

Attachment 1

Background Information

BACKGROUND INFORMATION

Preliminary Application Review

A preliminary-application (PAR) for the subject site was considered by LUPC in 2019. The PAR included full retention and restoration of the exterior of the heritage building including protected interior features. Construction of the tower was proposed to be supported by a floating load platform, with structural columns around the perimeter of the building. At that time, the proposed density was approximately 17.5 FSR with a building height of 22 storeys, with five levels below Columbia Street for parking. LUPC generally endorsed the following direction:

- 1) That significant density beyond existing zoning entitlements and in the Density Bonus zones could be considered on this site if a hotel, restaurant, and full restoration and retention of protected heritage elements for use in a revitalized theatre are included in the proposal;
- 2) That full retention and restoration of the Columbia Street façade, the Front Street façade, the interior historic features, and all related openings, and the continued community theatre use, be required as part of a formal application for this proposal;
- 3) That a hotel would be considered at this location, and that detailed information regarding hotel operational parameters be sought as part of the formal application process; and
- 4) That significant relaxations to parking, loading, and servicing requirements for all proposed uses be considered as part of a development application on this site, subject to the findings of a comprehensive Transportation Study, including analysis of loading and servicing particularly for the proposed commercial uses but also for residential loading, and provided that an appropriate level of TDM measures could be accommodated.

Summary of Related City Policies and Regulations

Official Community Plan (OCP)

Land Use Designation

The subject site is designated as Columbia Historic Mixed-Use. As per the Downtown Community Plan, this designation requires:

- 1) mixed-use (commercial and/or residential) buildings along Columbia Street;
- 2) retail, office, service, restaurant, entertainment, arts and culture, recreation uses at street level;
- 3) that identified heritage sites be protected;
- 4) that all development on non-heritage sites must respect adjacent heritage;

- 5) façade retention will be encouraged over full demolition of a heritage building;
- 6) non-heritage sites over 13,067 sq. ft. (1,214 sq. m.) may be up to 12 storeys.

The Downtown Community Plan does anticipate additional heights within the Columbia Street Historic District where there is density transfer from a heritage building, or where there is retention of a heritage building. The proposed development is generally consistent with the intent of the Columbia Historic Mixed-Use designation in the OCP.

Economic Development Policy

The Economy and Employment section of the OCP includes policies which strive to foster a strong tourism sector with a focus on the Riverfront, cultural amenities, and historic assets. The Downtown Community Plan within the OCP contains a number of policies related to economic development and growth in the Downtown. One of those policies directs the City to “foster the Downtown as a tourist destination” and specifically to “promote the development of tourism support services (e.g., tours, accommodation).” The Economic Development Plan also includes policies to support tourism accommodation facilities. The hotel units proposed would support such policies.

Retail Strategy

The retail strategy identifies a number of opportunities to improve function of the downtown that this application could address including:

- Modern boutique hotel with event and meeting space, ideally close to New Westminster SkyTrain Station
- Larger-scaled destination restaurants, with large outdoor patios (with Fraser River or Columbia Street views)
- Broader array of arts, entertainment, and culture venues – artist collective, smaller scale live music venues

Downtown Development Permit Area

The site is within the #1 Downtown Development and Special Development Permit Area. The Development Permit Area seeks to support the Downtown’s Regional Town Centre designation in the Regional Growth Strategy.

A Special Development Permit (SDP) issued by the Director of Development Services is required before doing any work which would result in development or alteration to the lands or exterior of buildings on the lands within this portion of the Downtown. SDPs function similarly to a regular Development Permit, but under the New Westminster Redevelopment Act, the City was given special authority to regulate urban redevelopment within this area.

Downtown Building and Public Realm Design Guidelines and Master Plan

The “Downtown Building and Public Realm Design Guidelines and Master Plan” provides guidance in achieving a high quality, cohesive Downtown that honours the historical and cultural context of New Westminster. This document serves as a toolkit to inform public realm improvements both on and off-site within the Downtown.

The subject site is located within the Historic Precinct in the guidelines. This area is described as follows:

“The Historic Precinct and its diverse collection of buildings, public spaces, streetscape, materials and memories along the Columbia Street Corridor define the origins of New Westminster as the original capital of British Columbia. Coined the ‘Miracle Mile’ in the 1940s, this precinct was a regional destination for shopping and commerce in the mid-19th and early 20th century. The Historic Precinct features a rich collection of late-nineteenth and early twentieth century masonry buildings that together create a “sawtooth” profile along Columbia Street. [...] Creating opportunities for animation and whimsy within the Historic Precinct can support the burgeoning art and cultural scene. The use of colour, banners, public art, and temporary pop up installations are encouraged. These creative endeavors complement and create a layering of unique character and sense of place within the heritage precinct.”

Zoning Bylaw (C-8)

The subject site is zoned Columbia Street Historic Comprehensive Development District (C-8) which allows a mix of pedestrian-oriented commercial, institutional and residential uses, supporting the role of Columbia Street as a Historic District. This district allows a total density of 5.2 FSR inclusive of a maximum of 1.2 FSR for residential uses. This district also permits the conversion of commercial to residential density, in exchange for the provision of items such as additional open space, high quality building materials, and seismic upgrades.

The FSR and height proposed for this project are not consistent with the Zoning Bylaw, and the project would require a rezoning and Special Development Permit, or a Heritage Revitalization Agreement and Special Development Permit to enable the approvals for the project.

Heritage Protection

Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a negotiated agreement between the City and a property owner for the purposes of heritage conservation. In exchange for retention and restoration of heritage assets, certain zoning relaxations, including an

increase in density, are considered. Provisions for the local government to negotiate an HRA are set out in Section 610 of the Local Government Act.

Heritage Designation and Conservation Covenants

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) through a Heritage Alteration Permit.

The Columbia Theatre is already legally protected through Heritage Designation. Additionally, a number of interior murals and the exterior façade along Columbia Street are protected through Conservation Covenants, which require ongoing maintenance and protection for those identified heritage features.

New Provincial Legislation

Transit Oriented Development Areas

The subject site is located within the Columbia Station Transit Oriented Development (TOD) Area. The site is in Tier 1 (0-200 m). Properties within Tier 1 may be considered for additional building height and density (20-storeys/5.0 FSR) under the Minimum Density (MD) Framework. The MD Framework does not apply to heritage designated properties. Further, the C-8 zoning allows a total density of 5.2 FSR which exceeds the MD Framework.

On June 24, 2024, Council approved amendments to the Zoning and Development bylaw which remove off-street residential parking requirements within the TOD Areas. Parking requirements for all other uses remain unchanged. Given the reduction in off-street residential parking, additional Transportation Demand Management (TDM) measures may be necessary to support new development.

Interim Development Review Framework

In January 2024, Council approved an interim development review framework to guide existing applications through the review process in light of legislative changes. There are two key components of this policy that applies to this application:

- *OCP Compliant Applications* (Section 2.2 b) i.) – These applications proceed under the current policy context. Stratified developments which trigger amenity charges and inclusionary housing requirements.
- *Transition to Fixed Rates* (Section 3.2 a)) – Existing applications (received prior to January 29, 2024), for which negotiations are underway and progressing for a VAC or in-kind amenity, must continue under the negotiated approach.

Site Characteristics and Context

Site Characteristics

The subject site is located in the heart of historic downtown, near the corner of Columbia Street and Sixth Street. The lot is 8,690 sq. ft. (807 sq. m.) and fronts both Columbia Street and Front Street.

Figure 1: Subject site outlined in yellow



The Front Street access is nearly two storeys below the Columbia Street access due to a significant grade change, sloping down from Columbia Street. The site is within walking distance of rapid transit (335 feet from Columbia Station) and frequent bus transit (26 feet). Below is a summary of the current site statistics:

Figure 2: Existing Site Statistics

Characteristic	Existing Statistics
Site area	8,690 sq.ft. (807 sq.m.)
Lot depth	132 ft. (40 m.)
Lot width	65.8 ft. (20 m.)
Existing floor space	22,380 sq.ft. (2,079 sq.m.)
Floor space ration (FSR)	2.575
Off-street parking	0 spaces

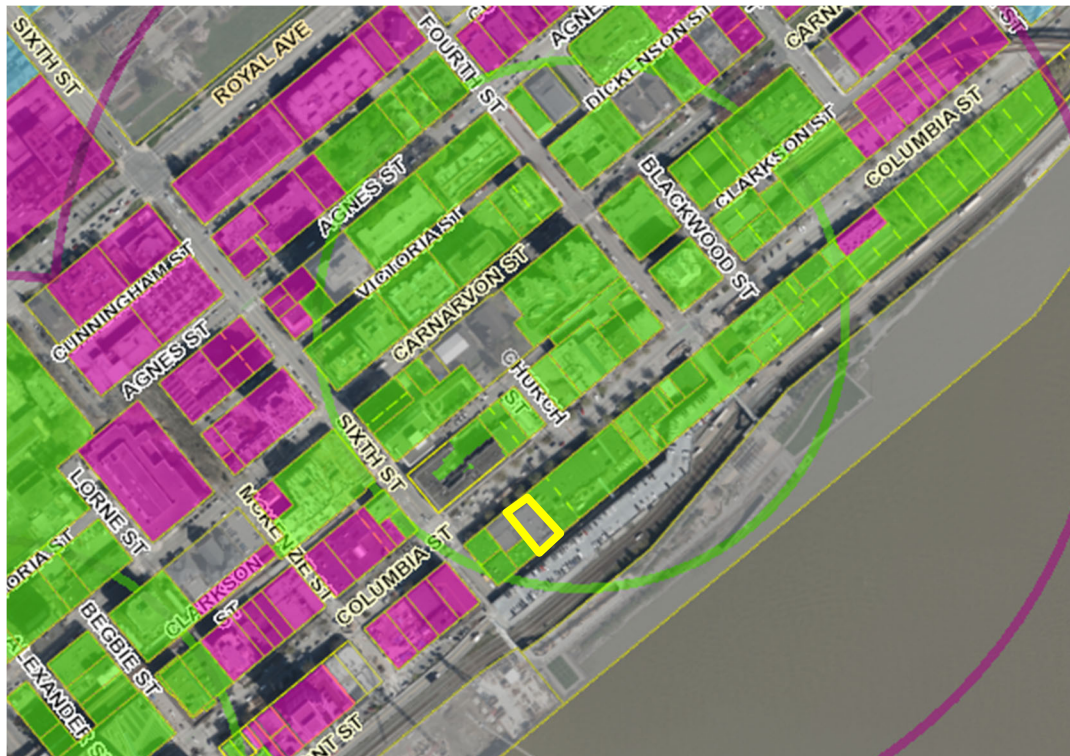
Site Context

To the east of the site is the Army and Navy Department Store building. This building was built in 1948 and is on the City's Heritage Register. The Army and Navy building has a 280 ft. (84.8 m.) frontage on Columbia Street. To the west of the site is the 1911 Bank of Commerce Building; a heritage building which was protected in 2006 through a Heritage Revitalization Agreement. The buildings create a street frontage which is reflective of the historic development pattern in the downtown, and is a significant element of the heritage and street character of the area.

Figure 3: Columbia Street Streetscape including the Columbia Theatre



Figure 4. Site location within Transit Oriented Development (TOD) Area



Note: the subject site is outlined in yellow, but is grey which indicates that it is not an eligible site given existing heritage designation regardless of proximity to the station.

Heritage

History and Heritage Value

The Columbia Theatre (also known as the Burr Theatre) at 530 Columbia Street was built as an atmospheric-style movie theatre, one of the first in the province. The original design could hold up to 970 patrons. The theatre has had a consistent use for cultural production, and the building has high cultural value. The theatre also has historic value for its significant contribution to the distinctive uses and built forms of Columbia and Front Streets, which date from when New Westminster was the major centre of commerce and industry in the region.

In addition to its cultural and historic value, the theatre has architectural and aesthetic value, and is an important landmark. The architects of the Columbia Theatre were Fred Laughton Townley and Robert Michael Matheson who also designed Vancouver City Hall. The façade along Columbia Street is ornate, and features rendered terracotta and small decorative balconies at the upper level. There are very few surviving examples of this style of architecture in the region.

Interior Heritage Features

The theatre was built during the heyday of the North American theatre chains, when the design of the building was considered a key part of the total movie-going experience. The Columbia Theatre's main auditorium retains highly decorative elements from its original construction, including cast plaster features and ceiling panels, with many of the original murals still intact. Currently, there are 16 original plaster features (six at the lower level and ten at the upper level), 18 decorative ceiling panels (eight at the lower level and eleven at the upper level), and six painted mural panels (at the lower level). It is likely that additional murals and other original painting details would be uncovered if the building was restored.

Heritage Protection and Restoration

The Columbia Theatre has high heritage value and is widely recognized as an important historic site through:

- inclusion on the Canadian Register of Historic Places;
- inclusion on the City of New Westminster's Heritage Register;
- being within the Columbia Street Historic District;
- identification in the OCP as a historic building to be protected;
- legal protection, on title, of the entire building's exterior through a Heritage Designation Bylaw (2001);
- Conservation Covenant specifically related to the Columbia Street façade;
- Conservation Covenant specifically related to interior paintings, ceiling tiles, and various cast plaster works.

Any development proposal for the site would be required to retain the protected heritage features. Any changes to protected features require Council approval, and a Heritage Alteration Permit. The Heritage Designation and Conservation Covenants require regular maintenance and small-scale restoration to be completed by the owner of the building, especially for the façade and interior features. However, no large-scale restoration work has been undertaken on either the interior or the exterior in some time.

Staff Summary of Proposed Conservation Work

- Columbia Street façade
 - Restoration to 1927 appearance including reinstatement of replica marquee, entry doors, ticket booth, retail entrances, bulb COLUMBIA sign, and colour scheme.
 - Adaptation of former retail entrances for new uses with signage above. Replacement of diamond patterned plaster panels on upper floor with windows in similar format to provide natural light to new interior.

- Front Street façade
 - Removal of the existing façade (wall) to enable construction, and then reconstruction of Front Street façade.
 - Reinstatement of two of three historic storefronts, with third replaced by garage access.
 - Large existing ghost signs not proposed to be replicated; to be recreated by light projections only.

- Interior – Auditorium
 - Removal / dismantling of auditorium structure. Save and restore what can of plaster elements and proscenium grills for reinstallation in new recreated auditorium.
 - Replicate plaster ceiling arches, corbels, curved mouldings, wood stage, proscenium arches, grills, rope mouldings, flower boxes and light sconces (modern equivalent).
 - Replicate painted base colour of lower walls as per original design.
 - Use lighting technology to recreate the historic painted decorative designs (murals, etc.) of the 1927 theatre.
 - Install level floor as current (rather than reinstating historic sloping floor).
Note: the current auditorium is much smaller than the original due to the modification to two cinemas in 1976 and subsequent uses.

- Interior – Lobby
 - Reconfiguring of space.
 - Reinstatement of ticket booth at centre of entrance.
 - Decoration to replicate where evidence of original design exists e.g. tiled floor elements, retained coved ceiling, continuing of general aesthetic.