

REPORT

Climate Action, Planning and Development

To: Advisory Planning Commission **Date:** December 19, 2023

From: Wendee Lang, Development Planner **File:** OCP00036
HER00830-32

Item #: 2023-830

Subject: **Official Community Plan Amendment and Heritage Revitalization Agreement: 501 Fourth Avenue and 408 Fifth Street (Holy Eucharist Cathedral)**

RECOMMENDATION

THAT the Advisory Planning Commission provide a motion of support or non-support for the proposed Official Community Plan Amendment and Heritage Revitalization Agreement applications.

EXECUTIVE SUMMARY

This report provides information to the Advisory Planning Commission in regards to Official Community Plan (OCP) amendment, Heritage Revitalization Agreement, and Development Permit applications that have been received for 501 Fourth Avenue and 408 Fifth Street.

These applications propose:

- Retention, restoration, and long-term legal protection of the existing cathedral;
- Construction of secured purpose-built, non-profit childcare facilities, including expansion of the existing daycare program from 22 to 49 spaces; and,
- Provision of 17 secured market rental housing units and five ownership housing units.

The above would be accommodated through construction of a six-storey, low-rise building on the west side of the site (transitioning down to one storey), and a two-storey residential building on the north side of the site (the “manor” house). Proposed vehicle and bicycle parking is compliant with the Zoning Bylaw and would be provided primarily

below the low-rise building. The purchase of approximately 129.2 sq. m. (1,390.7 sq. ft.) of City-owned land, an unopened right-of-way currently used as a pedestrian connection, would be required to facilitate the development.

Community engagement on this project has been ongoing since May 2022.

1.0 PURPOSE

The purpose of this report is to provide information to the Advisory Planning Commission on the proposal, and to request that the Commission provide a motion of support or non-support for this application. The heritage-related and urban design aspects of this proposal have been reviewed by the Community Heritage Commission and the New Westminster Design Panel.

2.0 PROPOSAL

2.1 Overview

The project proposes the retention, restoration and long-term legal protection of the existing Holy Eucharist Cathedral and construction of two new buildings: one six-storey mixed-use building west of the cathedral, and a new two-storey residential rectory or “manor” house north of the cathedral. A Floor Space Ratio of approximately 1.42 is proposed.

The six-storey building would contain purpose-built, non-profit childcare space for 49 children, as well as 17 secured market rental housing units and two ownership housing units. All market rental housing units would be secured through a Housing Agreement and rental tenure only zoning. Three ownership housing units would be provided in the manor house.

The Official Community Plan amendment application would change the site’s land use designation from (RD) Residential – Detached and Semi-Detached Housing to (ML) Mixed Use – Low Rise. The Heritage Revitalization Agreement application would relax the existing Public and Institutional Districts (Low Rise) (P-1) and Single Detached Residential Districts (Queen’s Park) (RS-4) to permit the proposed form of development.

The applicant’s land use rationale is attached as Appendix A and architectural and landscape drawings are included in Appendix B.

2.2 Project Statistics

Below is a study of the project statistics:

	Permitted / Required Under Existing P-1 and RS-4 Zoning	Proposed
Existing Site Area (gross)	-	2,242.5 sq. m. (24,138.1 sq. ft.)
Site Frontage	-	44.8 m. (147.0 ft.)
Average Lot Depth	-	35.9 m. (117.8 ft.)
Floor Space Ratio	RS-4: 0.5 FSR P-1: 0.6 FSR	1.42 FSR
Site Coverage	RS-4: 35% P-1: 40%	58.1%
Building Height	RS-4: 10.67 m. (35 ft.) P-1: 9.14 m. (30 ft.)	22.37 m. (73.4 ft.)
Residential Units	RS-4: 3 units (1 principal, 2 secondary) P-1: -	22 principal units
Residential Unit Mix	Family Friendly Housing Requirements <u>Secured market rental:</u> 2 and 3 bedroom: minimum 25% 3 bedroom: minimum 5% <u>Ownership housing:</u> 2 and 3 bedroom: minimum 30% 3 bedroom: minimum 10%	<u>Secured market rental:</u> Studio: 9 (53%) 1 bedroom: 2 (12%) 2 bedroom: 5 (29%) 3 bedroom: 1 (6%) Total rental units: 17 <u>Ownership housing:</u> 2 bedroom: 1 (20%) 3 bedroom+: 4 (80%) Total ownership units: 5
Off-Street Parking		
Residential	18	18
Visitor	2	2
Institutional	13	13
Bicycle Parking		
Long Term	33	33
Short Term	12	12

2.3 Heritage Value of the Cathedral

The cathedral is a high value heritage site in New Westminster, possessing cultural value for its role in preserving Ukranian culture, language and traditions, as well as architectural significance. Though it is located in the Queen’s Park Heritage Conservation Area (HCA), it was exempted from the HCA policy due to its existing institutional use, and could be demolished. Through this application, the cathedral would be protected with a Heritage Designation Bylaw and restored. The Heritage Conservation Plan and Statement of Significance are in Attachment F.

2.4 City Land

Consolidation of the site would require purchase of approximately 129.2 sq. m. (1,390.7 sq. ft.) of City-owned land, which consists of an undersized, unopened right-of-way (ROW) currently used as an informal pedestrian connection. Following an interdepartmental review, this ROW is considered surplus to the City’s needs, given that it provides no direct access to adjacent properties, nor are utilities or services located within the lane. Sale of the land would be a condition of final adoption.

3.0 POLICY AND REGULATIONS

3.1 Official Community Plan

Land Use Designation

The OCP designation for the entire site is Residential – Detached and Semi-Detached Housing (RD). The intent of this designation is low-density uses such as houses, secondary suites, laneway or carriage houses and duplexes. This land use designation does allow for places of worship and small-scale commercial or institutional uses (such as child care).

Though the uses proposed in this project would be consistent with this designation, the scale of the uses, and the incorporation of multi-family residential units in a low-rise form, does not align with the intent of the designation. An OCP amendment would be required for the project to proceed. The Mixed Use – Low Rise (ML) designation best reflects the proposal.

Uptown Development Permit Area

Due to the current land use designation (RD), this site was not included in the Development Permit Area (DPA) for the Uptown commercial district. The intent of this DPA is to foster a community-based, walkable mixed-use area, with a strong pedestrian-oriented public realm.

Staff recommend that an application to amend the OCP would include the site’s change of land use designation and inclusion in DPA 4.1 Uptown. This would ensure that design of the new buildings, and any future changes, would be consistent with the DPA guidelines and the goals for the Uptown area. This DPA envisions a mix of low- and high-rise buildings that transition to single detached dwellings in adjacent neighbourhoods.

3.2 Zoning Bylaw

The property at 501 Fourth Avenue, on which the cathedral is sited, is zoned Public and Institutional Districts (Low Rise) (P-1). The intent of this district is to allow low density institutional uses such as places of worship. The existing cathedral is non-conforming with this zoning district due to its density, height, and siting.

The property at 408 Fifth Street is zoned Single Detached Residential Districts (Queen's Park) (RS-4). The intent of this district is to allow single detached dwellings with secondary suites and laneway or carriage houses, while providing incentives for Queen's Park Advanced Category Houses. The existing house is not an advanced category house, and is thus not protected under the Queen's Park Conservation Area.

The overall proposal is not consistent with the site's existing zoning. Site specific zoning to enable the development is proposed through the Heritage Revitalization Agreement.

3.3 Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a negotiated agreement between the City and a property owner for the purpose of heritage conservation. In exchange for long-term legal protection through a Heritage Designation Bylaw and exterior restoration, certain zoning relaxations including increased height and density, are considered appropriate incentives that offer property owners a financially viable means for conservation. An HRA is not legally precedent setting as each one is unique to a specific site. The *Policy for the Use of HRAs* lays out the process for HRAs and the relaxations which may be considered.

3.4 Secured Market Rental Housing Policy

This project would provide secured market rental housing (17 units) and support the City's objective of increasing the supply of rental housing and ensuring security of tenure over time. The applicant will be required to enter into a Housing Agreement with the City as a condition of the OCP Amendment and HRA applications. The HRA would further restrict residential tenure of the six-storey building to rental.

3.5 Family Friendly Housing Policy

Per the City's Family-Friendly Housing Policy, the secured market rental portion of the development would be required to provide a minimum of 25% two and three bedroom units, of which at least 5% would need to contain three or more bedrooms. The ownership housing component of the development would be required to provide a minimum of 30% two and three bedroom units, of which at least 10% would need to contain three or more bedrooms. The proposal is compliant with these requirements.

4.0 BACKGROUND

4.1 Site Characteristics and Context

The subject site, which includes two properties, is located at the corner of Fourth Avenue and Fifth Street on the western edge of the Queen's Park neighbourhood and Heritage Conservation Area. The Holy Eucharist Cathedral, built in 1968, is located at 501 Fourth Avenue, and has been determined to have heritage value. The site also contains a house, the City-owned lane proposed for purchase, and parking. There are currently 22 childcare spaces and 30 parking spaces on the site.

The west side of Fifth Street consists primarily of protected heritage houses. To the east, across Fifth Street are two three-storey apartment buildings.

Figure 1: Site Context Map with 501 Fourth Avenue and 408 Fifth Street in blue



4.2 Proximity to Transit Service

The site is one block west of Sixth Street, which is classified as a collector road and Great Street by the Master Transportation Plan. Sixth Street is also part of the frequent transit network (FTN) and a commercial precinct. Both Fifth Street and Fourth Avenue are classified as local roads. The site is roughly 540 m. (1,771.6 ft.) south of the Crosstown Greenway.

Table 1: Site Proximity to Transit Service

Bus Service	Approx. Frequency	Approx. Distance
#106	10 minutes	49 m. (160.8 ft.) to Sixth Street at Fourth Avenue
#123	15 minutes	390 m. (1,279.5 ft.) to Eighth Street at Fourth Avenue

5.0 ANALYSIS

5.1 Official Community Plan Amendment

The proposed development is not consistent with the site’s existing OCP land use designation (Residential – Detached and Semi-Detached Housing). As such, an OCP amendment to Mixed Use – Low Rise would be required for the project to proceed. This

designation supports four- to six-storey mixed-use commercial and residential projects, which could also include community amenities such as churches and childcare space, both of which would be provided through the proposed development.

As stated previously, the site is in close proximity to the Uptown commercial precinct and Sixth Street, which is a Great Street and Frequent Transit Network route. Properties west of the subject site, along the east side of Sixth Street are similarly designated Mixed Use – Low Rise. As such, and in light of the proposed community benefits, it could be warranted to consider an application for a six-storey mixed-use, multi-family building and two-storey manor house on this site.

5.2 Balance of Benefits

Overall, the proposal is considered to provide significant community benefits that address a number of Council priorities. These benefits include:

- Retention, restoration, and long-term legal protection of Holy Eucharist Cathedral;
- Construction of purpose-built, non-profit childcare facilities, including expansion of the existing daycare program from 22 to 49 spaces;
- Provision of 17 secured market rental housing units, consistent with the Family-Friendly Housing Policy; and,
- Voluntary amenity contribution (\$25,000)

Part of consideration of this project is determining if there is a balance between community and development benefits.

5.3 Building Massing and Transition

The OCP anticipates development of four- to six-storey buildings along the east side of Sixth Street. Projects proposing six storeys would only be considered should appropriate community amenities be proposed. Using this as a guiding principle, the project would be eligible for a sixth storey under the Mixed Use – Low Rise designation, given provision of non-profit childcare, heritage conservation, and secured market rental housing.

The project proposes siting of the six-storey mixed-use building along the west edge of the property, closest to Sixth Street. The second storey of the building steps back 2.46 m. (8.1 ft.) from Fifth Street, to develop an appropriate pedestrian scale. To create an appropriate transition to the adjacent single-detached property, the massing at the rear of the building steps down to one storey. The two-storey manor house fronting Fourth Avenue is intended to continue the rhythm of this street, which is populated primarily with single detached houses.

Relationship to Heritage Cathedral

Consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, the new six-storey building has been designed to be subordinate to and distinguishable from the existing cathedral. This is proposed through building siting, its contemporary form, and materiality. Finishes and detailing on the new building are further intended to be simple, while referencing elements of the heritage cathedral.

5.4 Childcare

The proposal includes 49 childcare spaces, which would be managed by the existing non-profit operator. Allocation of childcare spaces would be as follows:

- 2 infant and toddler groups each with 12 children; and,
- 1 group of 25 children aged 30 months to school age.

Outdoor play areas would be provided at ground level east of the cathedral, and on the second storey outdoor deck. Purpose-built childcare facilities including stroller parking, staff offices, and on-site laundry would also be located on this floor. Increased childcare spaces, especially with non-profit providership, is in support of the City’s Childcare Strategy and Child and Youth Friendly Community Strategy. The space would be secured for childcare use and non-profit operation through a restrictive covenant as a condition of adoption.

5.5 Off-Street Parking and Circulation

The proposal includes 33 off-street parking spaces, which is consistent with Zoning Bylaw requirements. A total of 18 resident parking spaces, two visitor spaces, and 13 institutional spaces are proposed. Childcare and church parking would be shared, which is supportable given that peak periods for each use differ. Consistent with Zoning Bylaw requirements, 33 long-term bicycle parking spaces and 12 short-term bicycle stalls are proposed.

A relaxation is proposed to reduce the required off-street loading spaces from one to zero. On-street solid waste pickup is proposed from the lane and Fifth Street. Given the site constraints and current use of the lane and Fifth Street for solid waste pickup, this relaxation is considered acceptable.

6.0 PUBLIC AND COMMITTEE CONSULTATION

6.1 Applicant-led Public Consultation

Applicant-led public consultation included an online survey, two public open houses (one virtual and one in-person) and a project website, and residents within 100 m. (328 ft.) of the project were notified of opportunities to submit feedback. A total of 20 community members attended the in-person open house, four attended the virtual

open house, and 21 survey responses were received. Appendix H includes a description of the consultation process and all received feedback. Common themes among responses included mixed feedback for the proposed site program, overall project design and density, and concerns regarding potential traffic impacts. Staff note that the proposed building height is consistent with that anticipated by the OCP for adjacent properties along the east side of Sixth Street, and that the proposed number of off-street parking spaces is consistent with Zoning Bylaw requirements.

6.2 OCP Amendment Local Government Act Consultation

Feedback received to date through consultation with local First nations and the Board of Education is summarized below. This feedback has been provided to the applicant for consideration, along with Squamish Nation’s Chance Finds Procedures Policy, per their recommendation.

Squamish Nation recommended that the project consider implementation of climate resilient standards, and that building design anticipate future climate impacts, such as increased temperatures, wind, and rainfall. The Nation also recommended that buildings be designed to net zero carbon emissions and the highest sustainability standards.

The following measures are proposed in response to these comments. A formal response is provided in Appendix H.

Topic of Feedback	Applicant Response
Implementation of climate resilient standards	<ul style="list-style-type: none"> • Passive cooling strategies, including operable windows and shade tree plantings • Landscaping and tree planting strategy intended to enhance on-site water retention and mitigate urban heat island effects
Building design that anticipates future climate impacts	<ul style="list-style-type: none"> • Undergrounding of adjacent electrical and telecommunication utilities
Building design for net zero carbon emissions	<ul style="list-style-type: none"> • Electric vehicle charging infrastructure proposed, per Zoning Bylaw requirements
Building design to highest sustainability standards	<ul style="list-style-type: none"> • Project proposed to meet Step 3 of the BC Energy Step Code, per the City’s requirements

6.3 Community Heritage Commission

The application was presented to the Community Heritage Commission (CHC) on June 1, 2022. The CHC passed the following motion of support for the project:

THAT the Community Heritage Commission recommend that Council support the Heritage Revitalization Agreement for 501 Fourth Avenue and 408 Fifth Street and its inclusion of the cathedral on the City’s Heritage Register.

A copy of the CHC report can be accessed via the following link (refer to item 4.2):
<https://pub-newwestcity.escribemeetings.com/Meeting.aspx?Id=f84954da-d124-4893-b4b9-8b4fa34343f5&Agenda=Agenda&lang=English>

Minutes from the June 1, 2022 CHC meeting can be accessed via the following link:
https://www.newwestcity.ca/database/files/library/CHC_2022_Jun_1_CHC_Minutes.pdf

6.4 New Westminster Design Panel

The application was presented to the New Westminster Design Panel (NWDP) on June 28, 2022. The NWDP passed the following motion of support for the project:

THAT the New Westminster Design Panel support the project with the recommendation that the applicant address the above matters to the satisfaction of Planning staff.

In response to comments from the NWDP, the applicant completed the following:

- Confirmed that vantages from residential circulation areas provide only minimal overlook onto the children's play space; and,
- Reduced the footprint of the manor building to increase the size of the courtyard area.

A copy of the NWDP report can be accessed via the following link (refer to item 4.2):
<https://pub-newwestcity.escribemeetings.com/Meeting.aspx?Id=936a4947-13c8-4313-a351-67816be2f8ac&Agenda=Agenda&lang=English>

Minutes from the June 28, 2022 NWDP meeting can be accessed vial the following link:
https://www.newwestcity.ca/database/files/library/NWDP_2022_Jun_28_Minutes_OL.pdf

6.5 Advisory Planning Commission

Given that an OCP amendment is proposed, consideration by the Advisory Planning Commission is required. The meeting has been advertised by:

- Postcard mailed to all owners and occupants within 100 m. (328 ft.) of the site. A total of 183 postcards were distributed;
- Letters were sent to the Queen's Park Residents' Association, New Westminster School District, and local First Nations; and,
- Information was posted on the Be Heard New West project page and advertised on City Page.

7.0 INTERDEPARTMENTAL LIAISON

The City has a project-based team approach for reviewing development applications. A staff-led project team was assigned to review this project and consists of staff from Engineering (Servicing and Transportation), Fire, Electrical, Parks and Recreation, and

Climate Action, Planning and Development (Building, Planning, Trees, and Heritage) Departments, who have provided comments throughout the development review process.

8.0 PROCESS

8.1 Application Review Process

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

- 1. Preliminary report to Council (April 25, 2022);
- 2. Applicant-led consultation, including dissemination of information to the Queen’s Park Residents Association (May and June 2022);
- 3. Review by the Community Heritage Commission (June 1, 2022);
- 4. Presentation to the New Westminster Design Panel (June 28, 2022);
- 5. Consultation with outside agencies and organizations impacted by the Official Community Plan Amendment as required by Sections 475 and 476 of the Local Government Act (July and November 2022);
- 6. Presentation to Advisory Planning Commission (**WE ARE HERE**);

Next Steps:

- 7. Council consideration of First and Second Readings the OCP amendment, Heritage Revitalization Agreement, road closure, and land disposition bylaws;
- 8. Public Hearing and Council consideration of Third Reading of the bylaws;
- 9. Completion of adoption requirements;
- 10. Council consideration of adoption of the bylaws;
- 11. Issuance of the Development Permit / Heritage Alteration Permit by the Director of Climate Action, Planning and Development.

9.0 LAND USE QUESTIONS FOR APC

The Advisory Planning Commission is being asked to review the Official Community Plan amendment and Heritage Revitalization Agreement applications for this project, and provide feedback related to the following:

- 1. Does the Commission support consideration of a six-storey residential and childcare building, and two-storey manor house, aligned with the Mixed Use – Low Rise (ML) land use designation at this location?
- 2. Does the Commission feel sufficient community amenities are provided to consider an Official Community Plan amendment for this project?

ATTACHMENTS

Appendix A: Land Use Rationale

Appendix B: Architectural and Landscape Drawings

Appendix C: Draft Official Community Plan Amendment Bylaw No. 8361, 2024

Appendix D: Draft Heritage Revitalization Agreement Bylaw No. 8362, 2024

Appendix E: Draft Heritage Designation Bylaw No. 8363, 2024

Appendix F: Heritage Conservation Plan and Statement of Significance

Appendix G: Engineering Servicing Memo

Appendix H: Applicant-led Public Consultation Summary Report and Response

This report was prepared by:

Wendee Lang, Development Planner

This report was reviewed by:

Mike Watson, Acting Manager, Development Planning