

### LAND USE AND PLANNING COMMITTEE AGENDA

Thursday, March 9, 2023, 2:00 p.m. Open to public attendance in Council Chamber, City Hall Committee members may attend electronically

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

Pages

#### 1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair will open the meeting and provide a land acknowledgement.

#### 2. ADDITIONS / DELETIONS TO THE AGENDA

The Committee will consider additions and deletions to the agenda, and remove items from the consent agenda, if needed.

#### 3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

#### 3.1 September 26, 2022

#### 4. CONSENT AGENDA

If the Land Use and Planning Committee decides, all the recommendations in the "Recommendation" section of the reports on the Consent Agenda can be approved in one motion, without discussion. If the Committee wishes to discuss a report, that report is removed from the Consent Agenda. A report may be removed in order to discuss it, because someone wants to vote against the report's recommendation, or because someone has a conflict of interest with the report. Any reports not removed from the Consent Agenda are passed without discussion.

**4.1 Preliminary Application Review: 63 Merivale Street & 250 Agnes Street** To elicit preliminary feedback from the Land Use and Planning Committee regarding the redevelopment proposal.

#### **Recommended Motion:**

**THAT** the Land Use and Planning Committee endorse the recommendations summarized in Section 8 of this report, and instruct staff to include the recommendations and other feedback from the Land Use and Planning Committee in the preliminary application review letter to the applicant.

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4.2	63 Merivale Street & 250 Agnes Street Staff Presentation	35
4.3	63 Merivale Street & 250 Agnes Street Applicant Presentation	41

- 5. NEW BUSINESS
- 6. END OF THE MEETING



#### **REGULAR MEETING OF THE**

#### LAND USE AND PLANNING COMMITTEE

#### MINUTES

#### September 26, 2022 Meeting held electronically and open to public attendance Council Chamber, City Hall

PRESENT: Councillor Chuck Puchmayr Councillor Patrick Johnstone Councillor Nadine Nakagawa	Chair
GUESTS:	
Bernie DeCosse	Architect
STAFF PRESENT:	
Emilie Adin	Director, Climate Action, Planning and Development
Jackie Teed	Senior Manager, Climate Action, Planning and Development
Jacque Killawee	City Clerk
Mike Watson	Acting Supervisor, Development Planning, Climate Action, Planning and Development
Wendee Lang	Development Planner, Climate Action Planning and Development
Carilyn Cook	Committee Clerk, Legislative Services

#### 1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

Councillor Puchmayr opened the meeting at 1:00 p.m. and recognized with respect that New Westminster is on the unceded and unsurrendered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

#### 2. ADDITIONS / DELETIONS TO THE AGENDA

None.

#### 3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

#### 3.1 August 29, 2022

MOVED and SECONDED

**THAT** the minutes of the August 29, 2022 Land Use and Planning Committee meeting be adopted.

Carried.

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

#### 4. <u>CONSENT AGENDA</u>

MOVED and SECONDED

**THAT** Item 4.1 be removed from the Consent Agenda.

Carried.

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

### 5. ITEMS REMOVED FROM THE CONSENT AGENDA

#### 4.1 Pre-Application Review: 203 Pembina Street

Mike Watson, Acting Supervisor, Development Planning, provided a PowerPoint presentation regarding the Preliminary Application Review for 203 Pembina Street which includes a proposed Official Community Plan (OCP) amendment to allow for the development of six townhouses and the preservation of the Northern Red Oak tree located on the site.

In response to questions from the Committee, Emile Adin, Director, Climate Action, Planning and Development, Jackie Teed, Senior Manager, Climate Action, Planning and Development, and Mr. Watson provided the following comments:

- There are trees in the City that have heritage value and, although a good option, it is not through a Heritage Revitalization Agreement (HRA);
- The Planning profession is broadening its definition of "heritage" and designating trees as heritage assets which may be considered an action of decolonization;
- It is unclear what would happen if a heritage designated tree were to die;

- An HRA would be a simpler process for the applicant and would include holding a public hearing due to the OCP amendment; however, if the public input indicates that this is not an appropriate use of an HRA, it may complicate the process; and,
- Use of HRAs to save trees has been done in other municipalities and could be a positive precedent if done in New Westminster as it would be looking at heritage in a different way.

Discussion ensued and Committee members provided the following comments:

- In light of the City's challenge with the tree canopy, the effort to keep this tree is appreciated;
- Maintaining the tree as a heritage asset would be an example that the City sees more than just structures as having heritage value;
- The unique appearance of the proposed development is appreciated, and,
- This is a creative way to save trees that would otherwise be lost during development.

Bernie DeCosse, Architect, noted the following:

- A Heritage Revitalization Agreement is the preferred route as it is more streamlined and provides substantial protection of the tree;
- Housing is an ongoing issue and this project will be integrated in an existing neighbourhood, transit area, etc.; and,
- The original proposal would have lost the tree; however, the Planning team provided other direction that would save the tree.

### MOVED AND SECONDED

**THAT** the Land Use and Planning Committee provide feedback on the options included in Section 9 of the report titled, "Pre-Application Review: 203 Pembina Street," and instruct staff to advise the applicant accordingly, including that a Heritage Revitalization Agreement be pursued if possible.

#### Carried.

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

#### 6. <u>NEW BUSINESS</u>

None.

## 7. END OF THE MEETING

The meeting ended at 1:24 p.m.

Mayor Johnstone	Carilyn Cook Committee Clerk
V.	



# R E P O R T Climate Action, Planning and Development

To:	Land Use and Planning Committee	Date:	March 9, 2023
From:	Jackie Teed, Acting Director, Climate Action, Planning and Development	File:	PAR01416
		Item #:	2023-149

#### Subject: Preliminary Application Review: 63 Merivale Street & 250 Agnes Street

#### RECOMMENDATION

**THAT** the Land Use and Planning Committee endorse the recommendations summarized in Section 8 of this report, and instruct staff to include the recommendations and other feedback from the Land Use and Planning Committee in the preliminary application review letter to the applicant.

#### EXECUTIVE SUMMARY

A Pre-Application Review (PAR) enquiry for a future Heritage Revitalization Agreement proposal has been received for 63 Merivale Street and 250 Agnes Street in the Downtown. Proposed is the retention and on-site relocation of the Catherine Armstrong House, which is listed on the City's Heritage Register, as well as the replacement of a purpose-built rental building. The proposed redevelopment includes a new six storey multiple-unit residential building addition to the heritage house.

A total of 66 units are proposed, 33 of which would be stratified and for sale. The remaining 33 units (50%) would be secured market rental units. Of the secured market rental units, a minimum of 10% (four units) would be secured at below-market rents. Drawings indicate an overall floor space ratio (FSR) of 3.4. The heritage values of the site's existing buildings were recently reviewed by the Community Heritage Commission. Generally, based on the preliminary information submitted, the proposal is consistent with related City policies.

#### 1. PURPOSE

To elicit preliminary feedback from the Land Use and Planning Committee regarding the redevelopment proposal.

#### 2. POLICY AND REGULATIONS

The subject properties are designated Residential – Low Rise Apartment in the City's Downtown Community Plan. One lot, 63 Merivale Street, is currently zoned Single Detached Residential (RS-2), and the second lot, 250 Agnes Street, is zoned Multiple Dwelling (Low Rise) (RM-2). A summary of these and other related City policies and regulations is included in Appendix A.

As the site contains an existing, purpose-built rental building (nine units), the project would be reviewed under the City's draft Rental Replacement Policy. This policy applies to all existing purpose-built market rental housing sites where redevelopment would remove more than six rental units. Applicants are expected to provide 100% secure market rental units including 10% of total units secured as below-market units.

#### 3. BACKGROUND

#### 3.1 Site Characteristics and Context

The subject site (1,618 sq. m. (17,424 sq. ft.), which includes two properties, is located in the Downtown Albert Crescent Precinct. The property at 63 Merivale Street contains a 1916 residence known as the Catherine Armstrong House, which is listed on the Heritage Register. The property at 250 Agnes Street includes a two storey rental apartment building that contains nine rental units, and is currently tenanted. To the north is Ecole Qayqayt Elementary School, and to the south is another Heritage Registerlisted residence. Additional site context information is provided in Appendix A.

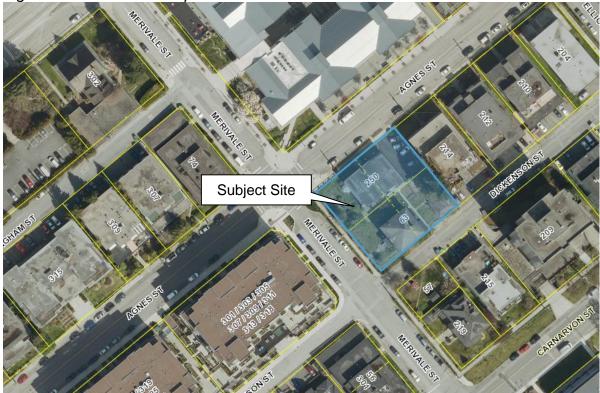


Figure 1. Site Context Map

#### 3.2 Community Heritage Commission Review

It has been the City's practice to forward applications for changes to or demolition of properties listed on the Heritage Register, such as the Catherine Armstrong House, to the Community Heritage Commission (CHC). On December 7, 2022, the proposal was reviewed by the CHC. CHC provided feedback on retention of the heritage house, the heritage value of the building at 250 Agnes Street, and compatibility of the new low-rise apartment building addition. Overall, CHC did not express support for the proposed building addition, with members of the committee advising that the approach was not consistent with the Standards and Guidelines for the CHC meeting minutes, included as Appendix B.

The December 7, 2022 staff report can be found here: <u>https://pub-newwestcity.escribemeetings.com/filestream.ashx?DocumentId=12606</u>

#### 4. PROJECT DESCRIPTION

Based on the PAR submission, the project proposes retention and on-site relocation of the Catherine Armstrong House. The building is valued as a surviving reflection of the early, single-family, residential character of the Downtown Albert Crescent precinct. It is also a significant early residential design by architects Townley and Matheson, and reflects the influence of the Arts and Crafts movement through its design and finishes. The building has remained largely unaltered, both on the exterior and the interior, and is considered to be in good condition overall. To facilitate the retention, restoration, and long-term protection of the heritage house, a new six storey multi-unit residential building is proposed as an addition to the relocated heritage house.

A total of 66 units are proposed, including ground oriented units. Thirty-three of the units would be stratified and for sale. The remaining 33 units (50%) would be secured market rental. Of the secured market rental units, a minimum of 10% (four units) would be secured at below-market rents, and nine units would be made available for existing tenants to return to the new building following completion of construction. Drawings indicate an overall FSR of 3.4.

Preliminary project statistics are provided in Appendix A. The applicant's Project Summary Letter and preliminary drawings are included as Appendix C.

#### 5. DISCUSSION

#### 5.1 Rental Replacement and Tenant Assistance

As part of the proposed project, the applicant has committed to the following with regard to tenant assistance and relocation of existing tenants at 250 Agnes Street, which is consistent with the City's expectations. These benefits were previously included in Part 6 of the City's Business Regulations and Licensing (Rental Units) Bylaw, protecting tenants who are being evicted due to construction in their building and/or unit.

For all units currently paying rents less than or equal to the City's definition of belowmarket rents, the following would be provided:

- Relocation: Arrangements will be made for the tenant's temporary accommodation at a similar rental rate, and in a similar unit during the full term of construction. Upon completion of construction, tenants will be able to return to the original rental unit under the terms of the existing tenancy agreement; and,
- Rent control: The rent payable by the tenant upon return to their unit will not be increased, except as an inflationary rent increase permitted by the Residential Tenancy Act (RTA).

For all units, regardless of rent levels, provision of tenant assistance and relocation supports that are consistent with City expectations, (e.g., four months' notice, a communications plan and tenant assistance strategy, moving expenses), would be provided.

Does the LUPC support staff advising the applicant that a development application could be further explored, provided the above tenant assistance and relocation supports are a component of a formal submission?

#### 5.2 Rental Housing and Heritage Priorities

The PAR proposal is ambitious in its intention to provide the following, which touches upon the City's housing objectives:

- Retain, restore, and provide long-term protection of the Catherine Armstrong House;
- Replace the existing nine rental units on site;
- Rehouse existing below-market tenants at equivalent rental rates, during construction and in the new building (adjusted for inflation, per the RTA);
- Provide tenant assistance to all existing tenants;
- Deliver 50% of new units as rental housing (33 rental units proposed), with a minimum of 10% of units offered at below-market rents consistent with the intent of the Rental Replacement Policy, and nine units reserved for returning tenants; and,
- Secure all rental units in perpetuity.

The City's Rental Replacement Policy intentionally incentivizes the retention of existing rental stock and has financial implications and tenant accommodation expectations for such projects. The City has not received a large number of applications to replace aging rental stock under this policy, however the potential benefits of such a proposal, particularly one that commits to rehouse those paying below-market rents at equivalent rates in new construction, are considerable.

The current project, which proposes the six storey multi-unit building as an addition to the heritage house, was not supported by the CHC, who felt it was inconsistent with the Standards and Guidelines for the Conservation of Historic Places in Canada. However, the applicant has stated that fully separating the new construction from the heritage house would make the proposed project unviable due to loss of buildable area.

Should the project be unable to accommodate feedback from the CHC that recommends the separation of the heritage house from new construction, and deliver the full scope of proposed benefits as outlined in this report, staff would support a six storey addition to the heritage house, as currently proposed. Staff would additionally work with the applicant's heritage consultant to maximize alignment of the project with heritage best practices, wherever possible.

Does the LUPC support staff advising the applicant that a formal Heritage Revitalization Agreement for a six-storey multiple-unit residential addition to the Catherine Armstrong house could be considered, should the project:

- Include 50% of total proposed units as rental housing including no less than 10% of those as below-market units, and tenant assistance and relocation as currently described by the proposal; and,
- Maximize alignment with heritage best practices, wherever possible.

#### 6. REVIEW PROCESS

The PAR inquiry has been circulated to appropriate City departments for review and comment. Feedback from the LUPC and staff will be incorporated into a PAR letter that would be forwarded to the applicant. The PAR letter would also outline the application requirements from other City departments. Should the applicant choose to proceed with formal applications, the proposed project will be reviewed in accordance with the City's development review process.

#### 7. INTERDEPARTMENTAL LIAISON

The City has a team-based approach for reviewing development proposals. Staff from appropriate departments, including Climate Action, Planning and Development; Engineering Services; and Parks and Recreation, has conducted an initial review of the PAR inquiry.

#### 8. FEEDBACK FROM THE LAND USE AND PLANNING COMMITTEE

Staff is seeking general feedback and direction from the LUPC on the proposal, direction as to which aspects of the proposal should be prioritized for delivery through a formal application, and support from the LUPC on the following recommendations.

That the LUPC direct staff to advise the applicant that:

- 1. A development application could be further explored, provided the tenant assistance and relocation supports detailed in Section 5.1 are a component of a formal submission; and,
- 2. A formal Heritage Revitalization Agreement for a six-storey multiple-unit residential addition to the Catherine Armstrong house could be considered, should the project:
  - Include 50% of total proposed units as rental housing including no less than 10% of those as below-market units, and tenant assistance and relocation as currently described by the proposal; and,
  - Maximize alignment with heritage best practices, wherever possible.

#### 9. OPTIONS

The following options are offered for consideration of the Land Use and Planning Committee:

- That the Land Use and Planning Committee endorse the recommendations summarized in Section 8 of this report, and instruct staff to include the recommendations and other feedback from the Land Use and Planning Committee in the preliminary application review letter to the applicant.
- 2. That the Land Use and Planning Committee provide staff with alternative feedback.

Staff recommends Option 1.

#### <u>ATTACHMENTS</u>

Appendix A: Background Information Appendix B: Extract of December 7, 2022 CHC Meeting Minutes Appendix C: Applicant's Project Summary Letter and Preliminary Drawings (Select)

#### <u>APPROVALS</u>

This report was prepared by: Wendee Lang, Development Planner Dilys Huang, Development Planner

This report was reviewed by: Judith Mosley, Senior Heritage Planner Mike Watson, Acting Supervisor, Development Planning Demian Rueter, Acting Manager, Planning

This report was approved by: Jackie Teed, Acting Director, Climate Action, Planning and Development



# Appendix A Background Information

#### SUMMARY OF RELATED CITY POLICIES AND REGULATIONS

#### **Official Community Plan Land Use Designation**

The subject site is designated Residential – Low Rise Apartment. As per the Downtown Community Plan, the details of this designation are listed as:

- Targeted for residential
- Intended for low rise apartments
- Also may include townhouses, stacked townhouses, rowhouses
- Community amenities such as churches, child care, libraries or community space
- Small-scale, corner store type retail, restaurant, and service uses permitted

The proposed development would be consistent with the intent of the Residential – Low Rise Apartment designation.

#### **Development Permit Area**

The site is within the Downtown Development and Special Development Permit Area (DPA). This DPA seeks to support the Downtown Regional Town Centre designation in the Regional Growth Strategy. Objectives and guidelines are outlined for:

- The form and character of commercial, multi-family, institutional and intensive residential development.
- Protection of the natural environment, its ecosystems and biological diversity.
- Revitalization of an area in which a commercial use is permitted.
- Objectives to promote energy and water conservation and reduction of greenhouse gas emissions.

A Development Permit, issued by the Director of Climate Action, Planning and Development is required before any development or alteration to the lands or exterior buildings on the lands.

#### Downtown Building and Public Realm Design Guidelines and Master Plan

The Downtown Building and Public Realm Design Guidelines and Master Plan provides guidance in achieving a high quality, cohesive Downtown that honors the historical and cultural context of New Westminster. This document informs public realm improvements both on- and off-site within the Downtown area.

The subject site is located within the Albert Crescent Precinct, within the Agnes Street corridor, which is described as follows:

The Agnes Street corridor will be designed as a pedestrian friendly east-west connection across the precinct with landscaped boulevards that will incorporate raingardens, outdoor seating areas and contained parking embayments to achieve a more intimate neighbourhood scale to the street. The development of housing suitable for families, and the preservation of existing market rental housing stock aims to maintain the social diversity of the neighbourhood.

Ground-oriented housing with entrances and windows fronting the street, which enhance safety through "eyes on the street," will promote interaction with neighbours and passersby. Well articulated ground-oriented housing will be encouraged with the use of details in doors, lighting, fencing and landscaping that provide visual interest to the street, and materials sympathetic to the historic character of parts of the precinct.

#### Zoning Bylaw

The subject site is comprised of two lots. One lot, 250 Agnes Street, is zoned Multiple Dwelling Districts (Low Rise) (RM-2). The intent of this zone is to allow low-rise apartment development with an opportunity for increased density upon amenity provision conditions being met. The second lot, 63 Merivale Street, is zoned Single Detached Residential Districts (RS-2). The intent of this zone is to allow single detached dwellings and secondary suites, in residential neighbourhoods.

As the proposed form of development is not consistent with the existing zoning, a Heritage Revitalization Agreement or Rezoning would be required to facilitate the proposal.

#### Secured Market Rental Housing Policy

This development proposes 50% of all units as rental under the Secured Market Rental Housing Policy. The units would be secured for 60 years or the life of the building through a Housing Agreement. As part of the City's priority for new secured market rental housing, incentives include parking reductions and waiving density bonus payments.

#### **Draft Rental Replacement Policy**

On January 14, 2019, Council directed staff to apply the Draft Rental Replacement Policy as an interim guideline to move applications under pre-application or formal application review, forward for consideration. This policy applies to all existing purposebuilt market rental housing sites where redevelopment would remove more than six rental units. Applicants are expected to provide 100% secure market rental units including 10% of total units secured as below-market units.

As the site contains an existing, purpose-built rental building (9 units), the project would be reviewed under this policy.

#### Family-Friendly Housing Policy

As this project proposes more than 10 units, conformance with the Family Friendly Housing Policy is required. Per this policy, the rental component of the project would be required to provide a minimum 25% two- and three-bedroom units, of which a minimum 5% of the overall number of units would need to contain three bedrooms or more. The ownership component of the project would be required to provide a minimum of 30% two- and three-bedroom units, of which a minimum 10% of the overall number of units would need to contain three bedrooms or more.

While the unit mixes for the rental and strata components have not been provided, drawings indicate that 15% (10 units) of overall units would contain two- bedrooms, while 35% (23 units) would contain three-bedrooms.

#### 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, certain zoning relaxations, including an increase in density, are considered. An HRA is not legally precedent setting as each one is unique to a specific site.

#### Heritage Designation Bylaw

A heritage property that is the subject of an HRA is also protected by 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.

#### **Heritage Register**

The Heritage Register is an official list of properties with heritage value, which have been identified by the City. Applications for changes to or demolition of properties listed on the Heritage Register are generally reviewed by the staff and may be referred to the Community Heritage Commission.

#### **Downtown Transportation Plan**

The subject site is within the boundaries of the Downtown Transportation Plan, which identifies network improvements for the surrounding transportation networks including:

- Development of Agnes Street as a primary cycling route (Agnes Greenway) inclusive of dedicated cycling facilities;
- Reallocation of road space for a quality people-centred public realm, through the removal of parking on the south side of Agnes Street from Merivale Street to First Street;
- Improved pedestrian connections at the Merivale Street and Dickenson Street intersections;
- Prioritized access to curb space; and,
- Improved accessibility with seating and resting opportunities.

#### SITE CHARACTERISTICS AND CONTEXT

The subject site, comprising two properties with an approximate combined area of 1,618 sq. m. (17,424 sq. ft.), is located in the Downtown at the south-east corner of Agnes Street and Merivale Street. The property at 63 Merivale Street contains a 1916 residence known as the Catherine Armstrong House, which is listed on the Heritage Register. It was designed as a single detached dwelling and converted to multiple suites during the mid 1950s, however the building is currently vacant. The property at 250 Agnes Street includes a two storey rental apartment building that was transformed in 1955 from a 1910 single detached dwelling. It contains nine rental units, and is currently tenanted.

A number of three and four storey low-rise apartment buildings from the 1950s and 1960s are found east of the site, while to the west is a more recently built six to seven storey rental apartment development. To the north is Qayqayt Elementary School, and to the south is another Heritage Register-listed residence. A site context map is provided below (Figure 1).



Figure 1. Site Context Map

#### **Proximity to Transit and Cycling Network**

Merivale Street and Agnes Street are classified as local roads, while Dickenson Street is a laneway/narrow street. Agnes Street accommodates part of the Agnes Greenway and is designated as a primary east-west cycling route by the Downtown Transportation Plan. The sidewalk network along Merivale Street and Agnes Street is complete, with an accessible curb letdown at the street intersection. The site is well-served by transit, as shown on the table below:

Transit Facility	Approx. Frequency	Approx. Distance
Columbia SkyTrain Station	2 to 5 minutes	Less than 400 m. (1,312 ft.)
#105 / #103	15 minutes / 35 minutes	Approx. 100 m. (328 ft.)

Table 1: Site Proximity to Transit Service

## PROJECT STATISTICS

	Permitted / Required Under RM-2 Zone	Proposed
Site Area		1,615.1 sq. m. (17,384.8 sq. ft.)
Site Coverage	40%	69%
Density		
FSR or	1.8 FSR	3.4 FSR
Housing Units	60 UPA (12 units)	
Building Height	13.72 m. (45 ft.)	16.46 m. (54 ft.)
Setbacks		
Front (Merivale St.)	6.1 m. (20 ft.)	3.05 m. (10 ft.)
Rear (Northeast)	6.1 m. (20 ft.)	3.05 m. (10 ft.)
Side (Agnes St.)	6.1 m. (20 ft.)	2.96 m. (9.7 ft.)
Side (Dickenson St.)	6.1 m. (20 ft.)	1.86 m. (6.1 ft.)
Off-Street Parking		
Residential (Rental)		
Bachelor unit or 1-bdr	9 spaces (0.6 spaces/DU <sup>1</sup> )	
2-bdr or 3-bdr	16 spaces (0.8 spaces/DU)	
Residential (Strata)		
Bachelor unit or 1-bdr	19 spaces (1.0 spaces/DU)	
2-bdr or 3-bdr	19 spaces (1.35 spaces/DU)	
Visitor	7 spaces (0.1 spaces/DU)	
Total	70 spaces	86 spaces
Accessible Parking	4 per 70-100 required off- street parking spaces	4
Off-Street Loading	1 loading spaces per building for buildings with more than 30 DUs	1
Bicycle Parking		
Long-Term	99 spaces (1.5 spaces/DU)	99 spaces
Short-Term	9 spaces per 60-99 DUs	9 spaces

<sup>1</sup> DU = dwelling unit



# Appendix B Extract of December 7, 2022 CHC Minutes



# COMMUNITY HERITAGE COMMISSION MINUTES

# Wednesday, December 7, 2022, 6:00 p.m.

# Meeting held electronically and open to public attendance Council Chamber, City Hall

### 5. <u>REPORTS AND PRESENTATIONS</u>

#### 5.3 Pre-Application Review: 63 Merivale Street & 250 Agnes Street

Dilys Huang, Development Planner, outlined the December 7, 2022 report regarding a Pre-Application Review for 63 Merivale Street and 250 Agnes Street which would include the retention and on-site relocation of the 1916 building, along with the addition of a residential component to the heritage house. During a PowerPoint presentation, Ms. Huang outlined the pre-application review process, the site context, the proposal, elevations, and renderings of the site.

In response to questions from the Commission, Ms. Huang provided the following comments:

- If there is no Heritage Revitalization Agreement in place, based on the existing zoning of the properties, 250 Agnes Street which is currently zoned RM-2 would allow for a low-rise apartment building, and at 63 Merivale Street, which is zoned as RS-2, a single detached dwelling would be permitted;
- The site's land use designation in the Official Community Plan includes lowrise apartments as a permitted building form;
- Records show that there should be eight apartment units in the existing lowrise apartment building;
- The current proposal includes a mix of strata and rental units and the City's Tenant Relocation Policy would be considered during any development review, along with the Rental Replacement Policy that would also be applicable;
- Based on the Rental Replacement Policy, secure market rentals would be required and of that, at least 10% would need to be below market rental units; and,

• If the proposal moves forward as an HRA, a Heritage Conservation Plan would be required to be submitted as part of the application and would include details regarding the relocation of the heritage house.

Discussion ensued and Commission members provided the following comments:

- As the project moves forward, no demolition permit for 250 Agnes should be considered until measures are in place to protect the heritage building from vandalism, keep it in use and restore it;
- It would be great to have some of the original fabric, especially from the fireplace, bricks from the chimney stack, and timber framing from the 1910 building reinstated and interpreted in the proposed multi-unit building;
- The condition of the building at 63 Merivale Street is disappointing, and it is hoped that the applicant and owner have taken precautions to halt further damage and deterioration of it;
- The proposal for the new structure to encase a quarter of the historical building and protrude from the roof is unsightly and disregards Standards 11 and 12 of the Standards and Guidelines for the Conservation of Historic Places in Canada;
- Though not preferable, if a physical connection between the buildings is required it should be restricted to a small passage at the back, have minimal impact on the historical building and be no higher than its eaves;
- Construction of a retaining wall at the corner of Merivale and Dickenson Streets may adversely impact conservation of the original scale of the building; and,
- Once relocated, the sloped grade front elevation of the historical dwelling and the partial above-ground basement exposure of the existing fenestration along Dickenson, should continue to be featured.



# Appendix C

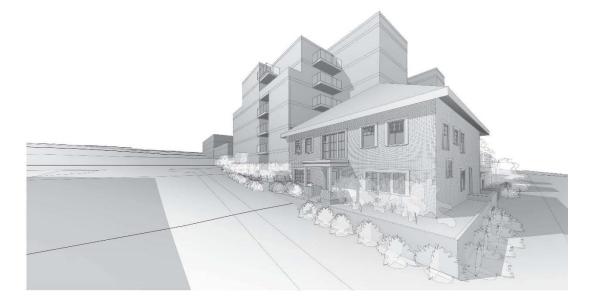
# Applicant's Project Summary Letter and Preliminary Drawings (Select)

#### HERITAGE REVITALIZATION AGREEMENT DEVELOPMENT PROPOSAL

MERIVALE ROAD AND AGNES STREET

63 MERIVALE ROAD AND 250 AGNES STREET

ISSUED FOR PRELIMINARY APPLICATION REVIEW



#### PROJECT TEAM

<u>Owner:</u>	Montello Holdings Ltd Luigi & Paolo Gastaldo
	604-525-3636
<u>Architect:</u>	Iredale Architecture Peter Hilderbrand, AIBC, MRAIC, LEED AP <u>peter@iredale.ca</u> 604-736-5581
<u>Heritage Consultant:</u>	Ance Building Services Co. Inc. Elana Zysblat, <u>BCAHP</u> <u>elanazysblat@shaw.ca</u> 604.722.3074
<u>Developer:</u>	JCI Buildings Ltd Darryl McColl, DULE <u>dmccoll@jcibuildings.com</u> 604-999-3752

#### **PROJECT INTRODUCTION**

In the spring of 2021, we had a meeting with Britney Dack from the City's Heritage Department to make an application to demolish the vacant and boarded up house located at 63 Merivale rd. During this meeting it was determined that the house was not protected from demolition. The house did have heritage value and we were asked to reconsider our position. Over many hours of reflection, consideration and through further consultation with Britney Dack and Rhupinder Basi we will consider redeveloping the two properties located at 63 Merivale rd and 250 Agnes rd.

We determined that the highest and best use for these two properties was to redevelop the two parcels under one Heritage Revitalization Agreement and to protect and restore the house at 63 Merivale rd and build a new six story wood frame mutli-family building that will include the replacement of the existing 9 rental units for a total of 33 rental units and a total of 33 new strata units.

The wood frame building will contain 66 new homes ranging from 358 sq ft to 1,092 sq ft, the units will include a mix of studio, one-, two- and three-bedroom family units.

The Catherine Armstrong House and the new building will include 33 secured market rental units for 60 years and 33 strata units.

#### HERITAGE SIGNIFICANCE AND REVITALIZATION

The historic Albert Crescent district has evolved over the last 140 years from an exclusive neighborhood of single-family homes to a denser area characterized by low-rise apartment buildings. Today, it features a mix of surviving historic residences and sacred sites with a diversity of apartment buildings ranging from Mid-Century to current, and benefits from its ongoing connectivity to major and public transportation routes, its proximity to downtown, the Fraser River, municipal parks, and schools.

The two subject lots were historically connected under the multi-generational ownership of the Armstrong-Sutherland family and were the site of two early, grand homes. In 1955, both structures were converted into multi-unit apartment buildings in response to the post-war housing crisis which saw the neighborhood rezoned to this denser use.

The proposed project for these two lots, reunited under the ownership of the Gastaldo family since 1987, is centered around the conservation and protection of the Heritage Register-listed 1916 Catherine Armstrong House which survives in its original design, form and finishes while introducing a new six-story apartment building to not only to accommodate the current fourteen tenants, but to house dozens of new families on site, in a diverse mix of rental and strata units. The new apartment building acts as a modern backdrop for the highly traditional and textured Fred Townley-designed Catherine Armstrong House, which will be conserved on its original site at the corner of Merivale and Dickinson and given a new, relevant life through careful and thoughtful preservation, restoration, and rehabilitation.

From 14 existing rental units, all consisting of eight 1-bedroom and one 2-bedroom apartments with no private outdoor spaces, the development will expand to offer a total of 33 rental units (an increase of 140%) as well as a mix of rental unit sizes and configurations from studio apartments to 3-bedroom family homes. Over half of the proposed rental units will feature private outdoor patios or balconies.

The remainder of the units will be sold as individual strata titles, again offering a choice of sizes and configurations from studio apartments to 3-bedroom family homes. A total of 33 new households will be introduced on this site and to the neighborhood, ranging from micro-suites, studios and 1-bedroom apartments on the smaller side to larger 2 and 3-bedroom family apartments. This diversity of housing options, both rented and owned, makes for a more vibrant community.

The revenue from the strata unit sales will finance the significant expansion of rental units on site and the complex conservation work required to save, rehabilitate, protect, and maintain the heritage house in perpetuity.

The development will be divided into three different ownership structures to simplify and facilitate the coexistence of the diverse needs of each of the housing types: the rental units in the new apartment building will all be managed under one title, the rental units in the heritage house will be managed under a second title, and the 33 strata units will be individually owned but managed under a third, independent strata plan. This proposed independent administration of the distinct types of housing allows for prioritization and focus of management according to each structure's specific needs and uses.

The heritage house retaining its own title as an existing building and not being divided into sellable units, enables the highest level of conservation to be achieved without imposing invasive envelope and code upgrades on the historic structure would be of high value as a protected community asset.

In building upon the existing, robust infrastructure of a historic neighborhood which already represents a walkable, livable, vital community, but which can handle more density, this project represents a sustainable, thoughtful approach to New Westminster's growth and evolution. This development would conserve a high-visibility and high-value heritage resource, the historic rental use of the two lots since 1955, and bring many new families into New Westminster's historic, urban core.

PROPERTY ADDRESS				
	250 Agnes's str	63 Merivale Str	NEW	
	012-911-551	012-911-607		
	& 012-911-577	& 012-911-666		
	Northerly Half, Lot 1,	Southerly half, Lot 1,		
CIVIC & LEGAL ADDRESS	Block 27, Plan 2620	Block 27, Plan 2620		
	Northerly Half, Lot 2,	Southerly half, Lot 2,		
	Block 27, Plan 2620	Block 27, Plan 2620		
NEIGHBORHOOD	Downtown	Downtown		
PRESENT OWNER	Montello Holdings Ltd	Montello Holdings Ltd		
			Multi-Family	
TYPE OF PROPERTY	Multi-Family Rental	Single Family Rental	Low Rise	
YEAR BUILT / RENOVATED	1910 / 1955	1916	2023	
SITE AREA	8,712 sq Ft	8,712 sq Ft	17,424 Sq Ft	
EXISTING LAND USE	0,712 30 11	0,712 3011	Multi-Family	
CLASSIFICATION	Multi-Family Low Rise	Single Detached	Low Rise	
EXISTING ZONING	RM-2	RS-2	CD / HRA	
Current FSR	0.782	0.52	3.41	2.108
Existing Building Area	8,250	3,395	59,366	47,721
Max Height	3 Stories	2 Stories	6 Stories	3
	5 Stories	2 Stories		5
Current Setbacks			10Ft, Front & Side, 6ft Rear	
	31.57%	17.47%	68.80%	19.76%
Max Lot Coverage				
Site Coverage	2,750 sq ft	1522 Sq Ft	11,955 sq ft	7,683 Sq Ft
HERITAGE / VALUE	None	Yes, See Report	Heritage Revitalization Agreement	
Undertaking	Demolish	Restore / Preservation	Develop	
CURRENT OCCUPANCY		100% Vacant / Not		
<u>STATUS</u>	100% Occupied	Habitable	66	
EXISTING RENTAL UNITS	9	0 (Five)	26	9 ( 100% )
BELOW MARKET RENTAL				
UNITS	0	0	6	6 ( 100% )
STRATA UNITS	0	0	33	
				55 UNIT
<u>TOTAL UNITS</u>	<u>9</u>	<u>0</u>	<u>66</u>	INCREASE
Studio	0	0	12	12
One Bedroom	8	0	21	12
Two Bedroom	1	0	10	9
3 Bedroom	0	0	23	23
5 560000			25	23

CURRENT OWNERSHIP			
<b>STRUCTURE</b>	Montello Holdings Ltd	Montello Holdings Ltd	3 New Parcels
PROPOSED OWNERSHIP			
STRUCTURE			Single Air Space
18 NEW RENTAL UNITS			Parcel Title
6 NEW RENTAL UNITS			Single Air Space
HERITAGE HOUSE			Parcel Title
42 STRATA UNITS			42 Strata Titles
			• •

#### SITE LOCATION

The two combined corner lot properties will be 17,424 sq ft and will slope from Agnes str to Dickinson Street, The two properties are nestled in a neighborhood that consists of various multi-family unit buildings ranging from 2 stories up to 21 stories. The site is within 300m of the Columbia Skytrain station and is within 100m of the downtown core.

The neighborhood is under transition with the recent construction of a new 6 story wood frame rental building directly across from the subject site. In addition, a new 21 story Highrise tower was recently constructed on the corner of Agnes and Elliot tr

#### CURRENT TENANT PROFILE OF 250 AGNES STREET. NOTE: ( 63 MERIVALE STR IS 100% VACANT )

9 Rental Units (8 one bedroom plus 1 two bedroom)
9 Storage Lockers (included with rent)
\*6 Parking Spaces
Pets permitted
Coin Laundry Machines on site

Unit #	Туре	Occupants	Move in Date	Rental Agreement	Rent
1	One Bedroom	One (mgr.)	March 1, 2005	month to month	\$730.00
2	One Bedroom	One	May 1, 2019	month to month	\$950.00
3	One Bedroom	One	October 1, 2021	month to month	\$1,100.00
4	One Bedroom	Two	December 1, 2015	month to month	\$730.00
5	One Bedroom	Two	August 1, 2016	month to month	\$730.00
6	One Bedroom	Two	June 1, 2019	month to month	\$950.00
7	One Bedroom	One	October 1, 2018	month to month	\$860.00
8	One Bedroom	One	June 1, 2020	month to month	\$950.00
9	Two Bedroom	Two	June 1, 2016	month to month	\$950.00

As of April 1, 2022, all tenants/units, except for unit 3, are scheduled for a rent increase of 1.5%. \* We are in the process of applying to charge \$30.00 per month for the use of an on site parking space.

#### **RENTAL ASSISTANCE AND TENANT ASSISTANCE RELOCATION PLAN**

As part of the development process, we will commit to all the requirements set out in the City guidelines for tenant assistance and relocation.

We will hire an independent consultant that specializes in tenant relocations to manage all communications between the developer and the tenants. And finally, we will hire a real estate company that specializes in rental management to find suitable and equivalent or better accommodation for all nine tenants.

To that end, we will agree to the following guidelines:

- Provide, for all units currently paying rents less than or equal to the City's definition of below market rents, the following benefits which were previously included in Part 6 of the City's Business Regulations and Licensing (Rental Units) Bylaw, protecting tenants who are being evicted due to construction in their building and/or unit:
  - a. Relocation: Making arrangements for the tenant's temporary accommodation at a similar rental rate and in a similar unit during the full term of construction, and at the completion of construction for their return to the original rental unit under the terms of the existing tenancy agreement.
  - b. Rent Control: Prohibition from increasing the rent payable by the tenant upon return to their unit except as an inflationary rent increase permitted by the RTA.
- Other components (e.g. minimum four months' notice, communications plan, tenant assistance strategy, moving expenses, etc.) are still expected for all units.

#### **RENTAL REPLACEMENT AND PROPOSED RENTAL UNIT MIX,**

The project will include a total of 33 secured market rental units for 60 years. These 33 units will replace the existing 9 units in the 250 Agnes building and replace the existing vacant 5 units in the house at 63 Merivale rd. The remaining 9 units will be below market rent units

#### **BELOW MARKET RENTS**

The (10%) 6 below market rental units will include 3 one-bedroom units and 3 two-bedroom units ranging in size from 532 sq ft to 804 sq ft. The rental rates will be set at 10% below market rents. Market rents for this project have been set at \$3.50 per sq ft in the Proforma and the below Market rents at \$3.15 per sq ft

We will commit and engage the services of a third-party independent rental operator to manage all below market rental units.

#### SECURED MARKET RENTS

The 27 market rental units will include, studio, one-, two- and three-bedroom family units and will range in size between 474 sqft and 1,151 suites. The rents will be set at market rates of \$ 3.50 per sqft. The mix of these units will be situated on the ground floor with garden suites and the 2<sup>nd</sup> floor.

#### **RENTAL UNIT OWNERSHIP STRUCTURE ( AIR PARCEL CONFIGURATION )**

The 27 rental units in the newly constructed building will be based on a single Air Space Parcel ownership structure that will be marketed and sold to a single investor that specializes in Rental Building Ownership and Management

The 6 rental units in the Catherine Armstrong House will have its own Air Space Parcel Ownership structure that will be marketed and sold to a single investor that specializes in Rental Building Ownership and Management

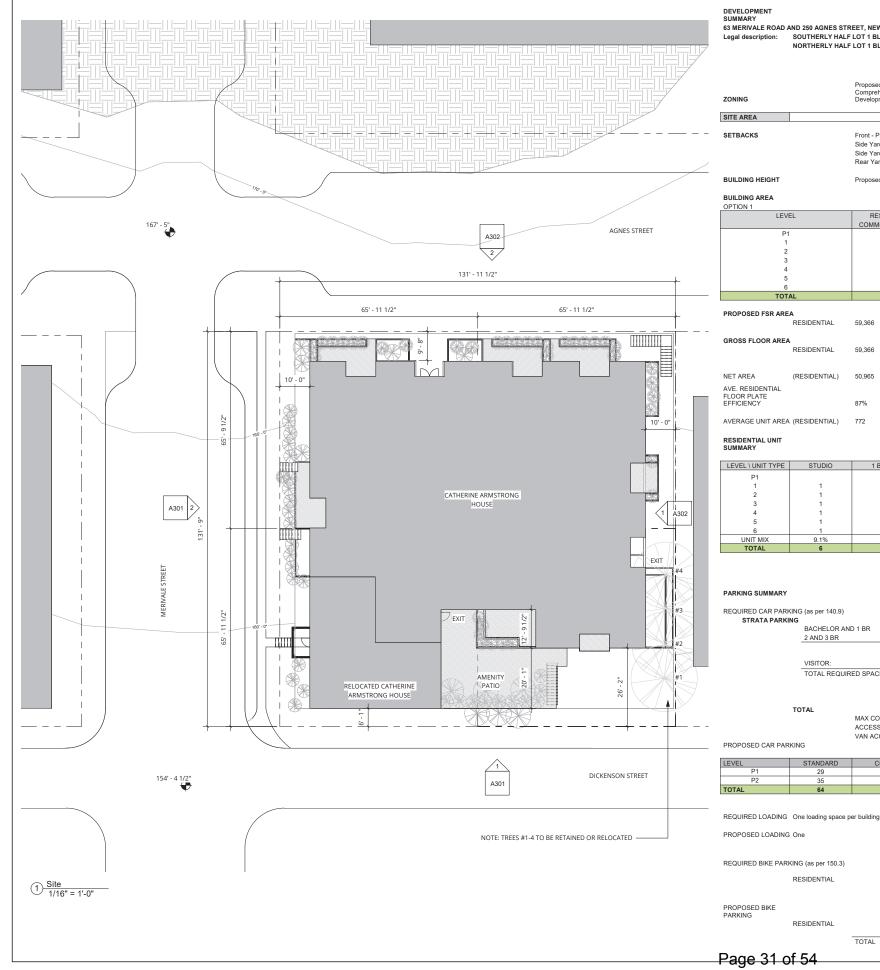
#### PROPOSED STRATA UNIT MIX

The remaining 33 units will be individually strata titled and will be sold to new homeowners. These units will include studio, one-, two- and three-bedroom family-oriented suites. They will range in size from 358 sq ft to 1,129 sq ft.

As per the Proforma, the price range will be set at \$850 per sqft and will be adjusted to the market conditions at the time of sales.

#### TENANT RELOCATION AND RETURN TO BUILDING COMMITMENT:

We will agree that none of the existing 9 renters will be housed in the below market rental Units.

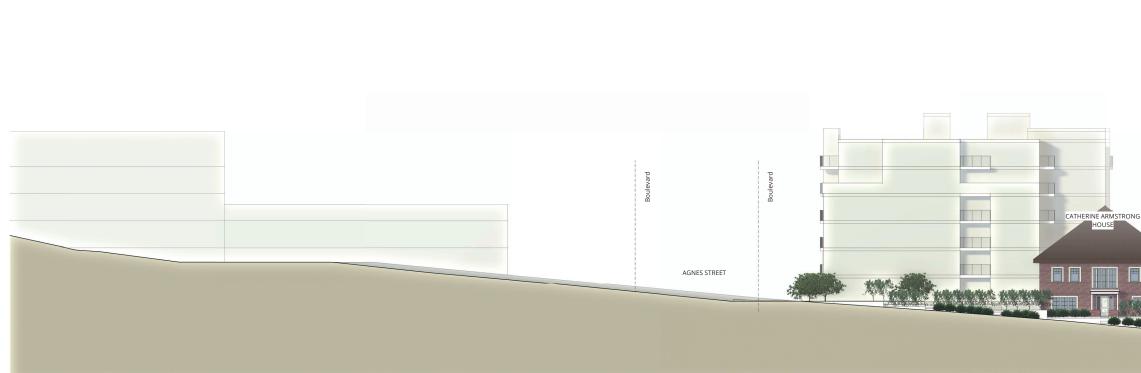


									1
DEVELOPMENT SUMMARY									
63 MERIVALE ROAD	SOUTHERLY HALI	REET, NEW WESTMINSTE F LOT 1 BLOCK 27 PLAN 3 F LOT 1 BLOCK 27 PLAN 3	2620						
	NORTHERLTHAL	FLOT T BLOCK 27 PLAN	2620						
					Current/Existing: SINGLE DETACHE	D (RS-2)			
ZONING		Proposed: CD Comprehensive Development			APARTMENT (LOV (RM-2)	V RISE)			
SITE AREA		Development			Allowable Existing F	-SR: 0.6	17,384.8 sf	1615.1 sm	
SETBACKS		Front - Proposed		Note: See Drawings			10.0 ft	3.0 m	
0210/1010		Side Yard Facing Street- Side Yard Interior Lot Lin		Note: See Drawings Note: See Drawings			10.0 ft 10.0 ft	3.0 m 3.0 m	4 2023/02/22 Issued for Review
		Rear Yard - Proposed		Note: See Drawings			6.0 ft	1.8 m	3         2023/02/15         Issued for Review           2         2021/11/02         Issued for Review           1         2021/06/17         Issued for Review
BUILDING HEIGHT		Proposed		6 Storeys			54.0 ft		No.         Date         Revision           This computer generated drawing is an instrument of service and is         Item (Service and Service a
BUILDING AREA OPTION 1									copyright material. Use only for this project or as directed by Iredale Architecture. O
	VEL	RESIDENTIAL COMMON AREA (SF)	NET UNIT AREA RESIDENTIAL (SF)	GROSS FLOOR AREA (SF)	RESIDENT AMENITY ARE		EFFICIENCY		
	P1 1	0 1,930	730 8,238	730 10,830	0 662	730 10,830	84.5%		
	2	1,409	9,421 8,290	10,830	0	10,830	87.0% 88.3%		
	4	1,100 1,100	8,290 8,290	9,390 9,390	0	9,390 9,390	88.3% 88.3%		
	6 DTAL	1,100	7,706 50,965	8,806 59,366	0 662	8,806 59,366	87.5% 87.0%	FSR 3.4	
PROPOSED FSR AR				PROPOSED COVERAGE		ARE			
	RESIDENTIAL	59,366	SF		RESIDENTIAL	11,975	SF 68.88%		IREDALE
GROSS FLOOR ARE	EA RESIDENTIAL	59,366	SF	DWELLING UNIT DENSIT	ту				ARCHITECTURE
		;			UNITS SITE ARE (ACRE)	61 0.4	40		
	(RESIDENTIAL)	50,965	SF		DENSITY	152.85			220 - 12 Water Street Vancouver, BC V6B 1A5
AVE. RESIDENTIAL FLOOR PLATE EFFICIENCY		87%	SF	RENTAL UNITS	BACH / 1 BR	14 UNITS			604 - 736 - 5581
AVERAGE UNIT ARE	A (RESIDENTIAL)	772	SF	STRATA UNITS	2 & 3 BR	19 UNITS			Vancouver Victoria www.iredale.ca
RESIDENTIAL UNIT					BACH / 1 BR 2 & 3 BR	19 UNITS 14 UNITS			Seal
SUMMARY					20051	14 ONTO			
LEVEL \ UNIT TYPE P1	STUDIO	1 BEDROOM 2	2 BEDROOM	3 BEDROOM	TOTAL 2	RENTAL UNITS STF	RATA UNITS		
1	1	6	2	4 3	11	8	3 5		
3	1	3	2	4	10	5	5		
5	1	3	2	4	10	5	5 10		
UNIT MIX TOTAL	9.1%	31.8%	15.2% 10	34.8%	66	50% 33	50% 33		
				Adaptable Housing Units		40% OF TOTAL UNITS			
PARKING SUMMAR	Y								
REQUIRED CAR PAI STRATA PAR				RENTAL PA	RKING				
	BACHELOR AN 2 AND 3 BR		PACES/UNIT 19 PACES/UNIT 18.9		BACHELOR 2 AND 3 BR		SPACES / UNIT 8.4 SPACES / UNIT 15.2	2	
			37.9				23.6	3	
	VISITOR: TOTAL REQUI		PACES / UNIT 3.3 41.2		VISITOR: TOTAL REC	0.1 UIRED SPACES	SPACES / UNIT 3.3 26.9	)	
	TOTAL			68.1	CARS				MERIVALE ROAD AND
		MAX COMPACT CAR (3 ACCESSIBILE PARKING	0%) (3 spaces for every 70 Units)	20.4 3.0	CARS CARS				AGNES STREET
PROPOSED CAR PA	ARKING		KING (1 every 3 accessible)	1.0	CARS				FEASIBILITY STUDY
LEVEL	STANDARD	COMPACT	ACCESSIBLE	VAN ACCESSIBLE	TOTAL PROV	IDED			
P1 P2	29 35	3 15	2	1	34 52				
TOTAL	64	18	3	1	86				63 MERIVALE ROAD AND 250 AGNES STREET
REQUIRED LOADIN	G One loading space	per building							Drawing Title
PROPOSED LOADIN	IG One								SITE PLAN
REQUIRED BIKE PA	RKING (as per 150.3)								scale @ 22*34*: As indicated
	RESIDENTIAL		G TERM - 1.5 spaces / unit RT TERM - 60-99 units	99 9					Druup Cherk Pattor
PROPOSED BIKE									Drawn LM Check PJH Partner PJH
PARKING	RESIDENTIAL		G TERM	99					21058
		TOTAL	RT TERM	9 108	BIKES				Phase No. Sheet No.
									3 A101

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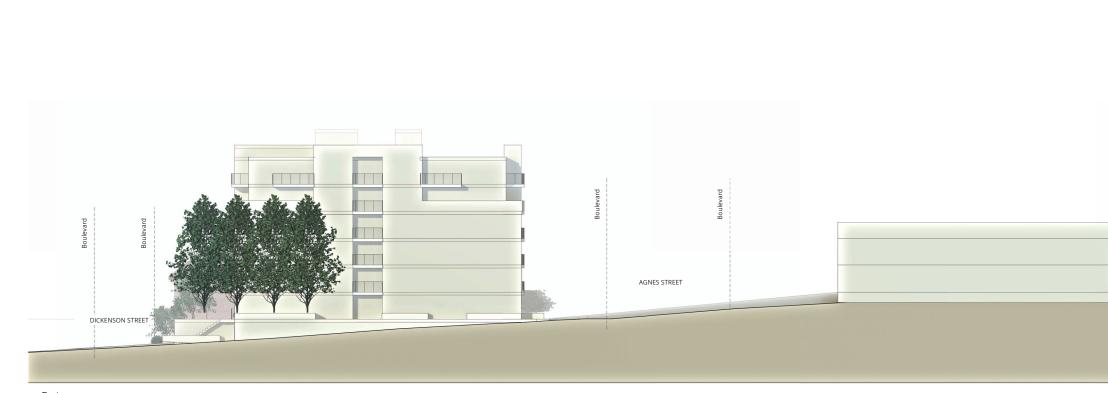
# 1 <u>South</u> 1/16" = 1'-0"



2 West 1/16" = 1'-0"



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1 East 1/16" = 1'-0"



2 North 1/16" = 1'-0"

1 2021/06/17 Issue No. Date This computer generated for copyright material. Use only	I for Review Revision Write is an instrument of service and is for this project or as directed by
A R C H I 220 - 12 Vancouv 604 - Vancou	DALE TECTURE 2 Water Street rer, BC V6B 1A5 -736 - 5581 Jver Victoria r.iredale.ca
AGNE	E ROAD AND S STREET ILITY STUDY
Drawing Tele	OAD AND 250 AGNES STREET VATIONS
Scale (9-22*sk*) 1/2 Drawn LM Check	16" = 1'-0" РЈН <sup>Ригног</sup> РЈН Рудет № 21058 Ризек №. 3 Steet № АЗ02

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(4) 3D View 4

2 3D View 2



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# 63 Merivale Street & 250 Agnes Street

**Preliminary Application Review** 

Land Use and Planning Committee – March 9, 2023

Wendee Lang, Development Planner



# **Site Context**



- Located in Downtown Albert Crescent Precinct
- <u>Site Area (Gross):</u>
  - 1,615.1 sq. m. (17,384.8 sq. ft.)
- <u>Site Dimensions:</u>
  - 40.2 x 40.2 m. (131.8 x 132 ft.)
- Catherine Armstrong House (built 1916) (Heritage Register)
- 9-unit purpose-built rental building



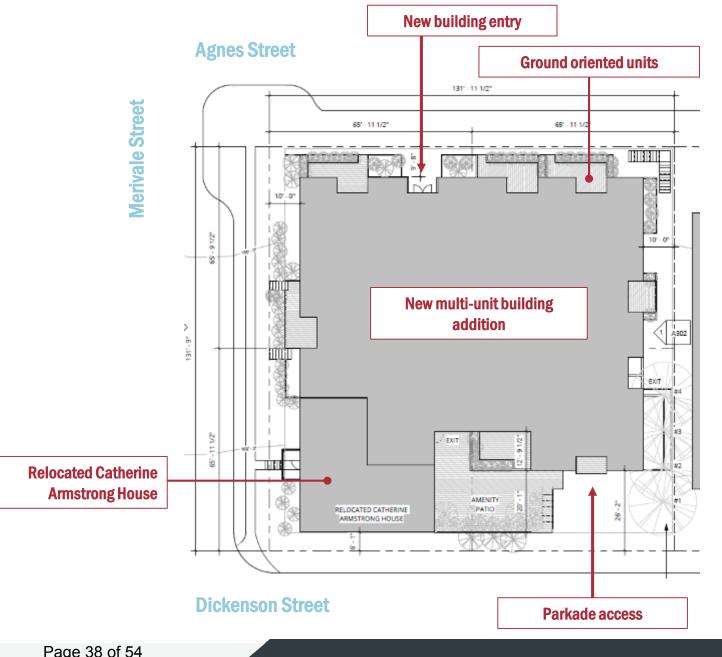
# **Policy Context**

- **Official Community Plan designation:** RLA Residential Low Rise Apartment
- Zoning:
  - 63 Merivale St: Single Detached Residential Districts (RS-2)
  - **o** 250 Agnes St: Multiple Dwelling Districts (Low Rise) (RM-2)
- Standards and Guidelines for the Conservation of Historic Places in Canada
- Rental Replacement Policy:
  - Applies to purpose-built market rental housing sites where 6 units or more would be removed
  - Requires provision of 100% secured market rental units including 10% of total units secured as below-market rental units
- Tenant Assistance and Relocation



### Proposal

- **Retention of the Catherine Armstrong** • House
- 6 storey multi-unit building addition •
- **3.4 FSR** •
- 66 units total proposed •
  - 33 strata units Ο
  - 33 secured market rental, min. 10% of units below-market



# **Considerations**

- Tenant assistance and relocation proposal
  - Accommodation for tenants at a similar rental rate during construction
  - Rehousing tenants in new construction at existing rents (with permitted RTA increases for inflation)
  - Tenant assistance and relocation supports

#### Proposed community benefits

- Retention, restoration, and long-term protection of the Catherine Armstrong House
- Tenant assistance and relocation proposal
- 33 new secured market rental housing units (50% of proposed units), including:
  - Min. 10% below-market units; and,
  - 9 units reserved for returning tenants
- Community Heritage Commission feedback

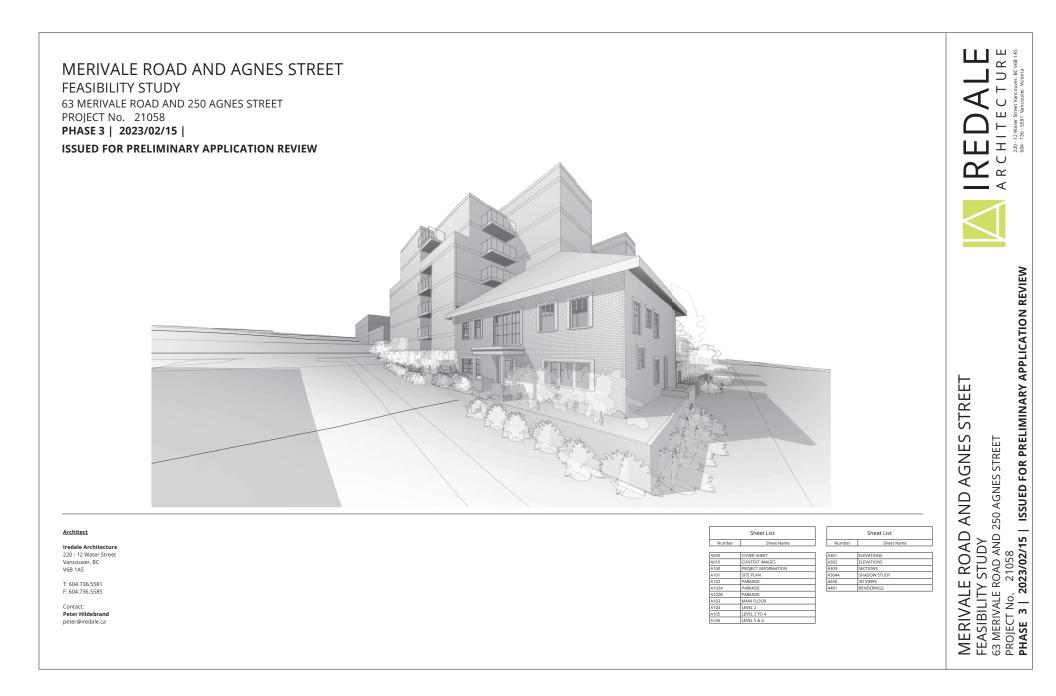


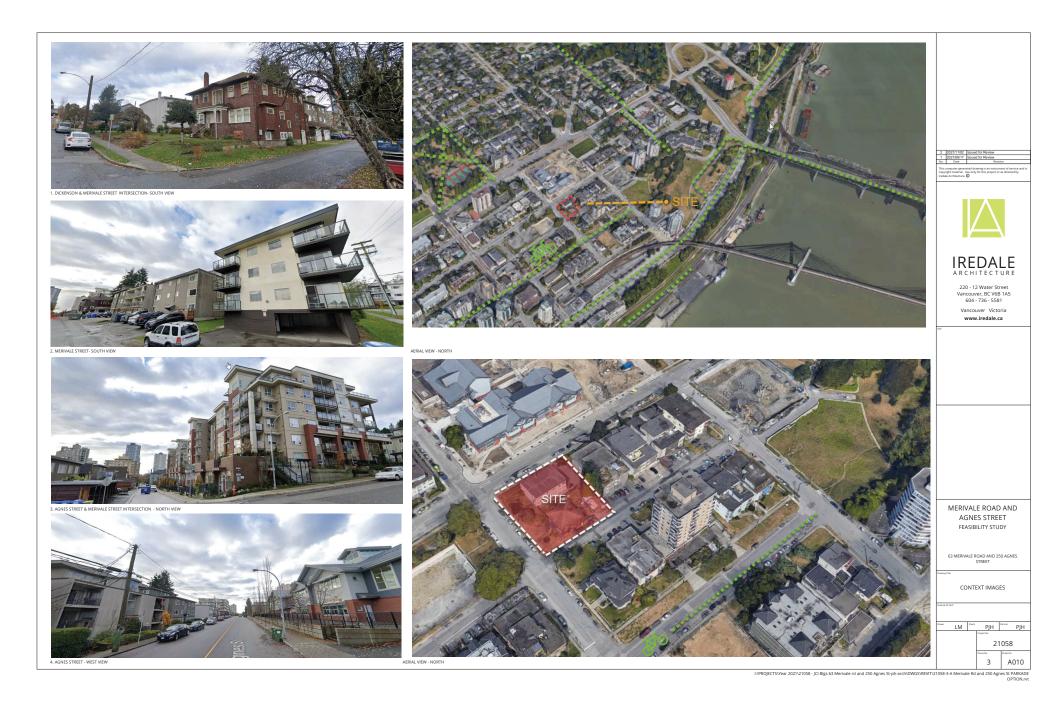
### **Feedback from the LUPC**

#### *That the LUPC direct staff to advise the applicant that:*

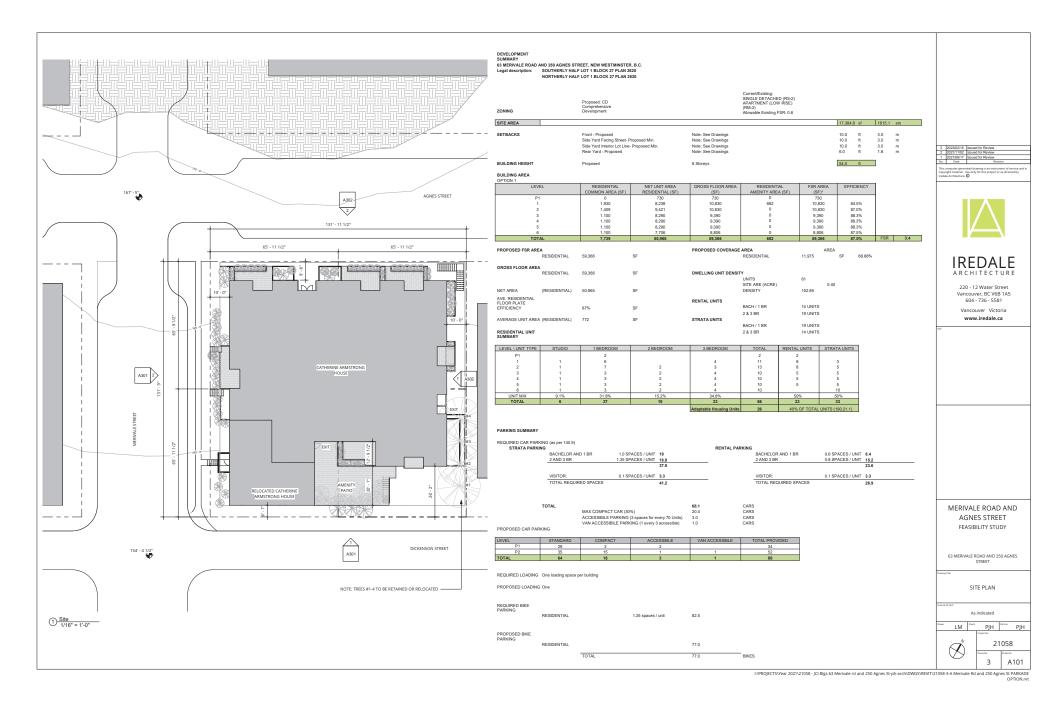
- 1. A development application could be further explored, provided the tenant assistance and relocation supports detailed in Section 5.1 are a component of a formal submission; and,
- 2. A formal Heritage Revitalization Agreement for a six-storey multiple-unit residential addition to the Catherine Armstrong house could be considered, should the project:
  - Include 50% of total proposed units as rental housing including no less than 10% of those as below-market units, and tenant assistance and relocation as currently described by the proposal; and,
  - Maximize alignment with heritage best practices, wherever possible.







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