

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** June 13, 2022

From: Emilie K. Adin, MCIP **File:** HER00510
Director, Climate Action, Planning and OCP00010
Development SDP00198

Item #: 2022-420

Subject: **Official Community Plan Amendment Application, Heritage Revitalization Agreement, Heritage Designation Bylaw, and Housing Agreement: 514 Carnarvon Street – Bylaws for Consideration of Readings**

RECOMMENDATION

THAT Council consider Official Community Plan Amendment Bylaw (514 Carnarvon Street) No. 8088, 2022 for First Reading;

THAT Council consider Official Community Plan Amendment Bylaw (514 Carnarvon Street) No. 8088, 2022 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, of which the subject OCP Amendment Bylaw is hereby deemed to be consistent with said program and plan in accordance with Section 477(3)(a) of the Local Government Act;

THAT Council consider Official Community Plan Amendment Bylaw (514 Carnarvon Street) No. 8088, 2022 for Second Reading and forward it to a Public Hearing;

THAT Council consider First and Second Readings of Heritage Revitalization Agreement Bylaw (514 Carnarvon Street) No. 8089, 2022 and Heritage Designation Bylaw (514 Carnarvon Street) No. 8090, 2022 and forward these bylaws to an upcoming Public Hearing;

THAT Council endorse the Housing Agreement principles as outlined in Attachment 6 and consider Housing Agreement Bylaw 8338, 2022 for First and Second Readings.

PURPOSE

To request that Council consider bylaws which would allow for the construction of a 30 storey tower which includes at its base new space for the Holy Trinity Parish and 285 residential units above, 14 of which would be secured for rental at market rates, as well as restoration and a seismic upgrade of the existing 1899 cathedral which would be protected by a Heritage Designation Bylaw, in addition to creation of a privately owned publically accessible plaza and pedestrian connection from Carnarvon Street to the Columbia Street SkyTrain Station.

EXECUTIVE SUMMARY

Official Community Plan (OCP) amendment and Heritage Revitalization Agreement (HRA) applications have been received for Holy Trinity Cathedral at 514 Carnarvon Street which would allow development of a 30 storey, 6.59 FSR tower with 271 market condo units, 14 secured market rental units (285 total), and institutional-use space for the Parish at the tower base.

In exchange, the development would include the following public amenities: (1) seismic and energy upgrades, and restoration of the exterior of the cathedral (to be retained on site), and its long term protection through Heritage Designation; (2) First Nations partnership in the creation of on-site art; (3) provision of a privately owned/publicly accessible plaza; and (4) creation of a fully accessible public pedestrian connection, with privately owned/publicly accessible elevator, between Carnarvon Street, and Clarkson Street, providing connection to the Columbia Street SkyTrain Station.

Other benefits would be associated with the proposed development, though are not secured as a public servicing amenity, including: (1) community and First Nations use of the proposed new Parish Hall; (2) restoration of the cathedral's interior, which would not be protected through Designation; and (3) creation of a financial funding source for on-going cathedral maintenance and community-supportive Parish activities.

This application has evolved significantly over the last several years, including reductions to the number of secured market rental housing units and the loss of below market housing. These losses to the final proposal are as a result of an unsuccessful bid to BC Housing for funding and escalating construction costs.

Community engagement on this project has been ongoing since March 2018, with public open houses, presentation to City committees, and engagement with key stakeholders including First Nations, adjacent strata buildings, the Downtown Residents Association, and the Downtown New Westminster Business Improvement Association. Staff recommend that Council consider First and Second Readings of the Bylaws and forward them to a Public Hearing.

ADOPTION REQUIREMENTS

Prior to adoption of *Heritage Revitalization Agreement Bylaw 8089, 2022*, the following would be required to be completed:

- Registration of a Development Agreement, to the satisfaction of the Director of Climate Action, Planning and Development, addressing the following:
 - parking and on-site transportation requirements;
 - preparation of public art proposal in conjunction with applicable First Nations;
 - completion of legal agreements that permit general public access to and require the owner to operate, repair, maintain and replace plaza, pedestrian corridor, and elevator elements;
 - confirmation of implementation of the recommendations from the noise and vibration study;
 - ensuring of transfer of market rental units to the Holy Trinity Cathedral Foundation;
 - completion of an engineering Works and Services Agreement;
 - phasing of subdivision, permits and other approvals; and
 - other items which would be necessary to be secured.
- Provision to the City of a copy of an agreement between the Holy Trinity Parish and the Holy Trinity Cathedral Foundation in which the Foundation undertakes to provide from the profits of its operations towards the ongoing maintenance work and operations of the Heritage Cathedral, in accordance with the maintenance plan detailed in the Heritage Conservation Plan;
- Execution of the Housing Agreement for the Secured Market Rental Units;
- Preliminary Civil Drawing Review and initiation of work with Engineering on a Works and Services Agreement (see Attachment 15); and
- Any other required documentation.

OPTIONS

The following options are provided for Council's consideration:

1. That Council consider Official Community Plan Amendment Bylaw (514 Carnarvon Street) No. 8088, 2022 for First Reading;
2. That Council consider Official Community Plan Amendment Bylaw (514 Carnarvon Street) No. 8088, 2022 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, of which the subject OCP Amendment Bylaw is hereby deemed to be consistent with said program and plan in accordance with Section 477(3)(a) of the Local Government Act;

3. That Council consider Official Community Plan Amendment Bylaw (514 Carnarvon Street) No. 8088, 2022 for Second Reading and forward it to a Public Hearing;
4. That Council consider First and Second Readings of Heritage Revitalization Agreement Bylaw (514 Carnarvon Street) No. 8089, 2022 and Heritage Designation Bylaw (514 Carnarvon Street) No. 8090, 2022 and forward these bylaws to an upcoming Public Hearing;
5. That Council endorse the Housing Agreement principles as outlined in Attachment 6 and consider Housing Agreement Bylaw (514 Carnarvon Street) No. 8338, 2022 for First and Second Readings.
6. That Council provide staff with alternative direction.

Staff recommends Options 1 through 5.

ATTACHMENTS

Attachment 1: Staff Memo

Attachment 2: Official Community Plan Amendment Bylaw 8088, 2022

Attachment 3: Heritage Revitalization Agreement Bylaw 8089, 2022

Attachment 4: Heritage Designation Bylaw 8090, 2022

Attachment 5: Background and Context Information

Attachment 6: Housing Agreement Principles

Attachment 7: Housing Agreement Bylaw 8338, 2022

Attachment 8: Tower Design Analysis

Attachment 9: Land Use Planning Committee Review Chronology (Appendix B to August 26, 2021 LUPC Report)

Attachment 10: Draft Advisory Planning Committee Minutes (Excerpt) (December 7, 2021)

Attachment 11: Applicant Letter Re: Relocation of Community Services

Attachment 12: Applicant-Led Consultation Summary (including First Nations Consultation)

Attachment 13: Community and Kwantlen First Nations Use Letter and Applicant Policy

Attachment 14: Kwantlen First Nation Letter Regarding Public Art

Attachment 15: Engineering Servicing Memo

Attachment 16: Memos from Director of Financial Services and Director of Engineering

APPROVALS

This report was prepared by:

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Britney Dack, Senior Heritage Planner

This report was reviewed by:

John Stark, Supervisor of Community Planning

This report was approved by:

Emilie K. Adin, Director of Climate Action, Planning and Development

Lisa Spitale, Chief Administrative Officer