

Attachment 1  
*Background Information*

## **BACKGROUND INFORMATION**

### **Official Community Plan**

#### **Land Use Designation**

The subject site is designated (RM) Residential – Multiple Unit Buildings in the Official Community Plan (OCP), which is described, in part, as follows:

*Purpose: To provide a mix of small to moderate sized multiple unit residential buildings.*

*Principal Forms and Uses: Townhouses, rowhouses, stacked townhouses and low rises. Only in circumstances where the Development Permit Area guidelines can be met, a compelling case can be made, and appropriate amenities are provided will a five or six storey low rise building be considered.*

Based on a preliminary review of the applications, the proposal does not appear to be consistent with the Official Community Plan on the basis of height and use.

#### **Development Permit Area**

The subject site is located within the Multiple Unit Residential Development Permit Area (DPA 1.4) and, as such, a Development Permit would be required to facilitate the proposed development. The intent of this DPA is to integrate multi-unit housing forms into the City's single-detached dwelling and ground oriented housing neighborhoods in a way that is complementary with the surrounding housing. Objectives and guidelines are outlined for:

- The form and character of multi-family residential development.
- Protection of the natural environment, its ecosystems and biological diversity.
- Objectives to promote energy and water conservation and reduction of greenhouse gas emissions.

Based on a preliminary review of the applications, the proposed form of development does not appear to be consistent with the DPA design guidelines.

### **Zoning Bylaw**

#### **Existing Zoning**

The subject site includes the properties at 129 to 137 Tenth Street and 912 Queens Avenue, and as such, the site's zoning is mixed:

- 129 and 135 Tenth Street: These properties are zoned Single Detached Residential Districts (RS-2), the intent of which is to allow single detached dwellings and secondary suites.

- 137 Tenth Street: This property is zoned Residential Commercial Dwelling Districts (RS-3), the intent of which is to allow for neighbourhood commercial and associated residential uses.
- 912 Queens Avenue: This property is zoned Multiple Dwelling Districts (Low Rise) (RM-2), the intent of which is to allow low-rise apartment development with an opportunity for increased density upon amenity provisions being met.

As the proposed form of development is not consistent with the existing zoning, a rezoning would be required.

### Locked-in-Lot Provisions

The Zoning Bylaw defines a locked-in-lot as one site or two or more contiguous sites in a residential zoning district which:

- a) is a corner property including a corner site having an area of less than 12,000 square feet (1,114.80 square metres) and a frontage of less than 78 feet (23.77 metres) on any street, or is a property not including a corner site having an area of less than 11,000 square feet (1,021.90 square metres) and a frontage of less than 70 feet (21.34 metres) on any street; and
- b) is built on, if at all, with buildings designed as single detached dwellings or duplexes, whether converted to multiple dwelling use or not; and
- c) is located between sites developed for other than single detached dwellings or duplexes, or is located between a site developed for other than single detached dwellings or duplexes and a street.

Section 170.1 further prohibits construction of any building or portion of a building that would create a locked-in-lot, in (R) Districts. Through the Zoning Bylaw, single detached and duplex residential districts are considered (R) Districts, while residential multi-family residential districts are considered (RM) Districts.

### **Transit Oriented Development Area**

The subject site is located within Tier 3 of the New Westminster Station Transit Oriented Development 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 Framework.

### **Interim Development Review Framework**

The City is currently working to review and update its regulations, policies, and practices in light of wide ranging changes to housing legislation and the financing of growth, introduced by the Provincial government. While this work is underway, development applications are being processed in light of the Interim Development Review Framework. Through the Framework, proposals that are inconsistent with the OCP but are permitted by the Transit Oriented Area legislation may only proceed if the project

proposes to rezone to rental only zoning with a registered Housing Agreement and other community benefits, such as affordable housing, are proposed.

### **Tenant Relocation Policy**

The City's Tenant Relocation Policy was endorsed by Council in 2015 and applies to rezoning applications that involve demolition of six or more purpose-built rental units. In alignment with Council direction, the City has, through the development application review process, developed a practice of negotiating tenant protection measures above and beyond what is required through the Policy.

On September 9, 2024 ([report](#) / [minutes](#)) Council directed staff to update the City's Tenant Relocation Policy, and on March 24, 2025 ([report](#) / [minutes](#)) endorsed 10 principles that will guide the update. Included among these is direction respecting tenant housing options (including right-of-first-refusal to new units and rent top up for interim housing, or a lump sum payment), moving assistance, and requirements for Tenant Assistance Coordinators, among other items. Through the principles, the updated Policy is anticipated to apply to all purpose-built rental units, removing the exclusion for sites with fewer than six units contained within the existing Policy. The Policy is anticipated to be considered by Council in Fall 2025.

### **Draft Rental Replacement Policy (2019)**

On January 14, 2019, Council directed staff to apply the Draft Rental Replacement Policy as an interim guideline to move applications under pre-application or formal application review, forward for consideration. This policy applies to all existing purpose-built market rental housing sites where redevelopment would remove more than six rental units. Applicants are expected to provide 100% secure market rental units including 10% of total units secured as below-market units. The subject application contemplates demolition of four purpose-built rental units and as such, the Policy does not apply. However, Council may request replacement of rental housing at this or other sites, where entitlements above existing zoning are being sought.

### **Secured Market Rental Policy**

Any rental residential units proposed on this site would be expected to comply with the City's Secured Market Rental Policy. Through this policy, rental residential units are expected to be secured through a Housing Agreement for 60 years or the life of the building. Units would also be expected to be secured through Rental Tenure Only Zoning.

## **SITE CHARACTERISTICS AND CONTEXT**

The subject site is approximately 2,187.6 sq. m. (23,547.1 sq. ft.) and includes four properties located in the Brow of the Hill neighborhood within Tier 3 of the New Westminster Station Transit Oriented Development Area. There are three buildings on the site, all of which are currently vacant: a four unit purpose-built rental apartment building built in 1958, a commercial unit with living quarters built in 1944, and a single detached house built in 1896.

The site is bounded by Queens Avenue to the north, Tenth Street to the west, and McInnes Street to the east, all of which are local roads. Simcoe Park and Fraser River Middle School are also located east of the site. Other properties surrounding the site are residential in nature, and designated a combination of Residential – Ground Oriented Infill Housing (north), Residential – Multiple Unit Buildings (west), and Residential – High Rise (south). A site context map provided below.

### **124 McInnes Street**

The proposed site wraps 124 McInnes Street, which has an approximate area of 280 sq. m. (3,018 sq. ft.) and is designated Residential – Multiple Unit Buildings in the Official Community Plan and located in Tier 3 of the New Westminster Station Transit Oriented Development Area. The property is improved with a single-detached house with secondary suite, built in 1897, which staff understand to be tenanted.

*Figure 1: Site Context Map with 912 Queens Avenue and 129-137 Tenth Street in blue*

