



Corporation of the City of  
**NEW WESTMINSTER**

*A vibrant, compassionate, sustainable city that includes everyone.*

**PUBLIC HEARING**

**MINUTES**

Monday, November 22, 2021

Meeting held electronically and in Council Chamber  
City Hall

**PRESENT:**

Mayor Jonathan Cote  
Councillor Chinu Das  
Councillor Patrick Johnstone  
Councillor Jamie McEvoy  
Councillor Nadine Nakagawa  
Councillor Mary Trentadue

**ABSENT:**

Councillor Chuck Puchmayr

**STAFF PRESENT:**

Ms. Lisa Spitale	Chief Administrative Officer
Ms. Jacque Killawee	City Clerk
Ms. Emilie Adin	Director of Climate Action, Planning and Development
Ms. Britney Dack	Senior Heritage Planner, Climate Action, Planning and Development
Ms. Kathleen Stevens	Heritage Planning Analyst, Climate Action, Planning and Development
Ms. Janet Zazubek	Planner, Climate Action, Planning and Development
Ms. Nicole Ludwig	Assistant City Clerk

---

**1. CALL TO ORDER**

Mayor Cote opened the meeting at 6:00 p.m. and recognized with respect that New Westminster is on the unceded and unsundered land of the Halkomelem speaking peoples. He acknowledged that colonialism has made invisible their histories and connections to the land. He recognized that, as a City, we are learning and building relationships with the people whose lands we are on.

**2. STATEMENT CONCERNING THE PROPOSED BYLAW AND THE CONDUCT OF THE PUBLIC HEARING**

Mayor Cote provided a statement regarding the bylaws under consideration, the conduct of the public hearing, and the expected conduct of all participants, noting that it is expected that everyone at the meeting will make every attempt through their words to maintain a safe and respectful environment for all attending the public hearing.

**3. Heritage Revitalization Agreement (Bylaw No. 8262, 2021) and Heritage Designation (Bylaw No. 8263, 2021) for 515 St. George Street**

**3.1 Proposal Information**

**3.1.1 Notice of Public Hearing**

**3.1.2 Bylaws**

**3.1.2.1 Heritage Revitalization Agreement (515 St. George St) Bylaw No. 8262, 2021**

**3.1.2.2 Heritage Designation (515 St. George St) Bylaw No. 8263, 2021**

**3.1.3 Previous Decisions, Reports and Related Documents**

**3.1.3.1 Index**

**3.1.3.2 Decisions, Reports and Related Documents**

**3.1.3.2.1 R-1 Previous Decisions**

**3.1.3.2.2 R-2 Regular Report 515 St. George Street Heritage Revitalization Agreement Preliminary Report**

**3.1.3.2.3 R-3 CHC Report 515 St. George Street Heritage Revitalization Application**

**3.1.3.2.4 R-4 Regular Report Heritage Revitalization Agreement and Designation: 515 St. George Street - Bylaws for First and Second Reading**

**3.1.4 Public Input**

**3.1.4.1 Index**

**3.1.4.2 Public Input Submissions**

### 3.2 Overview of the Proposal (Climate Action, Planning and Development)

Janet Zazubek, Planner, Climate Action, Planning and Development, provided a summary of the application as follows:

- The application is for the addition of an accessible laneway house in return for the restoration and long-term legal heritage protection of Adams House which was built in 1912;
- The house is valued for its age and craftsman style, was previously located at 1114 Eighth Avenue and was relocated in 2002;
- The application requests Zoning Bylaw relaxations to allow for a laneway house, reallocating density to the laneway house and reducing parking spots from two to one; and,
- The current proposal is for a single storey, fully accessible, 830 sq. ft. laneway house.

Climate Action, Planning and Development staff recommended Council consider Bylaw Nos. 8262, 2021, and 8263, 2021, for third reading.

Jacque Killawee, City Clerk, advised five pieces of public input had been received, four of which were on table.

MOVED AND SECONDED

**THAT** Council receive the following correspondence related to Bylaw Nos. 8262, 2021, and 8263, 2021:

Public Input Submissions			
Name	Date Submitted	Date Received	#
J. Nolan	November 2, 2021	November 3, 2021	C-1
J Wolowic	November 18, 2021	ON TABLE	C-2
D. Gurney	November 19, 2021	ON TABLE	C-3
E. and K. Langstroth	November 21, 2021	ON TABLE	C-4
G. Ancill	November 21, 2021	ON TABLE	C-5

**Carried.**

All members present voted in favour of the motion.

### 3.3 Opportunity to Speak to Council

*Note: unless otherwise noted, all speakers reside in New Westminster.*

Joyce Donovan, applicant, advised that they are very excited to be doing this, noting that the single-level will be good so she and her husband can

be closer to family and age in place. She thanked the design team for their work.

Kirsten Sutton, 3D Consulting, advised while feedback was nearly 60% positive during the public consultation. Despite the strong support, changes were made to address the concerns of the extended community. She noted that the HRA is the strongest tool allowed by the *Local Government Act* (LGA) to protect and conserve heritage properties and that it would not be precedent-setting since it is for a specific property. She provided a history of the house.

Patrick Donovan, applicant, advised they have been working on the project for a few years with the help of consultants and staff, and they are grateful to be here and very excited to proceed.

Gail North, President, Queens Park Residents Association (QPRA), spoke in opposition to the application, noting there is an expectation of a heritage win or bonus in exchange for an HRA, however since only necessary maintenance on the house is included, it should not be an HRA. She explained that the restoration was done previously, so there is nothing that can be done to provide a heritage gain. She also noted that since there is no heritage gain, and no green space including tree canopy, and nothing that would be considered gentle density, she is hard-pressed to see how this would be a fair exchange under the HRA.

David Brett spoke in support of the application, noting the proposal will add density, and that an HRA application is a unique process to each project. He noted that proposals like this should be supported because it addresses concerns raised by the QPRA in 2007 related to untapped potential for developers and the loss of heritage. He noted that the Heritage Conservation Area (HCA) does not require restoration, but the HRA can compel it. He also noted that the proposed laneway house is modest in size.

Maureen Arvanitidis, spoke in opposition to the application for the same reasons as Gail North noted above; she also noted that it seems HRAs are being used as a way around a formal rezoning.

Larry Church spoke in opposition to the application, he opined that it is an abuse of the HRA system.

In response to a question from Council, Emilie Adin, Director of Climate Action, Planning and Development, and Ms. Zazubek explained that an HRA and a rezoning are similar, however the density and form for this application were appropriate for an HRA. They also noted that an HRA

results in more protection for the heritage asset than a regular rezoning would allow.

Bozana Djuric spoke in opposition to the application, noting that the application could potentially undermine the HRA review, and that the hurry to densify could cause more problems in the future.

Mayor Cote advised that the HRA review is continuing, however at the time of adoption of the moratorium on HRA applications, any applications in stream were allowed to continue; this is one of those applications.

Gary Mockler spoke in opposition, noting that when the house was moved from Moody Park it was given density bonuses that exceed what is allowed in the HCA. He explained that the request for additional density along with the removal of trees on the property is not appropriate since the City has already been so generous to this property.

Cathy McFarland spoke in opposition to the proposal, noting there is not a significant enough heritage gain to allow for an HRA, and since the house is already on the heritage registry, it is already protected. She also objected to the total density of the proposal, noting that it would be over 1fsr whereas everywhere else in Queens Park is limited to 0.8, and that the basement (while not included in the sfr calculations) could be used for the applicant's proposed use rather than building a laneway house.

In response to a question from Council, Ms. Adin and Ms. Zazubek advised that only the above ground floor space is used in calculating the density of the project, noting that the current above-ground floor space is 0.515 FSR and the new density will bring it up to 0.7 FSR.

Gary Boychuk spoke in opposition to the application, noting concerns about the removal of green space and the saturation of the lot with buildings. He also noted that the restoration of the existing house is disappointing and does not capture the character of a craftsman house.

Gail Ancill spoke in opposition, noting general agreement with what others have said about the project, and expressed concerns about the removal of trees especially the large cedar that would have to come down.

James Jamieson spoke in support of the application, noting the process had been lengthy and that in his own HRA process staff have been very diligent and helpful. He noted that there is plenty of support in the neighbourhood for infill housing and that the process should be shortened wherever possible.

Emma Tones spoke in support for the application, noting the applicants are long-term residents and are requesting a place to live and take care of aging parents.

Gary Mockler, speaking a second time, noted that Attachment 5 to the report indicates the zoning is RS-6, which does not count the basement in FSR, and prohibits laneway houses. He asked if the laneway house is prohibited, why it is being proposed.

Mayor Cote noted that the proposal for a laneway house is why the Public Hearing is occurring and requested staff provide additional information.

In response, Britney Dack, Senior Heritage Planner, advised that over 20 years ago, the house had been rezoned from RS-1 to RS-6 and if it had stayed as RS-1 a laneway house could have just been built with a development permit. She noted that in this application the gains for both the applicant and the City are reasonably balanced.

Larry Church, speaking a second time, expressed concerns that the guidelines are not clearly expressed, and it seems to be an abuse of the HRA process. He requested clarification of the zoning for this site, and expressed concerns that the zoning is confusing and possibly leaves much up to the interpretation of staff.

In response, Ms. Adin and Ms. Dack advised that a Comprehensive Development (CD) rezoning would achieve the same end as a site specific rezoning, and that the HRA is specific to this site in the same way as a CD or site specific rezoning. Ms. Dack also noted that it is much cleaner to look at this through an HRA rather than a rezoning.

David Brett, speaking a second time, noted that when talking about wins or gains, the proper context needs to be used. He noted that the heritage designation of the home and the encumbrance on title are both significant since this puts a covenant on the home. He expressed the view that the laneway house is a reasonable relaxation of the zoning in exchange for the covenant on the house.

Cathy McFarland, speaking a second time, noted that in Queens Park, a maximum density of 0.8 FSR is allowed, and this application exceeds that if the basement is included.

Kirsten Sutton, speaking a second time, responded to some of the objections from speakers, noting the design is of mutual benefit and uses a tool authorized by the Local Government Act to protect the house. She

noted that green space has been reduced, but that the laneway house is of accessible design, which should also be a recognized benefit.

Gary Boychuk, speaking a second time, shared the opinion that there is not much heritage to protect because the site is so loaded with buildings.

Mayor Cote called three times for any additional speakers and none were present.

The City Clerk reviewed the ways people could join the meeting to be heard.

**Procedural Note:** Council recessed at 7:14 p.m. in order to allow additional speakers to join the meeting. Council reconvened at 7:17 p.m.

Mayor Cote called for additional speakers.

Patrick Donovan, speaking a second time, noted that there was about 60% support for the application and encouraged Council to consider this in their deliberations.

The City Clerk confirmed there were no other identified speakers.

MOVED AND SECONDED

**THAT** the Public Hearing for Bylaw Nos. 8262, 2021, and 8263, 2021, be closed.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Bylaw No. 8262, 2021, be referred to Council for Third Reading.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Bylaw No. 8263, 2021, be referred to Council for Third Reading.

**Carried.**

All members present voted in favour of the motion.

Councillor Das read a statement regarding the expectation that everyone at the meeting will make every attempt through their words to maintain a safe and respectful environment for all attending the public hearing.

4. **Heritage Revitalization Agreement Bylaw No. 8271, 2021 and Heritage Designation Bylaw No. 8272, 2021 for 208 Fifth Avenue**

4.1 **Proposal Information**

4.1.1 **Notice of Public Hearing**

## **4.1.2 Bylaws**

**4.1.2.1 Heritage Revitalization Agreement (208 Fifth Avenue) Bylaw No. 8271, 2021**

**4.1.2.2 Heritage Designation (208 Fifth Avenue) Bylaw 8272, 2021**

## **4.1.3 Previous Decisions, Reports and Related Documents**

**4.1.3.1 Index**

**4.1.3.2 Decisions, Reports and Related Documents**

**4.1.3.2.1 R-1 Minutes Extracts**

**4.1.3.2.2 R-2 LUPC Report - January 27, 2020**

**4.1.3.2.3 R-3 LUPC Presentation - January 27, 2020**

**4.1.3.2.4 R-4 LUPC Presentation - January 27, 2020**

**4.1.3.2.5 R-5 Preliminary Report to Council - May 3, 2021**

**4.1.3.2.6 R-6 Council Presentation - May 3, 2021**

**4.1.3.2.7 R-7 CHC Report - May 5, 2021**

**4.1.3.2.8 R-8 CHC Presentation - May 5, 2021**

**4.1.3.2.9 R-9 CHC Report - July 7, 2021**

**4.1.3.2.10 R-10 CHC Presentation - July 7, 2021**

**4.1.3.2.11 R-11 LUPC Report - August 30, 2021**

**4.1.3.2.12 R-12 LUPC Presentation - August 30, 2021**

**4.1.3.2.13 R-13 Council Report - November 1, 2021**

## **4.1.4 Public Input**

**4.1.4.1 Index**

**4.1.4.2 Public Input Submissions**

Jacque Killawee, City Clerk, advised 14 pieces of public input had been received, 11 of which were on table.



MOVED AND SECONDED

**THAT** Council receive the following correspondence related to Bylaw Nos. 8271, 2021, and 8272, 2021:

Public Input Submissions			
Name	Date Submitted	Date Received	#
K Plummer	November 15, 2021	November 15, 2021	C-1
V Unilowski	November 15, 2021	November 15, 2021	C-2
C McFarland	November 1, 2021	November 16, 2021	C-3
G Mockler	November 1, 2021	November 16, 2021	C-4
V Ilic	November 17, 2021	November 18, 2021	C-5
M Johnson and L Rightmyer	November 18, 2021	ON TABLE	C-6
A Lewko	November 18, 2021	ON TABLE	C-7
J Wolowic	November 19, 2021	ON TABLE	C-8
D Carr and K Gagne	November 20, 2021	ON TABLE	C-9
G Yakel via Be Heard	November 21, 2021	ON TABLE	C-10
M Bice	November 21, 2021	ON TABLE	C-11
E and K Langstroth	November 21, 2021	ON TABLE	C-12
G Ancill	November 21, 2021	ON TABLE	C-13
R. Canil	November 22, 2021	ON TABLE	C-14
J Berlin	November 22, 2021	ON TABLE	C-15
G Jamieson	November 22, 2021	ON TABLE	C-16

**Carried.**

All members present voted in favour of the motion.

**4.2 Overview of the Proposal (Climate Action, Planning and Development Department)**

Kathleen Stevens, Heritage Planning Analyst, provided a summary of the application as follows:

- The proposal requests the lot be subdivided into two lots in exchange for the long-term legal heritage protection of the 1910 Calbicks House on the lot, and construction of a new house on the larger rear lot fronting Elgin Street;

- The existing house would be retained and moved forward onto the smaller front lot on Fifth Avenue, and be restored and legally protected with a Heritage Designation Bylaw;
- Relaxations for setback and eave projections at the rear of the existing house, as well as one less parking space are required, while the new house would have 28% higher density and a wider bay window than would otherwise be permitted; these relaxations requested warrant Council's consideration given the context of the site and the heritage value of the house;
- The existing house has historical, cultural and aesthetic values, was a modest home for working class individuals, and is associated with New Westminster's Edwardian-era building boom;
- There is high integrity with the Edwardian style due to original windows, intact architectural details and unique mid-century beveled and combed cedar siding;
- Design revisions in the application include:
  - Reducing density, size and bulk;
  - Removing the attached garages;
  - Providing private gardens and an open yard on Fifth Avenue;
  - Revising the infill house design and driveway crossing location;
  - Retaining original windows and the specimen sized evergreen;
  - Recognizing the original owners and era.

Climate Action, Planning and Development staff recommended Council consider Bylaw Nos. 8271, 2021 and 8272, 2021, for third reading.

#### **4.3 Opportunity to Speak to Council**

*Note: Unless otherwise indicated, all speakers live in New Westminster.*

Gillian Jamieson, owner and applicant, advised they have been working for three years on this project and have received 65% support on surveys at their open house event. She noted that they have made changes throughout the consultation, including root mapping on the specimen tree to ensure the tree will be safe. She explained that they have decided to maintain the 1950s style because there is good documentation, and that the house will be protected, rehabilitated and restored under the HRA. She also explained that applicants should not be penalized for wanting to contribute to an enhanced street scape because others in the neighbourhood disagree with the current zoning practices.

Ellen Krijgsveld spoke in support, noting she lives in the only other house facing Elgin Street, and it will be nice to have another house across the

road. She noted that she is in full support of the application since it provides green space, preserves trees and takes care of the heritage house. She also explained that she is the neighbour most impacted by the application.

Murray Johnson provided a presentation about the specimen tree at the edge of the property, noting it occupies space across the property in question and the property immediately to west. He noted that the tree has been excessive pruning on one side and is sloped away from the applicant property, possibly endangering the neighbouring property if the root system is disturbed. He requested that approval of the application be delayed so that the roots can be examined by an engineer.

In response to a question from Council, Ms. Stevens advised that the site plan has been reconfigured so that there is a 20 ft. distance from the house to the centre of the tree, and that the Project and City Arborists will supervise to ensure the safety of the tree if the project is approved.

Steve Azan spoke in support of the application, noting he actively participated in the Heritage Conservation Area (HCA) process where a main concern was small homes on large lots. He expressed support for the City's solution of retaining the house and adding an infill house.

Andrew Lewko spoke in support of the application, noting the owners have taken every effort to accommodate concerns. He advised that the roof and foundation are important and without those aspects, heritage is in danger.

Rav Johal spoke in support of the application, noting the applicants are working in the spirit of the HRA and have responded to public concerns. He noted that the proposed project is a good use of the lot.

Gail North, President, Queens Park Residents Association (QPRA) spoke in opposition, noting that the heritage house is being pushed out of the way for a larger house and is not affordable. She expressed concerns regarding the number and scope of relaxations requested, and using the heritage designation bylaw as the gain for the City. She suggested that the plan needs to be reanalyzed and revised for a more reasonable request.

In response to a question from Council, Ms. Stevens advised that the overall density is 0.67 FSR, and the size is 1150 sq. ft. less than what would be permitted if there was no HRA.

David Brett spoke in support of the application, noting it is important to provide context when talking about house size and that the smaller the lot,

the greater the degree of heritage protection is required. He noted that this is gentle densification and appropriate for the neighbourhood.

Mark Fox spoke in support of the application, noting that the balance between benefits to the owners and the City, specifically that the City will get a revitalized heritage house and the owners will be able to build their dream house and possibly age in place. He noted that while no housing in Queens Park is truly affordable, the project is in keeping with the HRA and HCA.

Joanne Bice spoke in support, noting that the design of the new house is beautiful and will face a quiet, small street while allowing another family to move into the area.

Maureen Arvanitidis spoke in opposition to the application, noting that the plan is not supportive of heritage and the house is already protected under the HCA. She noted that the front and side yards should be protected as well, moving the house changes the streetscape dramatically, and the small separation between the houses makes the density excessive. She expressed concerns that livability would be affected because of the density on the lot.

Ron Spence spoke in opposition, noting this application is an example of why the HRA process needs to be revisited, and opined that the only reason someone would want to subdivide a lot would be to make money, not enhance heritage. He encouraged Council against one-off decision making when considering HRAs.

Larry Church spoke in opposition, noting concerns that a substantial amount of green space and tree canopy will be removed. He noted that while four trees will be planted they will take decades to replace the canopy that currently exists. He encouraged the application to be changed to allow for a laneway house so that trees can be retained.

Rick spoke in opposition, noting concerns about the safety of the neighbouring property due to the shared tree, and encouraged an engineering report on the tree as he believes the arborist report is not sufficient.

In response to a question from Council, Emilie Adin, Director of Climate Action, Planning and Development, advised that structural engineering analysis is not normally done on trees.

Cathy McFarland spoke in opposition, noting there is not enough heritage gain for the City, and that the infill house in the back is too big. She expressed concerns that subdivision will set a bad precedent and cause loss of green space as more HRAs are granted.

Gary Mockler spoke in opposition, expressing concerns with subdivision of the lot and the substantial density increases requested. He also noted that trees should be preserved wherever possible, and lawns and gardens encouraged in order to combat climate change. He advised he would like City bylaws to be adhered to more strictly and requests for variances should be evaluated in light of well thought out policies and rules.

James Jamieson, applicant, advised that when they bought the house, the roof was being damaged by the specimen tree, and no direction was given, so they pruned the tree. He noted only small amounts of tree roots will be impacted, the proposal is well under density limits, and their care and conscientiousness about adding green space through trees and gardens will not change when the lot is subdivided. He also noted there is support from the neighbours on Elgin Street for the application.

Bozana Djuric spoke in opposition to the application, noting not much has changed since 2007, and opined that past pictures of a house are not always a reference for restoration, suggesting that neighbouring properties can also provide guidance. She expressed concerns that this is not an HRA, but a subdivision.

Voja Ilic expressed disappointment over the subdivision, noting moving the house would impact him as the direct neighbour in terms of the proximity to his home. He was also concerned that new windows would look directly into his house.

Murray Johnson, speaking a second time, advised that he supports the heritage house changes and the addition at the back of the lot. He clarified that his opposition is related to the specimen tree and the impacts on it of moving the house. He also noted he had never heard of an engineering assessment on a tree, but that it should be considered for this case, and asked to resolve the situation before the building permit process starts.

In response to a question from Council, Ms. Adin advised that the tree permit would be processed at the same time as the building permit, and that staff has substantively considered the tree and are satisfied with the protections proposed.

Larry Church, speaking a second time, expressed concerns with the boulevard tree, noting it is partially in line with the driveway, and the application does not seem to address it.

In response, Ms. Stevens advised that staff are investigating the boulevard tree, and will determine if it can be retained during the tree permit process.

Ellen Krijsveld, speaking a second time, noted there are many overgrown trees that are not well taken care of, and wherever possible trees should be preserved.

Ron Spence, speaking a second time, expressed concerns that there are often reliability issues with surveys developed for consultation, and suggested that applicants retain, or the City provide, professional support in developing these.

Ron Canil spoke in opposition to the application, noting that the proposed house is too big and the proposal requires too many variances and reduces green space. He clarified that he is not opposed to a laneway house, but that the lot should not be subdivided.

David Brett, speaking a second time, expressed hope that the increase in HRA applications after the HCA was put in place will be in the HRA review. He noted there is nothing remarkable in this application and the recommendation is similar to other previous applications that have been allowed.

Mayor Cote called three times for any additional speakers and none were present.

The City Clerk reviewed the ways people could join the meeting to be heard.

**Procedural Note:** Council recessed at 9:12 p.m. in order to allow additional speakers to join the meeting. Council reconvened at 9:15 p.m.

Mayor Cote called for additional speakers.

Gillian Jamieson, applicant, spoke a second time to respond to some of the comments from other speakers. She noted that they have not taken trees down, the canopy size referenced by a previous speaker is incorrect, without an HRA the density could be 0.8 FSR, and that the house will be separated from the neighbour by over 30 feet when considering the distance on both sides of the property line. She noted that houses all over Queens Park are set back at different distances from the street and this is part of the charm of the neighbourhood.

Kirsten Sutton, 3D Designs, noted that the current request is well below the maximum density permitted and the proposal is very much in line with standards and guidelines.

The City Clerk confirmed there were no other identified speakers.

MOVED AND SECONDED

**THAT** the Public Hearing for Bylaw Nos. 8271, 2021, and 8272, 2021, be closed.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Bylaw No. 8271, 2021, be referred to Council for Third Reading.

**Carried.**

All members present voted in favour of the motion.

MOVED AND SECONDED

**THAT** Bylaw No. 8272, 2021, be referred to Council for Third Reading.

**Carried.**

All members present voted in favour of the motion.

**5. END OF PUBLIC HEARING**

The Public Hearing ended at 9:21 p.m.

---

Jonathan X. Cote  
MAYOR

---

Jacque Killawee  
CITY CLERK