

# REPORT

## *Climate Action, Planning and Development*

**To:** Land Use and Planning Committee      **Date:** January 31, 2021

**From:** Emilie K. Adin, MCIP      **File:** HER00827  
Director of Climate Action, Planning and  
Development

**Item #:** 2022-49

**Subject:** **Heritage Review (Demolition) and Development Options: 349  
Cumberland Street**

---

### **RECOMMENDATION**

**THAT** the Land Use and Planning Committee recommend that Council direct staff to discourage submission of a rezoning application on this site in order to allow small lot subdivision.

**THAT** the Land Use and Planning Committee recommend Council direct staff to place a Temporary Protection Order on the heritage building at 349 Cumberland Street in order for the applicant and staff to continue discussion of redevelopment options that include heritage retention.

---

### **EXECUTIVE SUMMARY**

349 Cumberland Street, a 1939 duplex in the Sapperton neighbourhood is listed on the Heritage Resource Inventory. A request for heritage review has been received in advance of demolition. The building has been found by staff and the CHC to have heritage value, worthy of heritage protection. However, it is neither legally protected nor listed on the City's Heritage Register.

The owner has expressed interest in redeveloping the property through rezoning to create two small lots on which new houses would be built. The result would be the loss of an identified heritage asset, an existing rental duplex. Staff has advised the owner such an application would not be supportable by staff.

A Heritage Revitalization Agreement (HRA) would provide alternative development options including addition of a new house(s) or another duplex to the property (which

could be subdivided or stratified); and large addition(s) to the existing duplex units. Such an application would meet several goals in the Official Community Plan as well as Council's strategic priorities.

## **1. PURPOSE**

To collect feedback from the Land Use and Planning Committee on the proposed redevelopment of the Heritage Inventory listed rental duplex at 349 Cumberland Street.

## **2. POLICY AND REGULATIONS**

### **Zoning Bylaw**

#### **RT-1: Duplexes**

The property is zoned Duplex Districts (RT-1) and the current building is consistent with its zoning. Under the existing zoning, a new duplex may be larger than the current building: up to 573 sq. m. (6,168 sq. ft.). With an allowable increase in floor space of up to 327 sq. m. (3,520 sq. ft.), this would result in a building over two times larger than what currently exists.

The majority of properties in this block are also zoned for duplexes – with the exception of 341 and 343 Cumberland Street which were rezoned for small lots (RS-5) in the 1980s.

#### **RS-5: Small Lots**

Single detached dwellings are already well-represented in the city's current housing stock. As such, regulations and guidelines for small or compact lot subdivision have not been included to date in the Infill Housing Program. Staff are currently not recommending to Council that applications to rezone to RS-5 be supported except when heritage retention is secured through a Heritage Revitalization Agreement (HRA). This is to support the creation of 'missing middle' housing forms such as duplexes.

Either zone above would be consistent with the property's "Residential – Detached and Semi-Detached Housing" (RD) Official Community Plan (OCP) designation. Further Policy and Regulations information is included in Attachment A.

## **3. BACKGROUND**

### **3.1 Property Description**

The duplex at 349 Cumberland Street was built in 1939 and is approximately 246 sq. m. (2,648 sq. ft.). Visually, there have been few changes made to the building, which is also reflected in a low number of building permits. As such, the building has heritage integrity. A current photograph (Figure 1) is included on the next page.



Figure 1: Current photograph of the front façade of 349 Cumberland Street

**3.2 Heritage Value**

Built in 1939, in the Mission Revival style, 349 Cumberland Street retains many of its original features including:

- the symmetrical shaped roof parapet,
- the cantilevered narrow tile roof segment,
- the roughcast smooth stuccoed wall surface,
- arched front door openings, and
- arched front windows openings.

Its Inventory listing describes the building as a fine example of the Mission Revival style. Along with 355 Cumberland Street, it is also one of only a few examples of the Mission Revival style in New Westminster, and is one of only two buildings located in this block of Cumberland Street that is listed on the Inventory. The Inventory listings for both buildings are in Attachment B. Photos of 349 Cumberland Street are in Attachment C.

**3.3 Building Condition**

Based on current photos, the duplex at 349 Cumberland Street appears to be in good condition and would require relatively minor restoration. Overall, the stucco siding and wood trim appear to be in good condition, though the owner has indicated that cracks in

the stucco have been filled with silicone and painted to avoid further damage to the building. The owner has indicated that the windows and doors are not original but the openings and trim appear to be intact. Photos are included in Attachment C.

**3.4 Site Context**

The subject site is located in the Sapperton neighbourhood, on the north side of Cumberland Street between Richmond Street and Miner Street, on a block of single detached dwellings near the Fraser Cemetery. Nearby are the townhouses along Governor’s Court. A site context map with an aerial image is provided in Figure 2 below:

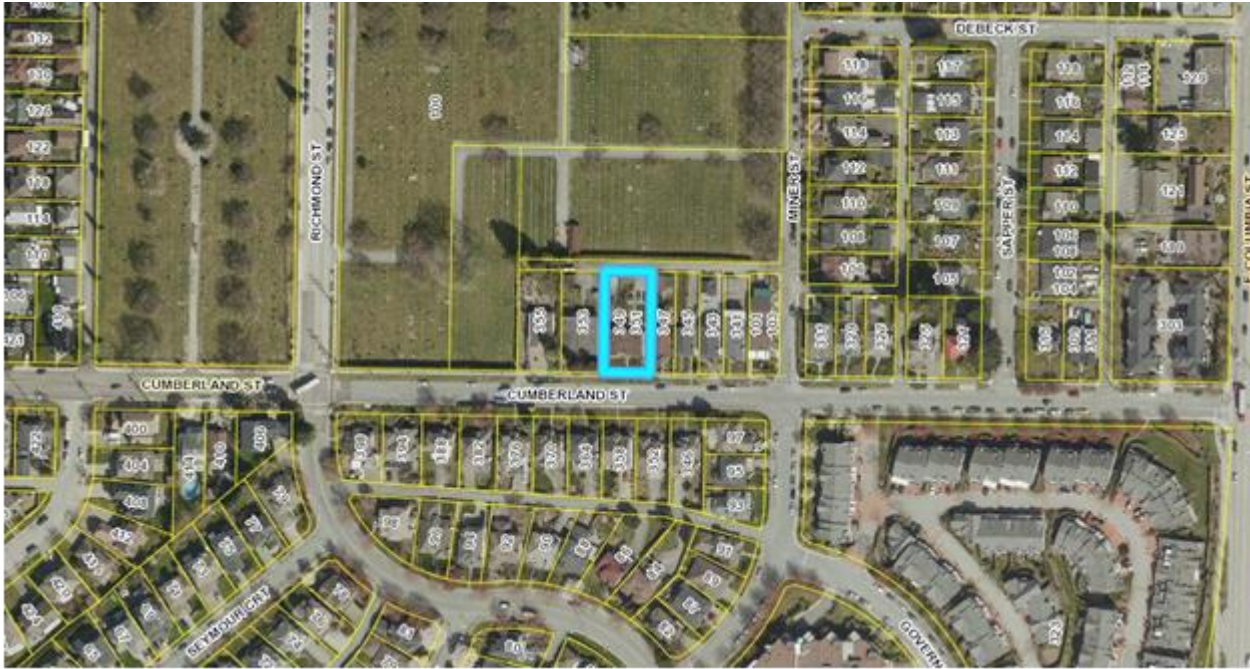


Figure 2: Site context map with subject property highlighted in blue

**3.5 Current Heritage Protection**

The building is listed on the City’s Heritage Resource Inventory. The listing, which describes the property’s heritage value, is included in Attachment B. However, it is neither legally protected nor listed on the City’s Heritage Register.

**3.6 Heritage Review**

Based on a building’s age, it is reviewed for heritage value prior to demolition, and if found to have potential value by staff, it is forwarded to the Community Heritage Commission (CHC) to confirm. From that point, and based on the CHC’s recommendation, staff worked with the applicant on retention options and if warranted request that Council place a temporary protection order on the building. Further information on heritage review of demolition permits, temporary protection orders, heritage designation and heritage revitalization agreements (HRAs) is summarized in Attachment A.

#### **4. COMMUNITY HERITAGE COMMISSION REVIEW**

##### **4.1 Community Heritage Commission Recommendation**

The duplex was reviewed by staff and found to have heritage value. Per the City's policy for older buildings, and given its integrity and Inventory listing, this demolition application was brought to the CHC for their review at the November 3, 2021 meeting. At that meeting, the CHC passed the following recommendation:

**THAT** the Community Heritage Commission recommend the Director of Development Services direct staff to further explore retention options for the house at 349 Cumberland Street and to place a temporary protection order on the property.

An extract from the November 3, 2021 CHC minutes is included in Attachment D.

#### **5. PROJECT DESCRIPTION**

##### **5.1 Overview**

The City has received a request for a heritage review in advance of a demolition application for the 1939 building. The applicant has indicated they would subsequently apply for rezoning to allow small lot subdivision and development of two new houses and laneway houses.

The owner has provided rationale for their approach included in Attachment E.

#### **6. DISCUSSION**

The duplex has been found by staff and the CHC to have heritage value, worthy of exploring options to achieve heritage protection. Staff and the applicant have explored relocation of the building instead of demolition; however, this would not be feasible due to the steep grade of Cumberland Street and the dimensions of the building (which exceed the maximum route width for the area).

Staff has been in communication with the applicant regarding site redevelopment and they have indicated they wish to proceed with their rezoning proposal. This approach is not supported by staff. Staff has discussed this with the applicant, but to date they have indicated they prefer to proceed with rezoning.

Staff is seeking preliminary LUPC feedback on the applicant's proposal, and the alternative development approaches identified by staff, as detailed in the following section. If LUPC supports staff's recommended approaches to the rezoning of the subject property, staff recommends LUPC endorse that Council place a temporary protection order on the site. Staff would then work with the applicant to further explore

moving forward with an HRA or (should they not wish to pursue an HRA) a new duplex proposal under their existing zoning entitlements, either of which would be consistent with City policy.

## 6.1 Redevelopment Options

### Rezoning Application

The applicant has indicated their intention to rezone for a small lot subdivision and states this is the only financially feasible option. Staff has advised the owner that, in general, applications to rezone to RS-5 are not currently being recommended to Council, toward supporting more affordable forms of infill housing. Staff does not recommend the subject application for the following reasons:

- There would be a loss of rental infill housing units in a low-density low-rental neighbourhood;
- There would be a loss of an identified heritage asset in the City;
- The City is not considering small lots at this time, given the City's OCP goals of maintaining and expanding other more affordable missing middle housing options like duplexes; and,
- There is currently a lack of community benefits or amenities proposed.

*Does LUPC support staff's recommendation to discourage the submission of a rezoning application on this site in order to allow small lot subdivision?*

**Note:** Despite staff discouragement, the applicant would retain the right to submit a rezoning application to advance their preferred redevelopment proposal.

### Heritage Revitalization Agreement

Providing the existing rental duplex is retained, an HRA could allow a number of redevelopment options, including: addition of a new house(s) or another duplex to the property (which could be subdivided or stratified); and large addition(s) to the existing duplex units. Benefits of this option would include:

- the retention of rental infill housing units in a low-density low-rental neighbourhood;
- the retention and conservation of an identified heritage asset;
- addition of alternative infill housing options; and
- a reduction in demolition waste.

*Does LUPC support the CHC's recommendation that there is sufficient heritage value for Council to place a Temporary Protection Order on the heritage building at 349 Cumberland Street in order for the applicant and staff to continue discussion of redevelopment options that include heritage retention?*

## **7. FEEDBACK FROM THE LUPC**

Following obtaining input from the Land Use and Planning Committee (LUPC) on the proposed demolition, the next step is for Council to consider protecting the duplex, as recommended by the CHC. At this time, staff is seeking feedback from the LUPC related to:

1. Discouraging the applicant's further consideration of submitting a rezoning to allow small lot subdivision; and
2. Pursuing temporary protection of the heritage building in order for the applicant and staff to continue discussion of redevelopment options that include heritage retention.

## **8. INTERDEPARTMENTAL LIAISON**

The 50 Year and Older Heritage Review Policy is processed solely by the Climate Action, Planning and Development Department.

## **9. OPTIONS**

The following options are available for Council's consideration:

1. That the Land Use and Planning Committee recommend that Council direct staff to discourage submission of a rezoning application on this site in order to allow small lot subdivision.
2. That the Land Use and Planning Committee recommend Council direct staff to place a Temporary Protection Order on the heritage building at 349 Cumberland Street in order for the applicant and staff to continue discussion of redevelopment options that include heritage retention.
3. That the Land Use and Planning Committee recommend that Council direct staff to prepare the bylaw to place Heritage Designation on the heritage building at 349 Cumberland Street for their consideration following a Public Hearing.
4. That the Land Use and Planning Committee recommend that Council direct staff to proceed with processing the demolition permit application for 349 Cumberland Street.
5. That the Land Use and Planning Committee provide staff with other feedback.

Staff recommends Options 1 and 2.

**ATTACHMENTS**

- Attachment A: Policy and Regulations Summary
- Attachment B: Heritage Resource Inventory Listings
- Attachment C: Current Photos
- Attachment D: Extract of November 3, 2021 Community Heritage Commission (CHC) Meeting Minutes
- Attachment E: Owner Submissions

**APPROVALS**

This report was prepared by:  
Kathleen Stevens, Heritage Planning Analyst

This report was reviewed by:  
Britney Dack, Senior Heritage Planner  
Rupinder Basi, Supervisor of Development Planning  
Jackie Teed, Senior Manager of Climate Action, Planning and Development

This report was approved by:  
Emilie K. Adin, Director, Climate Action, Planning and Development