

DECISION/DIRECTION NOTE

Title: 68 Queen's Road, Revised LUAR Public Consultation, MPA1900002

Date Prepared: June 15, 2020

Report To: Regular Meeting of Council

Councillor and Role: Councillor Maggie Burton, Planning & Development

Ward: Ward 2

Decision/Direction Required:

To consider the public consultation required for the revised 68 Queen's Road Land Use Assessment Report.

Discussion – Background and Current Status:

In January 2019, Parish Lane Development Inc. applied for a rezoning to the Commercial Central Mixed Use (CCM) Zone to accommodate a 40-unit residential development with two buildings: one on Queen's Road and another on Harvey Road, with a shared parking garage. The property is currently zoned Institutional (INST) at the front of the property along Queen's Road and Open Space (O) at the rear of the property along Harvey Road; these zones do not permit this type of residential development. The subject property is designated Institutional and Open Space under the St. John's Municipal Plan, and rezoning would also require a Municipal Plan amendment.

The property is located within Heritage Area 1, and the Cathedral Parish Hall at 68 Queen's Road (formerly owned by the nearby Anglican Cathedral of St. John the Baptist) is designated by Council as a Heritage Building. Council decided to consider the amendment and set terms of reference for a Land Use Assessment Report (LUAR). Following completion of the LUAR, the application was advertised for a public meeting.

The proposed rezoning was advertised on two occasions in *The Telegram* newspaper and was posted on the City's website. Property owners within 150 metres of the application site were notified in writing and a public meeting was held on November 27, 2019. Approximately 135 people attended. Written submissions were received by the City Clerk and are included in the agenda for the regular meeting of Council.

After hearing feedback from the public meeting, the applicants decided to do more consultation and revise their application. The additional consultation included a public session at The Rooms with stakeholders; and in partnership with Happy City St. John's and Heritage NL, the applicants carried out an online survey, a focus group meeting with stakeholders, and a design charrette lead by ERA Partners (an architectural firm from Toronto). The information received during the various sessions helped shape the revised design.

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In the revised design, 40 residential units remain, but the apartment building on Queen's Road has been changed to townhouses. The building on Harvey Road has been rotated 90 degrees so it is narrower along the road and goes back deeper into the property. The Queen's Road townhouses are proposed to use traditional materials like brick, while the Harvey Road building will use modern materials like calcium silicate rain screen. The revised LUAR is being reviewed by staff for compliance with Council's terms of reference and with the St. John's Development Regulations and applicable policies. Once the review is finished, the report will be ready for public review. Therefore, at this time staff seek Council's direction on the desired public consultation.

Given that the design has changed substantially since the public meeting in November, it is recommended that additional consultation be carried out to inform residents about the revised design. Further, with the change in proposed building types, staff are recommending a different zone than previously advertised. A Residential Mixed (RM) Zone would be appropriate for the townhouses and would allow the possible inclusion of some non-residential uses should the need or desire arise in the future. The desire for non-residential uses at this site was raised during the developer's consultation.

Given the concerns regarding the height of the building along Harvey Road and the proximity to the houses on Garrison Hill, staff are proposing a site-specific Apartment zone at the rear of the lot that would only allow the Harvey Road building form as proposed in the LUAR. This site-specific zone would be based on the Apartment High Density (A3) Zone but with different setbacks and lower building height to match those proposed in the LUAR. Staff have prepared additional imagery of the building form for Council's review (attached); these show the view from the public viewing area of The Rooms, looking toward downtown and the Narrows.

Taking into consideration the consultation that has already occurred regarding this application, staff recommend that the revised LUAR and proposed zoning be advertised for public review as per Section 5.5 of the Development Regulations. This includes advertising the application on the City's website, in *The Telegram*, and sending a notice to property owners within 150 metres of the subject property. Should Council require additional consultation, staff seek Council's direction on the type desired. At the time of writing this memo, the Province has not released the regulations regarding public gatherings during Alert Level 2 of the current public health state of emergency regarding the covid-19 pandemic.

Open Space Designation

Since the application was submitted, staff have identified that the Harvey Road portion of this site is designated as Public Open Space under the St. John's Urban Region Regional Plan (SJURRP). When the Regional Plan map was digitized several years ago, it inadvertently introduced an additional level of detail that was not original to the map. The City has approached the Province about this problem, which affects a large number of properties throughout St. John's. Until the problem is corrected, we must apply for a Regional Plan amendment here.

To consider this amendment, the Regional Plan will need to be amended from Public Open Space to Urban Development. A request has been sent to the Minister of Municipal Affairs and Environment to consider this amendment. Should the Minister agree, the Regional Plan amendment will be advertised alongside the City's proposed amendments. As required, a notice will be sent to the 14 other municipalities in the St. John's Urban Region.

Heritage Designation / Design of the Proposed Buildings

Cathedral Parish Hall is designated by Council as a Heritage Building; the designation is confined to the footprint of the building. The main entrance is designed in the Classical Revival style with arched transom, pilasters, keystone decoration, dentils and quoining. From the Statement of Significance, the character-defining elements of the building include the original main entrance, the house-like addition on the left (western) end of the building, and the size, dimension and location of the building. Further, the site is located in Heritage Area 1 and within the St. John's Ecclesiastical District National Historic Site of Canada.

For this application to proceed, it would be necessary to remove the heritage designation and allow demolition of the Cathedral Parish Hall. Originally the applicant proposed to restore the Residence (the house at the western end, dating from 1893) and incorporate the character-defining elements of the Hall (that is, the archway) into the new building. However, in the revised drawings, the applicants only propose to restore the Residence. They state that materials from the Hall could be used in an interpretive sculpture on the site.

The City's Built Heritage Experts Panel reviewed the revised LUAR and made the following comments/recommendations:

- *As Cathedral Parish Hall is a designated Heritage Building and the arch is a character-defining element, they believe that there should be a stronger commitment to preserve, retain and use the existing arch in the new design. They recommend that the original materials of the archway should be incorporated into the new design in the original arrangement. Otherwise, they recommend that the arch to remain in its current location.*

This recommendation was forwarded to the applicants, who disagree with it. They state that the archway was not considered an important item in the public sessions and that it does not translate well into the smaller scale townhouse massing that was suggested in their public consultations. The applicants have digitally recorded the structure and propose to incorporate salvageable pieces of it into the interpretive sculpture.

The Parish Hall has been heavily altered and little original material remains, aside from the arch and surrounding materials. While staff do not object with the removal of heritage designation should the rezoning be approved, staff agree with the BHEP that the archway and character-defining elements should be incorporated into the new design in a more meaningful way. The interpretive structure would not give an indication of the building that once stood at the site. The City identifies character-defining elements in heritage statements of significance as important elements that should be protected. Even if the site is to be used for new buildings, staff recommend that the character-defining elements be protected. Staff will seek feedback from the public during the LUAR review prior to bringing this issue back to Council for a decision.

Concerns have also been raised about the potential negative impacts the development would have on the St. John's Ecclesiastical District National Historic Site designation. There was an assertion made that the Cathedral Parish Hall is itself a national historic site but Parks Canada have confirmed that this is not so. There was also an appeal to not allow the demolition of the building, as it could jeopardize the work of a group of volunteers who seek to nominate the Ecclesiastical District as a World Heritage Site with UNESCO. This is a laudable goal, and again the latest information from Parks Canada does not affirm that jeopardy.

After the public consultation, the application will come back to Council to consider adoption of the amendments, including consideration of whether to remove or alter the municipal heritage designation. Then Council would appoint an independent commissioner to hold a public hearing. If the Minister of Municipal Affairs and Environment agrees to consider a Regional Plan amendment, the same person would be appointed for the Regional Plan amendment.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Neighbouring property owners and residents; members of the heritage community; Parks Canada as the administrator of the St. John's Ecclesiastical District National Historic Site of Canada.
3. Alignment with Strategic Directions/Adopted Plans: *A Sustainable City* – Plan for land use and preserve and enhance the natural and built environment where we live.
4. Legal or Policy Implications: Amendments to the St. John's Municipal Plan and Development Regulations are required; removal or alteration of the Cathedral Parish Hall's designated Heritage Building footprint; Regional Plan amendment.
5. Privacy Implications: Not applicable.
6. Engagement and Communications Considerations: Further public consultation is recommended.
7. Human Resource Implications: Not applicable.
8. Procurement Implications: Not applicable.
9. Information Technology Implications: Not applicable.
10. Other Implications: Not applicable.

Recommendation:

That Council advertise the proposed amendments and the revised Land Use Assessment Report (LUAR) for 68 Queen's Road as per Section 5.5 of the St. John's Development Regulations, once the staff review is completed.

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Report Approval Details

Document Title:	68 Queen's Road, Revised LUAR Public Consultation, MPA1900002.docx
Attachments:	- 68 Queen's Road - Attachments June 2020.pdf
Final Approval Date:	Jun 19, 2020

This report and all of its attachments were approved and signed as outlined below:

Ken O'Brien - Jun 18, 2020 - 9:39 AM

Jason Sinyard - Jun 19, 2020 - 10:14 AM