



**To:** New Westminster City Council  
in Regular Council

**Meeting Date:** March 9, 2026

**From:** Jackie Teed, Director, Planning &  
Development

**Report No.:** 2026-104

**Re:** **Official Community Plan Amendment and Rezoning Application: 807-823 Sangster Place and 39 E Eighth Avenue – Application Update**

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### Staff Recommendation

1. *THAT the applications for Zoning Bylaw and Official Community Plan Amendments at 807-823 Sangster Place and 39 E Eighth Avenue be rejected given that:*
    - a. *There is insufficient time for the City to complete review of the application including completion of Official Community Plan external agency consultation, as required by the Local Government Act section 475, due to the applicant providing submission materials that did not meet the Instream Development Review Process requirements necessary to achieve the provincial deadline; and,*
    - b. *The proposal is substantively inconsistent with City policy expectations for Official Community Plan Amendment applications to provide an amenity contribution “over and above” baseline requirement to offset additional infrastructure and amenity impacts.*
  
  2. *THAT staff proceed as identified in the Next Steps section of the report titled “Official Community Plan Amendment and Rezoning Application: 807-823 Sangster Place and 39 E Eighth Avenue – Application Update” dated March 9, 2026 , consistent with Council’s direction on the rejection of the application.*
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### Purpose

This report seeks Council rejection of the Official Community Plan and Zoning Bylaw Amendment applications for 807-823 Sangster Place and 39 East Eighth Avenue, and direction that, should the applicant reapply, the development proposal should meet the City’s policy expectations for Official Community Plan amendment applications.

## Summary

Applications for Official Community Plan (OCP) Amendment, Rezoning and Development Permit were received for 807 – 823 Sangster Place and 39 East Eighth Avenue on December 23, 2023. Since that time, staff has worked with the applicant toward a complete proposal which would meet the City's policy and regulatory expectations.

The applicant is proposing a six storey mid-rise development consisting of two buildings outside of the City's five Transit Oriented Development (TOD) areas, and adjacent to lower-density designated lands and City Park space. The proposal includes 171 units, of which 153 units would be market condo residential and 18 units (10.5%) would be inclusionary rental residential. The proposed density is 2.57 FSR and the project proposes 217 parking spaces which would be accessed off of the rear lane which divides the private sites from City park space. The overall site area is 4,146 sq. m. (44,629 sq. ft.) with frontages along Sangster Place, an existing rear lane and E. Eighth Avenue. The sites are currently designated a combination of (RD) Residential – Detached and Semi-Detached Housing and (RGO) Residential – Ground Oriented Housing and as such require an application to amend the Official Community Plan.

The application is currently being reviewed under the Instream Development Approvals Process ("Instream Process") which was developed in response to provincial legislation changes, to enable the City to negotiate and secure amenities under the City's current policy-based density bonus program prior to the provincial deadline ending the use of this tool. To achieve this, the Instream Process endorsed by Council requires participating applicants to:

1. Meet all stage gates (deadlines), as these must be met in order for it to be possible to meet the provincial deadline; and,
2. Provide to the City at these deadlines, complete, comprehensive materials, substantively consistent with City policy, which would be required in order to process their application within the provincial timeline.

In order to achieve the shortened timelines necessary to meet the provincial deadline, key submission requirements were identified and detailed work typically completed before Council consideration was shifted to later stages in the review process. The City reconfirmed for the applicants in advance the list of all outstanding submission items and revisions for their application, to be submitted by the first stage gate deadline.

The applicants for the subject proposal have provided materials that do not meet submission requirements in that they are missing key information and are substantively inconsistent with City policy, both which were required to evaluate their application under this program. As a result, the City does not have sufficient time to complete application review, including OCP external agency consultation required by the Local Government Act and advance the application for consideration prior to June 30, 2026.

The application does not include contribution of a community benefit “over and above” baseline policies, which puts it substantively out of alignment with the City’s policy expectations for OCP amendment applications. The express goal of the Instream Process is to enable to the City to ensure provision and securing of such development contributions to offset the cost of growth, as instream projects are exempt from the City’s Amenity Cost Charge Bylaw.

***At this time, staff recommends the application be rejected due to:***

- ***There being insufficient time for the City to complete application review, including Official Community Plan external agency consultation, as required by the Local Government Act section 475, due to the applicant providing submission materials that did not meet requirements to achieve the provincial deadline; and,***
- ***The proposal does not provide any amenity “over and above” expectations of the Inclusionary Housing Policy (i.e. a portion of units offered at near market rental rates), which means the proposal is substantively inconsistent with City policy and does not meet the intent of the Instream Development Application Review Process, which aims to secure development-portion of cost of growth for applications exempt from the City’s Amenity Cost Charge Bylaw.***

## **Background**

### Provincial Timeline Requirements for In-Stream Applications

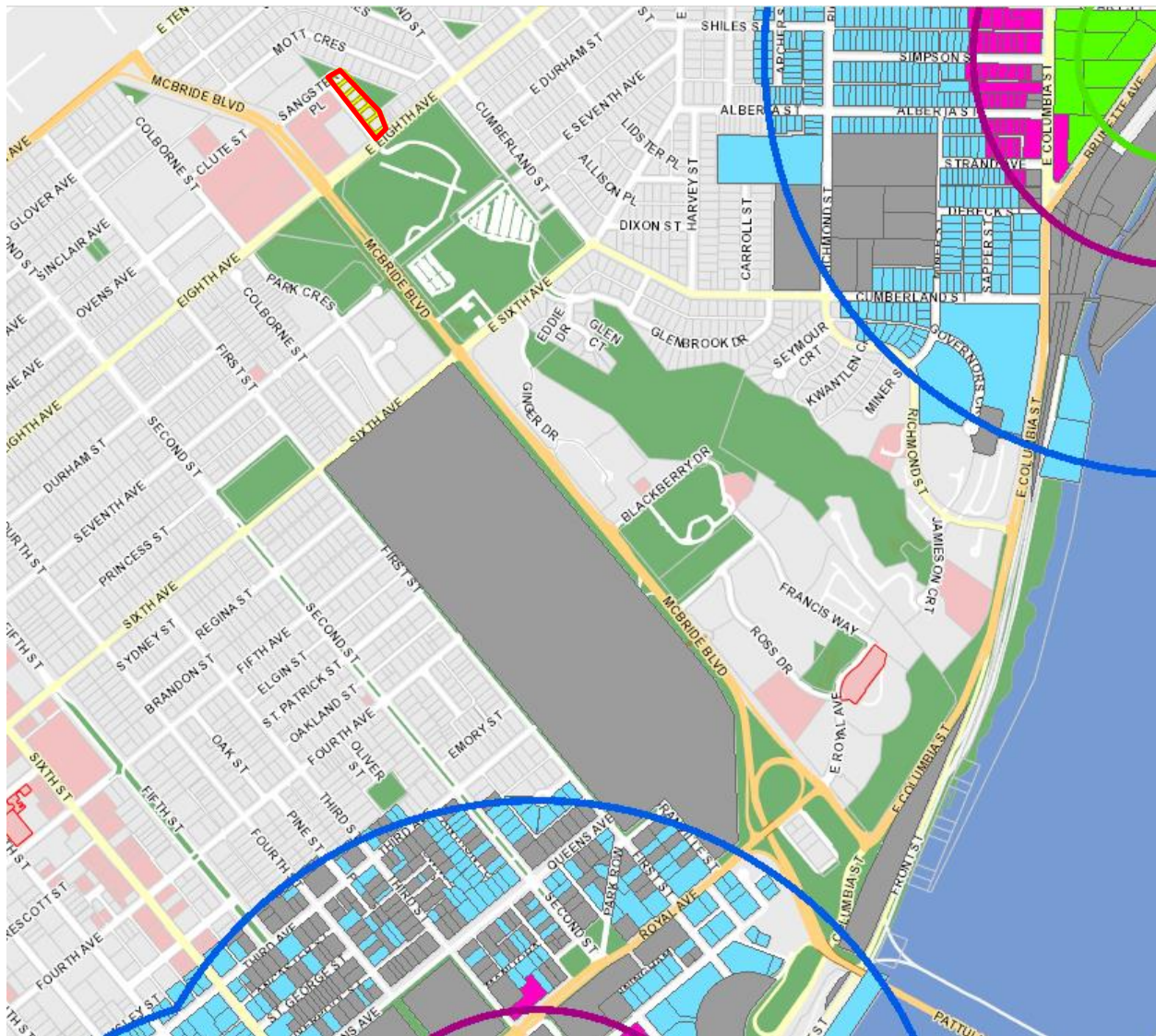
The Province has set June 30, 2026, as the end date after which municipalities can no longer use policy-based density bonus programs to secure amenities. Instream applications must receive First Reading by Council by that date in order to include policy-based density bonus agreements as part of those applications.

On November 3, 2025, Council approved an Instream Development Application Review Process which detailed outstanding submission requirements, defined stage gates for both applicants and City staff, and significantly shortened timelines achieved by shifting the detailed work typically completed before Council consideration to later stages in the process. Applicants choosing to proceed under this process were required to provide complete, comprehensive and consistent submissions and meet the defined stage gates in order for it to be possible to meet the June 30, 2026 deadline. A copy of the Council Report can be found [here](#).

This application is being reviewed under this framework and must be considered by Council for First Reading before June 30, 2026.

Site Characteristics and Context

The subject site is approximately 4,146 sq. m. (44,629 sq. ft.), is located in the Massey Victory Heights neighbourhood, and is not within any of the City’s five Transit Oriented Development Areas. It is bounded by City green space and existing single detached residential to the north, E. Eighth Avenue to the south, Sangster Place to the west and City green space and existing single detached residential to the east. The site is improved with single-detached residences.



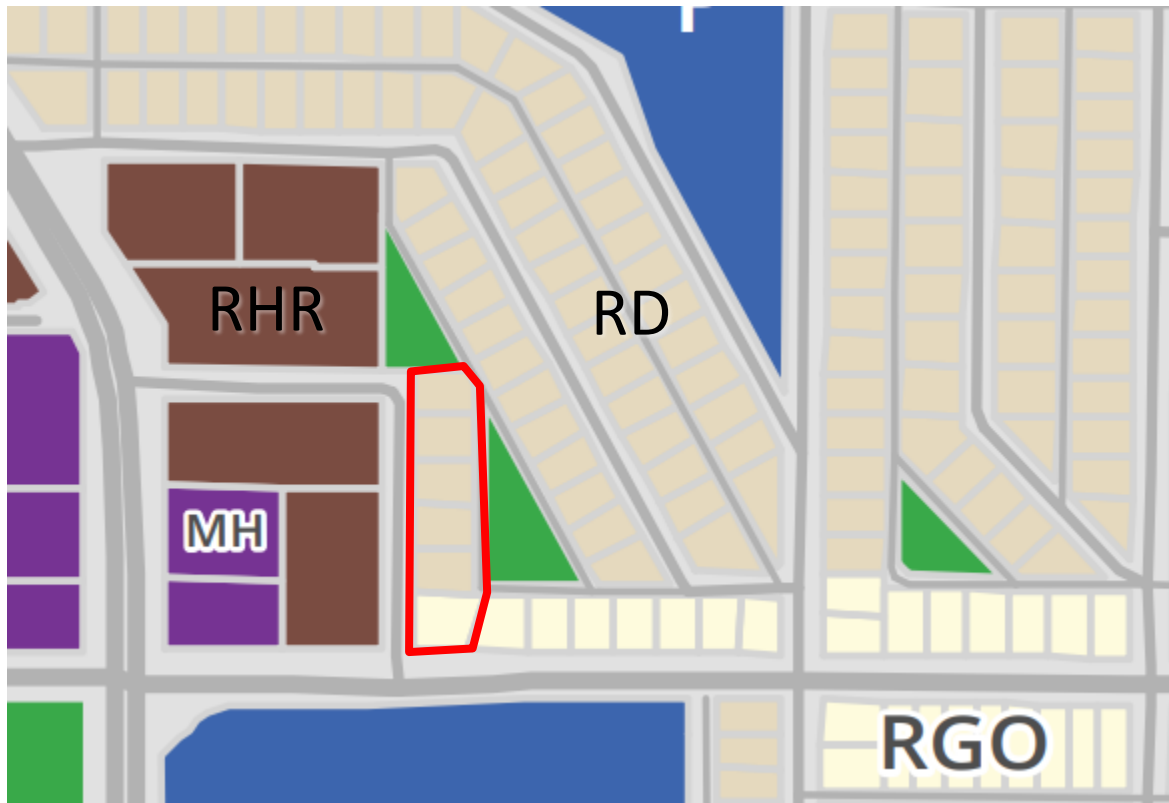
Subject Properties (Red Outline) and Transit Oriented Area Boundaries

Proposal

The applicant is proposing a six storey mid-rise development consisting of two buildings on properties that are in the process of being designated for smaller, 3-storey multiplex development, under the City’s current work to implement provincial legislation. The current proposal includes 171 units, of which 153 units would be market condo residential and 18 units (10.5%) would be inclusionary rental residential. The proposed

density is 2.57 FSR and the project proposes 217 parking spaces which would be accessed off of the rear lane, which divides the private sites from City park space. The overall site area is 4,146 sq. m. (44,629 sq. ft.) with frontages along Sangster Place, an existing rear lane and E. Eighth Avenue.

The sites are currently designated a combination of (RD) Residential – Detached and Semi-Detached Housing and (RGO) Residential – Ground Oriented Housing. The subject properties are steeply sloping grade (approximately 11 metres / 36.09 feet) and with shallow lot depth (30.48 metres / 100 feet). The subject site is adjacent to lower-density designated lands to the north and east.



Subject Properties (Red Outline) and OCP Land Use Designations

The application was the subject of a Pre-Application Review (PAR) in 2022, and the applicant was advised at that time that the following, in addition to typical submission requirements, would need to be amended/provided as part of or a formal application:

- The proposal must meet key City policies and regulations, including Family Friendly Housing Mix, and the Inclusionary Housing Policy;

- The proposal must not rely on the use of City right-of-way or open space to make the proposal functional – the application has proposed extending their underground parking below the City street right of way, closing the City lane, using City lanes and open space for loading and solid waste functions and/or consolidating a portion of the adjacent public open space to provide vehicle access to the parkade;
- The proposal must include details about the inclusionary housing units, including a commitment letter from the required non-profit owner/operator, a pro-forma, and details of the intended clients and rental rates;
- The proposal must include a community benefit “over and above” the City’s baseline policy requirements, as indicated by the City policy related to consideration of OCP amendment applications, toward ensuring that development over that contemplated in the OCP contributes to addressing the costs of development-related growth.

## **Discussion**

### Submission Materials Inconsistent with Instream Process Requirements

Following Council endorsement of the Instream Process, applicants required to proceed to consideration of First Reading by the provincial deadline were advised of the options to withdraw for a partial refund as permitted by the City’s bylaw, or participate in the Instream Process.

Applicants were advised in advance of their choosing to participate in the Instream Process that submission of, on time, of complete, comprehensive submission materials, substantively consistent with City policy, would be required in order to process their application within the provincial timeline. Given the deadline of first reading consideration by June 30, 2026, the City had to shift the detailed work typically completed before Council consideration to later stages in the process, which is of benefit to the applicant by enabling applications that would not otherwise be ready for Council consideration to advance within the provincial deadline instead of having to withdraw. This approach, however, does not allow for any leeway in deadlines, or the ability for the City to work with the applicant to bring their proposal into substantive alignment with City policy.

The subject applicant’s first resubmission under the Instream Process did not meet the submission requirements in completeness, or consistency with either key feedback earlier provided by the City or the City’s policy for OCP amendments.

The applicants were offered a short extension to revise their proposal and complete their submission. Their subsequent submission addressed some but not all issues. Key outstanding issues remain that the City had identified early on, and which would need to be resolved prior to First Reading, even for an Instream Process application, as follows:

- Provision of an amenity “over and above” baseline requirements to offset additional infrastructure and amenity impacts as identified in the Interim Development Review Framework and the Inclusionary Housing Policy;
- Information on the Inclusionary Housing operator, cohort, or rental rates, toward understanding whether the units would provide deep subsidy for tenants, which may be considered as an amenity “over and above” City policy;
- Completion of a transportation study, which is key to determining if the significant density and building scale proposed for the subject site which is designated for far lesser scale development, can be accessed from the lane as required, by City sanitation trucks or other large private vehicles making deliveries, moving, etc.
- Revisions to the proposed massing to better respond to the public park streets and lanes and adjacent smaller-scale development to mitigate massing, transition and shadowing appropriately. This work must be completed early as it may necessitate upper level step backs which would inform the appropriate FSR to be secured through zoning.

Following staff review of provided materials and determination that the application does not meet the requirements or the intent of the Instream Process, the applicant was advised of their options to withdraw, or proceed to Council, and chose the latter. A summary of missing and incomplete materials is provided in Attachment 1.

#### Development Contribution to Cost of Growth

The City’s current Interim Development Review Framework, developed in response to the impacts of provincial housing legislation, indicates that OCP amendment applications are to provide amenities or other community benefits “over and above” those identified in City policies, toward offsetting the cost of growth. This requirement is mirrored in the Inclusionary Housing Policy.

Based on the applicant’s current proposal, it meets but does not exceed the baseline requirements of the City’s Inclusionary Housing Policy, which requires 10% Inclusionary Housing units. The City has requested information on a number of occasions, which is compliant with City submission requirements, on the Inclusionary Housing operator, cohort, or rental rates, toward understanding whether the units would provide deep subsidy for tenants, which may be considered as an amenity “over and above” City policy, but insufficient information has been provided to date. No other community benefit is included.

It has been the City’s past practice through the City’s policy-based negotiated benefits approach to work with applicants to achieve a development proposal that both meets City policies and regulations and is viable for the developer. In some situations, where an applicant has declined to bring their proposal into alignment with key City policies or regulations, staff have sought Council direction on that policy question, and then provided that feedback to the applicant to inform next steps. The City has worked with the subject applicant in this regard since receipt of their application; however, due to the provincial legislation and pending deadline, the Instream Process was instead put in place.

The application does not include contribution of a community benefit “over and above” baseline policies, which puts it substantively out of alignment with the City’s policy expectations for OCP amendment applications. It therefore does not meet the objectives of the Instream Process to enable the City to ensure provision and securing of such development contributions to the cost of growth, as instream projects are exempt from the City’s Amenity Cost Charge Bylaw.

### **Next Steps**

Should Council adopt the recommendation, the file would be closed and staff would provide a formal letter to the applicant. The applicant would be eligible for a refund as per City bylaws.

The applicant would be able to reapply to the City six months following Council’s adoption of the recommendation. A new application would need to provide complete submission materials, would be evaluated against current City policies, and would be subject to the City’s Amenity Cost Charge Bylaw.

Should Council reject the recommendation, as the applicant’s current proposal is not consistent with, and is unable to be processed within the deadlines of, the Instream Process, and City would continue to process the application using the City’s typical application review process and timelines. This would mean the application would not be prioritized for Council consideration prior to provincial deadline. The next step in this process would be a report to Council seeking direction on key outstanding issues, which staff would aim to bring forward prior to the Council summer break.

### **Financial Implications**

The City has identified a \$67 million dollar deficit in funding for the infrastructure and amenities to meet the City’s growth targets for the next 10 years. The Instream Process was put in place to ensure that the City’s amenity needs would be met by eligible instream development applications. This is key to ensuring that development contributes to the development-related costs of growth, as instream applications are exempt from the City’s Amenity Cost Charge Bylaw.

### **Interdepartmental Liaison**

The City has a project-based team approach for reviewing development applications. This application has been reviewed by staff from Engineering (Servicing and Transportation), Parks and Recreation and Planning and Development.

### **Attachments**

Attachment 1 – Summary of Incomplete Submission Requirements

## **Report Approval**

Submitted By

Mike Watson, Acting Manager of Development Planning

Rupinder Basi, Deputy Director

Approved By

Jackie Teed, Director, Planning and Development

Donnie Rosa, Chief Administrative Officer

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