



Corporation of the City of
NEW WESTMINSTER

REGULAR MEETING OF THE LAND USE AND PLANNING COMMITTEE

January 27, 2020 at 10:00 a.m.
Council Chamber, City Hall

MINUTES

PRESENT:

Mayor Cote
Councillor Chinu Das
Councillor Chuck Puchmayr

GUESTS:

Ms. Lisa Chan	- Resident/Applicant
Ms. Katie Cummer	- Cummer Heritage Consulting
Ms. Kirsten Sutton	- Designer, D3 Dimension Drafting and Design Inc.
Ms. Gillian Jamieson	- Resident/Applicant
Mr. James Jamieson	- Resident/Applicant
Ms. Maryanne Evers	- Capital City Classic Arcade
Mr. Evers	- Capital City Classic Arcade

STAFF:

Ms. Emilie Adin	- Director of Development Services
Ms. Kim Deighton	- Manager, Licensing & Integrated Services
Ms. Carolyn Armanini	- Planner
Ms. Britney Dack	- Heritage Planner
Mr. Mike Watson	- Senior Planner
Ms. Carilyn Cook	- Committee Clerk

The meeting was called to order at 10:00 a.m.

ADDITIONS / DELETIONS TO THE AGENDA

MOVED and SECONDED

THAT the January 27, 2020 Land Use and Planning Committee agenda be adopted as circulated.

CARRIED.

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

REVIEW AND ADOPTION OF CONSENT AGENDA

MOVED and SECONDED

THAT items 7 and 8 be removed from the Consent Agenda for further discussion.

CARRIED.

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

ADOPTION OF MINUTES

1. Adoption of the Minutes of December 9, 2019 LUPC Meeting

MOVED and SECONDED

THAT the December 9, 2019 Land Use and Planning Committee meeting minutes be adopted as circulated.

CARRIED.

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

PRESENTATIONS

2. There were no items.

UNFINISHED BUSINESS

3. There were no items.

DIRECTOR OF DEVELOPMENT SERVICES MEMOS FOR ACTION

4. 337 – 339 Keary Street: Proposed Official Community Plan Amendment - Inquiry

Emilie Adin, Director of Development Services, provided a short summary of the above-noted memo dated January 27, 2020. She explained that the proposal was an extraordinary enquiry that was being brought to the Committee in the absence of any City policy being in place as it offers opportunities not previously seen by the Committee or Council, and feedback is being sought from the Committee as to whether or not this would be a viable proposal to explore further.

In response to questions from the Committee, the applicant, Ms. Chan, advised that the intention is to install one parking spot per unit, possibly with car share spaces as well. As the proposal is in the preliminary stages, the number of visitor spots to be provided is currently undetermined.

In response to questions from the Committee, staff provided the following comments:

- One parking stall per unit is what is required; and,
- If the stacked townhouse proposal is not viable, it is best that the applicant know now to avoid investing money in more detailed design work and allow them to make alternate plans, which may include selling the property.

Discussion ensued, and the Committee provided the following comments:

- The community may be concerned about the parking as there are already parking challenges in the area; this will have to be addressed if the proposal goes to Council;
- Market rentals are becoming a good investment; however, they may become unaffordable to residents with the 2 percent raise in rent. It would be nice to see more social or subsidized housing;
- A Committee member expressed support of the proposal moving forward for further discussion;
- While the City needs more rental housing, there are concerns with the location of the site and the quality of life such a development will provide with respect to trees, the increased need for on-street parking, etc.;
- The proposal should go to the Affordable Housing & Child Care Task Force for feedback, if the proposal were to proceed;
- The OCP allows townhouse development in this area; however, this project is more of a four-storey development. Therefore, the challenges with previous attempts for townhouse development on this site would need to be addressed in order to determine how that could work;
- Rather than amend the relatively new OCP, the City should work with the applicant to get a proposal that works within the OCP;
- It is important that the proponent heed the Committee's comments and not invest a lot of money in something that may not be approved by Council;
- Committee members agreed that the Sapperton Residents' Association be consulted on the proposal; and,
- Additional feedback would be welcome, including why the project could not adhere to the OCP.

MOVED AND SECONDED

THAT Land Use and Planning Committee direct staff to elicit feedback from the Affordable Housing and Child Care Task Force and/or from all of Council, and from the Sapperton Residents' Association on the many considerations listed in favour of and counter to the proposed OCP amendment application as outlined in the Director's Memo for Action dated January 27, 2020, titled, "337 and 339 Keary Street: Proposed Official Community Plan Amendment - Inquiry."

CARRIED.

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

REPORTS FOR ACTION

5. 208 Fifth Avenue: Heritage Revitalization Agreement

Britney Dack, Heritage Planner, provided a presentation with respect to the above-noted report dated January 27, 2020, after which the applicant, Ms. Jillian Jamieson, shared her own presentation with the Committee.

In response to questions from the Committee, the proponents provided the following comments:

- The tree, described as “a monster tree,” is planted in an inappropriate location on the property, and has been causing issues with drain tile, etc. The City has advised that removal of the tree is a civil matter, therefore, consent for the removal of the tree is being sought from the neighbor;
- The reduction of the proposed FSR to 0.65 for the new build would likely be reduced square footage in the basement; and,
- The house started out at an FSR of approximately 0.8 and throughout the design process and many consultations with staff, the density and massing has come down enough to generally satisfy City guidelines.

In response to a question from the Committee, staff advised that 20 percent of lot depth is required for the front yard setback.

Discussion ensued, and the Committee provided the following comments:

- A Committee member voiced concern with the garage at the front of 208 Fifth Avenue noting that many residents in the area park on the street and utilize their garages for storage or living space, while another Committee member shared that they had no concerns with the garage;
- Overall, the design of the project is pleasing, however, the density is concerning;
- The tree issue must be resolved before the project can move forward as the site design will impact where the garages are located;
- The design flow of the house provides quality of life for the neighbours and livability for the house owners;
- The proposal makes sense in terms of design and is a good way to split the lot while maintaining the streetscape;
- The scale of the project is supported;
- A Committee member expressed support for the new build’s garage as the street operates as a back lane;
- Staff’s position regarding the house located at 208 Fifth Avenue is supported; and,
- The City should maintain consistency with respect to the Queens Park Conservation Area guidelines that addresses getting garages off the street.

MOVED AND SECONDED

THAT the Land Use and Planning Committee endorse the recommendations summarized in Section 6 of the report dated January 27, 2020, titled, “208 Fifth Avenue: Heritage Revitalization Agreement – Preliminary Report,” and direct staff to work with the applicant to integrate the Committee’s feedback prior to proceeding with public consultation;

THAT the Land Use and Planning Committee recommend that staff proceed with processing the Heritage Revitalization Agreement as outlined in Section 5 of this report, once the Committee’s feedback has been integrated into the proposal; and,

THAT the Land Use and Planning Committee direct staff to advise the applicant that an HRA which would allow a density increase to the new house could be further explored, provided that the proposal aligns with similar HRAs at a maximum of 0.65 FSR.

CARRIED.

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

CONSENT AGENDA

6. 835 Royal Avenue: Heritage Revitalization Agreement – Preliminary Review

MOVED AND SECONDED

THAT the Land Use and Planning Committee endorse the recommendations summarized in Section 6 of the report dated January 27, 2020, titled, “835 Royal Avenue: Heritage Revitalization Agreement – Preliminary Report,” and direct staff to proceed with processing the proposed Heritage Revitalization Agreement as outlined in Section 5 of this report.

ADOPTED BY CONSENT.

ITEMS REMOVED FROM THE CONSENT AGENDA

7. 457 East Columbia Street: Rezoning and Liquor Primary – Preliminary Application Review

Carolyn Armanini, Planner 1, provided a summary presentation of the above-noted report dated January 27, 2020, and the six requests from the applicant. Ms. Armanini advised that the proponents were particularly concerned about the restrictions on the types of games that can be offered at the arcade, the discouragement of the congregation of non-paying customers, and the age restriction of employees with respect to the liquor primary.

The applicant, Ms. Maryanne Eyers, addressed the Committee and reminded members that this process began in 2016. She noted that since then, a number of similar businesses in other municipalities have been approved to have arcades with a liquor

primary and will be opening in 2020. This includes Cineplex's "The Rec Room," in Brentwood, which has been approved for a liquor primary with a family-friendly endorsement and over 100 arcade games without the above-noted restrictions.

Ms. Eyers shared that it was her impression that people under 19 years of age may be employed as long as they are not serving alcohol. As well, she stated that the restriction on the types of arcade games they can offer is too limiting with respect to the violence aspect as some games, such as one that includes shooting turkeys out of the sky, would be deemed too violent for them to have in their establishment and noted that violence is a subjective issue. Ms. Eyers expressed that this has been a long, frustrating, four-year process with restrictions that they feel are inappropriate for their business which is a community hub that families visit to celebrate birthdays, etc.

In response to questions from the Committee, Mr. & Ms. Eyers provided the following comments:

- The adult content games could be separated from games containing violence. The concern is that the restriction against violent games is too limiting and may include games that, while subjective, a lot of people would not deem violent;
- Arcade video games are not subject to ratings such as what home use video games have received since the late 1980s;
- While none of the noted arcade facilities in other municipalities are currently open, pubs are allowed have a number of arcade machines available for customer use, however, they are still classified as pubs;
- With respect to the 1:00 a.m. closing, staff do not allow patrons to enter the business after a certain time in order to ensure that customers have ample time to play and will not have to leave earlier because the arcade is closing; and,
- Regarding the liquor primary, children will not be allowed into the establishment without their parents.

In response to questions from the Committee, staff provided the following comments:

- To date there have been no instances of concern regarding this type of arcade in New Westminster; and,
- Age constraints for employees at establishments that serve alcohol is regulated by the Province, not the City, with liquor primaries requiring all employees to be 19 years or over. This will be clarified with the applicant.

Discussion ensued, and the Committee provided the following comments:

- There is not enough of these cases in recent history for the Committee to draw information from to assist in these decisions;
- A Committee member noted that the amusement arcade has been positively received in the community, that they had heard good things about it, it is well run, and patrons have positive experiences when visiting the establishment;

- Committee members agreed that, while it would be concerning if there were no restrictions on arcade games and businesses wound up with more adult-content games (e.g. pornographic material), it would be appropriate to reduce the restrictions as they apply to other games; and,
- This is new ground with other communities introducing amusement arcades as well and the City does not want to be adversarial with the proponent.

MOVED AND SECONDED

THAT the Land Use and Planning Committee recommend that staff process the Rezoning and Liquor Primary, Family Friendly Endorsement applications for the subject property (457 East Columbia Street) based on the streamlined process outlined in Section 6.1 of the report dated January 27, 2020, titled, “457 East Columbia Street: Rezoning and Liquor Primary – Preliminary Report,” taking into consideration comments received by the Land Use and Planning Committee.

CARRIED.

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

8. 719 Colborne Street: Rezoning and Minor Development Permit Application for Two Accessory Dwellings – Bylaw for Consideration of Readings

In response to a question from the Committee, staff clarified that the property does not currently have a secondary suite nor an accessory dwelling unit.

MOVED AND SECONDED

THAT the Land Use and Planning Committee recommend that Council consider Zoning Amendment Bylaw No. 8176, 2020 for First and Second Readings and forward the Bylaw to a Public Hearing on February 24, 2020.

CARRIED.

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

DIRECTOR’S / MANAGER’S REPORT (Oral Report)

9. There were no items.

NEW BUSINESS

10. Election of Alternate Chair

MOVED AND SECONDED

THAT Councillor Chinu Das be elected as the Alternate Chair for the 2020 term of the Land Use and Planning Committee.

CARRIED.

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

CORRESPONDENCE

11. There were no items.

NEXT MEETING

Monday, February 24, 2020

ADJOURNMENT

ON MOTION, the meeting was adjourned at 12:09 p.m.

Original Signed _____

**Mayor Cote
Chair**

Original Signed _____

**Carilyn Cook
Committee Clerk**