

## Attachment #1

### *Staff Memo*

## **MEMO**

### ***Climate Action, Planning and Development***

**To:** Emilie K. Adin, MCIP  
Director of Climate Action, Planning and Development      **Date:** June 13, 2022

**From:** John Stark,  
Acting Manager of Planning      **File:** HER00510  
OCP00010  
SDP00198

**Item #:** [Report Number]

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

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#### **RECOMMENDATION**

Staff recommends that the Director of Climate Action, Planning and Development forward this memo and the following resolutions to Council for consideration:

***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.

## **BACKGROUND**

### **Application History**

A number of versions of this project have previously been presented to Council and the Land Use and Planning Committee (LUPC) since 2017. A full chronology of LUPC reviews is included in Attachment 9. Prior to this current proposal, the application proposed a 30 storey tower at 6.2 FSR which included fewer market condo units (173 previous, 271 current), more secured market rental units (30 previous, 14 current), and non-market rental units geared towards seniors (42 previous, none current).

The applicant has stated that the previous proposals are no longer viable due to rising construction costs and given that they were unsuccessful in a request for BC Housing funding for the below-market units. This information, along with a revised proposal, was presented to the [LUPC on August 30, 2021](#). The LUPC supported the revised application pending: 1) revision to tower design to improve its relationship to the cathedral; 2) meeting family friendly housing requirements; and 3) the completion of an economic analysis to ensure an appropriate balance between community and developer benefits.

The economic analysis was completed and has confirmed a financial balance between community and developer benefits and that the development would not be able to yield additional amenity contributions.

### **Policy and Site Context**

The subject property is located within the Albert Crescent Precinct of the Downtown neighbourhood, in an area consisting of a mix residential densities and commercial, and institutional uses in close proximity to frequent transit options at Columbia Street Skytrain Station and on Sixth Street.

The proposed development concept is not consistent with The Downtown Community Plan nor existing Zoning, and an Official Community Plan amendment (Attachment 2) and a Heritage Revitalization Agreement (Attachment 3) are being proposed to allow it. Additional information on the site context and applicable policies and regulations are included in Attachment 5.

## **PROJECT PROPOSAL**

### **Project Overview**

Proposed is the development of a 30 storey mixed-use tower and underground parking; this would replace the existing 1950 Parish Hall on-site, adjacent to the 1899 Holy Trinity Cathedral. In exchange, the high value heritage cathedral would undergo seismic

and energy upgrading and an exterior restoration, as well as being subject to long-term legal protection through a Heritage Designation Bylaw (Attachment 4). The interior of the cathedral would also be renovated but would not be protected by this Designation.

The development would create a public plaza and pedestrian access running between the two buildings connecting Carnarvon Street with Church and Clarkson Streets and the Columbia Street SkyTrain Station. Along with a staircase, an elevator would be included as part of the pedestrian pathway, in order to provide a fully accessible path. The pedestrian connection would be privately owned/publicly accessible space, where public access would be secured through legal agreements on title.

The heritage elements of the proposal are detailed in Appendix 8 of the HRA Bylaw (Attachment 3), and project drawings (including site plan, renderings, and floor plans) are Appendix X.

Key features of the proposal are:

- 30 storey tower at 6.59 Floor Space Ratio (FSR);
- 285 residential units in the tower (271 market condominium / 14 secured market rental units;
- two storeys of Parish space (e.g. offices, multi-purpose hall) which would allow the Parish to continue and possibly expand their community-supportive work;
- 197 vehicle parking spaces (379 required / 48% reduction) in a five storey underground parkade accessed from Clarkson Street;
- variety of transportation-demand-management (TDM) measures (e.g. car share, subsidized transit passes, shared use of visitor parking for church);
- bylaw compliant number of long-term (358) and short term (12) bicycle parking spaces;
- improvements to both the Carnarvon Street and Clarkson Street road frontages;
- indoor/outdoor rooftop amenity space for tower residents, plus outdoor amenity space and dog relief area at ground level;
- new tower would be required to meet Step 3 of the BC Energy Step Code;
- public access to the privately owned plaza (e.g. for public markets, outdoor weddings, and informal daily use or gatherings);
- on-site Indigenous public art program, interpretive historical signage, and/or other agreed-upon initiatives in partnership with the Kwantlen and other First Nations.

## **Summary of Amenities**

The site's land use designation in the Downtown Community Plan is "Residential— Mid-rise Apartment". The application proposes a form consistent with the "Residential— Tower Apartment" designation instead. This designation is intended for residential towers on sites which also include community amenities such as churches or community space; both of which are provided through the proposed development. This amendment is recommended for consideration by staff. Granting of the requested density and tower height would be in support of:

- 1) Restoration of the exterior of the cathedral, an 1899 heritage site;
- 2) Substantial upgrades to the seismic and energy elements of the cathedral;
- 3) Heritage Designation (long-term protection) of the cathedral;
- 4) A new publicly accessible outdoor plaza in the Downtown;
- 5) 14 market rental housing units, secured for the life of the building;
- 6) On-site public art program in conjunction with local First Nations, supporting the Parish's ongoing commitment to reconciliation work; and
- 7) Improved and secured public access (with full accessibility via a public elevator) from Carnarvon Street to Church Street, Clarkson Street, and the Columbia Street Skytrain Station.

There are likely to be further community benefits associated with this proposal, although they have not been proposed to be secured through the Heritage Revitalization Agreement or other legal agreements:

- 1) Renovations to the interior of the cathedral, which support continued and expanded use and are respectful of its existing heritage elements;
- 2) Creation of a funding source (through ownership of the market rental housing units) for ongoing Parish operations and maintenance of the heritage cathedral; and
- 3) Construction of a new Parish Hall space which allows for continued and expanded use for the Parish's community-serving work, including making their spaces available for community organizations and First Nations.

### **Tower Height, Scale, Massing, and Integration**

The proposed tower has been considered in accordance with the Downtown Building and Public Realm Design Guidelines and Master Plan, Downtown Community Plan and Development Permit Area Design Guidelines and is considered generally consistent. Consideration has been given to tower separation, tower floorplate orientation, relation to the adjacent cathedral, views and shadow impacts and its relation to the public realm and street frontage activation. Further analysis of these items is included in Attachment 8.

### **Tree Removal and Replacement**

The applicant has submitted a tree permit application to remove ten existing trees on the site, one shared tree with the City, and one City tree. Two of the trees are specimen sized, including a mature oak. All trees are proposed for removal as the project application predates the Tree Protection and Regulation Bylaw, and the trees would be located within the footprint of the proposed underground parkade making tree retention a difficult undertaking.

A minimum of 20 replacement trees would be required on-site. Currently the applicant has proposed 55 replacements on-site and six (6) new boulevard trees. Final species

and location of trees would be determined through Special Development Permit review. The applicant has been encouraged to repurpose the wood of the specimen oak tree as it is extremely high quality wood which could be used in site furnishings (benches, etc.) or other onsite applications. Parks Department arborists would salvage any logs not repurposed on-site to be used as large woody debris (LWD) in natural areas.

## **DISCUSSION**

### **Balance of Benefits**

The significant restoration and legal protection of a high value heritage asset, and the accessible public plaza, elevator, and walkway in the Downtown are important amenities for the community. In addition, the proposal supports Council priorities such as: creating a car-light project with residential units near transit; constructing a quality people-centred public realm; supporting housing choice (rental, ownership, family-friendly housing); and reconciliation, by exploring the inclusion of art initiatives in partnership with First Nations. Further discussion of these benefits are in the sections below.

In exchange, the applicant is seeking an amendment to the Official Community Plan to change the land use designation to “Residential – Tower Apartment” from “Residential – Mid Rise Apartment” and to authorize the proposed tower development through a Heritage Revitalization Agreement. Given the level of benefits proposed, as well as the physical context of the site, staff considers further consideration of Council of the balance of benefits in this application reasonable.

There are other benefits associated with the proposed development, which although not secured, may provide benefit to the community, including: renovation to the interior of the cathedral; allowing use of the Parish Hall for community and First Nations programming; and the market rental housing component providing a funding source for ongoing Parish operations and maintenance of the cathedral. As these benefits are not secured, they have not been considered in the overall balance of benefits and are also discussed further below.

### **Proposed Official Community Plan Amendment**

The proposed development is not consistent with the site’s existing land use designation (Residential – Mid Rise Apartment) in the OCP. As such, an amendment would be required for the project to proceed. The proposed amendment would change the land use designation to “Residential – Tower Apartment”.

The site also lies within one of two SkyTrain Precincts as identified in the Downtown Community Plan. These precincts are intended to accommodate high density, mixed use development, recognizing SkyTrain’s significant role in reducing the need for a private automobiles and helping advance several of Downtown’s sustainability objectives. Further, the site is directly adjacent to other high density land use

designations in the OCP. As such, and given the balance of benefits noted above, staff considers it reasonable for Council to consider the proposed OCP amendment.

## **Heritage Considerations**

### Heritage Significance and Restoration - **Secured**

The cathedral is a high value heritage site in New Westminster and has symbolic importance in the Downtown. Though it is listed on the City's Heritage Register, it is not protected and could be demolished. As part of the Heritage Revitalization Agreement (HRA) application for this site, the cathedral would be Designated, which provides the building with long-term legal protection.

Additionally, the project would restore the existing historic structure and envelope materials of the cathedral, while undertaking a rehabilitation that will upgrade its structure and services to increase its functionality. A substantial seismic, energy, and safety upgrade is proposed for the building as part of the project, thereby significantly extending the life of this building. Plumbing would be added, and electrical and other mechanical systems brought up to a contemporary standard. Overall, this is a substantial conservation project which meets a very high level of heritage practice. It may be the most extensive restoration project undertaken in the city to date.

The heritage value of the cathedral lies in its location on the site, its continued use as a place of worship, the view of the cathedral from Columbia Street, and its defining architectural features and materials. All of these significant heritage elements are preserved through this application. Restoration interventions are proposed to preserve character-defining elements of the cathedral and to restore elements that have been altered over the years.

### On-Going Cathedral Maintenance – **Not Secured**

Through the HRA, the owner would be required to maintain the heritage cathedral in good repair in accordance with the Heritage Conservation Plan attached to that agreement. Further, the City's Minimum Maintenance Standards for Heritage Buildings Bylaw applies to all Designated heritage buildings.

One of the key benefits of a large-scale HRA, such as this proposal, is that it can financially tie multiple owners (e.g. strata owners, commercial units, etc.) to the heritage building. This allows a larger financial pool from which to draw funds for the ongoing cost of maintenance. In multiple unit residential building, this is most frequently achieved through a strata in which all strata lots would maintain common property ownership over heritage assets and share maintenance responsibility.

In this proposal, the cathedral building would be subdivided from the parcel which would contain the tower. The tower parcel would be further subdivided into two airspace



parcels, one of which would contain the 14 rental units and one of which would contain the 271 strata units.

The applicant has indicated that the Holy Trinity Cathedral (HTC) Foundation, which would be the initial owner of the rental unit airspace parcel, is a non-profit society controlled by the Parish and the Diocese. The HTC Foundation lists as its purpose “providing funding for the maintenance and repair of heritage buildings owned and operated by the Parish, especially Holy Trinity Cathedral”, While this does not secure funding, it provides some indication that, at least in the short term, there would be a source of funding for heritage maintenance.

The applicant has indicated that they are unable to further secure maintenance funding through use of legal mechanisms which would directly tie maintenance responsibility of the cathedral to either of the airspace parcel lots, citing financing challenges. Therefore, the City does not have a legal guarantee that the HTC Foundation will not sell the airspace parcel containing the units, thus eliminating a key funding source for the maintenance of the cathedral. Similarly, there is no secured guarantee that the purpose of the Foundation will not change, nor that the Foundation will continue to exist.

While the City retains the ability to enforce maintenance, there is no larger financial pool for shared owners to draw upon for the ongoing cost of maintenance. This is in contrast to other large-scale HRAs approved in the City. Further, there are unlikely to be additional opportunities for redevelopment to provide capital for future restoration as the current development is likely to exhaust those opportunities.

### **Public Plaza, Walkway, and Elevator – Secured**

The development would also include a public plaza and pedestrian access between Carnarvon and Clarkson Streets and the Columbia Street SkyTrain Station, with an elevator providing an accessible connection from the plaza down to Clarkson Street. This connection is identified within the Downtown Transportation Plan as a strategic passage / breezeway for enhanced connectivity to Columbia Street SkyTrain Station.

Both the plaza and pedestrian connection would be privately owned/publicly accessible spaces. Public access to these areas would be secured through legal agreements registered on title. These legal agreements would permit general public access and require the owner to operate, repair, maintain and replace the plaza, corridor and elevator so that these public access areas are at all times in good, clean and safe condition and usable for their intended purpose.

### **Public Art – Secured**

The applicant intends to work in partnership with First Nations to include public art within the plaza space, and on the stair and elevator accessing Clarkson Street. To date, the applicant has engaged with the Kwatntlen First Nation and are exploring initiatives that support hən̓qəmin̓əm̓ language preservation and the incorporation of

public art. A letter from Kwantlen, outlining their interest as well as the potential public art locations, is included as Attachment 14.

Installation of public art would be secured by a Development Agreement and a proposal would be required to be reviewed and approved by the City, prior to issuance of any Building Permits.

### **Community and First Nations Use of Parish Hall – Not Secured**

The application includes the construction of a new 610 sq. metre (6,566 sq. ft.) Parish Hall space, which would span two floors in the base of the new tower. The existing Parish Hall space has historically been provided or rented to a large variety of faith- and community-based users, and is at the centre of the Holy Trinity Cathedral's charitable work.

The applicant has stated that the new space is intended to function as the current Parish Hall space, and therefore would be available for community and First Nations use. The applicant has provided a letter outlining their intentions in this regard and has provided their policy for determining access to the Parish Hall space (Attachment 13).

While the historic use of the space and the provided policy indicate the envisioned use of the space, public access or use agreements have not been secured. These policies can be changed or revised over time or the property could be sold to another owner with different intentions. Ultimately this space would be privately owned and controlled by the Holy Trinity Cathedral and would be used and made available in line with their needs and values. It is important to recognize the history of community-supportive work by this organization and to acknowledge HTC's continued ability to operate in New Westminster as a community asset. However, given that community use of the new Parish Hall space will not be secured as a condition of rezoning, it is not considered an amenity contribution in the context of evaluation of the application for additional development entitlements.

### **Market-Rental Housing Units – Secured**

The applicant would enter into a Housing Agreement registered on title to secure all 14 market rental units for 60 years or for the life of the building, whichever is longer. On August 31, 2020, Council endorsed a set of Housing Agreement principles. This endorsement occurred prior to the proposal being revised to reduce the number of market-rate units and remove below-market units. As such, staff is requesting Council's endorsement of updated Housing Agreement principles, which reflect the current proposal (see Attachment 6) and consideration of *Housing Agreement Bylaw 8338, 2022* (Attachment 7) for First and Second Readings, which has been prepared based on these updated principles. Completion of the agreement and adoption of the Housing Agreement Bylaw are a condition of adoption of the Heritage Revitalization Agreement (HRA).

## **Car-light SkyTrain Precinct and Vehicle Parking Relaxations – Secured**

The proposal includes 48% less vehicle parking than required (197 of required 379 spaces), which exceeds the maximum 30% reduction allowed in the Zoning Bylaw. The project includes a comprehensive Transportation Demand Management (TDM) Strategy and bylaw compliant bicycle parking. All residential spaces would be electric vehicle (EV) ready as per bylaw requirements.

The Parking and TDM Strategy was prepared for the project by a qualified transportation professional. It provides analysis of parking space demand for similar uses (market rental, market strata) in similar location contexts (i.e., with close proximity to SkyTrain stations and the frequent transit network) from 29 sites in Metro Vancouver. Findings of the analysis indicate that projected parking space demand is close to the proposed parking space supply as shown below:

<b>Land Use</b>	<b>Proposed Parking Space Supply (spaces/dwelling unit)</b>	<b>Projected Parking Space Demand (spaces/dwelling unit)</b>
Market Rental	0.43	0.49
Market Strata	0.58	0.69
Residential Visitor	0.07	0.05

Given that the proposed parking space supply will be slightly lower than projected parking space demand for market rental and market strata uses, a comprehensive TDM Strategy has been put forward by the applicant, and includes the following:

- One car share vehicle and space;
- Car share memberships for 60 units;
- End of trip facility shared by church users, strata and market rental;
- A bicycle maintenance room supplied with maintenance tools and accessible to all site users;
- Permanent public bicycle share station at the courtyard level adjacent to Carnarvon Street with electrical service for future e-bike charging along with other requirements for potential docking stations;
- Transit pass subsidy providing 100 preloaded Compass Cards;
- Transportation marketing services;
- Wayfinding signage to help direct pedestrians; and
- Provision of an accessible connection from Carnarvon Street to Clarkson Street.

Staff considers the site to be an appropriate location for a car-light development given the site's proximity to transit. Further, given the findings of the Parking and TDM Strategy, combined with the proposed TDM Program, staff conclude that the proposed vehicle parking space variances are sufficiently addressed.

## **Tree Removal and Replacement – Secured**

The applicant has submitted a Tree Permit application to remove ten existing trees on site, including one shared tree. Two of the trees are specimen sized, including a mature oak. All trees are proposed for removal as the project application predates the Tree Protection and Regulation Bylaw, and the trees would be located within the footprint of the proposed underground parkade. A minimum of 20 replacement trees would be required and currently 24 trees within the new public plaza space and along Clarkson Street. Final species and location of trees would be determined through Special Development Permit review. The applicant has been encouraged to repurpose the wood of the specimen oak tree as it is extremely high quality wood which could be used in site furnishings (benches, etc.) or other onsite applications.

For replacement requirements that cannot be accommodated on-site, a cash-in-lieu contribution would be made to allow the City's Parks Department to plant trees on civic lands. Replacement trees would be focused in the vicinity of the development.

## **Temporary Relocation of On-Site Church Services – Not Secured**

The applicant has indicated that they would make best efforts to temporarily relocate the services provided at the Holy Trinity Cathedral (e.g., rentals to community groups, food security, homeless connect, meal programming, resident association meetings, etc.) during construction. However, they are presently unable to identify precisely how this would be done, given the time lead up required prior to construction start. The applicant has also stated that at the completion of the new Parish Hall, they would be better able to serve community partners and organizations. A letter from Holy Trinity Cathedral regarding the relocation of community services is included in Attachment 11.

Given a number of similar requests from faith- and community-based organizations, it would be difficult to accommodate the displaced uses in civic facilities. Similar requests have also been made to the New Westminster Ministerial Association, and they have been challenged in accommodating such uses. Staff will work with the applicant but it will be up to them to locate alternate sites and venues.

## **CONSULTATION AND COMMITTEE REVIEW**

### **Applicant Led Consultation**

In 2018, the applicant undertook consultation with the community and stakeholders, which included public open houses (March 2018 – 63 attendees, November, 2021 – 33 attendees and December 2021 – 19 attendees) as well as meetings with First Nations, adjacent strata buildings, the Downtown Residents Association, and the Downtown New Westminster Business Improvement Association. The applicant has provided a summary and timeline of their consultation in Attachment 12.

Notices were mailed to all occupants within 100 metres of the subject site for all open houses as well as posted in the local newspaper and posted on the [applicant's project](#)

[website](#). The 2021 open houses included notification on the [BeHeard NewWest website](#).

Key themes arising from the consultation included:

- building height;
- traffic / parking;
- loss of affordable housing and additional rental housing needs;
- construction noise; and
- shadowing, views and privacy.

### **City Committee Review (CHC, NWDP and APC)**

The project was reviewed and supported by the Community Heritage Commission (CHC) on April 4, 2018 ([agenda](#) / [minutes](#)), the New Westminster Design Panel (NWDP) on May 22, 2018 (Agenda [Pt.1](#) and [Pt.2](#) / [Minutes](#)) and Advisory Planning Commission (APC) on December 7, 2021 ([agenda](#) / draft minutes included in Attachment 10).

The APC had discussion related to some components of the proposal, including some key items that were included in the motion for the application:

***THAT the Advisory Planning Commission supports the proposal at 514 Carnarvon Street and requests that Council and staff continue to work with the developer with respect to:***

- *The affordability of the proposed dwelling units;*
- *Legal security regarding the proposed publicly accessible but privately owned spaces; and*
- *Adjacent cycling infrastructure.*

The rationale for the proposal in regard to affordability of the proposed dwelling units was addressed in the report to [LUPC on August 30, 2021](#) as noted in the background section of this report. Legal security of the proposed publically accessible, privately owner spaces would be addressed through legal agreements registered to the title in favour of the City.

Adjacent cycling infrastructure was reviewed by Transportation Division staff, who have noted that as per the Downtown Transportation Plan, Carnarvon Street is intended as a secondary bike facility with a combination of shared road space and/or painted bike lane(s). This facility would see implementation through future City capital works programs, not isolation through this application, and would completed within the existing road rights of way.

## **INTERDEPARTMENTAL LIAISON**

This proposal has been reviewed by a project team consisting of staff from Engineering Services, Parks and Recreation, and the Building and Planning Divisions of the Climate Action, Planning and Development Department.

As it relates to the City's Five Year Financial Plan, and the Region's Solid Waste Management Plan and Liquid Waste Management Plan, memos from the Director of Financial Services and Engineering Services (respectively) have been included in this report as Attachment 16.

## **APPLICATION REVIEW PROCESS AND NEXT STEPS**

The application is progressing through the City's development review process. The following steps have been completed to date:

1. Preliminary Report to Land Use and Planning Committee (LUPC) (March 6, 2017, October 16, 2017 and January 29, 2018);
2. Preliminary Report to Council from LUPC to Council (February 19, 2018);
3. Presentation to the Community Heritage Commission (April 4, 2018);
4. Applicant presentation to the Downtown Residents' Association (March 3, 2018);
5. Applicant presentation to the Downtown New Westminster Business Improvement Association (March 6, 2018);
6. Developer-led Open House #1 (March 14, 2018);
7. OCP Consultation (Section 475 and 476) Report to Council (May 7, 2018);
8. Presentation to the New Westminster Design Panel (May 22, 2018);
9. Follow-up Report to Land Use and Planning Committee (LUPC) (August 30, 2021);
10. Developer-led Open House #2 (November 30, 2021);
11. Developer-led Open House #3 (Virtual) (December 1, 2021);
12. Presentation to Advisory Planning Commission (December 7, 2021);
13. Report to Council for Consideration of First and Second Reading of OCP Amendment, Heritage Bylaws and Housing Agreement Principles and Bylaw (**WE ARE HERE**);

Next Steps:

14. Public Hearing and Council consideration of Third Reading of Heritage and Housing Agreement Bylaws and Third Reading and Adoption of Official Community Plan Amendment Bylaw;
15. Completion of Adoption Requirements;
16. Council Consideration of Final Adoption of Housing Agreement Bylaw;
17. Council Consideration of Final Adoption of Heritage Bylaws;
18. Consideration of Special Development Permit and Heritage Alteration Permit by Director of Climate Action, Planning and Development.

## **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 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

This memo was prepared by:

Michael Watson, Acting Development Planning Supervisor

Britney Dack, Senior Heritage Planner

This memo was reviewed by:

John Stark, Acting Manager of Planning