



ADVISORY PLANNING COMMISSION

Tuesday, November 19, 2019 at 6:30 p.m.
Council Chambers

MINUTES

VOTING MEMBERS PRESENT:

- Christa MacArthur - Chair/Community Member
- Rebecca Bateman - Community Member
- Steven Beasley - Community Member
- Ken Bourdeau - Vice-Chair/Community Member
- Darlene Carty - Community Member
- Margaret Fairweather - Community Member
- Andrew Feltham - Community Member
- Melinda Michael - Community Member
- Christopher Lumsden - Community Member

GUESTS:

- Vince Dumas - Co-owner, 515 Fourth Street
- Tara Gronland - Gronlund Dare Partnership
- Kirsten Sutton - D3

STAFF:

- Cameron Barker - Planning Assistant
- Britney Dack - Heritage Planner
- Jackie Teed - Senior Manager of Development Services
- Mike Watson - Senior Planner
- Heather Corbett - Committee Clerk

The meeting was called to order at 6:34 p.m.

1.0 ADDITIONS TO AGENDA

There were no additions.

2.0 ADOPTION OF MINUTES

MOVED and SECONDED

THAT the minutes of the October 15, 2019 Advisory Planning Commission meeting be adopted.

CARRIED.

All members of the Commission present voted in favour of the motion.

3.0 INFORMATION PRESENTATIONS

There were no items.

4.0 REZONING

Christa MacArthur, Chair, provided a statement regarding the process and procedures of the meeting.

4.1 719 Colborne Street

REZ00186

Cameron Barker, Planning Assistant, and Mike Watson, Senior Planner, summarized the staff report dated November 19, 2019, regarding Rezoning and Minor Development Permit applications to facilitate the installation of a secondary suite within the existing principal building at 719 Colborne Street, as well as an accessory dwelling unit in an existing detached structure.

Mr. Barker and Mr. Watson reviewed the details and requested relaxations within the application, noting the location, site context and policy context of the application, along with the following details:

- The application includes the addition of two accessory dwellings which would require only minor changes to the existing building and the garage;
- Two parking spaces are requested in the application, which is consistent with the requirements of the Laneway and Carriage House Program, and there are no on-street parking restrictions in the area; and,
- The required public consultation and notice has occurred and the public comments have been included in the agenda package.

In response to questions from the Commission, Mr. Watson provided the following information:

- The application and rezoning is specific to this property only and would not affect the neighbouring properties; and,
- The parking provisions for the new dwellings are consistent with the requirements of the Laneway and Carriage House Program.

Tara Gronland, Gronlund Dare Partnership, reviewed the following aspects of the application:

- The aim of the application is to provide an extra two dwelling units within the existing building, no subdivision or stratification required;
- Details on the outdoor space to be provided for the secondary suites and the exterior changes required;

- Details of proposed vehicle access to the properties and parking availability; and
- Positive and supportive comments were received from the consultation.

The Chair called for speakers from the public.

Note: Unless otherwise noted, all speakers are residents of New Westminster.

Desmond Salven discussed the area and buildings located adjacent to the proposed project and noted that off-street parking is not sufficient in the area, which results in parking on the street. Mr. Salven noted concern that the rezoning will promote further development of secondary suites to occur in the area putting more pressure on parking, and also noted concerns about the proposed living space and its potential for short-term rentals.

Valerie Doyle expressed concerns in regards to parking in the area, noting that, as it may not be convenient to park all the vehicles that would be permitted for this project in the driveway, it would contribute to the parking shortage in the area. Ms. Doyle also noted concern that this project would start an impetus of converting the similar properties on Colborne Street.

In response to concerns from members of the public, Ms. Gronland provided the following information:

- In the original zoning for the townhouse development, the spaces above the garages were not intended to be detached separate residences; however, they are suitable for living space;
- In terms of livable space in the garage, the floor space area in the staff report does not include low height spaces, however, if these are included, the livable space would be closer to 400 sq. ft.;
- The intention for this property is to accommodate the owner's family, and not for short-term rentals; and,
- The owner has observed ample parking in the front and rear of the property, other than when there is an event at the school.

Desmond Salven clarified that his main concerns with parking are in the evening.

Valerie Doyle clarified that the main parking concerns in the neighbourhood are as of 4pm.

In response to a question from the Commission, Mr. Watson noted that the City does not allow short-term rental units, and use of the property in such a way would not be permitted.

The Chair called a further two times for any comments from the public and no speakers came forward.

The Commission made the following comments in regards to the proposed application:

- Support for the proposal was expressed, as it is a creative way to increase livable space on the property without increasing the footprint;
- Parking requirements for this project meet the requirements and appear to be sufficient;
- The amount of living space above the garage is not of concern if it is designed for livability; and,
- The proposal is well situated for greenways and transit.

MOVED and SECONDED

THAT the Advisory Planning Commission recommend that Council support the proposed rezoning and minor development permit applications for 719 Colborne Street, as outlined in the staff report dated November 19, 2019.

CARRIED.

All members of the Commission present voted in favour of the motion.

Procedural Note: The Commission recessed from 7:19 p.m. to 7:35 p.m.

Procedural Note: At 7:19 p.m., Margaret Fairweather declared a Conflict of Interest with regard to item 4.2, as she lives within 100 metres of the property, and left the meeting.

4.2 515 Fourth Street – Heritage Revitalization Agreement HER00716

Britney Dack, Heritage Planner, summarized the staff report dated November 19, 2019, regarding a proposed Heritage Revitalization Agreement (HRA) which would protect the 1940 Rankin House at 515 Fourth Street through a Heritage Designation Bylaw, in exchange for conversion of the house to a stratified duplex and the construction of a third, stratified infill house on the lot; creating a three unit common property strata.

Ms. Dack reviewed the details and requested relaxations within the proposed HRA, noting the location, site context, housing types and policy context, along with the following comments:

- The property is located within the Queen’s Park Heritage Conservation Area (HCA) and, as a protected property, is eligible for the incentive program which provides an additional 0.2 Floor Space Ratio (FSR) for the primary residence and a density transfer to the detached dwelling;

- Two parking spaces are proposed in the project, which is consistent with the Laneway and Carriage House Program, though not a three-unit strata, which would require three parking spaces;
- Parking is permitted along both perimeters of the property;
- Greenspace requirements have been met; and,
- The required public consultation and notice has occurred, and the public comments have been included in the agenda package.

Jackie Teed, Senior Manager of Development Services, reviewed the areas of discussion for the APC to consider, including four variances, and noted that the Statement of Significance (SOS) for the property was not included in the agenda package, as it is within the purview of the Community Heritage Commission (CHC) to evaluate the heritage merits of the proposal.

In response to questions from the Commission, Ms. Dack and Ms. Teed provided the following information:

- The SOS and heritage merits of the proposal would be reviewed by the CHC, and therefore the APC has been asked to focus on its mandate, which includes questions and comments on the requested relaxations and variances within the application, and whether the proposal is appropriate in the context of land use, and not to focus on the heritage merits of the application;
- The CHC's comments on the heritage merits of the proposal are not included in the staff report because they deferred their motion until the community consultation was completed and the APC had commented;
- As noted in section 3.4 of the staff report, in staff's estimation, the house has moderate social historic and aesthetic heritage value and is comparable with other HRAs that have been recently reviewed by the APC or issued by Council;
- As there is only one other house on this block of Fourth Street, between Regina Street and Brandon Street, there was no average front yard setback information provided;
- An approximate measurement of the front yard setback for the other house on this block of Fourth Street was provided, as estimated from the City's information systems. More detailed information would need to be obtained through a survey of the neighbouring property, which the scope of this project is not required to provide;
- The CHC is scheduled to review the project again, prior to Council's consideration of adoption;
- The reason that the project will be reviewed by the CHC after the APC review is because the CHC passed a motion to modify the normal review process. This request went to the City Clerk, who determined that it was acceptable.

Vince Dumas, co-owner, and Kirsten Sutton, D3, provided a PowerPoint presentation outlining the following information:

- The project goals and relaxations requested;
- The project's aim of housing three families within a strata, with separate entrances and private outdoor areas;
- Changes made in response to community feedback, including lowering the infill house size and height, changing the proposed colour schemes, and reducing the size of the rear dormer proposed for the heritage house;
- The heritage significance and history of the house, including its significance to the Queen's Park area through the introduction of new revival architecture to the area;
- The heritage restoration elements, including siding, chimney, colour scheme, and windows; and,
- The required relocation of the heritage house forward on the lot in order to provide the infill house with setbacks and other characteristics that are more in keeping with the single-detached character of the neighbourhood.

In response to questions from the Commission, Mr. Dumas and Ms. Sutton provided the following information:

- In reference to section 5.3 in the staff report, a diagram showing the window alignment between the infill house and the neighbours on Regina Street is in the process of being completed;
- Stratification was preferred for the tenure of the infill house for the following reasons:
 - Greater commitment to the neighbourhood by property owners; and,
 - Provides an opportunity for entry first time buyers or downsizers to own property within the Queen's Park neighbourhood and near to amenities.
- The applicants plan to sell the units at market rates, which would be determined following the completion of construction; and,
- The applicants chose an infill house rather than a carriage home due to the density transfer available, which meant that the infill would allow a larger three-bedroom unit, which would appeal to families.

The Chair called for speakers from the public.

Note: Unless otherwise noted, all speakers are residents of New Westminster.

Gary Boychuk provided a PowerPoint presentation and discussed the Queen's Park Heritage Conservation Area (HCA), and the potential precedent that could be set by the proposal, including stratification, and proposed setbacks. Mr. Boychuk noted no significant heritage aspects of the house, and noted that the units would likely be expensive to prospective buyers.

Steve North advised he is not supportive of the proposal, noting that the heritage house is already protected through the HCA, and, once the work is complete, nothing like the original structure will be left. Mr. North also expressed concerns about the potential density on the small lot, and parking in the area, also adding that the proposal does not align with neighbourhood character.

Steve Norman advised that he is supportive of the HCA and the related incentives program, but commented that the additional incentives provided through the proposed HRA have not been evaluated properly in this case. He expressed concern with the proposal because stratification of infill buildings in the HCA has not yet been determined by Council to be an available incentive, and noted that the HRA program is not working well with the HCA objectives.

Gail North commented on the HRA process, noting that the understood aim is to save a historic property in exchange for relaxations and variances. She noted that the house is in no danger of demolition because it is currently protected in the HCA. She expressed concern that due to the duplexing proposed for the house, it would no longer look like the original, and there would be no visible heritage win.

Garth Gendron, advised that he is against stratified units, as is proposed.

In response to a question from the Commission, Mr. Gendron noted that he is against stratification because it leaves three owners to deal with issues in regards to the property.

In response to a question from the Commission, Ms. Dack noted that the parking restrictions near the property include two hours for visitors or unlimited parking with a resident permit.

Kimberly Jansz advised that she is not supportive of the proposal because she does not consider the proposal to be in line with the HCA objectives or the community's desires. She noted that the lot is too small for the project and alternative options should be considered.

Larry Church requested that the APC oppose the proposal as the current HRA policy does not address stratification or the use of HRAs in the HCA, and stratification of an infill house was not endorsed in Council's initial consideration of the HCA incentives program. He also noted opposition to the reduced front yard setback proposed, the orientation of the duplex in the project, the on-site parking relaxation, and the heritage house's proposed dormers.

In response to a question from the Commission, Ms. Dack provided the following information:

- Typical relaxations to the Zoning Bylaw which are requested through HRAs include increased density, reduced parking spaces, setback or height variances, and alternative tenures. These relaxations are each considered on a case by case basis; and,
- At the time of the creation of the HCA, increased density and height and reduced setbacks were allocated to the incentives program, where other variances, such as parking reductions and alternate tenures, were left to be evaluated on a case by case basis through the HRA program.

Bryan Birks advised that he is not supportive of the proposal.

Jackie Birks advised that she is not supportive of the proposal and agrees with comments already made by others.

Kathleen Langstroth, President, Queen's Park Residents' Association, noted that the heritage house is already protected through the HCA and the proposal must be evaluated with the streetscape and the positioning of the houses on the intersection in mind. Ms. Langstroth also discussed the number of variances proposed, noting that these demonstrate that the proposal is too big for the lot and that the space left on site for the yards will not be sufficient, as it would be taken up by the infill house.

Kelley Arnott advised that she is not supportive of the proposal and asked the APC to take the community's comments into consideration.

Thor Borgford advised that he is not supportive of the proposal as presented, as it does not encapsulate the character of the house and the neighbourhood.

Maureen Arvanitidis advised that she is not supportive of the proposal as there is no heritage ‘win’ in this project and it is too big for the property. Ms. Arvanitidis noted that a Designation Bylaw on a house that is already protected through the HCA seems to be irrelevant, and the proposal does not appear to conserve the heritage value. She also expressed concern that the HRA program allows for an additional increase in FSR where the HCA already provides density incentives, and that this may mean that developers could start ‘trolling’ for protected properties. She suggested that stratification projects, such as the one proposed, be deferred until clarity through HRA policy can be achieved.

Matt Meehan, noted the following concerns with the proposal:

- The house is already protected and does not need to be saved through a Designation Bylaw;
- No context plan was submitted to the City in advance of the meeting, because the City has no requirement to provide one in projects of this scale; however, it would be useful for providing greater context about the setbacks, height and density of the neighbouring properties, and the impact of this project on those properties;
- The new infill house does not look like a laneway house and has a backyard smaller than a house;
- The Laneway and Carriage House Development Permit Area guidelines strongly oppose parking between two houses, as is shown in this proposal;
- The applicants have not supplied a window study to see how the proposal would impact the windows on his (neighbouring) house;
- The lot, and the neighbourhood, deserves a more sensitive development, and the proposal emphasizes the value to the developer more than the community.

Dan Newton noted that it would have been beneficial to see streetscape renderings of the proposal in order to provide context of the project in the neighbourhood, and expressed the opinion that the proposal does not add value to the community.

Chris Walton, advised that she is not supportive of the proposal as she feels it does not enhance the community. She noted that it would have been beneficial to see renderings of the proposal in relation to the houses on Regina Street in order to better provide an idea of the neighbourhood context.

Howard Walton advised that he is not supportive of the proposal as it takes yard space away from the lot and the amount of variances is too high.

Rick Enegren advised that he is not supportive of the proposal, noting that the house is not being conserved with its original heritage values intact. He advised that it has had nice landscaping and has been well maintained over the years, but that he felt this would disappear with the proposed changes.

Nicole Darveau advised that she is not supportive of the proposal.

Jim Hutson advised that he is not supportive of the proposal, as it is not appropriate for the site.

Mark Fox noted that he owns a protected property in the HCA, and sees this project as beneficial in terms of supplying affordable housing stock in the current housing crisis, while still allowing the heritage to be honoured.

Mike Daws advised that he is not supportive of the proposal, as it is too large for the lot and would be disrespectful to neighbouring properties.

James Garbutt advised of his support for projects of this type, noting that due to the growth of the City there is a need for new housing to be built. He suggested that stratification and energy upgrading would help avoid wasteful demolition and provides people with the opportunity to live in beautiful neighbourhoods such as Queen's Park. He also noted that there would be no benefit to developers to build these types of projects if stratification was not an option, and put forward the example of Portland, which has banned single-family zoning in order to encourage multi-family dwellings.

Ron Spence advised that he is not supportive of the proposal, as the house is already protected under the HCA. He suggested that the lot size was not big enough to support the infill house, and that the density variance was only possible because of the HCA and would not be supported in other areas of the City.

Mike Rickaby advised that he is not supportive of the proposal, as it would take away from the greenspace on the property, which is part of the character and family-oriented nature of the neighbourhood. He noted that it would set a precedent for the Queen's Park neighbourhood which he believes would cause problems moving forward.

Gary Mockler advised that he is not supportive of the proposal. He noted that there are many reasons why this proposal does not work on the property, including an oversized infill house, parking concerns, setbacks that do not align with the neighbours, and impacts on the streetscape. He asked the Commission to take into consideration that 85% of the people who have provided feedback are in opposition to the project. Mr. Mockler also noted that there are no tangible heritage gains in the proposal because the house is already protected by the HCA, and that this application proves that the City needs to reconsider the HRA program within the HCA in order to ensure that HRAs are not being used for additional increased density, heritage facadism, inappropriate lot-splitting, and developer gains.

Cathy Macfarland advised that she is not supportive of the proposal as it does not fit with neighbourhood character and asked the APC to consider the logical comments already presented by members of the community.

Catherine Hutson noted that she is supportive of densification and restoration, but in more appropriate locations in Queen's Park than the property in question. She also noted that the proposal would be too big for the lot.

Gina Yang noted that stratification would not be appropriate in the proposed location and that such a small strata would result in tensions or disagreements about the property that are not easily solved.

Gary Swickale noted that this proposal is the wrong way to bring densification to the neighbourhood.

Earl Fry advised that he is not supportive of the proposal and that it would not be appropriate for the neighbourhood.

In response to comments from members of the public, Kirsten Sutton, D3, provided the following information:

- The prominent section of the house would still be sited at 26 feet from the property line on Fourth Street;
- Both the neighbouring houses on Regina Street and Fourth Street are included in the provided shadow study;
- On Regina Street, the neighbouring house to the infill is much taller than the infill house, and the applicant has reduced the height and size of the infill house proposal in response to comments from the neighbours, and,
- The goal of the project is a small house that still allows for a livable space for a small family or someone downsizing.

Matt Meehan noted that the shadow study needs to be completed in addition to a proper context plan and clarified that his (neighbouring) house is set 19 feet back from Regina Street, but the infill house will be 4 feet from the side of his house, and only 8 feet from Regina Street. He also noted that the driveway between the two houses is shown on the plans, but does not show how the boulevard would be affected by the driveway crossing.

Larry Church noted that a side setback on Fourth Street should not be comparable to a front setback on Fourth Street and that densification has never equaled affordability.

The Chair called a further two times for any comments from the public and no speakers came forward.

Procedural Note: The Commission recessed from 9:47 p.m. to 9:57 p.m.

The Chair reviewed the five areas of discussion as proposed by staff and asked for questions and comments from the Commission on each area.

Change in Tenure (Stratification)

In response to questions from the Commission, Ms. Dack and Ms. Teed provided the following information:

- The majority of instances of stratification within the Queen's Park neighbourhood are in the form of traditional apartment style buildings, with five units or greater, and there are also a few duplexes throughout the neighbourhood;
- Site stratification has been used in HRAs in other parts of the City, so there is past practice to look to;
- From the City's point of view, the gain from allowing the stratification is in the restoration and full protection through Heritage Designation of the heritage house; and,
- The City's HRA policy allows consideration of a variance request for setbacks, and the HCA policy also supports setback relaxations.

The Commission made the following comments:

- In the case of this proposal, tenure of the property should not be the primary issue, as there are three units proposed, and it should not matter whether they are owned by one or three people;
- A mix in tenure in the Queen's Park neighbourhood may be desirable;
- Stratification to divide very large homes in Queen's Park may be a more reasonable proposal than lot stratification, especially in the context of smaller properties;
- It would be helpful to receive more direction from Council in regards to a policy for stratification in HRAs and the HCA before supporting this type of proposal;
- Stratification is positive for some projects and neighbourhoods, but would not be favourable for this parcel of land;
- Only the creation of a duplex on this site may be more favourable as a project; and,
- Stratification of this property may be seen to set a precedent that could change the character of the neighbourhood.

Infill House Size

In response to questions from the Commission, Ms. Dack and Ms. Teed provided the following information:

- Council's consent is required to demolish a protected property in the HCA;
- It is possible to make an application to Council to have a building un-protected;
- The property is zoned as RS-4, in which the minimum lot size is 6,000 sq. ft.; therefore, the owner is not entitled to subdivide the lot, but it could be considered for a small lot subdivision under an HRA;
- A carriage house could be located in the same location where the infill house is currently proposed, but it would be smaller in overall square footage, and would be required to be rental;
- The current proposal meets all siting guidelines for a carriage house, with the same setbacks and height; and,
- If this proposal is not supported, the applicants could apply to construct a carriage house, and also to move the heritage house forward on the lot through the standard Development Variance Permit process.

The Commission made the following comments:

- The size of the infill house is of less concern than its adjacency to the neighbours, and any infringement on their privacy;
- While there may be need for infill housing, and particularly in single-family neighbourhoods, not all properties are good candidates for this;
- During neighbourhood consultation for the HCA, there was much opposition to carriage housing in the area; however, the reasoning for encouraging it was for creation of rental housing, and this project does not match that criteria;
- If the infill house is not supported, the existing house could still be enlarged to make better use of the property, which may have more impact on the heritage characteristics; therefore an infill house may pose a better solution.

Infill House Massing

In response to questions from the Commission, Ms. Dack and Ms. Teed provided the following information:

- Elevations of the house were provided in open house boards, to the Queen's Park Residents' Association, and were included in the CHC and APC packages.

The Commission made the following comments:

- That the package lacked the illustration of the proposed streetscape and adjacent houses is of concern and makes it difficult to comment on massing; and,

- Visualization with context is important when trying to introduce density into a sensitive area, and by not being clear in this regard, the proponent may have hindered the application and did not build trust with the community about the project.

Front Yard Setback Relaxation (Duplex)

In response to questions from the Commission, Ms. Dack and Ms. Teed provided the following information:

- The exact measurement of the front yard setback of the neighbouring house on Fourth Street was not provided, as it is not City policy to require a survey of other properties; however, the City's mapping system estimates the setback at 12-15 feet;

The Commission made the following comments:

- The variance for the front yard setback seems excessive when looking at it in the context of the HCA, as buildings tend to line up with each other; and,
- The variance works within the context of the overall application for increased density, although more accurate information would be useful.

Off-Street Parking Spaces

The Commission expressed concern about the proposed parking, noting that the proposal is to create three stratified dwellings, and therefore each dwelling should have a parking spot.

General comments

- As an HRA is being used as the tool for this proposal, there must be heritage value to the house, however it is difficult for the APC to consider the proposed land use and variances, and make a decision, without information and guidance from the CHC related to the level of value;
- Heritage value and land use are integral to each other and must be understood in combination;
- Infill development and housing choice is important in terms of the future growth of the City; however, the level of densification proposed in this application may not be ideal for the context of this property;
- It may be worthwhile to consider a different composition of housing type or tenure for this property;
- It would be beneficial to ensure that sufficient streetscape and context images are included in similar applications in the future, in order to be more respectful to the community and to aid in understanding context;

- As noted above, further decision from Council about stratification in HRAs, and more specifically within the HCA would be useful, as it was the intention of the HCA to preserve a heritage community in the city, and not to encourage division of lots;
- It is important take the community's statements into account when evaluating this application; and,
- Some of the relaxations, such as infill size and parking, may be appropriate variances for this property; however, this project does not seem to be a good candidate for an HRA as there is no significant restoration proposed and no threat to the preservation of the house.

MOVED and SECONDED

THAT the Advisory Planning Commission recommend that Council provide a motion of non-support for the Heritage Revitalization Agreement application in regards to 515 Fourth Street, as outlined in the staff report dated November 19, 2019.

CARRIED.

All members of the Commission present voted in favour of the motion.

Commission members made the following additional comments about the APC review process:

- The more information provided, the better, as it allows the Commission members to determine what is relevant to their decision-making;
- All information regarding heritage value and conservation is intrinsic to projects in the Queen's Park neighbourhood; and,
- If the APC is being asked to provide direction in regards to a stratification tenure model, it would be helpful to be provided with more information and examples, including how that tenure may have been applied in similar cases.

5.0 NEW BUSINESS

5.1 Volunteer Appointments for 2020 Committees

Heather Corbett, Committee Clerk, reminded members that the Committee volunteer application period is currently open and those members whose terms are expiring are welcome to apply for any City Committees; however, they may only sit on one Committee at a time.

6.0 REPORTS AND INFORMATION

There were no items.

7.0 CORRESPONDENCE

7.1 Correspondence re: 515 Fourth Street

MOVED and SECONDED

THAT the Advisory Planning Commission receive the on-table correspondence regarding 515 Fourth Street.

CARRIED.

All members of the Commission present voted in favour of the motion

8.0 NEXT MEETING

December 3, 2019 in Council Chamber, City Hall

9.0 ADJOURNMENT

ON MOTION, the meeting adjourned at 10:59 p.m.

Certified Correct,

ORIGINAL SIGNED

Christa MacArthur
Chair

ORIGINAL SIGNED

Heather Corbett
Committee Clerk