



City of New Westminster

Report to Council

To: New Westminster City Council
in Regular Council

Meeting Date: March 9, 2026

From: Jackie Teed, Director, Planning &
Development

Report No.: 2026-100

Re: **Housing Agreement Bylaw and Development Variance Permit to Vary Residential Parking Requirements: 430 Ninth Street – Bylaw for Three Readings**

Staff Recommendation

1. *THAT Housing Agreement Bylaw No. 8532, 2026, to require that all residential units at 430 Ninth Street be secured as rental housing, be introduced and given first, second, and third readings.*
 2. *THAT, should Housing Agreement Bylaw No. 8532, 2026 be adopted, the Mayor and Corporate Officer be authorized to execute the Housing Agreement.*
 3. *THAT 26 long-term bicycle parking spaces and 12 short-term bicycle parking spaces be included as part of the Development Permit application for 430 Ninth Street, should the Development Variance Permit (DVP00739) be issued by Council.*
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Purpose

This report is to request that Council: 1. Consider Housing Agreement Bylaw No. 8532, 2026 for First, Second and Third Readings; 2. Issue notice that Council will consider Development Variance Permit (DVP00739) for a 3 space (15%) reduction to the off-street parking provisions; and 3. Request endorsement of required bicycle parking spaces as part of the Development Permit.

Summary

Development Variance Permit (DVP) and Development Permit applications have been submitted to allow replacement of six existing parking spaces with two new one-bedroom residential units to an existing 29 unit residential building at 430 Ninth Street. The Development Permit application also proposes building envelope improvements for the whole building.

A DVP, which would reduce off-street parking below the minimum requirements of the Zoning Bylaw for secure rental sites within 250 metres of a Frequent Transit Network, is required to facilitate the proposal. As a DVP is requested, a Housing Agreement to secure all 31 units within the building as rental is required by policy.

Excluding the proposed two units, for which additional parking spaces are not required, 19 residential parking spaces and 2 visitor spaces would be required. The project proposes removing six parking spaces, resulting in a total of 16 residential spaces. Despite this reduction, the applicant proposes to provide all required accessible and visitor parking stalls. The applicant proposes to provide 26 long-term bicycle stalls and 12 short-term bicycle stalls. Staff considers the variance for parking to be reasonable when accompanied by a commitment to measures that support active transportation.

Background

Site Context

The site is located on the corner of Ninth Street and Fifth Avenue. The current five storey building, which consists of 29 residential units, was built in 1966. The site is surrounded by older low-rise buildings, ranging from three to four storeys in height and single detached homes, and is in close proximity to Moody Park and commercial uses along Sixth Street.



The site is well serviced by transit and within walking distance of multiple bus stops located along the Eighth Street Frequent Transit Network (FTN) and Sixth Avenue. These stops provide bus service to/from SkyTrain stations including New Westminster Station, 22nd Street Station, and Braid Station. The site is surrounded by a complete sidewalk network that is fully accessible. Car share services, for one-way (i.e., EVO) and two-way operations (i.e., Modo), are available in the neighbourhood.

Policy and Regulations

The applicant's proposal is consistent with the Official Community Plan land use designation for the site: (RM) Residential – Multiple Unit Buildings. The current zoning is RM-2 Apartment (Low Rise). A summary of related City policies and regulations, which includes the Official Community Plan (OCP) Land Use Designation, Secured Market Rental Housing Policy, Development Permit Area (DPA), and Zoning, is included in Attachment 1.

As the application includes the addition of rental units to an existing building, the Policy for the Review of New Unit Additions in Existing Rental Buildings (the "New Unit Addition Policy") applies.

Building Inspection

As part of the New Unit Addition Policy, a joint all unit inspection as been completed by Building, Fire and Bylaw Services and deficiencies have been addressed.

Development Variance Permit

Section 140.22 of the City's Zoning Bylaw does not require additional off-street parking spaces for secured rental residential units, provided that:

1. There are no more than five additional secured rental units proposed; and
2. The site was used for secured rental residential units since before 2014.

As per the above, the proposed two rental residential units do not require any additional off-street parking spaces. However, the proposed removal of six residential parking stalls has triggered the need to review parking requirements for the site. Based on that review, a DVP to reduce off-street parking below the minimum requirements of the Zoning Bylaw for secured rental is required to facilitate the proposal.

Development Permit

The applicant has submitted an application for a development permit. This development permit is to facilitate a form and character review of the proposal and would be considered by the Director of Planning and Development subject to Council consideration of the Housing Agreement Bylaw and DVP.

Analysis

Proposal Overview

The application includes the construction of two new units and building envelope improvements for the whole building. These improvements include, but are not limited to, replacement of all windows and doors, replacement of building cladding and

balconies, adding an accessibility ramp, and installation of in-suite mechanical cooling. No trees are impacted by this proposal. A summary of the building statistics and improvements in this application are included in Attachment 2.

Key Considerations

Requested Variance for Off-Street Parking Reduction

A variance to the current parking requirements is requested, such that the proposal would reduce parking requirements by 3 stalls. Of the current parking supply, only 16 stalls are utilized by residents, with 10 stalls vacant.

Figure 2. Off-Street Parking Analysis

# of Existing Parking Spaces	Spaces removed	# of Required Parking Spaces	Variance Requested	Total Spaces Proposed
27	9	21	3	18

Nine spaces are being removed for the unit additions, to improve garbage and recycling locations, and to ensure that stall sizes meet current Zoning Bylaw requirements.

Given the proximity to transit, staff considers the variance for parking to be reasonable when accompanied by a commitment to measures that support active transportation. Specifically, the applicant is proposing to provide 26 long-term bicycle parking stalls and 12 short-term bicycle parking stalls, with the design of these stalls to be reviewed as part of the development permit process. Bicycle parking is required to be provided for the proposed new units, which would be 3 long-term bicycle parking stalls, but applicant is proposing to provide bicycle parking above this minimum to support access to bicycle parking for existing units.

Secured Rental Housing Agreement

The New Unit Addition Policy requires that a Housing Agreement be secured in cases of discretionary approvals. As a DVP is required a Housing Agreement is being secured. The applicant has agreed to the securing of a Housing Agreement to cover all 31 units as secured rental. The Housing Agreement Bylaw is included in Attachment 3.

The following principles have been used for structuring the Housing Agreement Bylaw:

1. The owner(s) will operate the building located at 430 Ninth St, New Westminster (the "Building"), and all dwelling units therein, for rental purposes only. The management and maintenance of the rental units will be expected to comply with all relevant provisions of the *Residential Tenancy Act* and any other applicable provincial legislation and City bylaws, including *The City of New Westminster Business Regulations and Licensing (Rental Units) Amendment Bylaw No 8130 (2019)*.
2. Article 2 (Use and Construction of Lands and Secured Rental Units) and Article 3 (Disposition and Acquisition of Secured Rental Units) of any Housing Agreement registered against title to 430 Ninth Street will be attached to every tenancy agreement created at or after the time of execution of such Housing Agreement by the City and the owner(s).

3. All units in the Building must be owned and managed by one entity.
4. All dwelling units in the Building shall be rented for long-term rental uses and all tenancies beginning on or after the time of execution of a Housing Agreement by the City and the owner(s) must be one month or longer.
5. The owner(s) will not require a tenant(s) or any permitted occupant of the Building to pay any extra charges or fees for property or similar tax.
6. All principles of this housing agreement will apply to existing rental units and any subsequent rental units developed within this property, including the two rental units that are proposed to be developed as part of the building permit application for this project.
7. The rental tenure will be guaranteed for 60 years or the life of the building.
8. The Owner(s) will operate the existing units as rental units.
9. Tenants will be permitted to install an air conditioning unit in their dwelling unit.

Public Consultation

As per the Council resolution on July 12, 2021 the development review process for Development Variance Permits no longer requires an opportunity to Be Heard. However, notices would be sent to surrounding residents by the Legislative Services to provide an opportunity for feedback.

Financial Analysis

Staff do not anticipate any financial impacts from this project as a result of the proposed variance.

DCCs would be collected for the two additional rental units.

Next Steps

Development Review Process

The review steps for this application are:

1. Report to Council for First, Second and Third Readings of the Housing Agreement Bylaw No. 8532, 2026 **(WE ARE HERE)**;
2. Notice of consideration of DVP issuance;
3. Council consideration of Adoption of Housing Agreement Bylaw and issuance of the Development Variance Permit;
4. Finalization and Registration of the Housing Agreement at the Land Titles Office;
5. Consideration of Development Permit application and issuance by the Director of Planning and Development.

Interdepartmental Liaison

This report was written with input from Engineering, Bylaw Services and the Planning and Development department.

Attachments

- Attachment 1 – Policy and Regulations Background
- Attachment 2 – Project Statistics
- Attachment 3 – Housing Agreement Bylaw
- Attachment 4 – Site Plan

Report Approval

Authored By
Tove Lundsten

Agreed By
Kirsten Robinson, Supervisor Development Planning

Approved By
Rupinder Basi, Acting Director of Planning and Development
Donnie Rosa, Chief Administrative Officer