

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** April 25, 2022

From: Emilie K. Adin,
Director, Climate Action, Planning and
Development **File:** OCP00036
HER00830

Item #: 2022-288

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

RECOMMENDATION

THAT Council direct staff to proceed with the processing of the proposed Official Community Plan (OCP) Amendment and Heritage Revitalization Agreement applications for 501 Fourth Avenue and 408 Fifth Street, as outlined in the “Next Steps” section of this report.

THAT Council, with regard to the proposed OCP Amendment:

- 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;
- 2) Direct staff to advise and consult with the following:
 - a. the Board of Education of New Westminster Schools; and
 - b. the following First Nations:
 - i) Cowichan Tribes;
 - ii) Halalt First Nation;
 - iii) Katzie First Nation;
 - iv) Kwantlen First Nation;
 - v) Kwikwetlem First Nation;
 - vi) Lyackson First Nation;
 - vii) Lake Cowichan First Nation;

- viii) Musqueam Indian Band;
 - ix) Penelakut Tribe;
 - x) Qayqayt First Nation;
 - xi) Semiahmoo First Nation;
 - xii) Sto:lo Nation;
 - xiii) Stz'uminus First Nation;
 - xiv) Tsawwassen First Nation; and
 - xv) Tseil-Waututh Nation.
- 3) Direct staff to seek input from interested parties in the following manner:
- a. send a request for written comments to the parties listed above;
 - b. as part of the notification requirements for a Public Hearing, place a notice on the City Page to advise the public of this application; and
 - c. as part of the notification requirements for a Public Hearing, require the applicant to include notice of the proposed OCP Amendment on the site signage required for the subject application.
- 4) Not require consultation with:
- a. Board of the regional district in which the area covered by a plan is located (Metro Vancouver)
 - b. any greater boards or improvement districts;
 - c. Greater Vancouver Sewerage and Drainage District Board;
 - d. Ministry of Transportation and Infrastructure; and
 - e. Councils of immediately adjacent municipalities;
- as none are considered to be affected by this application.

PURPOSE

To seek Council's approval to proceed with processing a proposal for the development of non-profit child care, secured market rental, and an expansion to the Holy Eucharist Cathedral.

EXECUTIVE SUMMARY

Applications for an Official Community Plan Amendment and a Heritage Revitalization Agreement have been received for 501 Fourth Avenue and 408 Fifth Street; four lots which currently make up the Holy Eucharist Cathedral, rectory, and parking. The site is

located on the western edge of the Queen's Park neighbourhood, adjacent to the Sixth Street commercial district. The applications propose to:

- Retain, restore and protect the cathedral and expand related functions;
- Increase the on-site, non-profit childcare facilities to 74 spaces; and
- Provide 14 new secured market rental housing units, in a mix of unit sizes.

The above would be accommodated through the construction of a five-storey, low-rise building on the west of the site (transitioning down to one-storey) and a two-storey residential building on the north of the site. Parking for the entire site would be primarily below the low-rise building. The purchase of approximately 127 sq. m (1,365 sq.ft.) of City-owned land, currently used as a pedestrian connection, would be required to facilitate the development. The overall project would have a density of roughly 1.42 floor space ratio (FSR). Site plans are included in Attachment 4.

BACKGROUND

Preliminary Application Review

The applicant previously submitted a Pre-Application Review (PAR) inquiry for this proposal in January 2020. Staff presented the PAR to the Land Use and Planning Committee (LUPC) in June 2020. A letter was then issued to the applicant outlining feedback on building massing and neighborhood context, vehicle parking and circulation, servicing, and off-site improvements. A formal application was submitted in June 2021 which responded to the feedback received from the PAR process.

Policy and Regulations

The Official Community Plan (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. Places of worship and small-scale commercial or institutional uses (such as corner stores, and childcare) are also allowed.

Though the uses proposed in this project would be consistent with the designation, an OCP Amendment would be required for the project to proceed as the low-rise building scale does not align with the intent of the designation. As such an OCP Amendment to "Mixed Use Low Rise" (ML) would be required.

Similarly, the proposal is not consistent with the existing institutional (P-1) and single-detached dwelling (RS-4) zoning currently in place. As such, a Heritage Revitalization Agreement (HRA) would be required to allow for zoning relaxations, per the City's Policy for the Use of HRAs.

A summary of relevant City policies and regulations is included in Attachment 1.

Site Characteristics and Context

The site, pictured in Figure 2 below, is on the western edge of the Queen’s Park neighbourhood and Heritage Conservation Area, though neither property is protected under that policy. The site is approximately 2,243 sq.m. (24,140 sq.ft) in total, relatively flat, and made up of four lots. A cathedral is located on the site over two of the lots. The cathedral is more than fifty years old (built in 1968), and as such, qualifies to be considered for heritage value. A house, the lane, and parking lot make up the remainder of the site. The overall site density is around 0.7 FSR. There are currently 30 parking spaces and 22 childcare spaces on-site.

The west side of Fifth Street consists primarily of protected heritage houses. The two corners across Fifth Street to the east are three storey apartment buildings. The site is one block west of the Sixth Street Great Street; 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 1,000 ft. (570 m.) downhill from the Crosstown Greenway (bikeway).

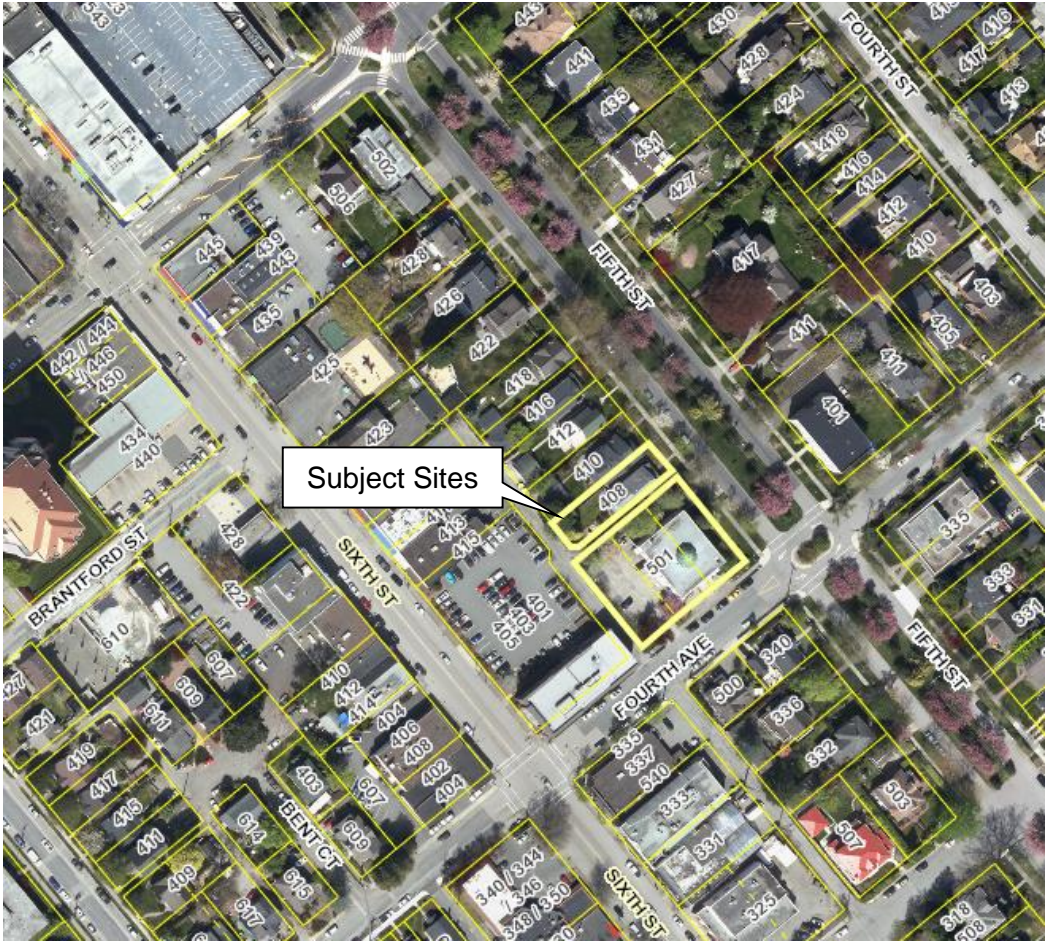


Figure 1 - Site Context Map, properties highlighted in bold yellow lines

City Land

The consolidation of the site would require the purchase of roughly 127 sq.m (1,365 sq.ft.) of City-owned land which consists of an undersized, unopened right of way currently used as an informal pedestrian connection. A preliminary review of the proposed land purchase has been conducted, and the land is generally considered surplus to City use. The sale of the site would be a condition of final adoption.

PROJECT DESCRIPTION

Overview

The proposal is for the site to include three buildings: the existing three-storey (plus a central cupola) cathedral, a new five-storey mixed use building, and a new two-storey residential rectory, or “manor” building. The cathedral would remain in situ; the five-storey building is proposed for the west side of the site and the rectory would be located on the north of the site, fronting onto Fifth Street, replacing an existing house on the site. A site plan of the proposed development is Figure 2 below.

The project would provide 14 new secured market rental housing units, in addition to the church-owned and occupied rectory. The proposed mix of units meets the Family Friendly Housing Policy requirements, and all of the units would be secured per the Secured Market Rental Housing Policy under the land use provisions in the HRA (for policy context see Attachment 1). The project would also expand onsite childcare spaces from 22 to 74. The cathedral is not proposed to be expanded as part of the project. Through the application, the community functions provided by the church would be formalized in the site’s zoning. The overall site density would be roughly 1.42 floor space ratio (FSR).

The proposal would provide 34 vehicle spaces. Parking spaces will feature *Energized Level 2 outlets* to comply with the minimum bylaw requirements. The project also provides 19 long-term bicycle parking spaces and 9 short-term bicycle parking spaces. Both vehicle and bicycle parking provisions are slightly below the bylaw minimums which will be addressed through the review process.

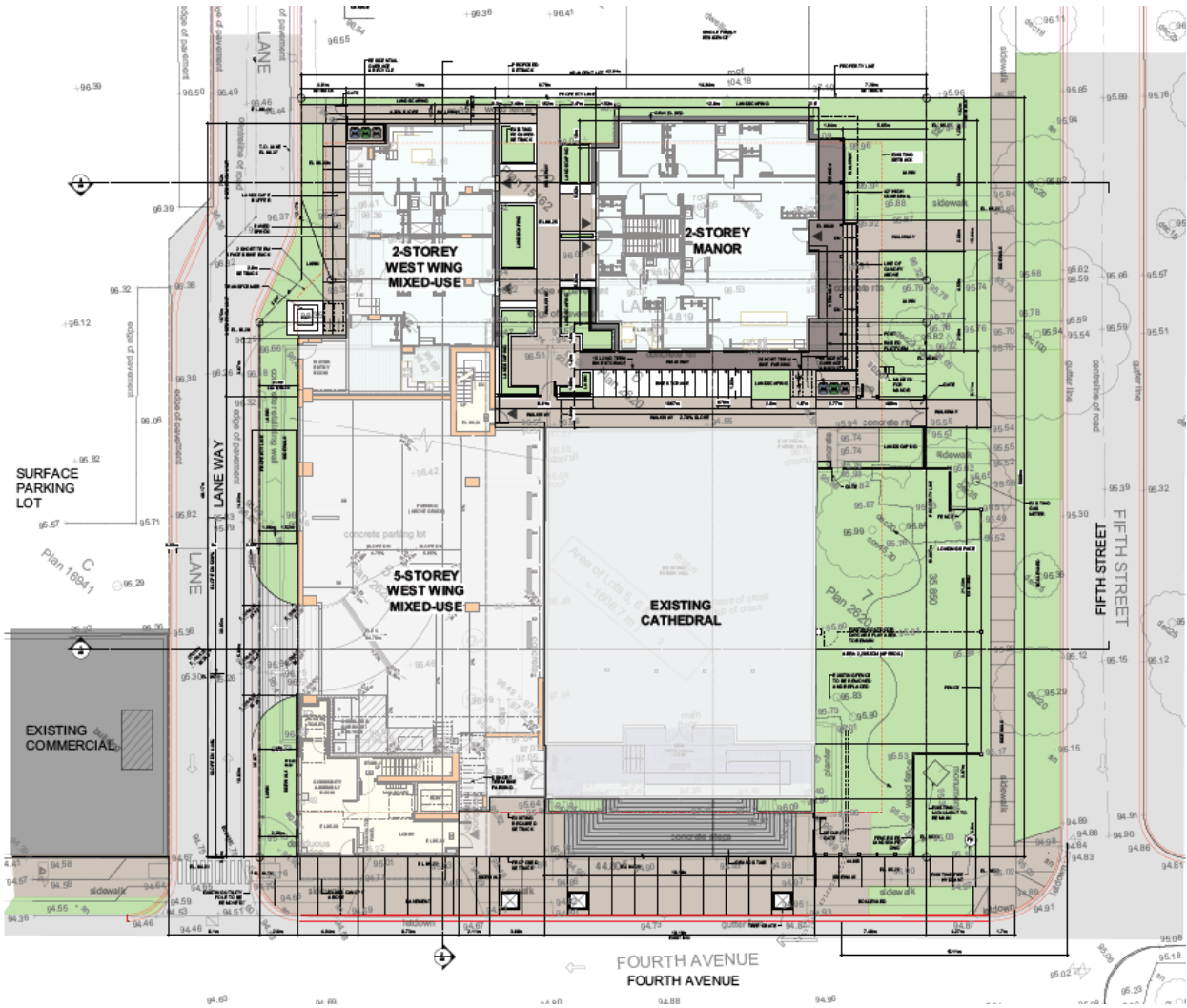


Figure 2 - Site Plan

DISCUSSION

Overall Evaluation

Overall, the proposal is considered to provide community benefit and meet a number of Council priorities. In the Official Community Plan (OCP), this intensity of use was previously not contemplated for these properties, which are located at the edge of a low-density heritage neighbourhood. However, the proposal is considered reasonable given:

- the size of the site;
- the site’s proximity to a commercial precinct, Great Street, and Frequent Transit Network;
- the project’s general consistency with similar applications elsewhere;
- the community amenities provided (e.g., childcare); and
- the proposed building’s stepping and transition to neighbouring properties.

As such the proposal for an amendment to the Official Community Plan and to increase density are reasonable for further consideration.

Official Community Plan Amendment

The project is not consistent with the Residential – Detached and Semi-Detached Housing (RD)) land use designation in the Official Community Plan (OCP) for the site (details in Attachment 1).

However, this proposal meets a number of Council priorities. It is also considered an appropriate scale for the size of the site, which was intentionally exempted from the Heritage Conservation Area policy, due to its institutional use. It generally fits the immediate context, including the higher density buildings and mixed uses on Sixth Street, one block to the west, and two existing three-storey apartment buildings across Fifth Street, and provides reasonable transition in scale to surrounding lower density uses. The commercial aspects of the project are located adjacent to the existing commercial corridor, away from surrounding residential uses.

Official Community Plan Amendment Local Government Act Consultation Requirements

Section 475 and 476 of the Local Government Act provides specific requirements for consultation that must occur prior to the consideration of an Official Community Plan (OCP) amendment. The Act requires local government to provide one or more opportunities it considers appropriate for consultation with the organizations and authorities it considers may be affected by the proposed OCP amendment.

In an effort to create early and ongoing consultation, staff would begin this process after preliminary approval as outlined in the “Next Steps” section of this report. A full list of organizations for Council’s consideration of consultation, with staff recommendations are outlined in Attachment 3.

Heritage Value

The cathedral is more than fifty years old (built in 1968), and as such, qualifies to be considered for heritage value. A Statement of Significance has been prepared for the building, which includes current and archival photographs (Attachment 5). At this time, staff consider there to be sufficient heritage value in the building, and recommended pursuing an HRA application. An HRA would see the existing heritage cathedral restored and legally protected through a Heritage Designation Bylaw, in conjunction with the development. Through the application’s review process, the heritage value of the cathedral would also be discussed with the Community Heritage Commission.



Figure 3 - Holy Eucharist Cathedral Front View

Building Massing

The site is near Sixth Street for which the OCP anticipates four- to six-storey buildings, with commercial at grade and residential above. The City’s policies relating to low-rise and mixed-use buildings like these allows for developments up to six storeys, should there be an appropriate provision of community amenities. Using this as a guiding principle, the project would be eligible for the additional (fifth) storey, as the intention is to provide non-profit childcare, heritage conservation, and secured market rental housing.

The Uptown Development Permit Area design guidelines (see Attachment 1) requires that buildings of four to six storeys be set back by 3 m (9’10”) at the fourth storey and higher, in order to reduce bulk and overshadowing. The applicant is proposing a 0.6 metre (2 ft.) setback on the west side and 1.8 metre (6 ft) setback on the east side of levels 4 and 5: these are the two sides against the lane (west) and cathedral (east). The north side of the building has been terraced and stepped down to soften the transition to neighboring single-detached dwelling uses. The proposed setbacks support larger floorplates for the residential units on floors four and five, thereby providing more family-friendly sized units.

To further assist with transition to the existing neighbourhood, the rectory building (426.44 sq. m. / 4,591 sq.ft.) has been designed at a similar scale as a large single detached dwellings.

Childcare

The proposal includes 74 childcare spaces which would be managed by the existing operator, who is currently seeking non-profit status. Non-profit status would be a condition of adoption. The current plans for the allocation of the childcare spaces is as follows:

- 2 infant and toddler groups each with 12 children.
- 2 group (30 months to school age) each with 25 children.

Outdoor play areas would be provided on decks overlooking the interior of the site at both the second storey and roof level, and amenities such as offices, stroller parking, and on-site laundry would be included on these floors. Increased childcare spaces, especially with non-profit providership, is in support of the City's Childcare Strategy and Child and Youth Friendly Community Strategy (policy context in Attachment 1).

Off-Street Vehicle Parking and Circulation

The proposal includes 34 off-street parking spaces, which is one space short of the Zoning Bylaw minimum for the site. Staff will continue to work with the applicant to find a solution to address the minor shortfall. Based on the Secured Market Rental Housing Policy, 14 residential parking spaces and 2 residential visitor spaces have been provided, with the remainder to be shared between church and childcare uses. The applicant proposes sharing of parking spaces across the childcare and church uses as they have differing peak use periods.

Solid waste collection, loading, pick-up and drop-off, and interior parkade circulation will be further detailed and explored as the review process continues.

NEXT STEPS

As per the City's development review process, the anticipated review steps for the applications are:

1. Preliminary report to Council (**WE ARE HERE**);
2. Applicant-led public consultation, including dissemination of information through the local Residents' Association;
3. 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*;
4. Review by the Community Heritage Commission;
5. Presentation to the New Westminster Design Panel;
6. Review by the Advisory Planning Commission;
7. Council consideration of First and Second Readings of the Official Community Plan Amendment, Heritage Revitalization Agreement, Heritage Designation and Property Disposition Bylaws;

- 8. A Public Hearing followed by Council’s consideration of Third Readings of the Bylaws;
- 9. Council consideration of Adoption of the Bylaws; and
- 10. Issuance of the Development Permit and Heritage Alteration Permit by the Director of Climate Action, Planning and Development.

Following the above, Building, Servicing, and Tree Permits would be required.

INTERDEPARTMENTAL LIAISON

The City has a project-based team approach for reviewing development applications, which facilitates interdepartmental review, providing comments to the applicant throughout the development review process.

OPTIONS

The following options are available for Council’s consideration:

- 1. That Council direct staff to proceed with processing the Official Community Plan Amendment (OCP) and Heritage Revitalization Agreement applications at 501 Fourth Avenue and 408 Fifth Street, as outlined in the “Next Steps” section of this report;
- 2. That Council, with regard to the proposed OCP Amendment:
 - 1) Give consideration to the requirements of Section 475 and 476 as well as other relevant sections of the Local Government Act;
 - 2) Direct staff to advise and consult with the following:
 - a. the Board of Education of New Westminster Schools; and
 - b. the following First Nations:
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 - d. Ministry of Transportation and Infrastructure; and
 - e. Councils of immediately adjacent municipalities;
- as none are considered to be affected by this application.
3. That Council provide staff with alternative direction.

Staff recommend Options 1 and 2.

ATTACHMENTS

Attachment 1 – Summary of Related City Policies and Regulations

Attachment 2 – Further Project Description

Attachment 3 – Official Community Plan Amendment Consideration of Public Consultation

Attachment 4 – Project Drawings

Attachment 5 – Statement of Heritage Significance and Photographs of Cathedral

APPROVALS

This report was prepared by:
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