

Attachment #4

Acting Director of Climate Action, Planning and Development's Report dated February 13, 2023



R E P O R T Climate Action, Planning and Development

То:	Mayor Johnstone and Members of Council	Date:	February 13, 2023
From:	Jackie Teed, Acting Director of Climate Action, Planning and Development	File:	DVP00701 HA000031
		Item #:	2023-71

Subject: Housing Agreement Bylaw and Development Variance Permit to Vary Subject: Residential and Visitor Parking Requirements: 311 Ash Street – Bylaw for Three Readings

RECOMMENDATION

THAT Council consider Housing Agreement Bylaw No. 8382, 2023 to authorize the City to enter into a Housing Agreement with the property owner to require that all residential units at 311 Ash Street be secured as market rental housing for First, Second and Third Readings.

THAT Council, should the Housing Agreement Bylaw No. 8382, 2023 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement.

THAT Council provide notice that it will consider issuance of a Development Variance Permit (DVP00701) to reduce the number of required off-street parking spaces by 34% from the Zoning Bylaw requirements for secured market rental.

THAT Council endorse that fifty-one long-term bicycle parking spaces and six shortterm bicycle parking spaces be included as part of the Development Permit application for 311 Ash Street, should the Development Variance Permit (DVP00701) be approved by Council.

PURPOSE

This report is to request that Council: 1) consider Housing Agreement Bylaw No. 8382, 2023 for First, Second and Third Readings; 2) issue notice that Council will consider Development Variance Permit (DVP00701) for a 11 space reduction (34%) to the

required off-street parking provisions; and 3) request endorsement of requiring bicycle parking spaces as part of the Development Permit.

EXECUTIVE SUMMARY

Housing Agreement and Development Variance Permit (DVP) applications have been submitted to allow replacement of ten existing parking spaces with five new residential units and four parking spaces with two storage rooms in an existing 29 unit residential rental building at 311 Ash Street. The Housing Agreement would secure all existing and proposed units (34 units total) within the building as a market rental project for 60 years or the life of the building, whichever is longer. The DVP would reduce required off-street parking by 11 spaces (34%), including one visitor space. Staff considers the variance for parking to be reasonable when accompanied by a commitment to measures that support active travel, and providing adequate bicycle parking spaces.

BACKGROUND

Policy and Regulation Context

The applicant's proposal is consistent with the Official Community Plan land use designation for the site: (RM) Residential – Multiple Unit Buildings. The current zoning is RM-2 Apartment (Low Rise). A summary of related City policies and regulations, which includes the Official Community Plan (OCP) Land Use Designation, Secured Market Rental Housing Policy, Development Permit Area (DPA), and Zoning, is included in Attachment 1.

Site Characteristics and Context

The site is located on the corner of Ash Street and Third Avenue. The current three storey building, which consists of 29 residential rental units, was built in 1979. The site is surrounded by single family houses and older high- and mid-rise buildings, ranging from three to six storeys in height. It is in close proximity to Tipperary Park and the Fraser River Middle School. The site is well serviced by transit and within walking distance of multiple bus stops located along the Eighth and Sixth Street Frequent Transit Network (FTN). More details on proximity to transit service and other sustainable transportation options is included in Attachment 3.

PROJECT DESCRIPTION

The applicant is proposing to replace 14 existing parking spaces with five new residential units and two separated storage areas, within an existing 29-unit residential rental building. All proposed units are one-bedroom ranging between 675.4 and 712.6 sq. ft. (62.7 and 66.2 sq. m.). All existing and proposed rental units (34 units total) would be secured with a Housing Agreement for 60 years or the life of the building, whichever is longer.

The new units would be located within the parking level at the south side of the building, facing Third Avenue. The units would be added in the below-grade portion of the parking area and, due to the sloped nature of the site, the east elevation of the units would be below-grade. Windows and patio wells would be located along the east side of each unit. Each unit would have its own private open space (patio).

The proposal would reduce off-street parking from 35 spaces currently existing (32 spaces required by the Zoning Bylaw) to 21 spaces, including two new parking spaces proposed to be added on the south side of the parking area in place of a portion of the existing driveway, which would no longer be required for access. The proposal would result in 0.7 parking spaces per residential unit and one visitor parking space, and two accessible parking stalls would be provided. Though the additional units have been proposed in areas previously used for parking, no potential vehicle conflicts have been identified.

All units have internal access from the parking and elevator, and street access would also be provided from the east elevation via stairs leading from the partially below-grade patio wells to Third Avenue. To improve the accessibility of the building, a new accessible ramp has been proposed to be added at main entrance on Ash Street.

As part of the renovation and site improvement, a new enclosure has been proposed for the existing garbage area for screening. The proposed renovation plan is provided in Figure 1 below:

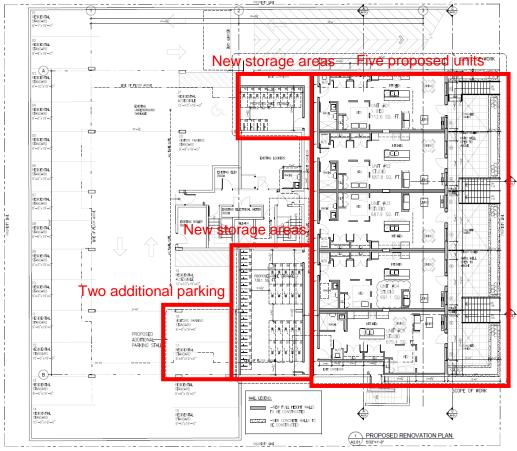


Figure 1: Proposed Renovation Plan

An application for a development permit has also been received to facilitate a form and character review of the proposal and would be considered by the Director of Climate Action, Planning and Development subject to Council approval of the Housing Agreement Bylaw and Development Variance Permit.

DISCUSSION

Requested Variance

The City's Zoning Bylaw does not require additional off-street parking spaces for proposals to add new secured rental residential units to existing buildings. In this application, the proposed removal of 14 residential parking stalls has triggered the need to review parking requirements for the site. Based on that review, a Development Variance Permit to reduce off-street parking by 34% (11 spaces) below the minimum requirements of the Zoning Bylaw for secured market rental units is required to facilitate the proposal. This includes a reduction from three to one required visitor parking space. The applicant proposes to provide all required accessible parking stalls by converting two existing stalls to accessible parking stalls.

The applicant has requested the reduced parking rate be supported given the proximity to the Frequent Transit Network (FTN) and the low usage of the existing parking supply. The proposed 0.7 parking spaces per unit are higher than the requirements under the same Bylaw for secured market rental sites located within the Downtown neighbourhood (i.e., 0.6 space per unit for bachelor and one-bedroom units). The applicant states that, upon a survey conducted in August 2022, only 20 stalls are in use by residents and 15 stalls remain vacant due to the proximity to the Frequent Transit Network (FTN).

Below is a calculation of existing, required and proposed parking stalls, calculated based on section 140 Zoning Bylaw; Off-street Parking:

	Existing	Required	Proposed
Resident vehicle	35 (0 Accessible)	29 (2 Accessible)	19 (2 Accessible)
Visitor vehicle	0*	3	2
Short-term bike	0	6	6
Long-term bike	0	51	51

*When the building was built, all of the parking spaces would have been considered "residential."

ANALYSIS

Off-Street Parking Reduction

Given the proximity to transit staff considers the requested variance for parking, to a rate higher to those used in Downtown, to be reasonable if accompanied by a commitment to measures that support active travel. Specifically, staff have recommended the provision of six short-term bicycle parking stalls. The applicant has agreed to provide a minimum of six short-term spaces, with the design of these spaces to be reviewed as part of the development permit process. The applicant would also be required to comply with the long-term bike parking requirements of the Zoning Bylaw for all units (1.25 spaces per unit). The applicant has proposed fifty-one long-term bike parking stalls in satisfaction of this requirement.

Secured Market Rental Housing Agreement

The site is currently zoned RM-2 Apartment (Low Rise). Under Section 190.49 – Amenity Density Bonus of the City's Zoning Bylaw, density can be increased to a maximum of 1.8 FSR if an amenity contribution is made. Projects that propose secured rental residential units are exempt from the requirements of a density bonus contribution.

The current density of 1.2 floor space ratio (FSR) would be increased to 1.38 FSR with the addition of the five units. The applicant has agreed to extend the Housing Agreement to cover all 34 rental units within the project and would therefore be exempt from a density bonus amenity contribution. The Housing Agreement Amendment Bylaw is included in Attachment 4.

The principles included in Attachment 5 to this report have been used (and agreed to by the owner/developer) for structuring the Housing Agreement Bylaw, and are consistent with the principles used for similar secured market rental housing proposals. The signed letter from the developer/owner agreeing to these principles is also included in Attachment 5 to this report.

REVIEW PROCESS

The review steps for this application are:

- Report to Council for First, Second and Third Readings of the Housing Agreement Bylaw No. 8382, 2023 and to request that Council issue notice that it will consider issuance of a Development Variance Permit for the proposed parking (WE ARE HERE);
- 2. Council consideration of Adoption of Housing Agreement Bylaw;
- 3. Finalization and Registration of the Housing Agreement at the Land Titles Office;
- 4. Council consideration of the Development Variance Permit;
- 5. Consideration of Development Permit application and issuance by the Director of Climate Action, Planning and Development.

Consultation

Notices would be sent to surrounding residents by the City Clerk's Office (Legislative Services Department) to provide an opportunity for written feedback prior to Council consideration of the Development Variance Permit.

INTERDEPARTMENTAL LIAISON

This report was written with input from the Engineering Department (Transportation).

OPTIONS

The following options are provided for Council's consideration:

- 1. That Council consider Housing Agreement Bylaw 8382, 2023 for first, second, and third reading in order to require all residential units to be secured market rental housing;
- 2. That Council, should the Housing Agreement Bylaw No. 8382, 2023 be adopted, direct the Mayor and Corporate Officer to execute the Housing Agreement.
- That Council provide notice that it will consider issuance of a Development Variance Permit (DVP00701) to reduce the number of required off-street parking spaces by 34% from the Zoning Bylaw requirements for secured market rental.;

- That Council endorse that fifty-one long-term bicycle parking spaces and six short-term bicycle parking spaces be included as part of the Development Permit application for 311 Ash Street, should the Development Variance Permit (DVP00701) be approved by Council;
- 5. That Council provide staff with alternative feedback.

Staff recommends Options 1, 2, 3 and 4.

ATTACHMENTS

Attachment 1: Policy and Regulations Attachment 2: Rationale Letter and Project Drawings Attachment 3: Site Context and Project Statistics Attachment 4: Housing Agreement Bylaw 8382, 2023 Attachment 5: Housing Agreement Principles Letter

APPROVALS

This report was prepared by: Nazanin Esmaeili, Planning Technician Tristan Johnson, Senior Planning Analyst

This report was reviewed by: Demian Rueter, Acting Manager of Planning

This report was approved by: Jackie Teed, Acting Director, Climate Action, Planning and Development Lisa Spitale, Chief Administrative Officer



Attachment 1 Policy and Regulations

POLICY AND REGULATIONS

Official Community Plan

The subject property is designated (RM) Residential – Multiple Unit Buildings. The purpose of this designation is to provide a mix of small to moderate sized multiple unit residential buildings in the form of townhouses, rowhouses, stacked townhouses and low rises. This proposal would be consistent with the designation.

Development Permit Area

The subject property is located within the Mainland - Multiple Unit Residential Development Permit Area. The intent of this DPA designation is to "integrate multi-unit housing forms into the city's single detached dwelling and ground oriented housing neighbourhoods."

This area is designated with the following purposes:

- Establishment of objectives for the form and character of multi-family residential development;
- Protection of the natural environment, its ecosystems and biological diversity; and
- Establishment of objectives to promote energy conservation.

A copy of the proposed DPA guidelines for the Mainland – Multiple Unit Residential Development Permit Area can be accessed at the following weblink below: <u>https://www.newwestcity.ca/database/files/library/OCP_DPA_1.4_Multiple_Units_Resid</u> <u>ential_(Consolidated_June_2020).pdf</u>

Zoning Bylaw

The subject property is zoned RM-2 - Apartment Low Rise. The intent of this zone is to allow low-rise apartment development with an opportunity for increased density upon amenity provision conditions being met. The maximum density without amenity provision is 1.2 FSR, or 1.8 FSR if amenity provisions set out in Section 190.49 of the Zoning Bylaw are met. The maximum building height is 10.67 metres (35 feet).

Affordable Housing Strategy

The first goal in the City's Affordable Housing Strategy (2010) is to preserve and enhance New Westminster's stock of safe, affordable and appropriate rental housing.

Secured Market Rental Housing Policy

The Secured Market Rental Housing Policy was adopted on May 13, 2013 and revised on January 9, 2017. One of the objectives for this policy is the renewal of the rental housing stock, specifically:

- Increase investment into the existing purpose-built rental housing stock. Increase the life span of the existing stock.
- Improve the operating costs of the purpose-built rental housing stock.

The incentives available through the renewal of the rental housing stock portion of this program are:

- Use the density bonus program to permit the construction of additional secured market rental units on site (up to 10% of the number of existing units), including the conversion of unused storage or recreation areas for additional units (subject to livability/Building Code issues being addressed).
- Eliminate the parking requirement for additional secured rental units created in existing buildings.
- Consider including existing rental buildings in a future phase of the Building Energy Efficiency Program that is part of the Community Energy & Emissions Plan.
- Consider relaxations to Engineering servicing requirements when adding new units.

Housing Agreements and Covenant

The recommended process to secure the building as market rental housing is through entering into a Local Government Act Section 483 Housing Agreement with the developer that is paired with a Land Title Act Section 219 Covenant on title. The Housing Agreement would need to be considered and adopted by Council. The Housing Agreement would be signed and registered with the Land Title Office.

Family Friendly Housing Policy

As this project is only adding five units, the Family-Friendly Housing Policy requirements for number of two and three bedroom units, which becomes applicable in development applications with 10 or more residential units added, does not apply to this project.



Attachment 2

Rationale Letter and Project Drawings

311 ASH ST – D.P & D.V.P - RATIONALE LETTER

May 12, 2022

City of New Westminster Planning Department 511 Royal Avenue New Westminster, BC V3L 1H9

Attention: Nazanin Esmaeili, Planning Assistant

311 Ash St New Westminster B.C, V3M 5X7 is a 3-story apartment building with 29 existing rental units. There is one floor of parking below grade, with 35 existing parking stalls. In the parkade below there is an existing locker room, elevator room, electrical meter room and an existing boiler room.

We are proposing to re-use a total of 10 existing parking stalls in the east end of the parkade and convert this area into five (5) additional rental units: all of which are studio units. All five units are well over the recommended 350 SF & 525 SF from the BC Housing Design Guidelines & Constructions Standards. Unit #1 712.6.0 SF. Unit #2 687.8 SF. Unit #3 687.9 SF. Unit #4 691.1 SF. Unit #5 675.4 SF. All five units will have exterior entry from the patio wells along Third Ave. The patio wells will have stairs coming down from grade, as well as planters stepping up to grade. The patio wells will allow for ample sunlight to shine into the principal parts of the new rental units.

Presently there are 35 existing parking stalls. Upon surveying residents, it was found that only 15 stalls are in use by residents and 20 stalls remain vacant. The garbage and recycling area will remain in the same area which is on the exterior of the Northwest side of the parkade. We have proposed two additional stalls where the existing drive aisle is located, which will be removed once the units are in. After upgrading the parking stalls into rental housing units, the site will retain 21 parking stalls. We have proposed the addition of 2 Accessible stall close to the entrance in the basement level and 2 visitor parking stalls. There are no existing compact stalls.

Universally Accessible paths of travel identified on the proposed plan. Direct paths from the Accessible parking stalls to primary building entrances from the parkade identified. Accessible parking stalls not to be used as part of Accessible travel routes.

Residential & visitor parking stalls reductions consistent with New Westminster Seven Bold Step Program. Previously in 2019, New Westminster Council declared a climate emergency. One of the Seven Bold steps outlined by City is, Car Light Communities. The goal is for 60% of all trips within the City to be by sustainable modes of transportation. (Walk, Transit, Bicycle, Multi Occupant shared).



311 ASH ST – D.P & D.V.P - RATIONALE LETTER

The 311 Ash Street site is in between the Eighth Street and Sixth Street Frequent Transit Network Corridor. A quick 2-minute walk will lead you to a Frequent Transit Bus stops. The site is 140m from a Frequent Transit Bus stop, & 150m from another Frequent Transit Bus stop in the other direction. Most tenants in the building currently use Public Transportation as it is most beneficial for them. Most rental tenants do not own a personal vehicle. If they had their own vehicles, they would be renting parking stalls.

Approximately 28% of work commutes in New Westminster are taken by public transit every day. Integration of higher quality and more convenient transit connections can shift residents to optimize public transit over personal vehicles and result in a more balanced and sustainable transportation system. Frequent Transit Network Routes offer service every 15 minutes throughout the day, evenings, and weekends.

The site is also within a 5-minute walking distance to a variety of Markets, Restaurants, Shops & Religious Services in the Up-Town Neighbourhood.

Existing Parking stalls provided on site range from \$30 - \$50 per month fee set by building management for each tenant.

Additional garbage & recycling bins to be added to accommodate additional units. Tenants will be able to exit from the North end of the building to dispose of their waste in the bins. New tenants residing in Units #01-05 will be able to walk out of their units into the corridor and up to the main floor via elevator or stair core and out to the North end of the building to dispense of any garbage/recycling waste.



311 ASH ST – D.P & D.V.P - RATIONALE LETTER

PARKING RESIDENTIAL

EXISTING 311 ASH ST PARKING (NEW WESTMINSTEF	R)	STALLS
RESIDENTIAL	8'-1" x 19'-0" (2.46m X 5.79m)	1
	9'-6" x 19'-0" (2.90m X 5.79m)	3
	9'-10" x 19'-0" (3.00m X 5.79m)	2
	9'-0" x 19'-0" (2.74m X 5.79m)	4
	9'-3" x 19'-0" (2.82m X 5.79m)	3
	8'-6" x 19'-0" (2.59m X 5.79m)	4
	10'-0" x 19'-0" (3.05m X 5.79m)	3
	9'-8" x 19'-0" (2.95m X 5.79m)	1
	9'-2" x 19'-0" (2.79m X 5.79m)	1
	8'-10" x 19'-0" (2.69m X 5.79m)	8
	10'-2" x 19'-0" (3.10m X 5.79m)	1
	8'-11" x 19'-0" (2.72m X 5.79m)	1
	8'-8" x 19'-0" (2.64m X 5.79m)	3
	TOTAL EXISTING STALLS	35

PARKING RESIDENTIAL REQUIRED PARKING (NEW WESTMINSTER) UNITS STALLS REFERENCE SECURED RENTAL RESIDENTIAL UNITS 1.0 SPACE PER DWELLING UNIT 29 29 150.8.7 (a) VISITOR 0.1 VISITOR PARKING SPACES PER DWELLING UNIT 29 150.8.7 (c) 3 ACCESSIBLE 2 32 STALLS REQUIRED TOTAL RESIDENTIAL STALLS REQUIRED

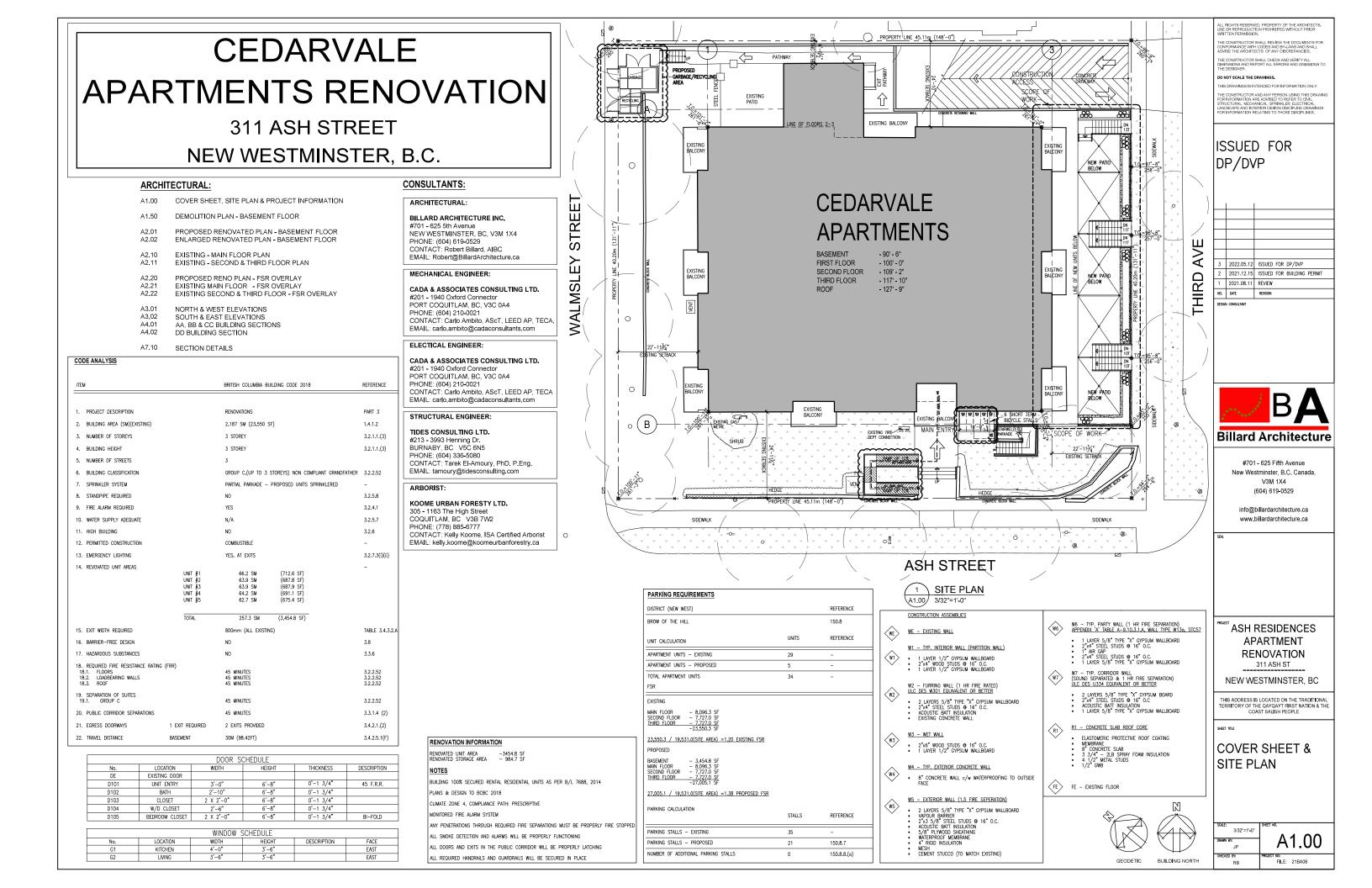
*FOR EVERY 40 SPACES, 2 STALLS MUST BE ACCESSIBLE

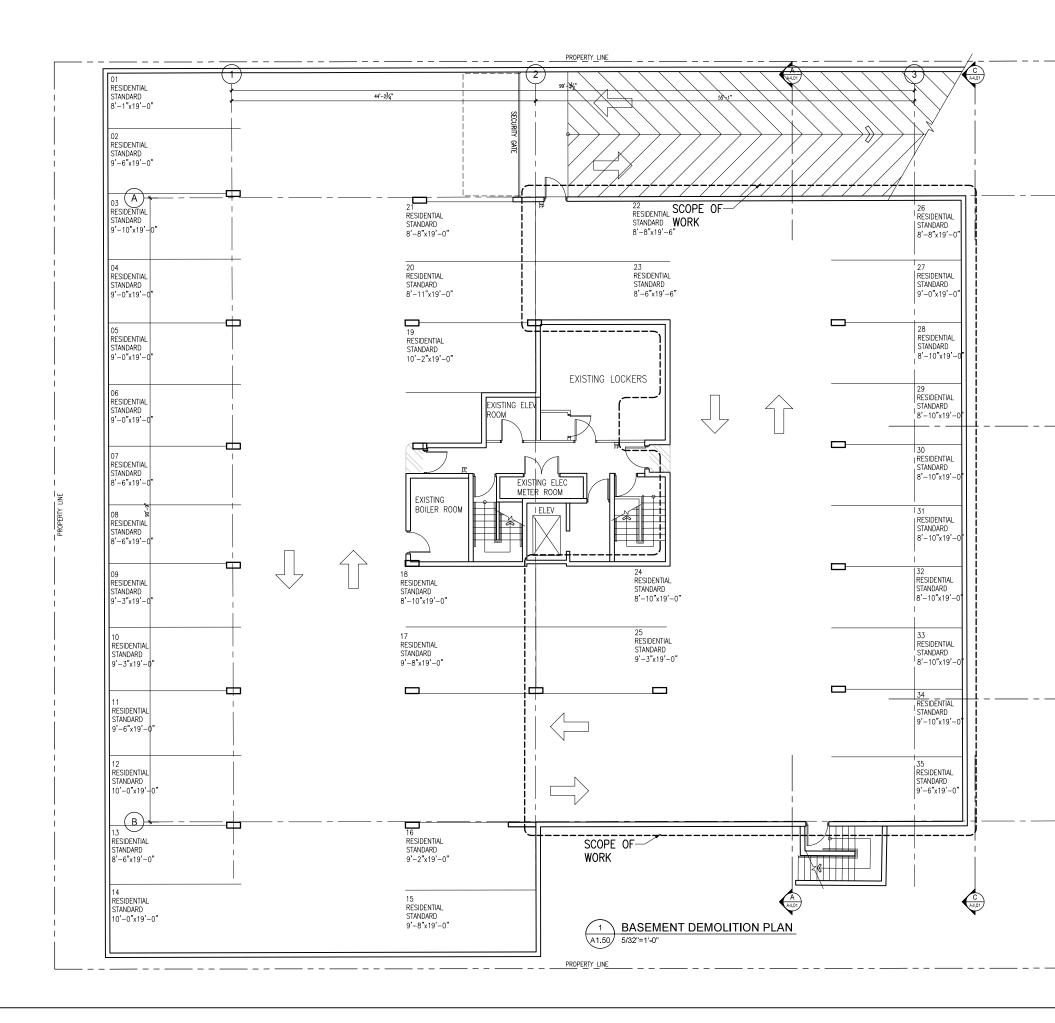
*FOR EVERY 70 SPACES, 3 STALLS MUST BE ACCESSIBLE

PARKING RESIDENTIAL

PROPOSED 311 ASH ST PARKING (NEW WESTMINSTER)		
RESIDENTIAL	8'-1" x 19'-0" (2.46m X 5.79m)	1
	9'-6" x 19'-0" (2.90m X 5.79m)	2
	9'-10" x 19'-0" (3.00m X 5.79m)	1
	9'-0" x 19'-0" (2.74m X 5.79m)	5
	8'-6" x 19'-0" (2.59m X 5.79m)	3
	9'-3" x 19'-0" (2.82m X 5.79m)	2
	9'-8" x 19'-0" (2.95m X 5.79m)	1
	10'-0" x 19'-0" (3.05m X 5.79m)	2
VISITOR	10'-2" x 19'-0" (3.10m X 5.79m)	1
	9'-0" x 19'-0" (2.74m X 5.79m)	1
ACCESSIBLE	12'-10" x 19'-0" (m X 5.79m)	2
	TOTAL PROPOSED STALLS	21

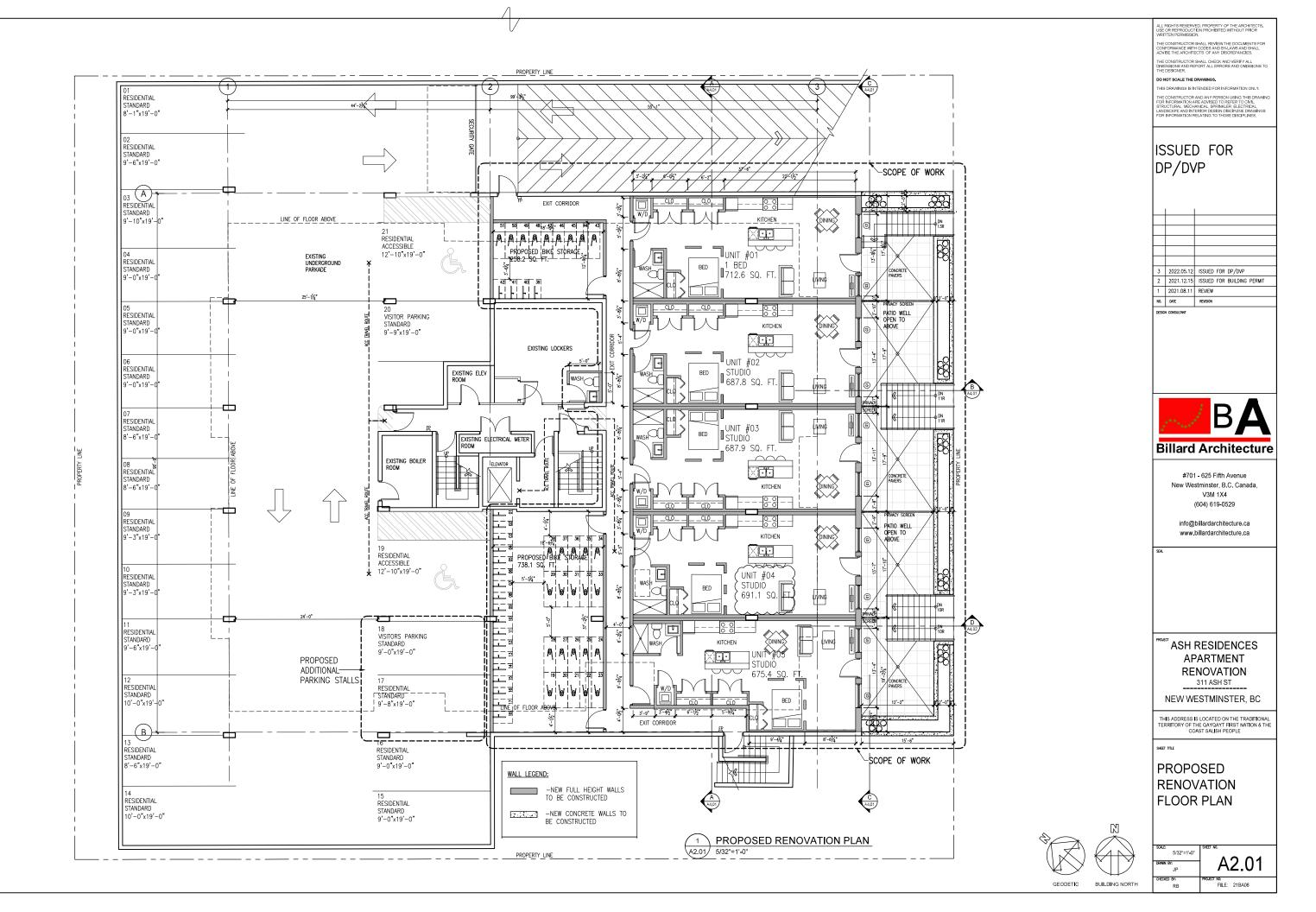


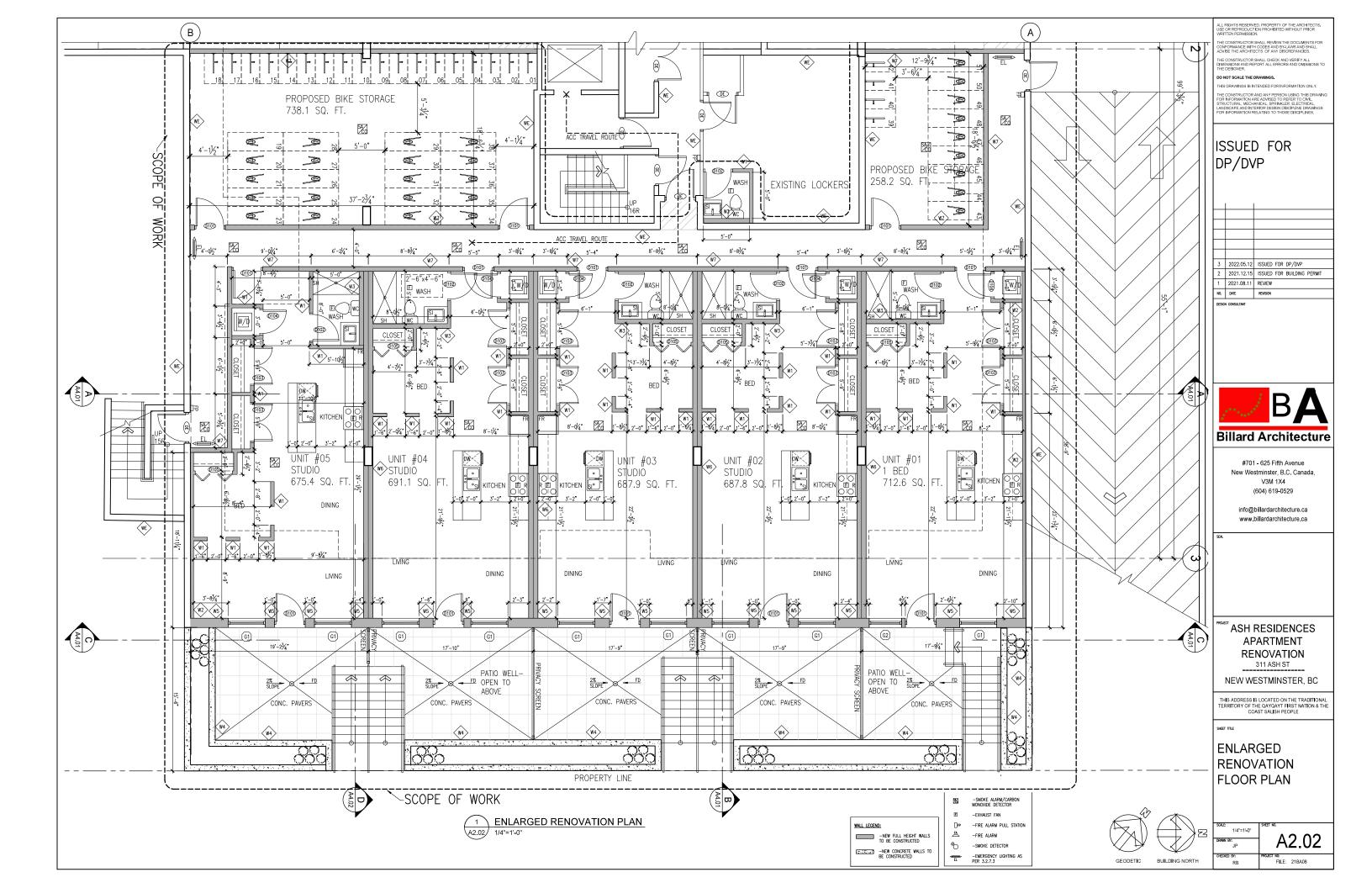


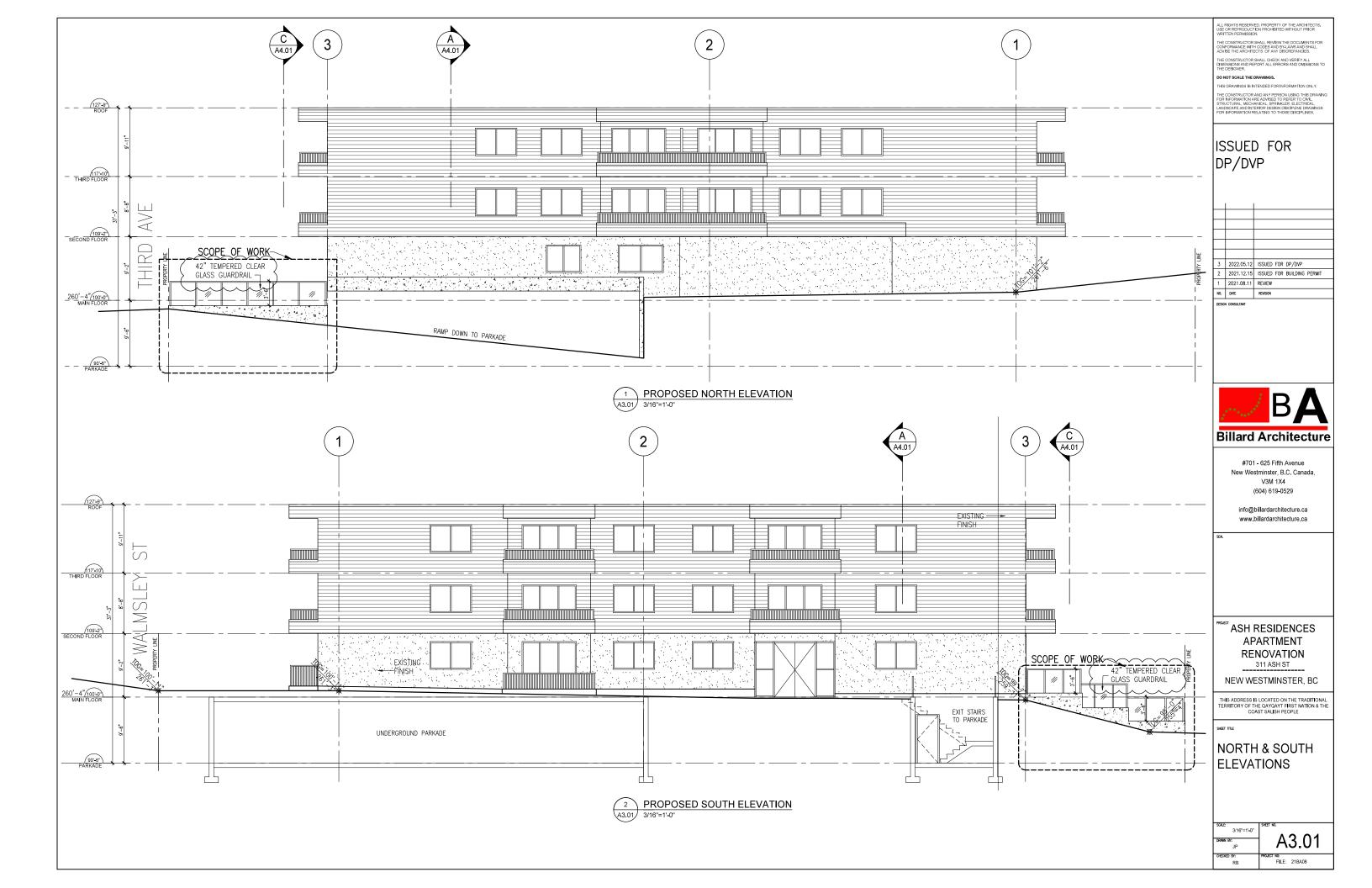


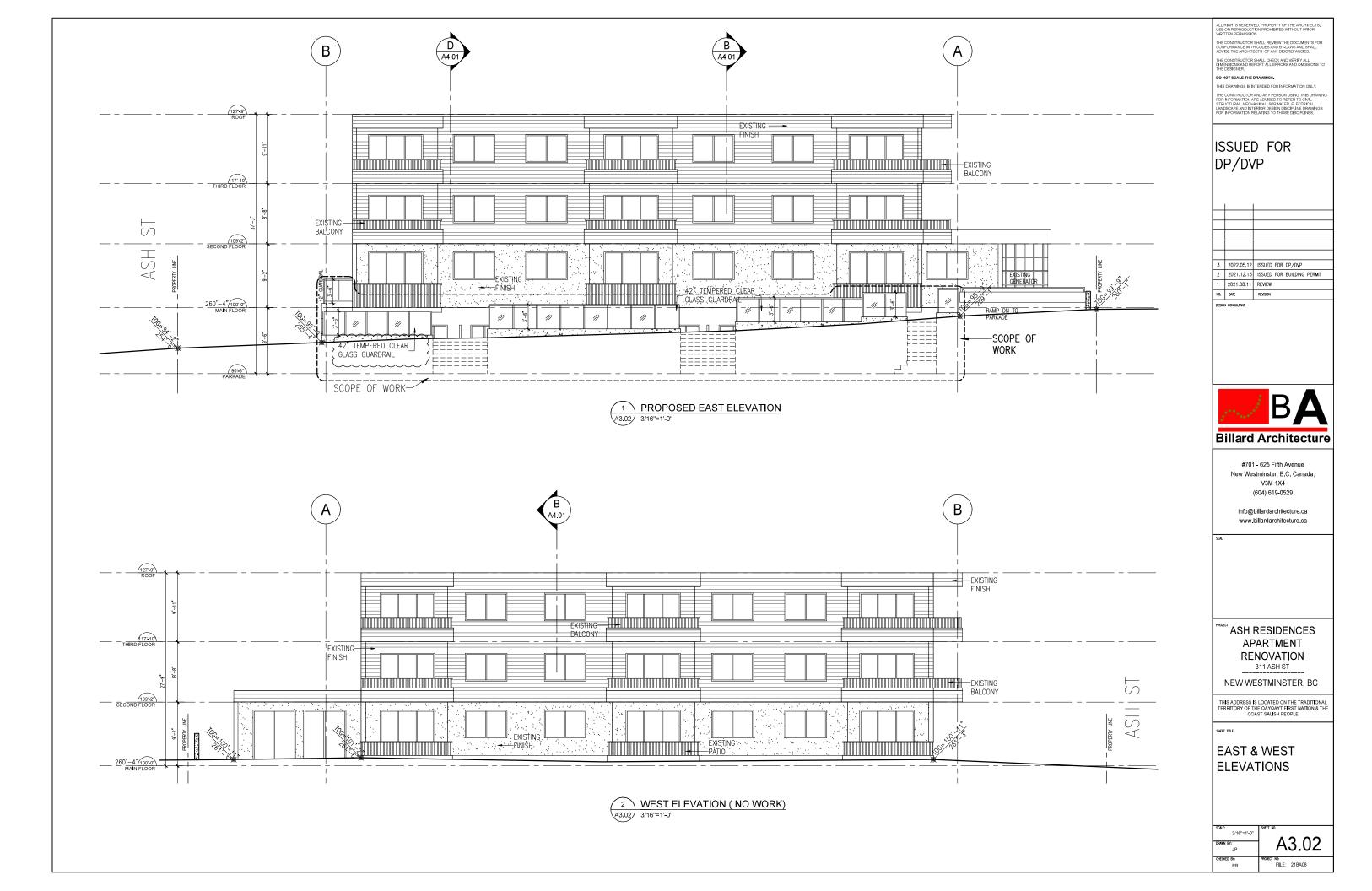
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Attachment 3

Site Context and Project Statistics

PROJECT STATISTICS

	Existing Building	Proposed 5-Unit Addition	Change
Existing Site Area (gross)	1814.77 m² (19534 sq. ft.)		No change
Building Height	8.84 m (29 ft)		No change
Floor Space Ratio	1.2	1.38	0.18
Floor Area (gross)	2287.31 m ² (24621.24 sq. ft.)	2608.27 m ² (28,076.15 sq. ft.)	320.92 m ² (3454.91 sq. ft.)
Residential Units	29	34	+5
Parking	Total provided = 35 spaces	Total provided = 21 spaces	-14

SITE CONTEXT

311 Ash Street is located within the Brow of the Hill neighbourhood. The site is relatively flat with vehicle access from Third Avenue and the main building entrance facing Ash Street. There are properties zoned for and used for singled detached dwellings to the east. There are additional single detached dwelling properties across Third Avenue to the south, across Ash Street to the west and across Walmsley Street to the north. There are several three storey apartment buildings located across the intersection of Ash Street and Third Avenue. There are ten mature trees located on site.

The subject site is well serviced by transit and within walking distance of multiple bus stops located along the Eighth and Sixth Street Frequent Transit Network (FTN). Nearby transit routes, frequency, and destinations are outlined in the table below:

Transit Route	Stop Distance from Site	Peak Hours Frequency	Destinations
123 Bus (Eighth Street)	150 m	Every 7 minutes	New Westminster Station / Brentwood
106 Bus (Sixth Street)	275 m	Every 10 minutes	Station New Westminster Station / Edmonds Station
101 Bus (Sixth Avenue)	750 m	Every 18 minutes	Lougheed Station / 22 nd Street Station
155 Bus (Sixth Avenue)	750 m	Every 20 minutes	Braid Station / 22 nd Street Station
New Westminster SkyTrain Station (Eighth Street)	850 m	Every 2 minutes	Waterfront Station / King George Station / Production Way- University Station

Columbia SkyTrain	1.2 km	Every 2 minutes	Waterfront Station /
Station (Columbia		-	King George Station /
Street)			Production Way-
			University Station

Additionally, the FTN network map below shows 311 Ash Street in relation to the network:



Frequent Transit Network (FTN) map showing 311 Ash Street in relation to FTN routes. Source: TransLink