



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.

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.

Transit Oriented Development Area

The subject site is located within Tier 2 of the New Westminster SkyTrain Station Transit Oriented Development (TOD) Area (200 m. to 400 m.). Properties within Tier 2 may be considered for additional building height (up to 12 storeys) and density (up to 4.0 FSR) under the Minimum Density (MD) Framework. The proposed development exceeds the MD Framework.

On June 24, 2024, Council approved Zoning Bylaw amendments that remove off-street residential parking requirements, excepting accessible parking, within TOD Areas. Given the reduction in off-street residential parking, additional Transportation Demand Management measures may be necessary to support new development.

Interim Development Review Framework and Financing Growth Policy

The Provincial government has introduced wide ranging changes to housing legislation that governs how municipalities plan for and approve new development, and how growth is financed. The City is currently working to review and update its regulations, policies, and practices in light of these changes. In the interim, new policies, some of which overlap with existing City policy, have been introduced to facilitate development review.

In January 2024, Council approved the Interim Development Review Framework (IDRF). The IDRf guides overall evaluation of new development applications. Per the IDRf, OCP-compliant rezoning projects that propose stratified multi-unit residential density have two financing growth contribution options:

1. *Provision of affordable housing in alignment with the Inclusionary Housing Policy (IHP):* Endorsed by Council in December 2019, the IHP directs projects seeking stratified residential density above existing entitlements to provide new

affordable housing units on-site as a component of the development. The number of required inclusionary units depends largely on whether or not the proposal is consistent with the site's OCP land use designation and/or density bonus limits controlled through existing zoning.

2. *Provision of a fixed-rate cash contribution, and/or in-kind amenities, in alignment with the Interim Density Bonus Policy (IDBP):* The IDBP provides a framework for the City's density bonus program with respect to determining a project's total density bonus charge and collecting funds through the development application process. The policy applies to the rezoning applications on sites designated for high-density residential or mixed-use development.

Projects that are not compliant with the Inclusionary Housing Policy are subject to the Interim Density Bonus Policy. As the proposed development does not meet Inclusionary Housing Policy requirements, it is subject to the IDBP.

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)

Retail Strategy

The Retail Strategy is a guide for informed decision making around long range commercial land use planning, strategic commercial area interventions, and proactive tenant retention and attraction. The Strategy supports 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.

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.

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. Updates to the policy are expected to be considered by Council in the near future.