



REPORT

Development Services

To: Mayor Côté and Members of Council **Date:** 5/7/2018

From: Jackie Teed **File:** OCP00010
 Acting Director of Development
 Services

Item #: 173/2018

Subject: **514 Carnarvon Street (Holy Trinity): Official Community Plan
 Amendment Section 475 and 476 - Consultation Report**

RECOMMENDATION

***THAT** Council, with regard to the proposed OCP amendment for 514 Carnarvon Street (Holy Trinity Cathedral):*

- 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;*
- 2) Direct staff to advise and consult with the following:*
 - a. Cowichan Tribes*
 - b. Halalt First Nation*
 - c. Hwlitsum First Nation*
 - d. Katzie First Nation*
 - e. Kwantlen First Nation*
 - f. Kwikwetlem First Nation*
 - g. Lyackson First Nation*
 - h. Lake Cowichan First Nation*
 - i. Musqueam Indian Band*
 - j. Penelakut Tribe*
 - k. Qayqayt First Nation*
 - l. Semiahmoo First Nation*
 - m. Sto:lo Nation*
 - n. Stz'uminus First Nation*

- o. Tsawwassen First Nation*
- p. Tsleil-Waututh Nation*
- q. TransLink;*
- r. the Board of Education of School District 40;*

3) Direct staff to seek input from interested parties in the following manner:

- a. send a request for written comments to the parties listed above;*
- b. place a notice on the City Page to advise the public of this application; and*
- c. require the applicant (Holy Trinity Cathedral) to include notice of the proposed OCP amendment on the site signage required for the subject application.*

4) Not require consultation with:

- a. Board of the regional district in which the area covered by a plan is located (Metro Vancouver)*
- b. any greater boards or improvement districts other than as noted herein, as none are considered to be affected by this application; and*
- c. Greater Vancouver Sewerage and Drainage District Board;*
- d. Ministry of Transportation and Infrastructure; and,*
- e. Councils of immediately adjacent municipalities.*

EXECUTIVE SUMMARY

A Heritage Revitalization Agreement application and an Official Community Plan amendment application have been received for Holy Trinity Cathedral located at 514 Carnarvon Street. The project is being proposed in support of: 1) restoring the exterior and seismically upgrading the cathedral; 2) renovating the interior; 3) constructing a new Parish hall and publicly accessible plaza; and 4) funding future Parish operations and maintenance.

The proposal is to construct a 30 storey, 245 unit residential tower which includes 173 market condominium units, 30 secured market rental housing units, and 42 secured non-market rental housing units, with an overall 6.20 Floor Space Ratio (FSR) (0.17 FSR for existing church, 0.2 FSR for new church space within tower, and 5.83 FSR for residential). The project would include ground-level Parish-related uses within the new tower and five levels of underground parking as well as a publicly accessible plaza and an elevator which would provide secured public pedestrian access between Carnarvon and Clarkson Streets, and a connection to the Columbia Street SkyTrain station. As part of the HRA, the applicant is proposing to retain and restore the church and to place a Heritage Designation Bylaw on the church to provide long-term protection.

The purpose of this report is to identify those parties that may be affected by the proposed OCP amendment for 514 Carnarvon Street, as required by Sections 475 and 476 of the *Local Government Act*, and request Council direction to proceed with the required consultation.

BACKGROUND

Site Characteristics and Context

The subject property (514 Carnarvon Street) is located within the Albert Crescent Precinct of the Downtown neighbourhood, in an area consisting of a mix of multi-family residential, single-family residential, commercial, and institutional uses. The site is bordered to the north by Carnarvon Street and to the south by Clarkson Street and is within half a block of both Sixth Street and Columbia Street, surrounded by a multi-unit residential building to the north, the Columbia Street SkyTrain Station and Commercial fronting Columbia Street to the south, a multi-unit residential building to the east, and a single-family residence with ground-level commercial and multi-family residential building to the west.

Previous Land Use and Planning Committee (LUPC) Direction

A preliminary report on these applications was presented to the Land Use and Planning Committee on March 16, 2017, October 16, 2017, and January 29, 2018. At the January 29, 2018 Land Use and Planning Committee meeting, the LUPC recommended that the applications be forwarded to Council.

Previous Council Direction

A preliminary report on these applications was prepared by Staff for Council on September 15, 2014 with a subsequent report that was forwarded to Council by the Land Use Committee on February 19, 2018. At the February 19, 2018 meeting, Council recommended that staff process these applications as outlined within the staff report.

POLICY AND REGULATIONS

Consultation Requirements

Section 475 and 476 of the *Local Government Act* provides specific requirements for consultation that must occur prior to the consideration of an Official Community Plan (OCP) amendment. The Act requires local government to provide one or more opportunities it considers appropriate for consultation with the organizations and authorities it considers will be affected by the proposed OCP amendment. The local government must:

- a) consider whether the opportunities for consideration with one or more organizations and authorities should be early and ongoing; and

- b) specifically consider whether consultation is required with:
 - i) the board of the regional district in which the area covered by a plan is located;
 - ii) the board of any regional district that is adjacent to the area covered by the plan;
 - iii) the council of any municipality that is adjacent to the area covered by the plan;
 - iv) First Nations;
 - v) greater boards and improvement boards;
 - vi) the Provincial and Federal governments and their agencies; and
- c) Consult with the Board of Education and seek input on the following:
 - i) the actual and anticipated needs for school facilities and support services in the school districts;
 - ii) the size, number and location of the sites anticipated to be required for the school facilities referred to in paragraph (i);
 - iii) the type of school anticipated to be required on the sites referred to in paragraph (ii);
 - iv) when the school facilities and support services referred to in paragraph (i) are anticipated to be required;
 - v) how the existing and proposed school facilities relate to existing or proposed community facilities in the area.

Official Community Plan and Development Permit Area Designation

Residential – Mid Rise Apartment

The existing OCP designation for this site is Residential – Mid Rise Apartment which permits mid-rise apartments, low rise apartments, townhouses, stacked townhouses, row houses, community amenities (such as churches, child care, community space) and small-scale retail and service uses (restaurants). The intent of this designation is to permit buildings up to 12 storeys.

The subject site is in the Albert Crescent Precinct of the Downtown Plan. The intent of this Precinct is to encourage the development of more ground-oriented housing and housing suitable for families, to preserve the existing market rental housing stock, and to respect, enhance and celebrate the recognized heritage resources such as Irving House and the four historic churches in the area.

The proposal is not consistent with the OCP Land Use Designation and would require an OCP Amendment to allow for the proposed development.

Zoning Bylaw

Public and Institutional District (P-1)

The intent of this district is to allow institutional uses at a low density (FSR of 0.6).

The proposal does not fit with this zone and a rezoning is required to facilitate the proposed development.

DISCUSSION

Project Description

The applicants are proposing to amend the Official Community Plan and enter into a Heritage Revitalization Agreement in order to facilitate the development of a 30 storey, 245 unit residential tower which includes 173 market condominium units, 30 secured market rental housing units, and 42 secured non-market rental housing units, with an overall 6.20 Floor Space Ratio (FSR) (0.17 FSR for existing church, 0.2 FSR for new church space within tower, and 5.83 FSR for residential). The proposal would also entail ground-level Parish-related uses within the new residential tower and five levels of underground parking as well as a publicly accessible plaza and an elevator which would provide secured public pedestrian access between Carnarvon and Clarkson Streets, and a connection to the Columbia Street SkyTrain station. The applicants have also applied for a Special Development Permit.

A copy of the latest proposed drawings for the subject proposal have been attached as **Attachment 1** to this report.

Consideration of Consultation

Council is required to consider who could be affected by the proposed Official Community Plan (OCP) adoption. The *Local Government Act* requires that Council specifically consider whether consultation is required with the groups listed below. Staff has provided a recommendation for Council's consideration for each of the identified groups:

- a) The board of the regional district in which the area covered by the OCP is located.

Consultation with Metro Vancouver is not recommended given that the proposed project will not have any regional implications.

- b) Any greater boards or improvement districts other than as noted herein, as none are considered to be affected by this application.

Consultation with other regional districts is not recommended as the proposed OCP amendment is not considered to affect adjacent Regional Districts.

- c) The council of any municipality that is adjacent to the area covered by the plan.

Consultation with adjacent municipalities is not recommended given that the site is not located next to any boundaries shared with Richmond, Burnaby, or Coquitlam.

- d) First Nations.

The City of New Westminster is currently in the process of developing a work plan to establish strategies to guide the City in the operationalization of Truth and Reconciliation efforts. These strategies will address how the City undertakes consultations with First Nations in regards to Official Community Plan amendments as well as other planning notifications. Until such time as this process is in place, staff recommends utilizing the contact list maintained by Port Metro Vancouver for consultations along the River. The First Nations on Port Metro Vancouver's consultation list include:

- Cowichan Tribes
- Halalt First Nation
- Hwlitsum First Nation
- Katzie First Nation
- Kwantlen First Nation
- Kwikwetlem First Nation
- Lyackson First Nation
- Lake Cowichan First Nation
- Musqueam Indian Band
- Penelakut Tribe
- Qayqayt First Nation
- Semiahmoo First Nation
- Sto:lo Nation
- Stz'uminus First Nation
- Tsawwassen First Nation
- Tseil-Waututh Nation

- e) Greater boards and improvement boards.

The Greater Vancouver Sewer and Drainage District Board oversee the operation of regional utilities in New Westminster. Consultation with the Greater Vancouver Sewer and Drainage District Board is not recommended since the proposed development is not deemed to have any significant impacts to any regional utilities.

- f) The Provincial and Federal governments and their agencies.

Consultation with TransLink is recommended provided there is a statutory right-of-way registered on the property for the underground SkyTrain guideway. The applicant will also be going through TransLink's Adjacent Integrated Development (AID) Review Process.

- g) Board of Education

Consultation is recommended with School District No. 40 (New Westminster) as the proposed OCP amendment would facilitate the creation of additional new residential units within New Westminster.

The applicant has also been required to undertake consultation with the public. To date this has included a presentation to the Downtown Business Improvement Association on March 6, 2018 and an applicant-led Open House that was held on March 14, 2018 at the Community Hall on the Holy Trinity Cathedral property. Brow of the Hill Residents' Association on May 2, 2018, Downtown Business Improvement Association on March 6, 2018, June 20, 2016 and an applicant-led Open House that was held on June 29, 2016 at Lord Kelvin Elementary School.

The consultation requirements under this section of the *Local Government Act*, as well as the community consultation that has occurred to date (Open House and Downtown Business Association) along with future consultation (Downtown Residents' Association), are in addition to the Public Hearing requirements for the proposed OCP Amendment, HRA, and Heritage Designation Bylaws.

Committee Review

Community Heritage Commission

The applications were brought forward to the Community Heritage Commission on April 4, 2016. At the April 4, 2016 CHC Meeting, the applications were supported with comments.

New Westminster Design Panel and Advisory Planning Commission

The application will be brought forward to the New Westminster Design Panel and the Advisory Planning Commission for review over the next couple of months.

PROCESS AND NEXT STEPS

Below is an overall outline of the anticipated development review process for this project. The bold text outlines where we are currently at within the process:

1. Preliminary Report to Land Use and Planning Committee (LUPC);
2. LUPC referral of applications to Council;
3. Circulation of the application to all City Departments for review;
4. Public consultation, including presentation to the Downtown Residents' Association and the hosting of an applicant-led Open House;
5. Presentation of application to the Community Heritage Commission;
6. **Section 475 and 476 Report to Council for OCP consultation with external stakeholders;**
7. Presentation of application to the New Westminster Design Panel;
8. Presentation of OCP Amendment and HRA Application to the Advisory Planning Commission;
9. Report to LUPC in regards to process update and proposed OCP Amendment and HRA and Heritage Designation Bylaws;
10. Report to Council for Housing Agreement Principles;
11. Formal consideration of First and Second Readings of OCP Amendment, Heritage Revitalization Agreement, and Heritage Designation Bylaw by Council;
12. Formal consideration of Third Reading of OCP Amendment, HRA and Heritage Designation Bylaws by Council;
13. Council consideration of First, Second, and Third Readings for Housing Agreement Bylaws (market and non-market rental units); and
14. Final Consideration of OCP Amendment, HRA and Heritage Designation Bylaws by Council and Final Consideration of Housing Agreement Bylaws.

OPTIONS

There are two options for Council's consideration, which include:

1. That Council, with regard to the proposed OCP amendment for 514 Carnarvon Street (Holy Trinity Cathedral):
 - 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;

2) Direct staff to advise and consult with the following:

- a. Cowichan Tribes
- b. Halalt First Nation
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- a. Board of the regional district in which the area covered by a plan is located (Metro Vancouver)
- b. any greater boards or improvement districts other than as noted herein, as none are considered to be affected by this application; and
- c. Greater Vancouver Sewerage and Drainage District Board;
- d. Ministry of Transportation and Infrastructure; and,
- e. Councils of immediately adjacent municipalities.

2. That Council provide staff with alternative direction.

Staff recommends Option 1.

ATTACHMENTS

Attachment 1: Project Drawings (Excerpt)

This report has been prepared by:
Rupinder Basi, Senior Planner

This report was reviewed by:
John Stark, Acting Manager of Planning

Approved for Presentation to Council



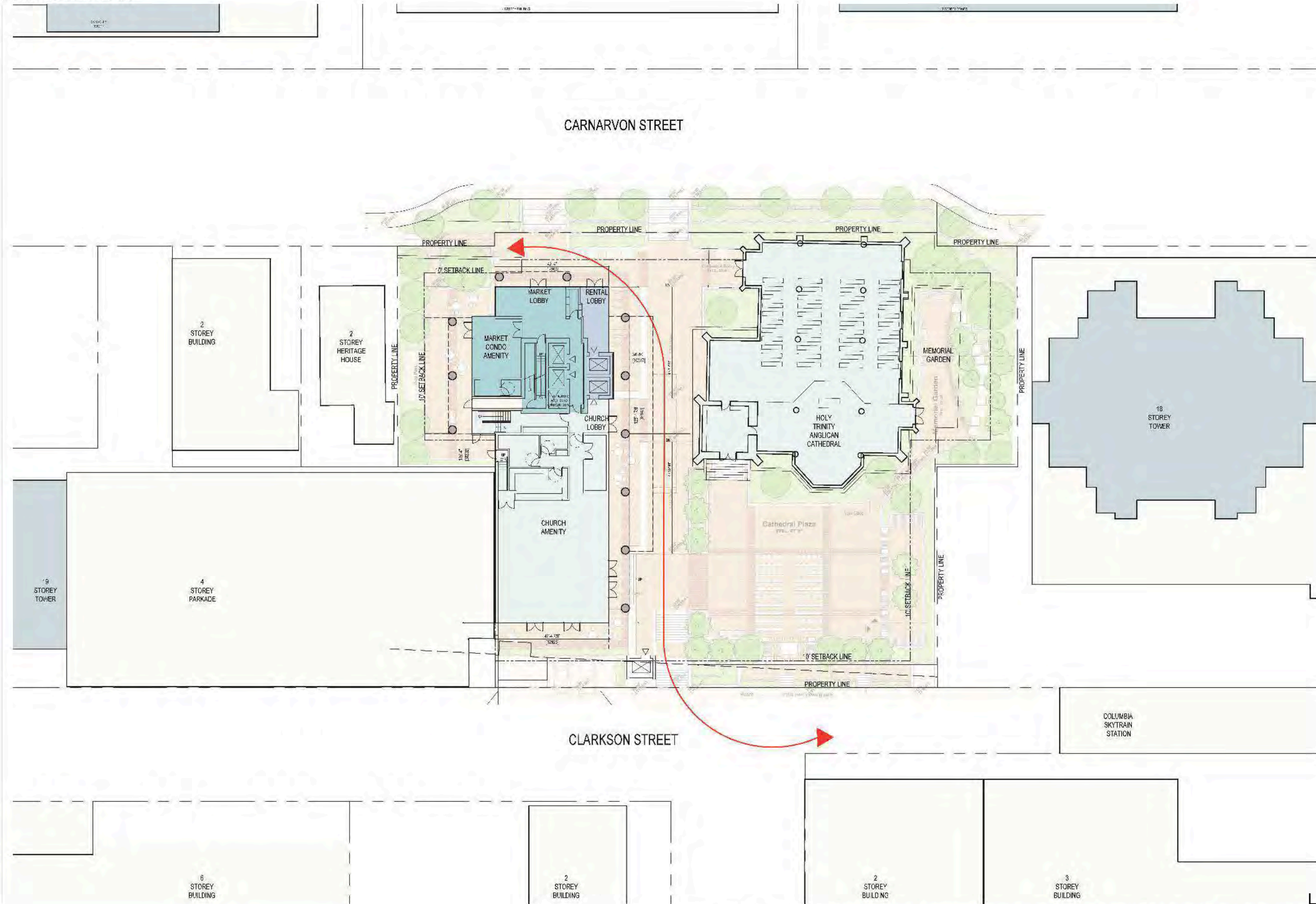
Jackie Teed
Acting Director of Development
Services

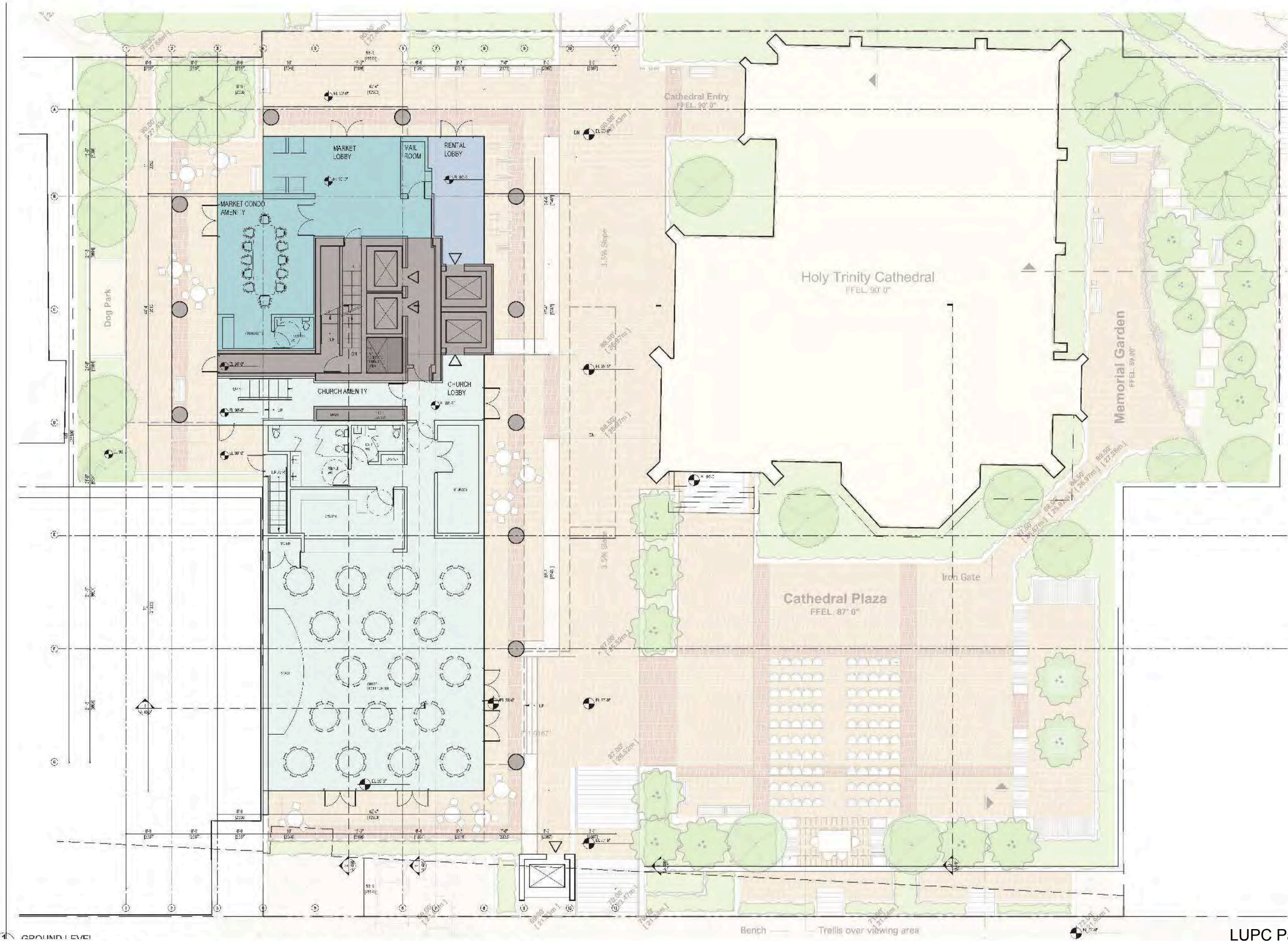


Lisa Spitale
Chief Administrative Officer

Attachment 1
Project Drawings
(Excerpt)

PROJECT SITE PLAN







CLARKSON STREET ELEVATION

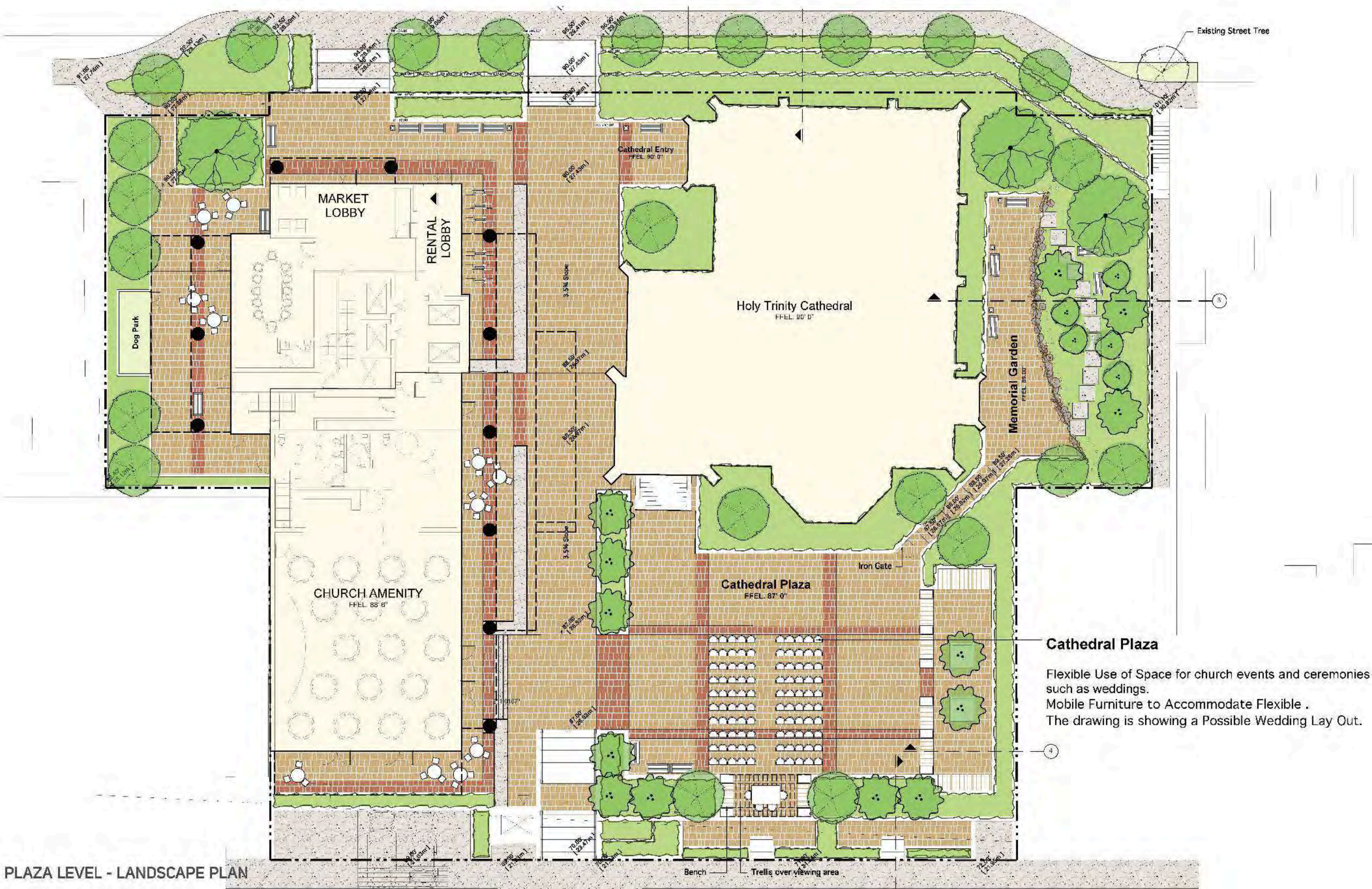




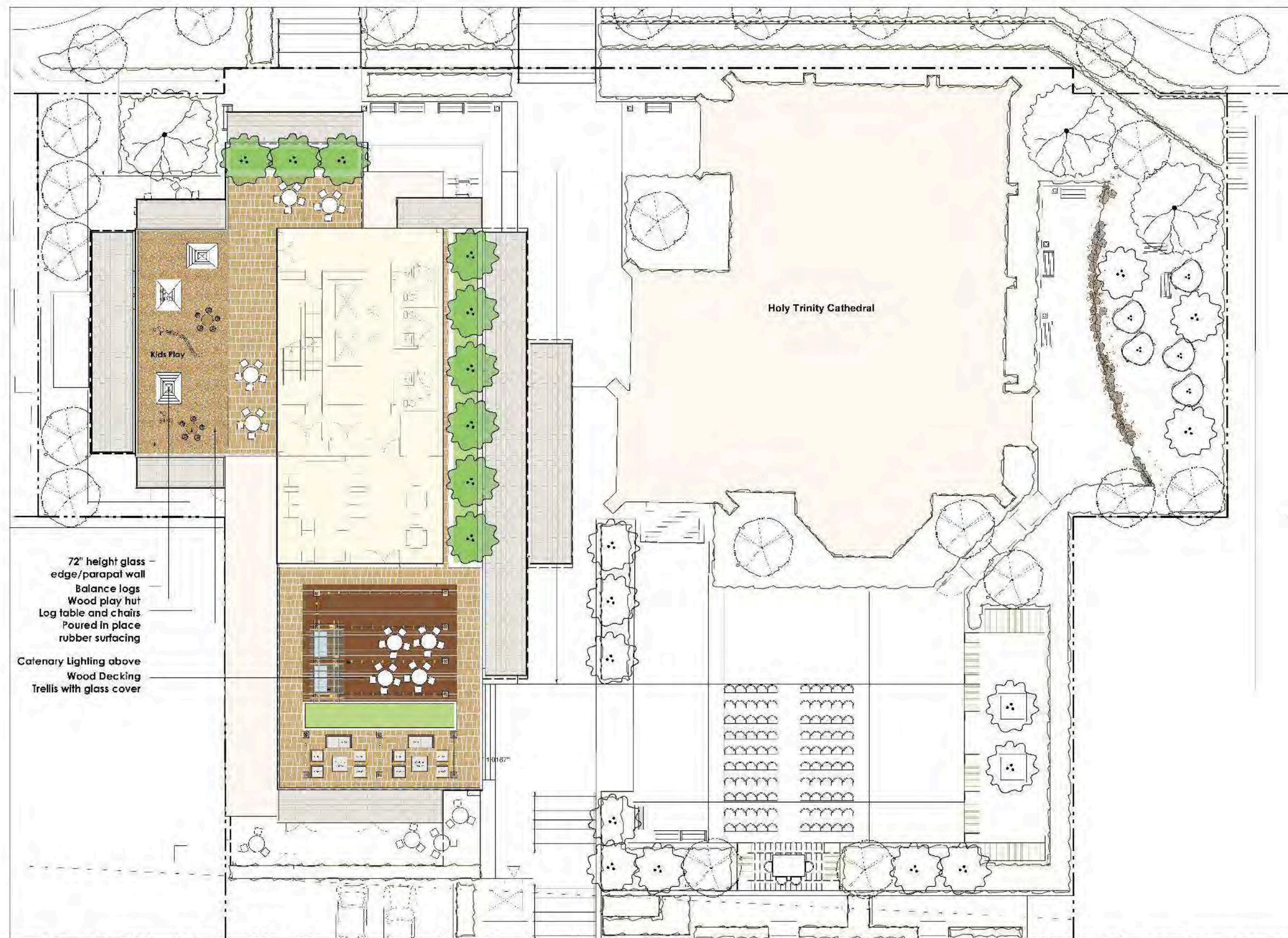
PERSPECTIVE FROM CLARKSON + CHURCH



PERSPECTIVE FROM CARNARVON



PLAZA LEVEL - LANDSCAPE PLAN



ROOFTOP GARDEN AMENITY SPACE