

# **REPORT**

## ***Climate Action, Planning and Development***

**To:** Mayor Cote and Members of Council      **Date:** June 13, 2022

**From:** Emilie K. Adin, MCIP      **File:** REZ00223  
Director, Climate Action, Planning and      DPU00065  
Development

**Item #:** 2022-430

**Subject:** **Zoning Bylaw Text Amendment for Secured Market Rental Housing:  
616-640 Sixth Street – Bylaw for First and Second Readings**

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### **RECOMMENDATION**

**THAT** Council rescind Housing Agreement Bylaw No. 8131, 2019.

**THAT** Council rescind Housing Agreement Amendment Bylaw No. 8242, 2020.

**THAT** Council consider Zoning Amendment Bylaw No. 8348, 2022 for First and Second Readings.

**THAT** Council waive the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan.

**THAT** Council direct staff to secure finalization of the Transportation Demand Management Strategy to the satisfaction of the Director of Engineering Services as a condition of issuance of Development Permit.

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### **PURPOSE**

To request that Council: 1) rescind Housing Agreement Bylaw No. 8131, 2019; 2) rescind Housing Agreement Amendment Bylaw No. 8242, 2020; 3) consider Zoning Amendment Bylaw No. 8348, 2022 for First and Second Readings; and 4) waive the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan.

## **EXECUTIVE SUMMARY**

Recently, the properties at 616 and 640 Sixth Street were sold. Prior to the sale, the City had approved an application for rezoning and issued a subsequent Development Variance Permit to allow a 29 storey, mixed-use development consisting of 237 secured market rental units with retail at grade fronting Sixth Street.

Under the new ownership, an application to amend the text of the Comprehensive Development (CD) zoning of the site has been received by the City. The proposal is to generally maintain the previously approved site plan, with the following key revisions:

- Increase in the number of market rental housing units from 237 to 338 (increase of 101 units);
- Increase in density from 6.46 FSR to 7.41 FSR (increase of 0.95 FSR);
- Increase in the maximum tower floorplate size by 8.9%, from 689 square metres (7,414 square feet) to 750 square metres (8,073 square feet);
- Increase in the height of the podium from three to four storeys, with the proposed fourth storey being set back 3 metres (10 feet); and,
- Decrease in the off-street parking from 313 to 271 parking stalls.

In addition to the revisions above, the applicant has proposed the inclusion of the following:

- 10 below-market rental units;
- 46.4 square metres (500 square feet) of below-market commercial space for lease by a non-profit organization; and,
- A Transportation Demand Management (TDM) Strategy.

Remaining unchanged from applications previously approved by Council:

- The proposed building height;
- At-grade retail along Sixth Street;
- Publicly accessible plaza at Sixth Street and Seventh Avenue;
- Off-site improvements; and
- A Voluntary Amenity Contribution that had been provided to the City in 2019 as a secured condition of a prior rezoning application.

The proposal supports Council's affordable housing and economic development priorities, and the proposed density is consistent with the Official Community Plan land use designation for the site. The applicant has agreed to limit all residential units to rental tenure, using Residential Rental Tenure Zoning as an amendment to the current CD-80 zone. Staff are advising Council to rescind the existing Housing Agreement Bylaws in order to be able to remove the housing agreements and their amendments from title. Operation and maintenance of the secured market and below-market units will be secured through a combination of zoning and another agreement which will be registered to title prior to issuance of a Development Permit (DP).

Given the project's alignment with key Council priorities, the application has been processed under a constrained timeline, and more fulsome consideration of the DP application would occur following adoption of the Bylaw. As such, there are a number of unresolved items outlined within this report, the resolution of which would be secured as conditions of a no build covenant that would be registered on title prior to Council's consideration of adoption.

Staff recommends Council consider First and Second Readings and waive the Public Hearing, in this instance, given the following:

- Project is consistent with the City's Official Community Plan and exceeds the requirements of the Secured Market Rental Housing Policy;
- Project is strongly aligned with Council priorities in that it is a mixed-use, 100% secured market rental building with 10 below-market units in a highly walkable and transit-central location;
- Project has gone through two previous public processes through the original Rezoning application in 2019 and consideration of the Development Variance Permit in 2020;
- It is the first high-density development of its kind in New Westminster to secure rental housing via rental tenure in perpetuity, rather than for 60 years or the life of the building; and,
- There has been no significant opposition expressed during applicant-led engagement events for the current application and several letters of support for the application have been received, including a letter from the Uptown Business Association of New Westminster (Attachment 5).

### **ADOPTION REQUIREMENTS**

A number of items that would form adoption requirements have been identified throughout this report, and have been summarized in Attachment 8.

### **OPTIONS**

The following options are provided for Council's consideration:

1. That Council rescind Housing Agreement Bylaw No. 8131, 2019.
2. That Council rescind Housing Agreement Amendment Bylaw No. 8242, 2020.
3. That Council consider Zoning Amendment Bylaw No. 8348, 2022 for First and Second Readings.
4. That Council waive the Public Hearing, as the Bylaw is consistent with the City's Official Community Plan.
5. That Council forward the Bylaw to a Public Hearing.

6. That Council direct staff to secure finalization of the Transportation Demand Management Strategy to the satisfaction of the Director of Engineering Services as a condition of issuance of Development Permit.
7. That Council provide staff with alternative direction.

Staff recommends Options 1, 2, 3, 4 and 6.

### **ATTACHMENTS**

Attachment 1: Staff Memo

Attachment 2: Zoning Amendment Bylaw (616 and 640 Sixth Street – Text Amendment)  
No. 8348, 2022

Attachment 3: Drawing Package and Applicant's Design Rationale

Attachment 4: Background Information

Attachment 5: Applicant-led Consultation Summary and Response

Attachment 6: Extract of May 24, 2022 New Westminster Design Panel (NWDP)  
Meeting Minutes

Attachment 7: Engineering Servicing Memo

Attachment 8: Adoption Requirements

### **APPROVALS**

This report was prepared by:  
Wendee Lang, Development Planner

This report was approved by:  
Emilie K. Adin, Director, Climate Action, Planning and Development  
Lisa Spitale, Chief Administrative Officer