

Attachment 4
Background Information

BACKGROUND INFORMATION

Downtown Community Plan Land Use Designation

The subject site is designated Residential – Tower Apartment. As per the Downtown Community Plan, the details of this designation are listed as:

- Targeted for residential
- Intended for residential towers
- Also may include mid-rise apartments, low-rise apartments, townhouses, stacked townhouses, rowhouses
- Community amenities such as churches, child care, libraries or community space
- Small-scale, corner store type retail, restaurant, and service uses permitted

The proposed development would be consistent with the intent of the Residential – Tower Apartment designation.

Development Permit Area

The site is within the Downtown Development and Special Development Permit Area (DPA). This DPA seeks to support the Downtown Regional Town Centre designation in the Regional Growth Strategy. Objectives and guidelines are outlined for:

- The form and character of commercial, multi-family, 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 Development Permit, issued by the Director of Planning and Development is required before any development or alteration to the lands.

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 honors the historical and cultural context of New Westminster. This document informs public realm improvements both on- and off-site within the Downtown area.

The subject site is located within the Albert Crescent Precinct, within the Agnes Street corridor, which is described as follows:

The Agnes Street corridor will be designed as a pedestrian friendly east-west connection across the precinct with landscaped boulevards that will incorporate raingardens, outdoor seating areas and contained parking embayments to achieve a more intimate neighbourhood scale to the street. The development of housing suitable for families, and the preservation of existing market rental housing stock aims to maintain the social diversity of the neighbourhood.

Ground-oriented housing with entrances and windows fronting the street, which enhance safety through “eyes on the street,” will promote interaction with neighbours and passersby. Well articulated ground-oriented housing will be encouraged with the use of details in doors, lighting, fencing and landscaping that provide visual interest to the street, and materials sympathetic to the historic character of parts of the precinct.

Zoning Bylaw

The subject site is zoned Multiple Dwelling Districts (Low Rise) (RM-2). The intent of this zone is to allow low-rise apartment development (up to 1.2 FSR) with an opportunity for increased density, up to 1.8 Floor Space Ratio (FSR) upon amenity provision conditions being met.

The site would be rezoned to a site-specific Comprehensive Development District. The zone incorporates specifications tailored to the proposed project, including the following: building use, density, siting, and massing restrictions; minimum required market and below-market rental units; provision of amenities in exchange for strata density; minimum long- and short-term bicycle parking spaces; and, minor variances to bicycle parking design. Per the City’s typical practice, minor density, siting, and massing allowances have been incorporated into the zone.

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, as well as a subsequent update to the Framework in September 2024. The Framework guides overall evaluation of new development applications. Per the Framework, 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:* Endorsed by Council in December 2019, the Policy 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:* The Policy 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 Interim Density Bonus Policy.

Transit Oriented Development Area

The subject site is located within Tier 3 of the Columbia Station Transit Oriented Development (TOD) Area (400 m. to 800 m.). Properties within Tier 3 may be considered for additional building height (up to 8 storeys) and density (up to 3.0 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.

Secured Market Rental Housing Policy

This development proposes 52% of all units as rental under the Secured Market Rental Housing Policy. The units would be secured for 60 years or the life of the building through a Housing Agreement, as well as through Rental Tenure Only Zoning. As part of the City's priority for new secured market rental housing, incentives include waiving density bonus payments.

Housing Agreement and Tenant Assistance Requirements

In 2019, Merchant House Capital (the developer) entered into an agreement with the strata corporation at 65 First Street to acquire the property, and advised the City of their desire to temporarily operate the building as rental housing following completion of sale, until the property's redevelopment. However, in order to do so, the developer required clarity from the City as to: 1) their obligations to the building's existing secondary market and future tenants, with respect to tenant relocation requirements at time of redevelopment; and, 2) how transitioning the building to rental housing would impact the site's development potential.

The City recognized that collaboration with the developer would enable existing tenants to remain in their units following sale of the property, while temporarily adding additional rental housing to the city's limited stock. Together, staff worked with the developer to craft a Housing Agreement that:

- Provides a legal framework for operating and maintaining the rental units;
- Requires the property owner adhere to the City's Tenant Relocation Policy (2016), upon redevelopment; and,

- Clarifies that: 1) the City's Rental Replacement Policy shall not apply, and 2) that the site is not subject to Rental Tenure Zoning.

The Housing Agreement Bylaw was considered by Council on February 24, 2020 ([report](#) / [minutes](#)) and adopted March 20, 2020. Sale of the property completed in 2021. The clarity provided through the Housing Agreement was critical to the developer's decision to tenant the building, rather than leave units vacant until redevelopment.

Family-Friendly Housing Policy

As this project proposes more than 10 units, conformance with the Family Friendly Housing Policy is required. On October 21, 2024 Council endorsed the updated Family Friendly Housing Policy (2024), and subsequently adopted the enabling Zoning Bylaw amendments on November 18, 2024. However, as the proposed application was received prior to the adoption date, it is subject to the requirements of the previous Family Friendly Housing Policy (2016).

Per Family Friendly Housing Policy (2016), the rental component of the project would be required to provide a minimum of 25% two- and three-bedroom units, of which a minimum of 5% of the overall number of units would need to contain three bedrooms or more. The applicant has proposed 139 two- and three-bedroom units (42.2%), of which 40 would contain three bedrooms (12.2%) exceeding minimum requirements.

The ownership component of the project would be required to provide a minimum of 30% two- and three-bedroom units, of which a minimum of 10% of the overall number of units would need to contain three bedrooms or more. The applicant has proposed 129 two- and three-bedroom units (42.4%), of which 38 would contain three bedrooms (12.5%) exceeding minimum requirements.

Downtown Transportation Plan

The subject site is within the boundaries of the Downtown Transportation Plan, which identifies network improvements for the surrounding transportation networks including:

- Development of Agnes Street as a primary cycling route (Agnes Greenway) inclusive of dedicated cycling facilities;
- Improved pedestrian and cyclist infrastructure on First Street for those travelling from Downtown and the Agnes Greenway to Queen's Park;
- Prioritized access to curb space; and,
- Improved accessibility with seating and resting opportunities.

Pre-Application Review

A Pre-Application review had been submitted for the subject site, and was presented to the Land Use and Planning Committee (LUPC) on February 4, 2019 ([report](#) / [minutes](#)). At that time, the proposal included a 24-storey residential tower and podium, inclusive of 60 secured market rental units, and a total FSR of 5.05. The LUPC endorsed consideration of the proposed density and height, on the condition that the following be

clarified: 1) the proposed tenure and mix of missing middle housing units; 2) interaction of the development with Albert Crescent Park; and 3) the development's tenant relocation plan.

SITE CHARACTERISTICS AND CONTEXT

The subject site is approximately 4,620 sq. m. (49,729 sq. ft.) and is located in the Downtown neighbourhood, directly north of Albert Crescent Park. It is steeply sloped, with an approximate grade change of 15% from the north corner (Agnes Street at Hastings Street) down to the south-east corner (Albert Crescent at Wellington Street). The site is improved with a 61-unit low-rise apartment building. Originally constructed in 1981 as a stratified condo building, the site was sold to the developer by the strata corporation in 2021. It currently operates as long-term rental housing, the terms of which are controlled by a Housing Agreement registered on title.

The Agnes Greenway spans the property's northwest edge, while Albert Crescent Park and a City-owned parcel at 37 Wellington Street abut the property's south and east property lines. Properties surrounding Albert Crescent Park are currently, or are approved for, residential tower development. Properties northwest and northeast of the site are a combination of low density and mid-rise residential developments, and are designated for low rise and mid rise residential apartment through the Downtown Community Plan.

Figure 1. Site Context Map with 65 First Street in blue



Proximity to Transit and Cycling Network

Agnes Street, First Street, Albert Crescent and Wellington Street are classified as local roads, while Hastings Street is a laneway/narrow street. Agnes Street accommodates part of the Agnes Greenway and is designated a primary east-west cycling route by the Downtown Transportation Plan. New Pattullo Bridge cycling infrastructure is planned to be built just southeast of the site, and would connect to the BC Parkway and the Central Valley Greenway.

Located within Tier 3 of the Columbia Station TOD Area, the site is well-served by transit, as shown on the table below:

Table 1: Site Proximity to Transit Service

Transit Facility	Approx. Frequency	Approx. Distance
Columbia SkyTrain Station	2 to 5 minutes	Less than 800 m. (2,625 ft.)
#105	15 minutes / 35 minutes	Approx. 30 m. (98 ft.)

Project Statistics

	Permitted / Required Under RM-2 Zoning	Proposed
Lot Area	-	4,620 sq. m. (49,729.3 sq. ft.)
Total Floor Space Ratio (FSR)	1.2 FSR and up to 1.8 FSR with satisfaction of amenity conditions	10.64 FSR
Building Height	10.67 m. (35 ft.)	Tower A: 121.9 m. (399.9 ft.) Tower B: 104.9 m. (344.2 ft.)
Residential Units	65	Strata: 304 Secured market rental: 299 Below-market rental: 30
Unit Mix <i>Strata Units</i>	Min. 30% two- and three-bedroom units Min. 10% three- or more bedrooms	Studio: 28 (9.2%) 1-bdr: 147 (48.4%) 2-bdr: 91 (29.9%) 3-bdr: 38 (12.5%)
Unit Mix <i>Secured Rental Units¹</i>	Min. 25% two- and three-bedroom units Min. 5% three- or more bedrooms	Studio: 31 (9.4%) 1-bdr: 159 (48.3%) 2-bdr: 99 (30.1%) 3-bdr: 40 (12.2%)
Off-Street Vehicle Parking		
Resident	0	364
Visitor	0	32
Total	0	396
Off-Street Accessible Vehicle Parking	21	24
Off-Street Loading	2	2
Bicycle Parking		
Long-term	950	1236
Short-term	12	12

¹ Figures include 30 below-market rental units