

Attachment #2

Policy and Regulation Context

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Downtown Community Plan Land Use Designation

Mixed Use High Density: The Downtown Community Plan notes the following details regarding the Mixed Use High Density Designation:

- mixed-use (commercial and/or residential) throughout Downtown, outside of Columbia Street Historic Mixed-Use;
- retail, office, service or residential uses;
- any combination of the above (can be one use or multiple uses)
- Commercial development is required only in areas identified in the Downtown Community Plan and only at street level.

The form of the proposed development is generally consistent with the Mixed Use High Density Land Use Designation in the Downtown Community Plan.

Official Community Plan and Downtown Community Plan Policy Areas

The Economy and Employment section of the OCP includes policies which strive to foster a strong tourism sector with a focus on The Riverfront, cultural amenities and historic assets. The Downtown Community Plan within the OCP contains a number of policies related to economic development and growth in the Downtown. One of those policies directs the City to “Foster the Downtown as a tourist destination” and, specifically to “Promote the development of tourism support services (e.g., tours, accommodation).”

Development Permit Area

The site is within the #1 Downtown Development and Special Development Permit Area. The Development Permit Area seeks to support the Downtown’s Regional Town Centre designation in the Regional Growth Strategy. This Development Permit Area outlines objectives and guidelines for:

- The form and character of commercial, multifamily, institutional and intensive residential development.
- Protection of the natural environment, its ecosystems and biological diversity.
- Revitalization of an area in which a commercial use is permitted.
- Objectives to promote energy and water conservation and reduction of greenhouse gas emissions.

A Special Development Permit (SDP) is required before doing any work which would result in development or alteration to the lands or exterior of buildings on the lands within this portion of the Downtown. SDPs are issued by the Director of Development Services.

Economic Development Plan

The Economic Development Plan (EDP) also includes policies to support tourism accommodation facilities, including hotel uses.

[https://www.newwestcity.ca/database/files/library/CNW_EDP_FINAL\(2\).pdf](https://www.newwestcity.ca/database/files/library/CNW_EDP_FINAL(2).pdf)

Draft Retail Strategy

The Retail Strategy is intended as a guide for informed decision making around long range commercial land use planning, strategic commercial area interventions, and proactive tenant retention and attraction. When complete, the Strategy will support the OCP's visions for New Westminster's Great Streets, and provide recommendations regarding the optimal mix of uses and the most suitable development forms for the City's commercial districts.

The strategy is in draft form and was presented to a [Council workshop on February 13, 2023](#). The findings and Council feedback on the strategy to date would be applied to the application.

Inclusionary Housing Policy

The purpose of the Inclusionary Housing Policy is to help meet the City's affordable rental housing needs by securing built below market and non-market rental units in new multi-unit strata residential and mixed use residential developments seeking additional density.

Downtown Building and Public Realm Design Guidelines and Master Plan

The Downtown Building and Public Realm Design Guidelines and Master Plan provides guidance in achieving a high quality, cohesive Downtown that honours the historical and cultural context of New Westminster. This document serves as a toolkit to inform public realm improvements both on and off-site within the Downtown area.

The subject site is located within the Tower Precinct in the Downtown Building and Public Realm Design Guidelines. This area is described as follows within the guidelines:

The Tower Precinct will continue to develop as a highly urbanized component of New Westminster's Downtown with the SkyTrain Station at its core. Serving as a regional destination, it is anchored by existing and developing education and commercial destinations, including Douglas College, Plaza 88 and the retail mall at the foot of Royal Ave. It is anticipated that the area will accommodate a significant share of Downtown's residential and commercial growth.

Zoning Bylaw

The subject properties are currently zoned Downtown Mixed Use Districts (High Density) (C-4). This zoning district allows a base residential density of 3.0 FSR and a maximum height of 27.43 metres (90 feet) – approximately seven to eight storeys.

Existing Zoning - Estimated Highest and Best Use

As noted above, height limits under existing zoning would limit construction to seven or eight storey. Buildings above six storey generally required concrete or encapsulated mass timber construction which is not likely to be financially feasible at these heights.

As such, construction under existing entitlement would only feasibly be 6 storeys. Given the above, staff would estimate that the site's highest and best use under existing zoning would be for a primarily residential development with an FSR ranging from 2.0 to 2.4. Rezoning would be required to unlock the sites full potential under the OCP designation.

Density Bonus Phase 2

In 2014, Council adopted amendments to the Zoning Bylaw which implemented Density Bonus Phase 2, as well as the Density Bonus Phase 2 Policy, which covers high density development in Downtown.

The subject sites are located in Downtown and are included within the Program and Policy based on their current Downtown Community Plan designation. The Policy would support a rezoning of this site to C-4(DB) which would allow the subject sites a maximum residential FSR of 5.2 and a maximum height of 73.15 metres (240 feet) – about 24 storeys - in exchange for bonus density amounts set out in the Zoning Bylaw. The proposed application exceeds the maximum height and FSR under this policy.

Where an application exceeds the height and density anticipated, the policy allows Council discretion where unique and exceptional circumstances warrant additional density.

Family Friendly Housing Bylaw and Design Guidelines

The Family Friendly Housing Policy provides requirements for the mix of units with two and three bedrooms as well as guidelines that ensure units are usable by families. Market condominium developments are required to provide 10% three bedroom units and 30% two and three bedroom units. The proposal includes fifty-five (12%) three bedroom units and 141 (30%) two and three bedroom units in compliance with the Family Friendly Housing requirements.