fwd: FYI: Little Mountain

From: Shayne Ramsay <sramsay@bchousing.org>, XT:HLTH Ramsay, Shayne <sramsay@bchousing.org>
To: Cheryl May <Cheryl.may@gov.bc.ca>, Avery OHCS:EX Kelly <Avery.Kelly@gov.bc.ca>, Kelly, Avery OHCS:EX <Avery.Kelly@gov.bc.ca>, May, Cheryl OHCS:EX <Cheryl.May@gov.bc.ca>
Sent: December 4, 2020 6:55:11 PM PST
Attachments: image001.png, IN_Vancouver_LittleMountain_Oct7_2020.docx, IN_Vancouver_LittleMountain_November_18_2020.docx

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Begin forwarded message:

From: Sara Goldvine <sgoldvine@bchousing.org>
Date: December 4, 2020 at 6:31:13 PM PST
To: "Harder, Derrick AG:EX" <Derrick.Harder@gov.bc.ca>
Cc: Shayne Ramsay <sramsay@bchousing.org>, Jade Ashbourne <jade.ashbourne@gov.bc.ca>
Subject: FYI: Little Mountain

Hi Derrick,

Further to our discussion, please find attached two recent Issues Notes prepared for GCPE on Little Mountain:

1. IN dated Oct 7: provides an summary of matters related to the FOI for the contract and sale document for Little Mountain. Note that Holborn has filed a petition for judicial review of the OIPC's order, and so the documents cannot be released until that matter is resolved.
2. IN dated Nov. 18: provides an overview of the development of the Little Mountain site, including an update on the next social housing building that will be breaking ground shortly. This 62-unit seniors and family social housing is expected to start construction within the next week or two, and the one captured in our Communications Tracker produced for GCPE.

If you have questions about either of these two documents, just let me know.

We would also be pleased to provide additional briefing materials. For example, we also have produced a summary of the contract of sale and have a briefing note on the agreement that was vetted through external legal. Shayne can provide more details on these, if that's helpful.

Stay well.

Sara Goldvine | Vice President, Communications (she/her/hers)
604-439-4715 | sgoldvine@bchousing.org | www.bchousing.org

Acknowledging and offering gratitude to the x̱m̱əθḵʷəy̱əm (Musqueam), Skwxwú7mesh (Squamish), and saḻiḻw̱ətaʔ (Tsleil-Waututh) peoples, on whose traditional lands I live and work.

CONFIDENTIAL ADVICE TO MINISTER

ISSUES NOTE

Ministry of Municipal Affairs and Housing
Date: October 7, 2020

Vancouver: Little Mountain

ISSUE SUMMARY: A recent decision from the Office of the Information and Privacy Commissioner (OIPC), has ordered BC Housing to supply a FOI applicant with the contract for the sale of the Little Mountain social housing site to Holborn, by November 5. BC Housing has not yet provided the response to the requester. BC Housing does not intend to appeal the decision of the OIPC, will provide a full copy of the records to be released to MAH prior to disclosure, if Holborn does not appeal.

RECOMMENDED RESPONSES:

- **Although the Little Mountain development has faced a number of delays, progress is being made. BC Housing has worked closely with the City and the developer throughout the process.**
- **Construction on the next phase of social housing will begin in approximately three months.**
- **The 224 public housing units that were previously located at Little Mountain will be replaced with a total of 282 new social housing units, including 10 units for the Musqueam Nation. There will also be a 69-space childcare facility, neighbourhood house, public plaza and park.**
- **The proceeds from the redevelopment of Little Mountain were reinvested through a partnership with eight municipalities across the province resulting in the construction of over 2,000 units of new supportive housing.**

FOI REQUEST TIMELINE:

- April 10, 2018 – BC Housing received request from retired MLA.
- April 26, 2018 – BC Housing sent the requested records (i.e., the agreement) to Holborn for consultation.
- May 25, 2018 – BC Housing received a response from Holborn requesting redactions.
- June 8, 2018 – BC Housing sent a Notice of Decision to Holborn. BC Housing agreed that a number of their requested redactions would apply and be redacted, but not all.
- July 9, 2019 – BC Housing received notice that Holborn had requested that the Office of the Information & Privacy Commissioner (OIPC) review BC Housing's decision.
- The OIPC review process includes mediation between the affected parties. As part of mediation, the OIPC adjudicator requested that BC Housing release the records and information that is not in dispute between BC Housing and Holborn. Both BC Housing and Holborn agreed.
- February 25, 2019 – A severed copy of the agreement was provided to the requestors.
- November 29, 2019 – BC Housing received a Notice of Inquiry from the OIPC regarding the file.
- September 23, 2020 – the OIPC ordered BC Housing to supply the FOI applicant with the contract for the sale of the Little Mountain social housing site to Holborn, by Nov. 5. Both parties have the option of appealing the decision. BC Housing does not intend to appeal, although Holborn may.

CONFIDENTIAL ADVICE TO MINISTER

BACKGROUND:

- Little Mountain was the first public housing development in Vancouver. It was built by the federal government and had 37 separate building structures which consisted of 224 units of apartment and row houses covering the 15.27-acre site.
- BC Housing entered into an agreement for the sale of Little Mountain to Holborn Properties in 2008. The residents were relocated, and the buildings demolished.
- In 2007, BC Housing and the City of Vancouver entered into a Memorandum of Understanding committing that 50 per cent of the proceeds from Little Mountain would be reinvested in affordable housing within Vancouver and 50 per cent elsewhere in the province. The sale completed in July 2013 and an estimated transaction value of \$300 million, including both cash and replacement value of the social housing units.
- The plan is to replace the 224 public housing units that were at Little Mountain with a total of 282 new social housing units including 10 units for the Musqueam Nation. There will also be a 69-space childcare facility, a neighbourhood house, plus a public plaza and park. As part of the City of Vancouver's rezoning, BC Housing is responsible for 234 of the social housing units. The remaining units will be owned by the City of Vancouver.
- There is currently no construction activity happening on site, however, construction on building AC at 5185 Main Street is anticipated to begin in approximately three months. This building is the City-owned site and will provide 63 affordable rental units of housing for seniors and families.
- The proceeds from the redevelopment of Little Mountain were reinvested through a partnership with eight municipalities across the province resulting in the construction of 30 new supportive housing developments. This includes a partnership with the City of Vancouver to build 13 new supportive housing developments. The proceeds also went towards seventeen additional supportive housing developments in following communities, including: Abbotsford (2), Campbell River (2), Kelowna (3), Maple Ridge (1), Nanaimo (4), Surrey (2), and Victoria (3).
- All of the new supportive housing developments are open and supporting people in need across the province.

RE: Little mountain

From: Carmichael, Barbara AG:EX <Barbara.Carmichael@gov.bc.ca>
To: Fyfe, Richard J AG:EX <Richard.Fyfe@gov.bc.ca>, May, Cheryl MAH:EX <Cheryl.May@gov.bc.ca>, Engelbrecht, Maya AG:EX <Maya.Engelbrecht@gov.bc.ca>, May, Cheryl OHCS:EX <Cheryl.May@gov.bc.ca>
Sent: December 7, 2020 2:49:31 PM PST

We were not served with this matter. The Litigation Group is looking into it and I'll send an update when they have more information.

Thanks

Barbara Carmichael, QC

Assistant Deputy Attorney General
Legal Services Branch
Ministry of Attorney General
1001 Douglas Street
Victoria, BC V8W 9J7
(250) 356-6451
Pronouns: She/Her/Hers

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From: Fyfe, Richard J AG:EX <Richard.Fyfe@gov.bc.ca>
Sent: Monday, December 7, 2020 8:41 AM
To: Carmichael, Barbara AG:EX <Barbara.Carmichael@gov.bc.ca>; May, Cheryl MAH:EX <Cheryl.May@gov.bc.ca>; Engelbrecht, Maya AG:EX <Maya.Engelbrecht@gov.bc.ca>
Subject: Fwd: Little mountain
Hello Cheryl and Barbara please see the notes from Derrick regarding the minister's questions below.

Richard J.M. Fyfe QC
Deputy Attorney General
Ministry of Justice and Attorney General
Tel. (250) 356-0149

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Begin forwarded message:

From: "Harder, Derrick AG:EX" <Derrick.Harder@gov.bc.ca>
Date: December 7, 2020 at 8:23:47 AM PST
To: "Fyfe, Richard J AG:EX" <Richard.Fyfe@gov.bc.ca>
Cc: "Milne, Gala AG:EX" <Gala.Milne@gov.bc.ca>
Subject: Fwd: Little mountain

Good morning Richard; see query from the minister below. I trust you are familiar with the file the AG describes; I believe Holborn has applied for judicial review of the OIPC decision to release the 2008 contract. Are we engaged on this file?
Derrick

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Begin forwarded message:

From: "Eby, David AG:EX" <David.Eby@gov.bc.ca>

Date: December 7, 2020 at 8:09:03 AM PST

To: "Harder, Derrick AG:EX" <Derrick.Harder@gov.bc.ca>, "Milne, Gala AG:EX" <Gala.Milne@gov.bc.ca>

Subject: Little mountain

Can you look into whether the province's lawyers (MAG) have looked into the little mountain FOI BC Supreme Court action, and whether we should be appearing to support disclosure. If not, please ask them to. If so, please arrange briefing.
D.