

REPORT

Climate Action, Planning and Development

To: Mayor Johnstone and Members of Council
Date: March 27, 2023

From: Jackie Teed,
Acting Director, Climate Action,
Planning and Development
File: OCP00040
REZ00228

Item #: 2023-192

Subject: **Official Community Plan Amendment and Rezoning: 102/104 Eighth Avenue and 728 First Street – Bylaws for First and Second Reading**

RECOMMENDATION

THAT Council consider Official Community Plan Amendment Bylaw No. 8374, 2023 for First Reading;

THAT Council consider Official Community Plan Amendment Bylaw No. 8374, 2023 in conjunction with the City's Capital Expenditure Program as contained in the Five Year Financial Plan and the Region's Solid Waste Management Plan and Liquid Waste Management Plan, and which are deemed to be consistent with said program and plan in accordance with Section 477(3)(a) of the Local Government Act;

THAT Council consider Official Community Plan Amendment Bylaw No. 8374, 2023 for Second Reading and forward the bylaw to a Public Hearing; and,

THAT Council consider Zoning Amendment Bylaw No. 8375, 2023 for First and Second Readings and forward the bylaw to a Public Hearing.

PURPOSE

To request that Council consider Official Community Plan Amendment Bylaw No. 8374, 2023 for First and Second Readings and Zoning Amendment Bylaw No. 8375, 2023 for First and Second Readings, and forward the bylaws to a Public Hearing, to enable a 10-unit infill townhouse proposal.

EXECUTIVE SUMMARY

Official Community Plan (OCP), Rezoning, and Development Permit applications have been received for 102/104 Eighth Avenue and 728 First Street. A total of 10, family-friendly, stratified infill townhouse units are proposed. Community engagement on this project has been ongoing since October 2022, and has included an applicant-led public open house and online survey, and presentation to City committees. The City has also engaged with the New Westminster School District and local First Nations, as directed by Council. Staff recommend that Council consider First and Second Readings of the Bylaws and forward them to a Public Hearing.

BACKGROUND

Policy and Regulations

An OCP amendment to change the designation of the subject site from Residential – Detached and Semi-Detached Housing (RD) to Residential – Ground Oriented Infill Housing (RGO), and the Development Permit Area to 1.2 Ground Oriented Infill Housing, would be required to allow the proposed project. As the proposal is not consistent with the site’s existing zoning, a rezoning would be required to a site-specific Comprehensive Development (CD) District. A description of the CD District is included in Attachment 3, along with a summary of relevant City policies and regulations, and additional background information. The OCP and Zoning Bylaw Amendment Bylaws are included as Attachments 1 and 2.

PROJECT PROPOSAL

The proposed development consists of 10 side-by-side, ground-oriented townhouse units within two buildings oriented along a central pedestrian courtyard. As the buildings are proposed to meet Step 4 of the BC Energy Step Code, an additional 0.03 FSR would be made available to accommodate thicker insulated wall assemblies and other building performance measures. Plans indicate an overall density of 1.03 FSR, reflective of this additional density.

Buildings are between two to three storeys above grade. The proposed unit sizes would range from approximately 158.5 sq. m. (1,706 sq. ft.) to 170.4 sq. m. (1,834 sq. ft.). All units are proposed to be family-friendly, containing three bedrooms. The proposal meets all private outdoor space and off-street vehicle and bike parking requirements. Additional site context information and project statistics are included in Attachment 3. Discussion and analysis of the proposal is included in Attachment 4. The applicant’s project summary letter, design rationale and project drawings are included in Attachments 5 and 6.

PUBLIC CONSULTATION

Applicant-led Consultation and Response

Applicant-led public consultation included an online survey, virtual open house, and project website, and residents within 100 metres (328 feet) of the project were notified

of opportunities to submit feedback. A total of eight community members attended the open house and 71 survey responses were received. Attachments 7 and 8 include a description of the consultation process and all received feedback.

The survey indicated strong community support for the project with 90% of respondents expressing support for the proposal. Feedback was focused on support for family-friendly units and increased density in Glenbrooke North; support for the proposed scale of development; and, mixed feedback regarding the architectural expression of the project. Given that feedback was largely positive, the applicant has made only minor revisions to the proposal. These are detailed in Attachment 7.

Staff note that the DPA guidelines do not dictate a specific architectural expression, and that the form and character of the project is generally consistent with the guidelines.

OCP Amendment Local Government Act Consultation and Response

Feedback received to date through consultation with Local First Nations and the Board of Education is summarized below. This feedback has been provided to the applicant for consideration, along with Squamish Nation’s Chance Finds Procedures Policy, per their recommendation.

Squamish Nation recommended that the project consider the following sustainability elements. The applicant’s response to this feedback is included below.

Topic of Feedback	Applicant Response
Implementation of climate resilient standards	<ul style="list-style-type: none"> • Green infrastructure, such as permeable pavers, in accordance with the City’s Integrated Stormwater Management Plan • Passive cooling strategies, including operable windows and open floor plans for cross-ventilation; roof overhangs for shading; and, shade tree plantings • Generous landscaping and tree planting strategy intended to enhance on-site water retention and mitigate urban heat island effects
Building design that anticipates future climate impacts	<ul style="list-style-type: none"> • Undergrounding of adjacent electrical and telecommunication utilities, which makes infrastructure less susceptible to extreme weather (e.g., wind events, major storms) • Heat pump and fan coil systems are currently being explored for mechanical heating and cooling • Planting native and drought resistant plants where appropriate
Building design for net zero carbon emissions	<ul style="list-style-type: none"> • Net zero is not contemplated; however the project includes: <ul style="list-style-type: none"> ○ Recycled content, embodied carbon impact, and Global Warming Potential rating of materials will be among the criteria used for product selection ○ Where products are equivalent, in the opinion of the architect, locally manufactured products will be chosen over imported products ○ Flat roof design is well-suited for future solar panel retrofits ○ Electric vehicle charging infrastructure proposed, per Zoning Bylaw requirements

Topic of Feedback	Applicant Response
Building design to highest sustainability standards	<ul style="list-style-type: none"> Project proposed to meet Step 4 of the BC Energy Step Code, in excess of the City's requirements

Musqueam Indian Band recommended that the property owner engage an archaeological consultant to advise as to whether or not the project warrants archaeological work. Kwantlen First Nation recommended that archaeological monitoring take place during ground disturbance works.

Staff note that at this time, the City does not have a requirement for archaeological monitoring to take place on these types of development projects, though Council may choose to require monitoring by the applicant as part of any approvals. As Kwantlen Nation and Musqueam Indian Band have both indicated they do not have specific concerns about this site, in combination with the tight financial margins of infill townhouse projects, this project would not be required to undertake archaeological work.

Staff have identified this topic as requiring further study, and intend to develop a more robust policy on archeological assessments in partnership with local First Nations and Council. Kwantlen Nation and Musqueam Indian Band both acknowledged a general lack of archeological policy throughout the region, and expressed support for the development of a larger policy on archeology.

New Westminster Design Panel and Response

The application was presented to the New Westminster Design Panel on November 23, 2022 (minutes in Attachment 9). As there was no quorum for this meeting, the NWDP was unable to pass a formal motion regarding the project. However, the Panel informally expressed their general support for the project. In response to comments from the Panel, the applicant made several revisions to the project, which are detailed in Attachment 7.

A copy of the NWDP report can be accessed via the following link (refer to item 4.1): <https://pub-newwestcity.escribemeetings.com/Meeting.aspx?Id=3ce0c21a-134f-4e4e-8e4b-c405f532712d&Agenda=Agenda&lang=English&Item=10&Tab=attachments>

Advisory Planning Commission

The application was presented to the Advisory Planning Commission (APC) on February 21, 2023 (draft minutes in Attachment 10). The APC passed a motion of support regarding the project, as well as two additional motions (minutes not yet adopted). These are included in Attachment 10, along with additional comments from staff.

A copy of the APC report can be accessed at the following link (refer to item 3.1): <https://pub-newwestcity.escribemeetings.com/Meeting.aspx?Id=e1f1ff36-ab2c-4ccf-a89f-714be29d8856&Agenda=Agenda&lang=English&Item=9&Tab=attachments>

REVIEW PROCESS

The development application review process for this application is as follows:

1. Preliminary report to Council (August 29, 2022);
2. 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 (October 2022);
3. Applicant-led public consultation, including dissemination of information through the local Residents Association (October to November 2022);
4. Presentation to the New Westminster Design Panel (November 23, 2022);
5. Review by the Advisory Planning Commission (February 21, 2023);
6. Council consideration of First and Second Readings of the Bylaw **(WE ARE HERE)**;
7. A Public Hearing, followed by Council’s consideration of Third Reading of the Bylaws;
8. Council consideration of the Bylaws; and,
9. Issuance of the Development Permit by the Director of Climate Action, Planning and Development.

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

FINAL ADOPTION REQUIREMENTS

The following items will need to be addressed to the satisfaction of staff prior to the adoption of the proposed Zoning Bylaw Amendment:

- Registration of a Section 219 Restrictive Covenant (Parking Covenant); and,
- Payment of a Voluntary Amenity Contribution of \$100,000.

INTERDEPARTMENTAL LIAISON

The City has a project-based team approach for reviewing development applications. A staff-led project team was assigned for reviewing this project consisting of staff from Engineering (Servicing and Transportation), Fire, Electrical, Parks and Recreation, and Climate Action, Planning and Development (Building, Planning, Trees, and Heritage) Departments who provided comments throughout the development review process.

OPTIONS

The following options are available for Council’s consideration:

1. That Council consider Official Community Plan Amendment Bylaw No. 8374, 2023 for First Reading.
2. That Council consider Official Community Plan Amendment Bylaw No. 8374, 2023 in conjunction with the City’s Capital Expenditure Program as contained in the Five Year Financial Plan and the Region’s Solid Waste Management Plan

and Liquid Waste Management Plan, and which are deemed to be consistent with said program and plan in accordance with Section 477(3)(a) of the Local Government Act.

- 3. That Council consider Official Community Plan Amendment Bylaw No. 8374, 2023 for Second Reading and forward the bylaw to a Public Hearing.
- 4. That Council consider Zoning Amendment Bylaw No. 8375, 2023 for First and Second Readings and forward the bylaw to a Public Hearing.
- 5. That Council provide staff with alternative direction.

Staff recommends Options 1 to 4.

ATTACHMENTS

- Attachment 1: Official Community Plan Amendment Bylaw No. 8374, 2023
- Attachment 2: Zoning Amendment Bylaw No. 8375, 2023
- Attachment 3: Background Information
- Attachment 4: Project Discussion and Analysis
- Attachment 5: Applicant’s Project Summary Letter
- Attachment 6: Project Drawings
- Attachment 7: Applicant-led Consultation Summary and Response
- Attachment 8: City-led Consultation
- Attachment 9: Extract of November 23, 2022 NWDP Meeting Minutes
- Attachment 10: Extract of February 21, 2023 APC Meeting Minutes and Staff Comment
- Attachment 11: Memos from Directors of Finance and Engineering
- Attachment 12: Engineering Servicing Memo

APPROVALS

This report was prepared by:
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This report was reviewed by:
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This report was approved by:
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