

Attachment 3  
*Background Information*

## **BACKGROUND INFORMATION**

### **Policy and Regulations Summary**

#### *Queensborough Community Plan*

The subject property is designated (RL) Residential – Low Density, which is described, in part, as follows:

*Purpose:* *To allow low density residential uses.*

*Principal Forms and Uses:* *Single detached dwellings and duplexes. Single detached dwellings may also include a secondary suite.*

#### **Projects with Heritage Assets**

The Queensborough Community Plan (QCP) encourages the use of HRAs when retention of a heritage asset is contemplated. Through use of an HRA, the QCP designation may permit the following housing forms: detached accessory dwelling units (e.g., laneway house, carriage house), duplexes, triplexes, quadraplexes, cluster houses, infill townhouses and rowhouses.

The proposed townhouse development meets the above criteria given that the Northern red oak tree is considered a heritage asset.

#### *Development Permit Area*

The subject property is not located in a form and character Development Permit Area (DPA). However, given the proposed multi-unit residential typology, form and character review would be in light of the QB3 East Queensborough DPA design guidelines.

The site is located within the QE1 Flood Hazard DPA. Guidelines for this DPA are intended to minimize potential for loss of life and property damage during a flood event, while allowing for the continued use of industrial lands.

#### *Zoning Bylaw*

The subject property is located within the RQ-1 (Queensborough Neighbourhood Residential Dwelling Districts), which permits single detached dwelling units. The intent of this district is to allow single detached dwellings. The proposal would not be consistent with the current zoning, and as such, a rezoning or HRA is required. Given that retention of a heritage asset is proposed, an HRA is appropriate to enable the project. Similar to a rezoning, the HRA would permit townhouse development and facilitate the proposed relaxations, while providing greater ability to enforce heritage provisions secured through the development review process.

The primary proposed relaxations are to permit a building form, density and height consistent with the RT-3A zone. Minor relaxations are proposed to the RT-3A zone side and rear setbacks, and to minimum building separation, to protect the oak tree's significant critical root zone. The HRA would also relax required visitor parking from 2 to 0 spaces; required short-term bicycle parking from 2 to 0 spaces; permit siting of a driveway access within 1.0 m. (3.3 ft.) of a street and lane intersection, and 0.5 m. (1.6 ft.) from a side site line; enable a tandem parking orientation for 42% of resident stalls; and, remove the requirement for scooter parking given that a parkade is not proposed. Per the City's typical process, minor density, siting and massing allowances have been incorporated into the HRA.

### *Heritage Revitalization Agreement*

An HRA is a negotiated agreement between the City and a property owner for the purposes of heritage conservation. In exchange for long-term legal protection through a Heritage Designation Bylaw and restoration and/or maintenance, certain zoning relaxations are considered. An HRA does not change the zoning of the property; rather, it adds a new layer that identifies elements of the zone to be varied or supplemented. An HRA is not legally precedent setting as each one is unique to a specific site.

When Council considers entering into an HRA with a property owner, one of the objectives is to balance benefits to the property owner with the benefits to the public. In this proposal, the heritage benefit to the community is retention of the oak tree, and the full legal protection of the tree through a Heritage Designation Bylaw. Per the City's Policy for the Use of Heritage Revitalization Agreements relaxations to density, siting and/or parking may be considered in exchange for protection of a heritage asset.

### Heritage Related Design Guidelines

In 2008, Council endorsed *The Standards and Guidelines for the Conservation of Historic Places in Canada* as a basis for assessing heritage conservation projects within the city. These are national guidelines for best practice in heritage restoration, rehabilitation, and design. The goal of the Standards and Guidelines is to promote heritage conservation best practice while ensuring respectful and sensitive new construction. HRA applications are evaluated against these guidelines.

### *Heritage Designation Bylaw*

A heritage property which is the subject of an HRA is also protected by a Heritage Designation Bylaw. A Heritage Designation Bylaw is a form of land use regulation that places long-term legal protection on the land title of a property. Any changes to a protected heritage property must first receive approval from City Council (or its delegate, the Director of Climate Action, Planning and Development) through a Heritage Alteration Permit (HAP). Future development is no longer entitled, but could be permitted by Council with an HAP. HAP applications are also evaluated by staff against the Standards and Guidelines.

### *Heritage Register*

A heritage asset that is protected by a Heritage Designation Bylaw is also listed on the City's Heritage Register. The Heritage Register is an official list of properties identified by the City as having heritage value or heritage character. The City created a Heritage Register in 1994 and currently has over 200 properties listed, which include single family dwellings (the majority of listings), commercial buildings, parks, roads and a tree. A property, building or feature may only be added or removed from the Register by order of Council.

The Heritage Register is used to identify heritage assets in the city, both those that have been legally protected through Designation, and those that are not legally protected but have heritage merit. It is also a planning tool through which the City can work with property owners to identify opportunities for retaining buildings or landscape features with heritage merit. Beyond the advantage to the community of protecting the city's heritage, property owners may also benefit directly from retaining a heritage building. For example, properties listed on a Heritage Register are eligible for special provisions in the BC Building Code and the Homeowner Protection Act.

### *Building Bylaw No. 8125, 2019*

The Building Bylaw includes the following provisions regarding construction in Queensborough:

#### 9.1 All buildings or structures located in Queensborough Area shall:

##### 9.1.1 Comply with the City's Queensborough Construction Guidelines; and

##### 9.1.2 Have their minimum finished floor elevation, including crawl space and basement floors, not lower than 1.52 m (5 feet) above the geodetic datum or 150 mm (6 inches) above the center of the road abutting the property, whichever elevation is greater, provided, however, that where the center of the road elevation proves to be impractical in the opinion of the Building Official, the minimum elevation shall be 150 mm (6 inches) above natural grade which will be established by the Director of Engineering. The elevation of the finished grade of the yard must be at least 50 mm (2 inches) lower than the elevation of the crawl space floor, basement floor or ground floor.

### *Family-Friendly Housing Policy*

Per the City's Family-Friendly Housing Policy, the development would be required to provide a minimum of 30% two- and three-bedroom units, of which at least 10% of the overall number of units would contain three or more bedrooms. All units proposed through this application would have three bedrooms, exceeding policy requirements.

## *Infill Housing*

The proposal is consistent with the OCP goals of providing more “missing middle” housing forms such as laneway/carriage houses, town/row houses, duplexes and triplexes. Given the proposed size of the infill townhouse development, with unit sizes of approximately 125.4 sq. m. (1,350 sq. ft.) excluding attached garages, the project is similar to recent developments approved on the Mainland and in Queensborough.

## **Preliminary Application Review**

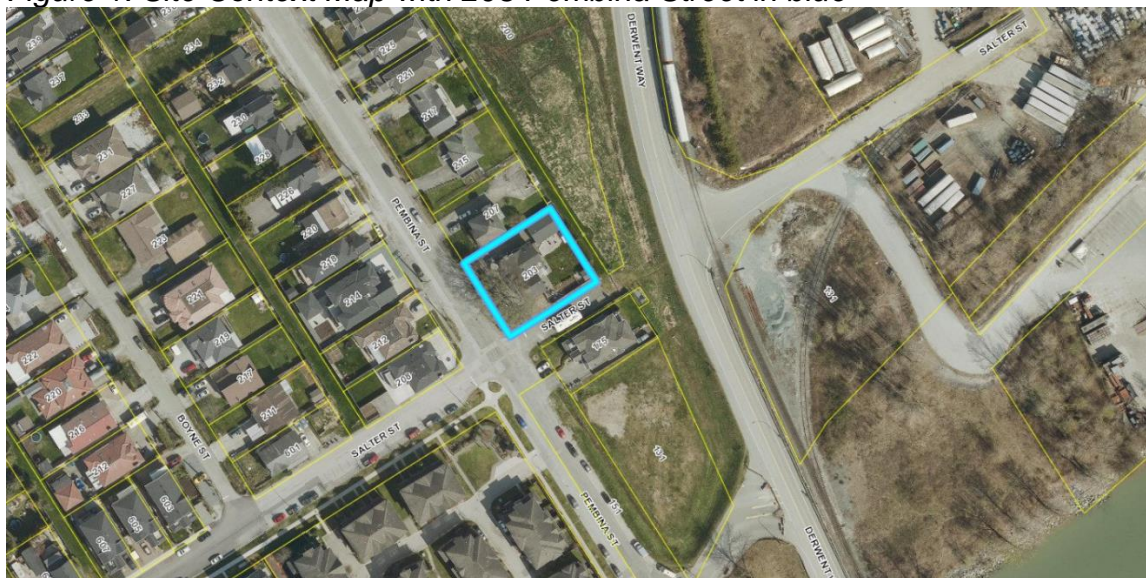
A Preliminary Application Review (PAR) for this project was submitted on December 7, 2021. Staff presented the PAR to the Community Heritage Commission on April 6, 2022 and July 6, 2022. The minutes for these meetings are available on the City’s website: <https://www.newwestcity.ca/committees/articles/4908.php>

The PAR was presented to the Land Use Planning Committee (LUPC) on September 26, 2022. The LUPC advised the applicant to consider an HRA to protect the Oak tree. The minutes for this meeting are available on the City’s website: [https://www.newwestcity.ca/database/files/library/LUPC\\_2022\\_Sep\\_26\\_Minutes.pdf](https://www.newwestcity.ca/database/files/library/LUPC_2022_Sep_26_Minutes.pdf)

## **Site Characteristics and Context**

The subject site has an area of 1,068.8 sq. m. (11,504.5 sq. ft.) and is located in Queensborough. There are two street frontages (Pembina Street and Salter Street) and an undeveloped lane at the rear. North of Salter Street are single-detached houses and south of Salter Street are townhouse developments. East of the site, across Derwent Way are industrial properties. One 1966 house and a specimen-sized Northern red oak tree is located on the site, fronting Pembina Street.

*Figure 1: Site Context Map with 203 Pembina Street in blue*



## Proximity to Transit Service and Other Sustainable Transportation Options

Both Pembina Street and Salter Street are designated as collector streets, and provide a primary connection for traffic between higher order streets and local streets and their surrounding neighbourhoods. The site is one block north of the Queensborough Perimeter Trail and one block south of the Ewen Avenue Greenway. The sidewalk network surrounding the site is partially complete. Proximate transit service is shown on the table below:

*Table 1: Site Proximity to Transit Service*

<b>Bus Service</b>	<b>Approx. Frequency</b>	<b>Approx. Distance</b>
Bus Route 104 – 22nd St. Station / Annacis Island	30 minute frequency until 8pm then hourly	1,187 feet (362 meters)

## **PROJECT STATISTICS AND RELAXATIONS**

The below table provides preliminary project statistics, with relaxations highlighted.

	<b>Permitted / Required Under the RT-3A Zone</b>	<b>Proposed</b>
Lot area	-	1,068.8 sq. m. (11,504.5 sq. ft.)
Site frontage	-	30.2 m. (99.0 ft.)
Average lot depth	-	35.6 m. (116.7 ft.)
Total FSR <sup>1</sup>	0.90 FSR	0.68 FSR
Residential units	-	6
Building height	10.7 m. (35 ft.)	Building A: 10.15 m. (33.3 ft.) Building B: 10.24 m. (33.6 ft.)
Front yard setback	3.05 m. (10 ft.)	3.66 m. (12.0 ft.)
Rear yard setback	4.57 m. (15 ft.)	2.15 m. (7.1 ft.)
Side yard setback (north)	4.57 m. (15 ft.)	1.80 m. (5.9 ft.)
Side yard setback (south)	4.57 m. (15 ft.)	1.45 m. (4.8 ft.)
Site coverage	40%	36.1%
Distance between buildings	10.81 m. (35.5 ft.)	8.90 m. (29.2 ft.)
Minimum floor area per unit	79.01 sq. m. (850 sq. ft.)	115.7 m. (1,245.0 sq. ft.)
Usable open space	Not less than 10% of gross residential floor area	Exceeds requirement
Off-street parking		
Resident	9	12
Visitor	2	0
Total	11	12
Bicycle parking		
Long-term	9	12
Short-term	2	0
Total	11	12
Vehicle parking access	Access to all parking spaces shall be by driveways and ramps	Access to 42% of parking spaces shall be through a parking space
Driveways and ramps	Driveways shall not be located within 4.57 m. (15 ft.) of the intersection of a street and a lane.	Driveway proposed to be located 2.0 m. (6.6 ft.) from the intersection of a street and a lane.

	<b>Permitted / Required Under the RT-3A Zone</b>	<b>Proposed</b>
	No parking space or maneuvering aisle shall be located within 1.52 m. (5 ft.) of any side or rear site line	Maneuvering aisle proposed to be located 0.5 m. (1.5 ft.) from side site line.
Scooter parking	All buildings containing multiple dwelling uses, congregate housing and hospital uses other than animal hospitals shall provide for a scooter plug and charging area in a minimum 10 sq. metre secure area.	Scooter parking area not proposed.

<sup>1</sup> Per the RT-3A zone, “any flood control area which consists of areas located at grade that are used solely for the purpose of the parking of automobiles and the provision of access to the residential unit” shall be excluded from floor space ratio calculations.