

# **REPORT**

## ***Planning and Development***

<b>To:</b>	Mayor Johnstone and Members of Council	<b>Date:</b>	July 7, 2025
<b>From:</b>	Jackie Teed, Director, Planning and Development	<b>File:</b>	#2670003 RZ000204 DP000860
		<b>Item #:</b>	2025-199
<b>Subject:</b>	<b>Zoning Amendment (102-128 East Eighth Avenue and 721 Cumberland Street): Bylaws for First, Second and Third Readings</b>		

---

### **RECOMMENDATION**

*THAT Zoning Bylaw No. 6680, 2001, Amendment Bylaw (102-128 East Eighth Avenue and 721 Cumberland Street) No. 8394, 2025 be introduced and given first, second, and third readings.*

---

### **PURPOSE**

This report provides Council with information on the development proposal for 102-128 East Eighth Avenue and 721 Cumberland Street, and requests that Council consider the Zoning Amendment Bylaw for First, Second, and Third Readings.

### **EXECUTIVE SUMMARY**

Rezoning and Development Permit applications have been received to develop a 55-unit, family-friendly, stratified townhouse project at 102-128 East Eighth Avenue and 721 Cumberland Street. The development would be comprised of eight buildings and drawings indicate a Floor Space Ratio of 1.03.

Applicant-led and City-led public consultation has been undertaken for the project in keeping with City policy and statutory requirements. The proposal is considered consistent with City policy, including the current Infill Townhouse Program, Interim Development Review Framework, Council Strategic Priorities and the Official Community Plan, and the applicant has responded to key community and staff feedback.

The project was received prior to the initiation of the Townhouse Accelerator Program and is advancing under the current Infill Townhouse Program. As such, staff is bringing the project forward to Council for consideration prior to completion of the Townhouse Accelerator Program. Staff recommend that Council consider the rezoning bylaw for first, second, and third readings.

## **BACKGROUND**

### **Site Characteristics and Context**

The subject site, which includes 10 properties with an approximate combined area of 6,410.6 sq. m. (69,003.3 sq. ft.), is located in the Massey Victory Heights neighbourhood. It is situated on the south side of East Eighth Avenue between Cumberland Street and York Street, located within one block from the Justice Institute of BC and approximately 2 blocks north of the təməsewtxw Aquatic and Community Centre. The Site is located outside of the transit oriented development areas. The site has a relatively steep gradient, with a difference of approximately 17 m. (55 ft.) from the high end at the north-east corner sloping down toward Cumberland Street and the rear lane at the south-west corner (approximately 11% diagonal slope and 8% horizontal slope). Similar to neighbouring residential lots, the subject properties are improved with single detached dwellings ranging from the mid-1940s to late 1950s.

Additional site context information is included in Attachment 2.

### **Pre-Application Review**

A Pre-Application review has been submitted for the subject site, and was presented to the Land Use and Planning Committee on August 27, 2018 ([report](#) / [minutes](#)). The proposal included a 37 unit infill townhouse project with an overall FSR of 1.0. At the time, the applicant had a smaller land assembly that did not include the parcels located, 126, or 128 East Eighth Avenue. After the applicant acquired these properties, a second pre-application review was submitted for a 55 unit townhouse proposal, and was presented to the Land Use and Planning Committee on October 7, 2019 ([report](#) / [minutes](#)). The proposal outlined in the second Pre-Application review is generally aligned with the current proposal.

### **Land Use Regulation**

The proposed development is consistent with the Official Community Plan, which designates the site as (RGO) Residential – Ground Oriented Infill Housing and permits, among other forms, townhouses. The site is also located within the Ground Oriented Housing Development Permit Area and is zoned Single Detached Residential Districts (RS-1). As the project is not consistent with existing zoning, a rezoning is required. The project is consistent with the Interim Development Review Framework. A summary of these and other relevant City policies and regulations is provided in Attachment 2.

This site is proposed to be redesignated to (RT) Residential-Townhouse as part of the 2025 Official Community Plan (OCP) update. This includes the proposed new land use designation and map that will form part of the OCP amendment bylaw.

## **PROJECT PROPOSAL**

The proposed development consists of 55 side-by-side, ground-oriented townhouse units in eight buildings, oriented along a central pedestrian courtyard. The buildings would be between two to three storeys above grade, and construction is proposed to occur in two phases, with Phase 1 comprising the west section of the site, and Phase 2 the east section. Drawings indicate an overall density of 1.03 Floor Space Ratio. Proposed units would contain three or more bedrooms and range in size from approximately 111.87 sq. m. (1,193 sq. ft.) to 135.46 sq. m. (1,458 sq. ft.). The proposal would exceed Zoning Bylaw requirements for off-street vehicle and bicycle parking. Additional project statistics are included in Attachment 2. The applicant's project summary letter and select project drawings are included in Attachment 3.

## **DISCUSSION**

### **Overall Discussion**

This development would support Council's Homes and Housing Options strategic priority by providing family-friendly, ground oriented infill housing in close proximity to shops, services, and community amenities such as the təməsewtx<sup>w</sup> Aquatic and Community Centre. The development is consistent with the Official Community Plan land use designation, and the intent of the ongoing Townhouse Accelerator program, which seeks to increase opportunities for townhouse development across the city.

### **Trees**

Based on the arborist report, which has been reviewed by the City arborist, the site is heavily treed, with 30 trees present on-site, four of which are specimen sized. The majority of these trees are of low to moderate value due to their species, condition, and long-term survivability. Of the trees that have been assessed to be in good health (22% of surveyed trees), many are poor in structure with approximately one quarter having been topped for utility line clearance. Many of the trees assessed to be in fair to poor health (20% of surveyed trees) show evidence of decay and dead stems, due to improper maintenance and poor arboriculture practices (e.g., topping). The remaining trees are in moderate health. As such, the project proposes removal of all on-site trees to facilitate the development.

In this instance, and in light of the condition of trees proposed for removal, redevelopment of the subject site represents an opportunity to improve the urban forest canopy over the medium to longer term. A total of 60 replacement trees are proposed, consistent with Tree Bylaw requirements. Per review by the City arborist, the proposed Replacement Tree Plan would re-plant the site with a diversity of climate-adept, resilient

tree species and ensure the provision of sufficient soil volumes to promote their long-term establishment and growth to maturity. Through the City arborist, the Plan would be anticipated to, over time, improve the site's tree canopy cover in comparison to the current condition.

Relevant to the development are also 18 off-site trees, including 13 City-owned trees and 5 trees on adjacent private properties. Review of the City-owned trees along the site's frontages would be completed as part of the project's off-site infrastructure requirements. The five off-site trees on adjacent properties would be retained.

### **Off-Street Parking and Vehicular Access**

Off-street vehicle and bicycle parking would be provided in an underground parkade with access from the lane. A total of 88 off-street vehicle parking spaces are proposed, including 82 resident spaces (1.49 spaces per unit) and six visitor spaces (0.1 spaces per unit). This would exceed the 61 spaces (55 resident and six visitor) required through the Zoning Bylaw by an additional 21 resident parking spaces. Consistent with Zoning Bylaw requirements, a total of 56 long-term bicycle parking spaces are proposed. A total of 12 short-term bicycle parking spaces would also be provided, in excess of Zoning Bylaw requirements. The project is required to provide parking spaces as the site is located outside of a Transit Oriented Development area.

## **PUBLIC CONSULTATION**

### **Applicant-led Consultation**

Applicant-led consultation included a virtual open house, project website, and online survey which was open from September 21 to October 10, 2022. Flyers were mailed to residents within 100 metres of the site and an ad was published in the New West Record for two weeks. Per the applicant, the Sapperton Residents' Association and the Massey Victory Heights Residents' Association were also notified about the applicant-led public consultation.

A total of six community members attended the virtual open house and no survey responses were received. Questions and comments received during the open house focused on concerns with respect to potential privacy impacts (for houses across the lane) and impacts to electrical utility infrastructure, traffic, and on-street parking. Per the applicant, no survey responses were received. A summary of the applicant-led consultation including the questions and responses is included in Attachment 4.

### **City-led Consultation**

City-led consultation was undertaken from April 19, 2023 to May 10, 2023 and included a project website and online survey, published on Be Heard New West. Residents within 100 metres of the site were notified of the survey. In total, 64 survey responses

were received. Of these, 50.8% of respondents expressed support for the project, 4.8% were neutral, and 44.5% did not support the project. All feedback received by the City is included in Attachment 6.

### **New Westminster Design Panel**

The application was presented to the New Westminster Design Panel on December 13, 2022. After reviewing the proposal and providing comments, the Panel passed a motion of support with consideration of the Panel's comments (minutes in Attachment 5). Comments focused largely on the visual relationship between building designs, the number of parking spaces, and accessibility. The applicant's response to comments is included in Attachment 5.

### **Applicant Response and Revisions**

The applicant has made the following changes to their proposal in light of public, City committee, and staff feedback:

- Refined the building designs to create a more subtle transition between the buildings.
- Incorporated additional trees into the rear yard to help buffer the project from existing houses opposite the lane.
- Relocated the garbage room to a central location and moved the accessible parking stalls to be adjacent to the elevator shaft.

Staff considers the changes made by the applicant to reasonably respond to the feedback provided.

### **REVIEW PROCESS**

The development application review process for this application is as follows:

1. Report to Land Use and Planning Committee (April 26, 2021) ([Agenda](#) / [Minutes](#));
2. Preliminary report to Council (May 30, 2022) ([Report](#));
3. Applicant-led public consultation, including dissemination of information through the Sapperton Residents' Association and the Massey Victory Heights Residents' Association (September 21 to October 10, 2022);
4. Presentation to the New Westminster Design Panel (December 13, 2022);
5. City-led public consultation, including creation of a Be Heard New West webpage and survey (April 19 to May 10, 2023);
6. Public notification that no Public Hearing will be held (June 27 to July 7, 2025);
7. Council consideration of first, second, and third readings of the proposed Zoning Amendment Bylaw (**WE ARE HERE**).

The anticipated next steps for this application are as follows:

8. Completion of adoption requirements;
9. Council consideration of adoption of the proposed Zoning Amendment Bylaw;
10. Issuance of the Development Permit by the Director of Planning and Development.

Per changes to the *Local Government Act* which took effect on November 30, 2023, under Section 464(3), municipalities are now prohibited from holding Public Hearings for projects that are consistent with the Official Community Plan, and in which the residential component of the project accounts for at least half of the proposed gross floor area. As this project satisfies these conditions, a Public Hearing must not be held.

### **FINAL ADOPTION REQUIREMENTS**

The following items will need to be addressed to the satisfaction of staff prior to adoption of the proposed Zoning Amendment Bylaw No. 8394, 2025:

1. Payment of a Voluntary Amenity Contribution of \$550,000; and,
2. Registration of a Section 219 Restrictive Covenant (Parking Covenant).

### **FINANCIAL IMPLICATIONS**

The proposal would result in 55 new dwelling units in close proximity to shops, services, and community amenities. The overall scope of improvements would be expected to increase the properties' value, which is anticipated to increase property tax revenue. Additionally, as a condition of bylaw adoption, the project would contribute a Voluntary Amenity Contribution in the sum of \$550,000 (55 x \$10,000) as per the City's Interim Development Review Framework. This amount is considered to contribute the growth portion of infrastructure and amenities required to accommodate the resulting increase in population.

Development Cost Charges would be calculated and collected prior to Building Permit Issuance. The project is also required to complete off-site infrastructure upgrades as detailed in the Engineering Servicing Memo (Attachment 7).

### **INTERDEPARTMENTAL LIAISON**

The City has a project-based team approach for reviewing development applications. The staff-led project team was assigned for reviewing this project consisting of staff from Engineering (Servicing and Transportation), Fire, Electrical, Parks and Recreation, and Planning and Development (Building, Planning, and Trees) Departments who provided comments throughout the development review process.

**OPTIONS**

The following options are available for Council's consideration:

1. That Zoning Bylaw No. 6680, 2001, Amendment Bylaw (102-128 East Eighth Avenue and 721 Cumberland Street) No. 8394, 2025 be introduced and given first, second, and third readings.
2. That staff be provided with alternative direction.

Staff recommends Option 1.

**ATTACHMENTS**

Attachment 1: Zoning Bylaw No. 6680, 2001, Amendment Bylaw No. 8394. 2025  
Attachment 2: Background Information  
Attachment 3: Applicant Submission Materials (Select)  
Attachment 4: Applicant-Led Consultation Summary and Response  
Attachment 5: Extract of December 13, 2022 New Westminster Design Panel Minutes  
Attachment 6: City-led Consultation Summary  
Attachment 7: Engineering Servicing Memo

**APPROVALS**

This report was prepared by:  
Erin Forzley, Planning Analyst

This report was reviewed by:  
Wendee Lang, Senior Development Planner  
Demian Rueter, Manager, Development Planning  
Rupinder Basi, Deputy Director, Planning

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