

Attachment #6

*Extract of January 27, 2020 and
August 30, 2021 Land Use and Planning
Committee (LUPC) Meeting Minutes*

REGULAR MEETING OF THE LAND USE AND PLANNING COMMITTEE

January 27, 2020 at 10:00 a.m.
Council Chamber, City Hall

MINUTES - Extract

5. 208 Fifth Avenue: Heritage Revitalization Agreement

Britney Dack, Heritage Planner, provided a presentation with respect to the above-noted report dated January 27, 2020, after which the applicant, Ms. Jillian Jamieson, shared her own presentation with the Committee.

In response to questions from the Committee, the proponents provided the following comments:

- The tree, described as “a monster tree,” is planted in an inappropriate location on the property, and has been causing issues with drain tile, etc. The City has advised that removal of the tree is a civil matter, therefore, consent for the removal of the tree is being sought from the neighbor;
- The reduction of the proposed FSR to 0.65 for the new build would likely be reduced square footage in the basement; and,
- The house started out at an FSR of approximately 0.8 and throughout the design process and many consultations with staff, the density and massing has come down enough to generally satisfy City guidelines.

In response to a question from the Committee, staff advised that 20 percent of lot depth is required for the front yard setback.

Discussion ensued, and the Committee provided the following comments:

- A Committee member voiced concern with the garage at the front of 208 Fifth Avenue noting that many residents in the area park on the street and utilize their garages for storage or living space, while another Committee member shared that they had no concerns with the garage;
- Overall, the design of the project is pleasing, however, the density is concerning;

- The tree issue must be resolved before the project can move forward as the site design will impact where the garages are located;
- The design flow of the house provides quality of life for the neighbours and livability for the house owners;
- The proposal makes sense in terms of design and is a good way to split the lot while maintaining the streetscape;
- The scale of the project is supported;
- A Committee member expressed support for the new build's garage as the street operates as a back lane;
- Staff's position regarding the house located at 208 Fifth Avenue is supported; and,
- The City should maintain consistency with respect to the Queens Park Conservation Area guidelines that addresses getting garages off the street.

MOVED AND SECONDED

***THAT** the Land Use and Planning Committee endorse the recommendations summarized in Section 6 of the report dated January 27, 2020, titled, "208 Fifth Avenue: Heritage Revitalization Agreement – Preliminary Report," and direct staff to work with the applicant to integrate the Committee's feedback prior to proceeding with public consultation;*

***THAT** the Land Use and Planning Committee recommend that staff proceed with processing the Heritage Revitalization Agreement as outlined in Section 5 of this report, once the Committee's feedback has been integrated into the proposal; and,*

***THAT** the Land Use and Planning Committee direct staff to advise the applicant that an HRA which would allow a density increase to the new house could be further explored, provided that the proposal aligns with similar HRAs at a maximum of 0.65 FSR.*

CARRIED.

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

REGULAR MEETING OF THE LAND USE AND PLANNING COMMITTEE

August 30, 2021

**Meeting held electronically under Ministerial Order No. M194/2020
And in Council Chambers**

MINUTES - Extract

6. 208 Fifth Avenue: Heritage Revitalization Agreement

Britney Dack, Senior Heritage Planner, reviewed the August 30, 2021 staff report and provided a PowerPoint presentation of the proposal to subdivide the lot located at 208 Fifth Avenue into two smaller lots, including the long-term legal heritage protection of the 1910-built Calbicks House, which outlined the site context, zoning bylaw relaxations, and other considerations. Ms. Dack noted that staff are seeking feedback on the following:

- Proposed open carports which will require relaxations in the Heritage Revitalization Agreement Bylaw for an attached accessory area and setbacks which is creating additional mass and bulk; and,
- Support to make the heritage house's partially at-grade basement space suite ready with life safety improvements as the house is being moved forward onto a new foundation, presenting the opportunity do so.

Gillian Jamieson, Applicant, provided a PowerPoint presentation and provided the following information:

- The proposal has previously been reviewed at LUPC and Community Heritage Commission meetings as well as at a public open house in May 2021 and it is surprising that it has come back to the LUPC again which makes it feel the criteria for the project has changed;
- Photo examples of various types of carports and garages existing throughout the neighbourhood;
- Review of amendments made to their proposal in order to meet regulations with respect to a secondary suite; and,

- Noted that Heritage Revitalization Agreements in progress were not be affected by changing requirements or policies such as the temporary pause Council placed on processing such applications in June of 2021.

In response to questions from the Committee, Ms. Dack and Emilie Adin, Director of Development Services, provided the following comments:

- Staff are supportive of this HRA and have worked with the proponents to address livability and usability guidelines; however, two items that remain outstanding include life safety and buildability components with respect to a potential future secondary suite which could be addressed without major design or reconstruction of the basement, as well looking at the number and extent of relaxations required as part of the HRA Bylaw for the proposed carports given the already large massing on the houses;
- When considering the addition of a carport, the number and extent of relaxations required are reviewed as part of the HRA Bylaw; however, the houses for this project have reached maximum mass capacity for the lot size. As the option to reduce mass by increasing density or expanding the site cannot be done here, attached and accessory spaces will be reviewed; and,
- The life safety issue is being addressed preemptively in order to lessen the inordinate costs of obtaining permits after a building is constructed which may lessen the number of illegal suites, which are a majority in New Westminster as in other municipalities.

In response to questions from the Committee, Kirsten Sutton, Architect at D3 Design, provided the following comments:

- Once the heritage house is placed on a new foundation, a majority of the Building Code issues would be addressed; therefore, the only life safety concern with an illegal suite would be that it would not have a dedicated heating system; and,
- A detached garage could be placed right against the property line if constructed as a fire resistant structure which would be in keeping with the Queen's Park design guidelines.

Discussion ensued and the Committee provided the following comments:

- Introducing the requirement of life safety measures this late in the process is overreaching and not supported at this time as they can be dealt with in the future;
- Do not support a carport as they often become storage, creating a mess on the property;

- Proponent should continue to work with staff regarding the carport;
- Although added later in the process, the life safety requirements may help with the housing crisis; however, a policy should be in place so that applicants know what to expect;
- As this is a small lot subdivision, compromises must be made to ensure that we do not see two massive homes on a small amount of land and staff should continue to work with the proponent to see that this does not happen;
- Staff should continue to work with the proponent to ensure that the site reflects as an attractive Heritage Revitalization Agreement and shows the community that this is something that can be accepted and contribute positively to the community.

MOVED and SECONDED

THAT, as outlined in the August 30, 2021 report titled, “208 Fifth Avenue: Heritage Revitalization Agreement,” the Land Use and Planning Committee recommends that the applicant reduce the proposed building bulk prior to the application being forwarded to Council for consideration; and

THAT the Land Use and Planning Committee recommends that staff do not require the applicant to include key life safety features to support future conversion of the heritage house basement to a secondary suite, prior to the application being forwarded to Council for consideration.

CARRIED.

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