

COUNCIL AGENDA

Date: Dec. 14, 2015 Item: 11.1.



**DISTRICT OF WEST VANCOUVER**  
750 17TH STREET, WEST VANCOUVER BC V7V 3T3

11.1.

## COUNCIL REPORT

Date:	November 25, 2015
From:	Andrew Browne, Senior Community Planner
Subject:	Development Permit No. 14-055, Temporary Use Permit No. 15-088, and Temporary Real Estate Signage Proposal for 2290 Marine Drive
File:	1010-20-14-055 and 1010-20-15-088

### RECOMMENDATION

*Recommendations to be considered separately and in the order provided.*

THAT Development Permit Application No. 14-055 for 2290 Marine Drive, which would allow site redevelopment, regulate the form and character of high-rise residential development, and allow a variance to Zoning Bylaw No. 4662, 2010, be considered at a January or February 2016 Council meeting to be determined at the discretion of the Municipal Clerk; and that the Municipal Clerk give notice of consideration of the proposed development permit.

THAT Temporary Use Permit Application No. 15-088 for 2290 Marine Drive, which would temporarily allow an on-site real estate sales centre, be considered at a January or February 2016 Council meeting to be determined at the discretion of the Municipal Clerk; and that the Municipal Clerk give notice of consideration of the proposed temporary use permit.

AND THAT Council consider the request described in the report titled "Temporary Real Estate Signage Proposal for 2290 Marine Drive" at the same meeting and immediately following the consideration of Development Permit Application No. 14-055 and Temporary Use Permit Application No. 15-088.

#### 1.0 Purpose

The purpose of this report is to provide information to Council on Development Permit Application No. 14-055 and Temporary Use Permit Application No. 15-088 for 2290 Marine Drive, which would allow site redevelopment, regulate the form and character of high-rise residential development, allow a variance to Zoning Bylaw No. 4662, 2010, and allow a temporary on-site real estate sales centre.

At the time of writing, Council has not yet adopted a Council meeting schedule for 2016. Should Council schedule the applications for consideration, the proposed Permits would be considered by Council sometime in January or February 2016. The Municipal Clerk will ensure that sufficient notice is provided.

## **2.0 Legislation/Bylaw/Policy**

### Provincial Legislation

Local Government Act (RSBC 1996, Chapter 323)

### District Bylaws

Official Community Plan Bylaw No. 4360, 2004 - The Official Community Plan designates the subject lands as within the Ambleside Apartment Area Development Permit Area BF-B4. The objectives of this designation are to promote a high standard of construction, to integrate new development with existing views, circulation, and the character of existing buildings, and to promote an interesting, pedestrian friendly streetscape design and pedestrian linkages.

Zoning Bylaw No. 4662, 2010 - The Zoning Bylaw establishes rules regarding the form and location of development, including floor area, building height, and setbacks. The subject lands are zoned RM2, which provides for multiple unit residential. The zone allows a maximum floor area ratio (FAR) of 1.75 and a maximum building height of 54.9 metres (180 feet) and 20 storeys (whichever is less).

## **3.0 Background**

### **3.1 Previous Decisions**

At the July 27, 2015 Council meeting Council passed the following motion:

THAT all written and oral submissions regarding Development Permit Application No. 14-055 for 2290 Marine Drive up to and including the Council meeting held on July 27, 2015 be received for information.

THAT staff report back to Council regarding submissions received at the July 27, 2015 Council meeting to allow Council to make a determination on Development Permit Application No. 14-055 for 2290 Marine Drive.

THAT consideration of "Temporary Real Estate Signage Proposal for 2290 Marine Drive" be tabled.

### **3.2 History**

Council received for consideration on July 27, 2015 a report (and draft permit) pertaining to the application but did not consider the application at that time. While not specifically set out in the motion, staff understand that Council was not comfortable with the proposed variances to the apartment tower's maximum building width and the number of required parking stalls.

## 4.0 Analysis

### 4.1 Discussion

#### Context

The subject property is within the Ambleside Apartment Area and is bounded by Marine Drive and Bellevue Avenue to the north and south, respectively, 23<sup>rd</sup> Street to the west, and an existing low-rise residential development to the east. Single detached dwellings are predominant north of Marine Drive, and north of Bellevue west of 23<sup>rd</sup> Street. Multiple dwelling residential is otherwise predominant to the south of that boundary, and primarily in high rise form.

The site is currently home to the Seaview Gardens building (a pre-Strata Property Act housing corporation of 47 units), and is already zoned for a high rise apartment building (hence, only a Development Permit is required).

See Appendix A for a context map.

#### The Proposal

Cressey Seaview Development Ltd. is seeking a Development Permit to allow site redevelopment, regulate the form and character of a proposed high-rise residential tower, and allow a variance to Zoning Bylaw No. 4662, 2010. Highlights are as follows:

- A 17-storey residential tower comprised of three volumes of varying heights, with three ground-oriented townhouses in the tower base;
- 35 residential units starting at about 2000 sq ft in size;
- Tower floor plates of approx. 7800 sq ft up to Level 9, and 6800 sq ft above it;
- 127 underground parking stalls, bicycle parking within individual unit garages, and garbage and recycling accommodated fully underground;
- Improvement and reconstruction of the Bellevue Avenue and 23rd Street frontages to convert the existing informal, 90 degree gravel parking on Bellevue Avenue to parallel parking with curb and sidewalk, and the provision of parallel and/or angle parking with curb and sidewalk on 23rd Street, for a net increase of approximately three on-street parking stalls when compared with existing conditions; and
- Preservation of the significant stand of trees at the corner of Marine Drive & 23rd Street.

Exterior building materials include light- and dark-coloured natural stone, metal panels, glass windows and curtain wall, wood soffits, and aluminum and glass guardrails. Landscaping elements include pavers, concrete, lawn, planting beds, precast concrete slabs, feature address piers, and water features.

### Update from July 2015

At the direction of Council from July 2015, the applicant team has worked to virtually eliminate the previously requested variances:

#### Parking

- The applicant had originally requested a parking variance of 43 stalls, allowing 86 stalls for the 35 units proposed (2.5 stalls per unit).
- The project is now providing 127 parking stalls, in compliance with the Zoning Bylaw requirement of the greater of 1 stall per unit or 1 stall per 84 square metres (900 sq ft). This represents 3.6 stalls per unit. This has been achieved by eliminating most of the residential storage rooms that had been previously proposed within the underground parking levels.
- While compliant with the Zoning Bylaw, this amount of parking is considered in excess of what current zoning would require elsewhere in West Vancouver – particularly given efforts to prioritize walking, cycling, and transit use. The loss of residential storage space could also be seen as diminishing the livability of the units.

#### Building Width

- The applicant had originally requested a maximum building width variance of 3.4 metres (11 ft) for the first ten storeys of the building, allowing a maximum building width of 33.8 metres (111 ft) for the first ten storeys of the building.
- The tower footprint has now been revised to comply with a maximum building width of 30.4 metres (100 feet) in all dimensions.
- As the two-storey amenity building is physically attached to the apartment building at its base, it could be interpreted that it should be included in the measurement of building width. Staff does not believe this was the intent of the bylaw, as there are no building width restrictions for townhouses in the RM2 zone (townhouses may be built setback to setback on the property, irrespective of building width).
- On that basis staff is recommending that a variance be granted to clarify that the two-storey amenity building is excluded from the determination of building width for the high-rise apartment tower.

### Design Review Committee

The Design Review Committee reviewed the application on December 11, 2014 and passed the following resolution:

*THAT the Design Review Committee recommends SUPPORT of the 15 storey residential tower at 2290 Marine Drive; SUBJECT TO further review by staff of the following:*

- *articulate townhomes and townhome entrances;*
- *further develop the Marine Drive façade architecturally instead of graphically;*
- *re-examine the pavilion on Marine Drive with more articulation and revisit materiality;*
- *consider differentiation of the three building masses;*
- *encourage the integration of public art;*
- *consider providing a broader range of unit sizes;*
- *consider reduction of road width on Bellevue Avenue to enhance the landscape;*
- *revisit the plant spacing;*
- *ensure covenant for trees to be protected.*

The applicant team revised the townhome entrances, the Marine Drive elevation, and the architectural expression of the amenity pavilion in particular.

### Temporary Use Permit for an on-site real estate sales centre

The applicant has requested the ability to provide for a temporary on-site real estate sales centre in order to market the development. Staff has incorporated the implementation details into a Temporary Use Permit – an instrument that was not available for use in July 2015. This is a superior method of considering the request that better protects the District in respect of this aspect of the overall proposal.

The applicant has provided construction sequencing information demonstrating that the temporary on-site real estate sales centre can be provided on site without undue disruption to the existing parking on Bellevue Avenue. The proposed Temporary Use Permit establishes both a maximum term (24 months) and the requirement for security to be provided for the removal of the temporary sales centre from the site (so that the District can remove the temporary building at no risk to taxpayers should the landowner fail to do so).

### Analysis & Conclusion

The architect has designed a contemporary apartment building, complete with street-oriented townhouses, that fits into the neighbourhood context while at the same time improving the standard of site planning and street treatment compared with historical practice in the area.

Staff consider the proposed form and character of development and the requested variance to be consistent with the development permit guidelines and the intent of the Zoning Bylaw, respectively, and recommend Council approve issuance of the Development Permit.

The applicant team has advised that after an extensive search they have been unable to locate suitable commercial premises within West Vancouver for a real estate sales centre, including in Dundarave, Ambleside, and Park Royal. Should Council wish to approve issuance of the Temporary Use Permit, the terms provide sufficient protection to the District.

#### 4.2 Sustainability

Additional, modern housing supply within the Ambleside Apartment Area makes it possible for West Vancouver residents to stay within the community if they are seeking forms of housing other than single detached dwellings. This contributes to social sustainability. In addition, a modern building is more energy efficient and contributes favourably to municipal property tax revenue (contributing to environmental and economic sustainability, respectively).

#### 4.3 Public Engagement and Outreach

An open house for neighbouring residents and property owners was held by the applicant team on January 22, 2015, and was very well attended (District staff present at the open house estimate on the order of 50 attendees). Notifications were mailed to residents and property owners within 100 metres of the site.

A public information meeting (prior to Council's scheduled consideration of the application on July 27, 2015) for neighbouring residents and property owners was held by the applicant team on July 22, 2015 on site in the building lobby at 2290 Marine Drive. The mailed statutory notifications included information about the public information meeting in addition to the formal consideration of the Permit at Council.

Consistent with the Development Procedures Bylaw No. 3984, 1996, notification of the application being considered by Council will be provided to property owners and occupants within 100 metres of the subject property. Staff do not consider a second public information meeting to be necessary as the application is largely identical except that the previously requested variances to the Zoning Bylaw have been virtually eliminated.

#### 4.4 Other Communication, Consultation, and Research

The District's Engineering Division and Development Engineering Department reviewed the conceptual designs for the urbanization of Bellevue Avenue and 23rd Street; detailed review will occur when construction drawings are available.

### 5.0 Options

#### 5.1 Recommended Option

At the time of consideration of this report, Council may:

a) set the date for consideration of the applications (recommended); or

#### 5.2 Considered Options

b) set the date for consideration of the applications and request that additional information (to be specified) be provided and available to assist in consideration of the applications; or

c) defer further consideration pending receipt of additional information; or

d) reject one or both of the applications.

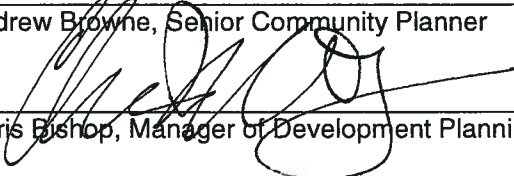
### 6.0 Conclusion

Staff recommend approval of the Development Permit and advise that the terms of the proposed Temporary Use Permit provide sufficient protection to the District should Council wish to approve the request.

Author:

  
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Andrew Browne, Senior Community Planner

Concurrence:

  
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Chris Bishop, Manager of Development Planning

Appendices:

A – Context map

B – Project data sheet

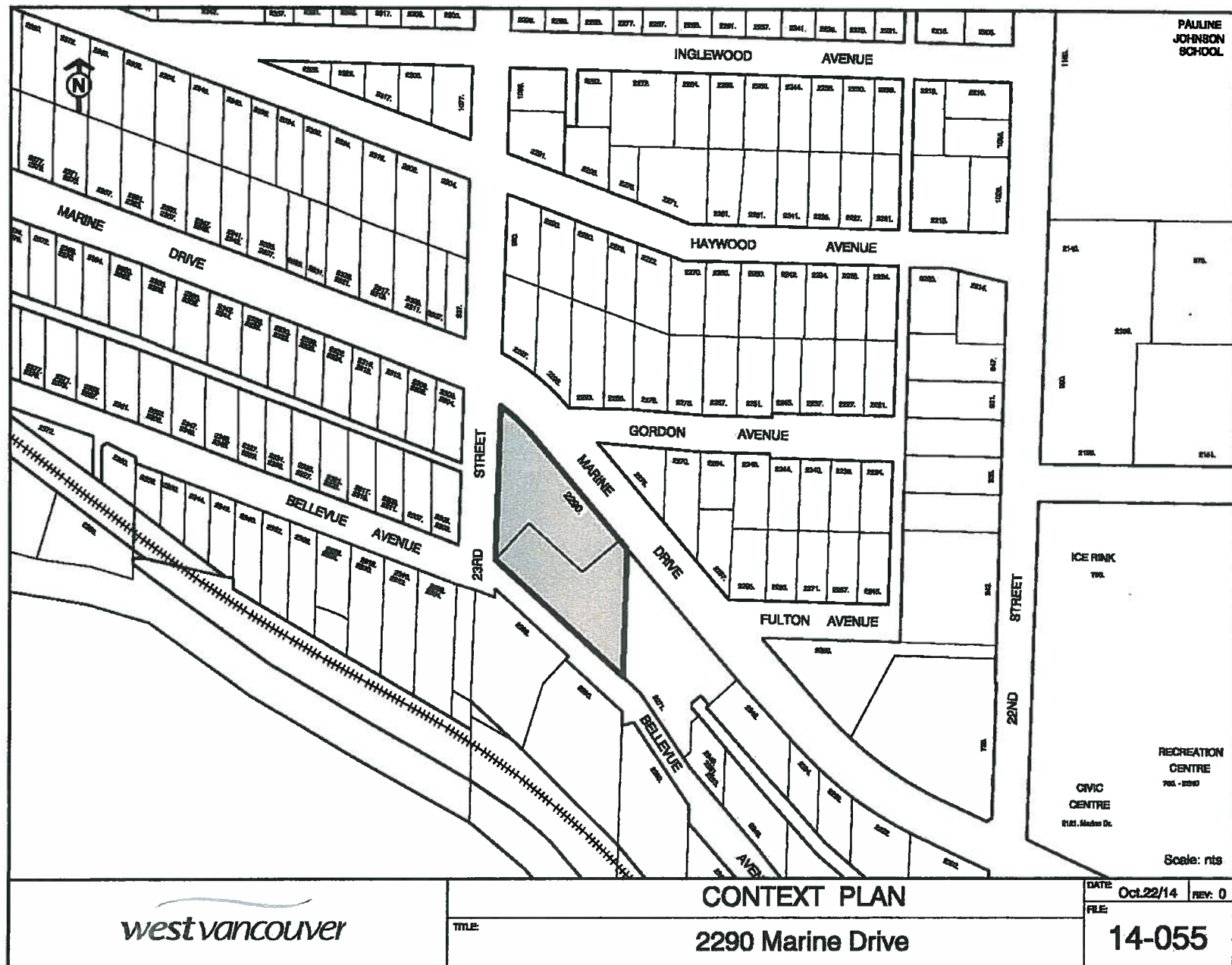
C – Proposed Development Permit No. 14-055 (with drawing booklets)

D – Proposed Temporary Use Permit No. 15-088

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§	Regulation (for an apartment building)	Required	Provided	Variance
302.03(1)	Site area	1,115 m <sup>2</sup> min	5,465 m <sup>2</sup>	-
302.04(1)	Site width	30.2 m min	in excess of 90 m	-
302.05(1)	Floor area ratio	1.75 max (max 9563 m <sup>2</sup> floor area)	1.75 (9563 m <sup>2</sup> floor area)	-
302.06(1)	Site coverage	Max 30% of the unoccupied portion of the site may be devoted to driveways, access, or exit aisles	approx. 22%	-
302.07(2)	Front yard (Marine)	7.6 m min	7.6 m to the two-storey amenity building; approx. 12 m to the high-rise tower	-
302.07(2)	Front yard (Bellevue)	7.6 m min	approx. 14 m to the high-rise tower; approx. 11 m to balconies	-
302.07(2)	Front yard (23rd)	7.6 m min	7.6 m (with permitted balcony projections per § 302.16(1))	-
302.08(1)(b)	Rear yard (shared property line with neighbor to the east)	9.1 m min	approx. 9.1 to 14.7 m to the two-storey amenity building; over 20 m to the nearest corner of the high rise tower	-
302.10(1)	Building width	Lesser of half the width of the site or 30.4 m	30.4 m max width for any dimension of the footprint of the high-rise tower; 51.3 m and 35.8 m max dimension if including the extent of the two-storey amenity building	That the two-storey amenity building not be considered in the calculation of building width for the apartment building
302.11(1)	Building height	54.9 m max	54.9 m	-
302.12(1)	Number of storeys	20 max	17	-
302.13(1)	Off-street parking	Greater of 1 parking space for each dwelling (35 stalls) or 1 parking space for every 84 m <sup>2</sup> of gross floor area (127 stalls)	127 stalls (including 12 visitor stalls)	-

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