

Attachment #1

Staff Memo

MEMO
Climate Action, Planning and Development

To: Emilie K. Adin, MCIP
Director of Climate Action, Planning and Development **Date:** June 13, 2022

From: John Stark,
Acting Senior Manager, Climate Action,
Planning and Development **File:** HER00710
SDP00223

Subject: **Heritage Revitalization Agreement, Heritage Designation, Road Closure and Land Sale: 108 – 118 Royal Avenue and 74 – 82 First Street – Bylaws for Consideration of Readings**

RECOMMENDATIONS

Staff recommends that the Director forward this memo and the following resolution to Council for consideration:

THAT That Council consider Heritage Revitalization Agreement (108 – 118 Royal Avenue and 74 – 82 First Street) Bylaw 8339, 2022, Heritage Designation (82 First Street) Bylaw No. 8340, 2022, and Road Closure Bylaw and Land Disposition (Windsor Street) Bylaw No. 8350, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing; and

THAT Council authorize the Mayor to sign the Road Closure and Land Exchange Agreement which includes the sale of a portion of the Windsor Street right of way adjacent to the proposed development and the dedication of new road (intended to be used for a multi-use pathway) adjacent to Qayqayt Elementary School, should Council adopt Road Closure Bylaw and Land Disposition (Windsor Street) Bylaw No. 8350, 2022.

PURPOSE

To consider bylaws which would allow for the construction of 189 market strata units in a mid-rise building and within a relocated, protected and restored 1890 Woods House (82 First Street), and the offsite relocation of the 1930 Henderson House (112 Royal

Avenue). Includes consideration of land sale and dedication to facilitate the development and a multi-use pathway.

EXECUTIVE SUMMARY

Heritage Revitalization Agreement (HRA) and Development Permit applications have been received which would allow for the development of a six to eight storey multiple unit residential building at 108 – 118 Royal Avenue and 74 – 82 First Street with 189 residential units with a total floor space ratio (FSR) of 3.29. The HRA would facilitate retention, on-site relocation, restoration, and protection of the Woods House (1890) at 82 First Street, as well as the retention and off-site relocation of the Henderson House (1930) at 112 Royal Avenue.

The proposed development would provide a dedication along the western property line to support the construction of a multi-use pathway from Cunningham Street to Royal Avenue, adjacent to Qayqayt Elementary School, and would also provide an enhanced sidewalk (2.5 metre) along Royal Avenue and a mid-block connection between First and Windsor Streets. The applicant has proposed to purchase a portion of Windsor Street which functions as a City lane. This land sale would allow the applicant to shift the building to the east, allowing space for the multi-use pathway adjacent to the school.

Relaxations to the existing zoning being sought through the HRA include a higher density building form, the multiple unit residential use, and siting relaxations. In exchange, the Woods House (82 First Street) would be restored, legally protected through a Heritage Designation Bylaw, and listed on the City's Heritage Register. The Henderson House (112 Royal Avenue) would also be relocated off site. Staff considers this project to be consistent with related City policies and goals, and to represent a balance of development benefits with community benefits given the:

- High heritage value and building integrity of the Woods House, as verified by a registered heritage professional and the Community Heritage Commission;
- Support of the City's housing goals: with the creation of 189 market strata units, which meet the City's Family Friendly Housing Policy requirements;
- Dedication of a portion of the west side of the site to achieve a multi-use pathway in line with the City's Master Transportation Plan; and
- Consistency of the building form with the OCP land use designation for the site.

Applicant-led public consultation has been undertaken for the project and the applicant has responded to key community feedback. The proposal was also presented to and supported by the Community Heritage Commission and New Westminster Design Panel. Staff recommend that Council consider First and Second Readings and forward the Bylaws to a Public Hearing.

BACKGROUND

Policy and Site Context

The application is consistent with the Official Community Plan (OCP) land use designation of “Residential - Low-Rise Apartment and Residential – Mid-Rise Apartment” and heritage policies and requirements. The lots are zoned for single detached dwellings with suites (RS-2). A Heritage Revitalization Agreement (HRA) has been proposed to enable the project by varying the underlying zoning. Additional policy and background information is included in Attachment 5.

PROJECT PROPOSAL

The proposal is comprised of a total of 189 residential units with a density of 3.29 FSR. Of these, 187 are proposed to be within the six storey (from Royal Avenue) to eight storey (from Cunningham Street) apartment building. The remaining two units would be within the renovated heritage house from 82 First Street, which would be relocated on-site, restored, and legally protected with a Heritage Designation Bylaw. The apartment building would front Royal Avenue and the heritage house would front First Street. Four of the site’s existing houses would be demolished, and one other house relocated off-site. The proposal provides a total of 25 three-bedroom units (13.2%) and 60 two-bedroom units (31.7%) which exceeds the family friendly housing requirements of 10% three-bedroom and 30% two- and three-bedroom units.

The proposal includes 253 underground vehicle parking spaces. Vehicle access would be from Cunningham Street with one driveway that aligns with Windsor Street. There are a total of 19 spaces proposed for visitors. There are 236 long term and 12 short term bicycle parking spaces proposed. The proposal meets all bylaw parking requirements. The drawings package and other supporting documentation are included in Appendix 5 of the HRA Bylaw (Attachment 2). Further site context and a table of project statistics is included in Attachment 5.

DISCUSSION

Cycling and Pedestrian Connections

There are three key cyclist and pedestrian enhancements as part of the development proposal:

- 1. Cunningham Street to Royal Avenue Multi-Use Pathway (MUP):** The west side of the subject site, adjacent to Qayqayt Elementary School, is identified in the Downtown Transportation Plan as a low-slope bicycle and pedestrian connection between the Downtown and Uptown neighbourhoods providing a key link to and from the Patullo Bridge and the Agnes Street Greenway.

The existing site conditions and grade make it very challenging to provide a fully accessible (i.e. 5-6% grade) route. The natural slope of the site is 13.4%, which is comparable to the grades experienced on First (13.2%) and Merivale (12.6%) Streets. A conceptual design for this connection has been prepared which integrates an existing multi-use pathway located on Qayqayt Elementary School property along Royal Avenue, allowing additional length and a lower sloped condition. Slopes are estimated at 5-8% pending further detailed design work.

To date, School District staff has been supportive of this multi-use pathway alignment and a legal right of way ensuring public access and City maintenance of the multi-use pathway on school property. They have provided comments regarding drainage onto school property which would be addressed through detailed design and further School District review.



Figure 1: Conceptual Rendering of MUP between Royal Ave. and Cunningham St.

Should use of the School District lands not be available, a more steeply sloped connection would be constructed on the applicant’s property and within the City right of way with an approximate grade of 10-12%.

- 2. **Royal Avenue Enhanced Pedestrian Connection:** An enhanced sidewalk with a 2.5 metre clear width and with landscaped front boulevard and street trees is identified for the Royal Avenue frontage. This pathway is an extension of the existing multi-use pathway that runs along the south side of Royal Avenue from Merivale

Street along the school frontage. The enhanced pedestrian route improves the connection to the First Street and Royal Avenue intersection, a Safe Route to School for Victoria Hill via Queens Park and a designated cycling route.

- 3. First Street to Cunningham Street Mid-block Connection:** A mid-block pedestrian connection between First Street and Cunningham Street is proposed along the southern property line. This connection provides access to the underground parking area and units facing the walkway, and could continue, in the future, into a sidewalk along the north side of Cunningham Street connecting to the Saint Mary's Park and Qayqayt Elementary School.

Purchase of City Lane and MUP Dedication

The applicant has proposed to purchase a portion of Windsor Street that extends from Royal Avenue to Cunningham Street. This section of the lane is 40.24 metres long and 10.06 metres wide (132 ft. by 33 ft.) and has a total area of 404.8 square metres (4,357 sq. ft.). This would allow consolidation of the properties on either side creating a contiguous development parcel. This property would be sold to the applicant at the appraised value of \$1,580,000. The applicant would also provide an approximately 10 metre (33 foot) dedication along the western property line to support the construction of the multi-use pathway between Cunningham Street and Royal Avenue, adjacent to Ecole Qayqayt Elementary School as noted above.

A draft Road Closure and Land Exchange Agreement is included in Attachment 6.

Building Massing and Transition

The application has been evaluated against the design guidelines within the Downtown Community Plan for the Albert Crescent Precinct. A six storey wood frame building would be located on top of a two-level parkade structure. The parkade structure would project two storeys above grade on the downslope side (south) of the property along Cunningham Street, which would result in an eight storey massing on the south side. Two level townhouses would wrap the above ground portion of the parkade to provide a more gradual transition to the neighbourhood, and enhance the pedestrian scale of Cunningham Street. Articulation of the building, setbacks and variety of materials reduce the impact of the building's massing on the public streetscapes and surrounding properties. The proposed form and massing of the development generally conform to the intent of the guidelines.

Heritage Value

82 First Street

82 First Street (the Woods House) would be relocated, retained, restored and protected on site. At over 130 years old (built in 1890) and on the City's Heritage Register, the house is the oldest surviving building on this block of Royal Avenue and is demonstrative of historic, cultural, and aesthetic heritage values. The Heritage

Conservation Plan, which describes the restoration work proposed for the project and its heritage value, is Appendix 2 of the HRA Bylaw (Attachment 2).

112 Royal Avenue

The Henderson House (112 Royal Avenue) was originally constructed in 1930 and is listed in the City's Heritage Inventory. The house is an intact example of an English cottage revival style and is considered to have aesthetic and historic value and is a rare example of the Great Depression inter-war building period. The Henderson House now forms part of an HRA at 709 Cumberland Street, which was adopted by Council in December 2020. The heritage value of the house was reviewed and confirmed by the Community Heritage Commission in July 2020, through their review of that application.

The 1930 Henderson House is proposed to be relocated to a new site (on Cumberland Street) with a \$30,000 contribution towards the dwelling's transfer provided by the applicant of this project on Royal Avenue. Though retention of houses in-situ is best practice, relocation to another site is acceptable under the City's Heritage Review Policy and Policy for the Use of HRAs. As an adoption requirement of the HRA, the applicant must enter into a contract with the owner of 709 Cumberland Street to move the house to that lot. In the event that the house is not able to be relocated to 709 Cumberland Street, the HRA requires that the house be advertised for relocation at no cost. In the final event that the house is not able to be relocated, the house would be demolished and the \$30,000 contribution for moving costs would be provided to the City for general serving amenities.

Tree Removal and Replacement

There are a number of mature trees on the subject sites which would be considered through a Tree Permit application. The arborist report has been reviewed by City arboricultural staff and notes that all 71 on-site trees would require removal due to the building footprint and underground parkade. While three high value trees would be lost, a majority of the trees have irreversible structural health defects and are not good candidates for retention.

A total of 120 replacement trees would be required with 57 trees being replaced on-site. However, the City arborist has been working with the applicants' landscape architecture team to develop a replacement tree plan that best achieves the City's goals to improve canopy cover. This work involves achieving increased soil volumes to support medium sized rather than multiple smaller sized trees.

The benefits of increased tree sizes would be factored into the final number of required replacement trees required through finalization of the Tree Permit. There may be opportunities to plant some replacement trees within the multi-use pathway dedication on the west side of the property adjacent to Qayqayt Elementary School.

CONSULTATION AND COMMITTEE REVIEW

Applicant Led Consultation

Applicant-led consultation included a virtual open house and project website. The Downtown Residents Association and residents within 100 metres of the project were provided notification. 19 attendees were at the open house held on April 13, 2021. Feedback was received relating to tree replacement, parking and traffic, building massing, acoustics and lighting. Attachment 7 includes the applicant consultation summary.

Community Heritage Commission Review

At their meeting of April 7, 2021, the Community Heritage Commission (CHC) was asked to provide feedback on the heritage value of the Woods House (82 First Street – built in 1890) which would be retained on site. Feedback was also sought on the Woods House regarding the prepared Statement of Significance, the planned conservation work, the siting location and the design of its basement addition. The Commission also reviewed the demolition of the remaining four buildings on site.

The CHC recommend that Council support the overall Heritage Revitalization Agreement, and the Heritage Designation Bylaw at 82 First Street and its inclusion on the City's Heritage Register.

The minutes of the April 7, 2021 meeting are accessible on the City's website at: https://www.newwestcity.ca/database/files/library/CHC_2021_Apr_7_Minutes.pdf

New Westminster Design Panel Review

The application was presented to the New Westminster Design Panel (NWDP) on April 27, 2021. After reviewing the proposal and providing comments, the Committee expressed its general support for the project to proceed.

The minutes of the April 27, 2021 meeting are accessible on the City's website at: https://www.newwestcity.ca/database/files/library/NWDP_2021_Apr_27_Minutes.pdf

Applicant Response and Revisions

Throughout the application review process, there have been a number of revisions to the proposals, including some of the following key revisions:

- Sought improved Cunningham Street to Royal Avenue multi-use pathway in partnership with School District for the lower-slope option;
- Improved building setbacks, especially at the top levels and on the south (low side of the slope) side of the building, improving massing integration to adjacent uses and street wall;

- Revised materials to help with: perception of reduced massing on upper levels; stronger building base; and integration of traditional materials to reflect heritage best practice;
- Relocated and designed main building entrance and common amenity room to front directly on to First Street;
- Increased size of the rooftop amenity area;
- Parkade revisions to accommodate greater soil depths for tree planting;
- Parkade revisions to reduce conflicts of vehicles, garbage and loading with the pedestrian sidewalk and crosswalk at Cunningham / Windsor Street intersection.

INTERDEPARTMENTAL LIAISON

This proposal has been reviewed by a project team consisting of staff from the Engineering Services and Parks and Recreation Departments, and the Building and Planning Divisions of Climate Action, Planning and Development.

APPLICATION REVIEW PROCESS AND NEXT STEPS

Below is an overall outline of the development review process for this project. The bold text outlines where we are currently at within the process.

1. Preliminary Report to Council (February 8, 2021);
2. Applicant Led Open House (April 13, 2021);
3. New Westminster Design Panel (April 27, 2021);
4. Presentation to the Community Heritage Commission (April 7, 2021 and July 7, 2021);
5. Report to Council for consideration of First and Second Readings of Heritage Revitalization Agreement, and Heritage Designation Bylaws and First, Second and Third Readings of Road Closure and Land Disposition Bylaw (**WE ARE HERE**)

Anticipated Next Steps:

6. Public Hearing and Council Consideration of Third Reading of Bylaws;
7. Applicant completion of adoption requirements;
8. Council consideration of adoption of Road Closure and Land Disposition Bylaw;
9. Consideration of Final Adoption of Heritage Revitalization Agreement and Heritage Designation Bylaws;
10. Issuance of Special Development Permit by Director of Climate Action, Planning and Development;
11. Issuance of Tree Permits and Building Permits.

ADOPTION REQUIREMENTS

Items that will need to be addressed by the applicant prior to the adoption of Heritage Revitalization Agreement Bylaw No. 8339, 2022 include, but are not limited to, the following:

- Signed agreement with owners of 709 Cumberland Street to relocate the house at 112 Royal Avenue to 709 Cumberland Street and provide at least a \$30,000 contribution towards relocation costs, to the satisfaction of the Director of Climate Action, Planning and Development;
- Adoption of Road Closure and Land Disposition Bylaw No. 8350, 2022 for a portion of the Windsor Street right of way adjacent to the proposed development;
- Completion of a Road Closure and Land Exchange Agreement which includes the sale of a portion of the Windsor Street right of way adjacent to the proposed development and the dedication of new road (to be used for multi-use pathway) adjacent to Qayqayt Elementary School;
- Parking covenant (required for visitor parking);
- Complete all the relevant conditions outlined within the Engineering Servicing Requirements Memo (included in Attachment 8).

OPTIONS

The following options are offered for Council's consideration:

1. That Council consider Heritage Revitalization Agreement (108 – 118 Royal Avenue and 74 – 82 First Street) Bylaw 8339, 2022, Heritage Designation (82 First Street) Bylaw No. 8340, 2022 and Road Closure Bylaw and Land Disposition (Windsor Street) Bylaw No. 8350, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing.
2. That Council authorize the Mayor to sign the Road Closure and Land Exchange Agreement which includes the sale of a portion of the Windsor Street right of way adjacent to the proposed development and the dedication of new road (intended to be used for a multi-use pathway) adjacent to Qayqayt School, should Council adopt Road Closure Bylaw and Land Disposition (Windsor Street) Bylaw No. 8350, 2022.
3. That Council provide alternate direction.

Staff recommends options 1 and 2.

REPORT ATTACHMENTS

Attachment 1: Staff Memo (this memo)

Attachment 2: Heritage Revitalization Agreement (108 – 118 Royal Avenue and 74 – 82 First Street) Bylaw 8339, 2022

Attachment 3: Heritage Designation (82 First Street) Bylaw No. 8340, 2022

Attachment 4: Road Closure Bylaw and Land Disposition (Windsor Street) Bylaw No. 8350, 2022

Attachment 5: Background Information

Attachment 6: Road Closure and Land Exchange Agreement (Draft)

Attachment 7: Applicant Consultation Summary

Attachment 8: Engineering Servicing Requirements Memo

APPROVALS

This memo was prepared by:

Michael Watson, Acting Supervisor Development Planning

This memo was approved by:

John Stark, Acting Manager of Planning