

<u>COUNCIL AGENDA</u>	
Date: <u>October 19, 2020</u>	Item: <u>6.</u>



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

6.

COUNCIL REPORT

Attachments for Item 6 provided under separate cover.

Date:	September 29, 2020
From:	James Allan, Upper Lands Senior Development Planner
Subject:	McGavin Field: Proposed Expansion of Uses and Pop Up
File:	1010-20-19-110/1610.20.5069

RECOMMENDATION

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5069, 2020" be read a first time.

RECOMMENDATION

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5069, 2020", be presented at a public hearing scheduled for November 17, 2020 at 6:00 p.m. in the Municipal Hall Council Chamber, and that statutory notice be given of the scheduled public hearing.

RECOMMENDATION

THAT proposed "Development Permit No. 19-110" be presented at a public meeting scheduled for November 17, 2020 at 6:00 p.m. in the Municipal Hall Council Chamber, to be held concurrently with the public hearing scheduled for November 17, 2020 at 6:00 p.m. in the Municipal Hall Council Chamber, and that notice be given of the scheduled public meeting.

1.0 Purpose

The purpose of this report is to provide information to Council on a zoning bylaw amendment for McGavin Field to align proposed park uses on the site with other West Vancouver parks as well as to allow for a proposed discovery centre and sales centre use. In addition, the report provides information on a development permit application for McGavin Field to allow for phased development of a proposed public park, discovery centre and sales centre.

2.0 Legislation/Bylaw/Policy

Provincial Legislation

Development applications must be considered in a manner that complies with the *Local Government Act* and the *Community Charter*. The *Local Government Act* requires that a public hearing be held on the proposed zoning bylaw amendment.

Bylaws

The subject site is governed by the Future Neighbourhoods development permit area (Policy UL 8) under the Official Community Plan Bylaw No. 4985, 2018 and is zoned residential Single Family Zone 8 ("RS8 Zone") under Zoning Bylaw No. 4662, 2010.

3.0 Official Community Plan

The Official Community Plan ("OCP") contains the following policies relevant to the proposed zoning amendment:

- 2.3.8 Encourage compatible economic activities District-wide including, but not limited to, expanded retail and services in local commercial nodes, and home-based businesses.
- 2.3.13 Support placemaking through an attractive public realm and experience by... Encouraging new evening entertainment, cultural and special events.
- 2.3.14 Support the province's operation of Cypress Provincial Park as a major regional recreational and natural resource.
- 2.3.20 Consider opportunities to support economic objectives on District-owned lands.

The OCP also designates the subject site as the Future Neighbourhoods Area within the Upper Lands (Policy UL 8). Development in the Policy UL8 Area is guided by development permit guidelines for:

- a) Protection of the natural environment,
- b) Protection of development from hazardous conditions, and
- c) Regulating the form and character of residential, multifamily and commercial development.

4.0 Financial Implications

As the site is District-owned, any private use of the site requires a licence with the District to be in place prior to works commencing.

5.0 Background

- 5.1 Previous Decisions – n/a.
- 5.2 History

The McGavin Field site was provided to the District as a voluntary community amenity contribution in 2002 as part of a development application to allow for the Stonecliff development at Cypress Place. A covenant restricts the permitted uses of the site for park, branch library, police station or fire hall. British Pacific Properties has used it under agreement with the District as a construction staging site since that time.

6.0 Analysis

6.1 Discussion

The Subject Site

McGavin Field is located in the 3700 Block of Cypress Bowl Road (see Figure 1 and Appendix A), opposite the District's Operations Centre (located at 3755 Cypress Bowl Road). Turner Creek runs down the east boundary of the site and Cypress Bowl Road is located along the south property line.

The subject site is zoned RS8 and is comprised of two legal lots which are approximately 4.53 ha (2.49 ha + 2.04 ha) in area.

Since being transferred to the District, this previously sloped site has been graded to a level elevation in anticipation of a community use. Currently the site is used under agreement with British Pacific Properties for construction staging and material handling.

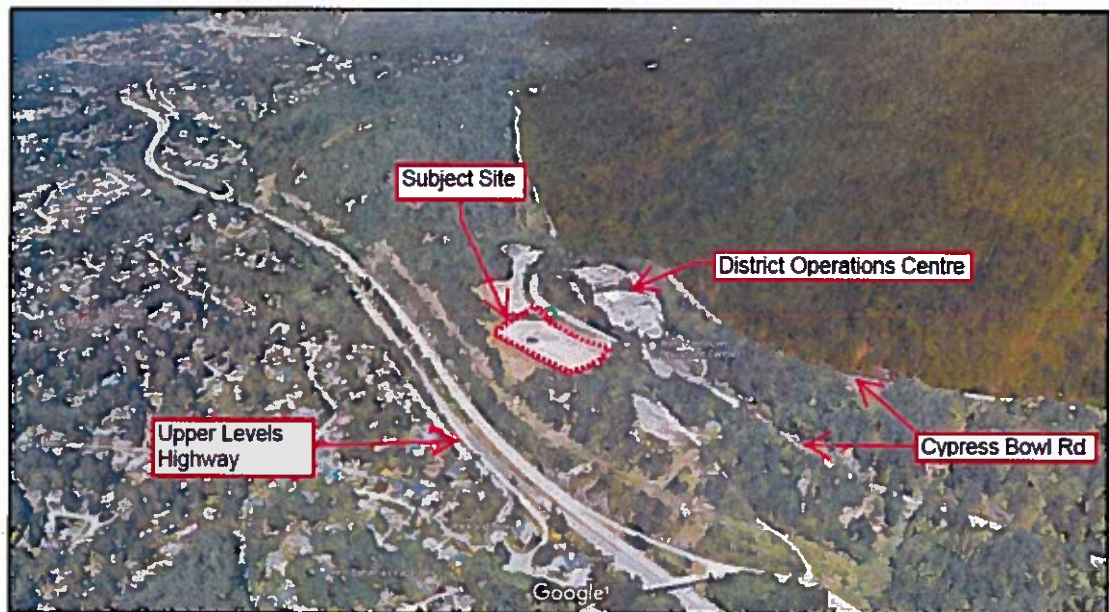


Figure 1: Location of McGavin Field

The Proposal

Staff have brought forward a District initiated amendment to the Zoning Bylaw to:

- a) align permitted uses with other parks in the District by adding "park accessory uses" as a permitted use, and
- b) add as permitted uses real estate sales centre/show room and discovery centre.

The proposed amendment would allow for an expansion of public and commercial uses to complement public uses in the upper lands and the Rodgers Creek Area currently being developed.

British Pacific Properties (the "Applicant") have also applied to construct a phased "Cypress Village Pop Up" project ("the Project") on McGavin Field for a proposed term of 10 years, which includes:

1. A public park comprising an all ages play area, great lawn / flex area and cantilevered lookout,
2. Discovery centre inclusive of coffee shop and sandwich bar,
3. Modified sea containers ("sea cans") containing retail and community uses,
4. A sales centre and site office, and
5. A parking area.

Key features of the complete Project are:

- Floor area ratio of 0.15;
- Gross floor area of 1173m² comprised of:
 - Discovery centre and real estate sales centre area of 860m²,
 - Site office area of 268m², and
 - Sea cans with a total area of 45m²;
- 57 vehicle parking spaces; and
- Proposed variances to the front, side and combined side yards (as described below).



Figure 2: Artist Rendering of the Discovery Centre

To deliver community serving uses on the site in the interim, prior to completion of the final Project described above, the Applicant is proposing to use modular or sea can buildings that would provide:

1. a smaller-scale discovery centre,
2. washrooms, and
3. a coffee bar.



Figure 3: Examples of Interim Discovery Centre and Coffee Bar Sea Cans

The total floor area of these three buildings would be approximately 122m². The applicant has indicated the landscaping and public park component would be constructed first followed by the interim proposal which is intended to be in place until after a Cypress Village area development plan is considered by Council. The interim sea can buildings would then be removed and the final project with the larger scale discovery centre would be constructed.

1. Zoning Amendment

The proposed zoning amendment brought forward by staff adds the following permitted uses:

- a) Park accessory uses, and
- b) Real estate presentation centre and office.

As defined in the zoning bylaw park accessory uses:

“means accessory uses that are supportive of the park as a system and are intended to support the vitality of the park and improve opportunities for year-round use and enjoyment of the park, including uses such as restaurants (bistros), weekend farmers’ markets, mobile food vendors, non-profit organizations, arts and culture facilities, festivals and events, recreation equipment rental, water-based sport organizations, passenger ferry landing and ticket kiosk, accessory off-street parking, and other uses.”

The proposed amendment would align park uses at the site with other West Vancouver parks (e.g. Ambleside). Also, presently there are few commercial/retail or community event facilities above the Upper Levels Highway. The proposed zoning amendment would support the OCP objectives to provide expanded retail and new entertainment or special event facilities for residents and users of Cypress Provincial Park and District parks.

2. Building Design

Aside from the development permit guidelines, a major consideration was the temporary nature of the Project, with a proposed term of 10 years. As such, the Applicant has designed the buildings as much as possible to allow for reuse or transportation at the end of the term.

The form and character guidelines within the Future Neighbourhood Development Permit Area aim to "...recognize the constraints of the terrain, and show sensitivity to the mountain setting and its environment. Development should minimize site disturbance and visual impact from within and outside the site."

The proposed buildings utilize a mix of materials including metal, wood and glazing. The metal siding and window materials are darker colours with wood accentuating the breezeway, soffit and vertical architectural features. These design features situate the buildings within their context, blending into the natural background.

The proposed landscaping of the site is to utilize wood milled from local trees, rock and boulders from local sites and planting native to the area, connecting the proposal to its mountainside setting. The proposed layout of the buildings and boardwalk connects the mountainside in the north with the view to the water south via the breezeway aperture, providing a sense of identity of the site for visitors.

The Project also requires variances to the zoning bylaw as follows:

- a) To reduce the minimum front yard to 6.0 metres from 9.1 metres, and
- b) To eliminate the minimum side and combined side yards required to the internal property line between the two subject lots.

Staff support the variance to the minimum front yard for the proposed discovery centre as this provides some street presence for the buildings, still retains a setback from Cypress Bowl Road of approximately 35 metres and allows the discovery centre to be located in a way to angle the aperture between the two buildings towards the view.

Staff also support the variance to eliminate the side and combined side yards to the internal lot line as this allows the two lots to be treated as one site.

3. Natural Environment and Natural Hazard Guidelines

Many of the relevant guidelines for the subject site relate to protection of the natural environmental and protection of development from hazardous conditions.

The subject lots comprise a flat site engineered to accommodate development. No development is proposed to be located within 30 metres of a watercourse and the proposed development permit contains conditions requiring an erosion and sediment control plan prior to any site works commencing to protect watercourses from runoff.

4. Advisory Committees

Design Review Committee ("DRC")

The DRC considered the proposal at its September 17, 2020 meeting and recommended support of the application, subject to working with staff on specified items. The applicant has worked to address the comments from the DRC and staff is satisfied with the responses.

Accessibility Committee on Disability Issues ("ACDI")

The ACDI considered the proposal at its June 18, 2020 meeting. The applicant has worked to address the comments from the ACDI in both the development permit application and in the anticipated building permit application (subject to Council approval of the development permit application) and staff is satisfied with the responses.

5. Sign Bylaw

The applicant has requested a variance to the sign bylaw to allow for street banner signage to be installed along the Cypress Bowl Road frontage to allow for greater visibility of the proposed non-commercial uses at the site such as advertising community events (for example, their Paint on the Mountain event). The proposed variance would allow for up to three clusters of five "street banner" style signage along the Cypress Bowl Road property line and would be limited with maximum dimensions. The proposed development permit also requires the final design and location to be approved by the Director of Planning and Development Services.

As the Project includes a large component of public uses and would accommodate community events, staff support the proposed variance.

6.2 Sustainability

The proposal includes the following sustainability features:

- Reusable structures where possible,
- Local materials (such as timber and rock),
- Electric heat pump and passive design elements that limit solar gain reducing energy use, and
- Landscaping plan that provides for low impact development measures for storm water management and retention of rainwater onsite.

6.3 Public Engagement and Outreach

Public Information Meetings

Should the proposal advance, the applicant will be required to advertise and conduct a public information meeting prior to the public hearing. Staff will also host a public information meeting on the zoning bylaw amendment.

Signage

Should the proposal advance, the applicant will be required to install a development information sign advertising the public information meeting and public hearing.

Public Hearing and Notification

A public hearing must be held to consider the proposed zoning bylaw amendment. The recommendation herein projects the public hearing to be held in Council chamber on November 17, 2020. Notice of the public hearing and consideration of the development permit will be given in accordance with District procedures.

Website

In alignment with current practise, a description of the proposal, applicable dates and architectural drawings were placed on the District website and is updated.

6.4 Conditions Precedent to Adoption

Prior to adoption of the bylaws and approval of the development permit, the following requirements must be met:

- Ministry of Transportation and Infrastructure approval of the proposed zoning bylaw amendment.

6.5 Other Communication, Consultation, and Research

Planning staff has consulted with District staff from various departments including: Engineering, Corporate Services, Land Development, and Parks, Culture and Community Services. Each department has provided comments and is satisfied with the proposal, subject to satisfaction of all precedent conditions for the development permit and further detailed review during subsequent development and building permits, should the proposal be approved.

7.0 Options

7.1 Recommended Option

That Council give first reading to the proposed bylaw and set the date for public hearing and concurrent public meeting.

7.2 Considered Options

- a) Give first reading to the proposed bylaw and set an alternate date (to be specified) for a public hearing and concurrent public meeting; or
- b) Defer consideration pending the receipt of additional information (to be specified) to assist in consideration of the application; or
- c) Reject the application.

8.0 Conclusion

The development permit application and zoning amendments are supported by staff in order to allow for public park uses, along with a temporary discovery and sale centre. Staff recommend that the application be scheduled for public hearing and concurrent public meeting together with the development package including amending bylaw and development permit.

Author:



Concurrence



Michelle McGuire, Manager of Current Planning and Urban Design

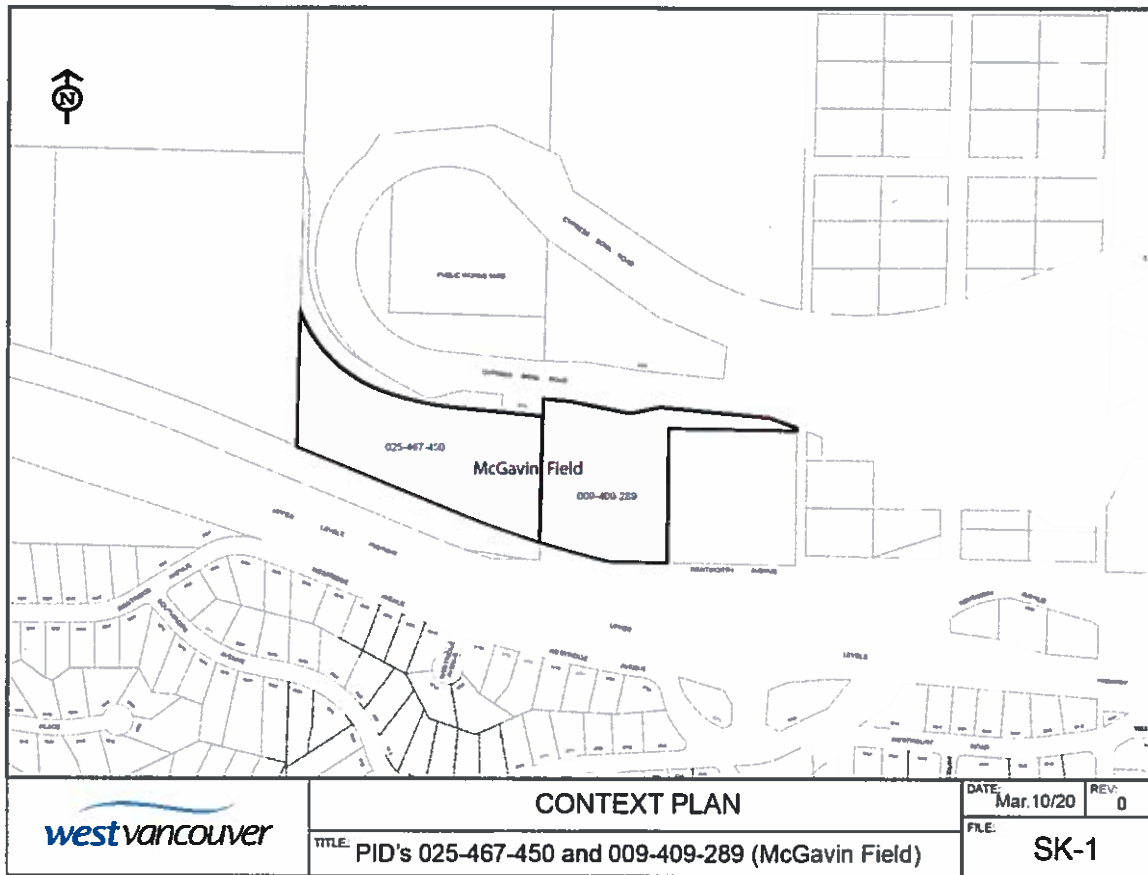
Appendices:

- A. Context Map
- B. Proposed Development Permit No. 19-110
- C. Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5069, 2020

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Appendix A



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Appendix B

District of West Vancouver *Proposed* Development Permit No. 19-110

Applicant: British Pacific Properties Ltd

This Development Permit applies to:

Civic Address: n/a

Legal Description: PID: 025-467-450, Lot 1 District Lot 888 Group 1 New Westminster District Plan BCP389 and 009-409-289, Lot C of Block 2 District Lot 888 Group 1 New Westminster District Plan 21528
(the 'LANDS')

1.0 This Development Permit:

- (a) imposes requirements and conditions for the development of the Lands, which are designated by the Official Community Plan as the Future Neighbourhoods Development Permit Area to promote the protection of the natural environment, its ecosystems and biological diversity, the protection of development from hazardous conditions and regulate the form and character of intensive residential, multifamily and commercial development subject to Guidelines UL 8.1 specified in the Official Community Plan; and
- (b) varies and supplements Zoning Bylaw 4662, 2010 as described below, and
- (c) is issued subject to the Owner's compliance with all of the Bylaws of the District applicable to the Lands, except as varied or supplemented by this Permit.

2.0 The following requirements and conditions shall apply to the Lands:

- 2.1 Building, structures, on-site parking, driveways, site development and sustainability measures and commitments shall take place in accordance with the attached Schedule A.
- 2.2 On-site landscaping shall be installed at the cost of the Owner in accordance with the attached Schedule A.
- 2.3 Zoning Bylaw 4662, 2010, Section 603.08 (Yards) is varied to:
 - a) allow a minimum front yard for buildings of 6.0 metres,
 - b) eliminate required side and combined side yards to the interior lot line between the two subject lots.
- 2.4 Sign Bylaw 4499, 2007 is varied to allow for street banner signage to be

erected within 9.1 metres of the north site line, subject to:

- a) The banner signage shall not be for advertising commercial or retail uses,
- b) A maximum height of 5 metres for each signage structure,
- c) A maximum banner dimension of 1.5 metres in height and 0.6 metres in width,
- d) A maximum area of 20% of the banner shall be used for corporate logo, and
- e) Submission to and written approval from the Director of Planning and Development Services of the design and location of any banner signage.

3.0 Prior to commencing site work or Building Permit issuance, whichever occurs first, the Owner shall:

- 3.1 Submit a "Sediment and Erosion Plan" to the District's Environmental Protection Officer for approval, which the Owner shall comply with and be responsible for maintaining, repairing and implementing the sediment control measures.
- 3.2 unless waived in writing, provide and implement a plan for traffic management during construction to the satisfaction of the District's Manager of Development Engineering,

4.0 Security for Erosion and Sediment Control Measures

- 4.1 Prior to site works commencing, security for the due and proper installation of the sediment and erosion control measures set forth in section 3.1 of this Development Permit (the "ESC Works") shall be provided in the amount of \$10,000 (the "ESC Deposit") to the District in the form of cash or unconditional, irrevocable auto-renewing letter of credit issued by a Canadian chartered bank or credit union.
- 4.2 The District will release the ESC Deposit upon receipt of a certified letter or report from the Owner's Qualified Environmental Professional (QEP) stating that the ESC Works are no longer required.

Expiry

- 6.0 This Development Permit lapses if the work authorized herein is not commenced within 24 months of the date this permit is issued.

THE COUNCIL OF WEST VANCOUVER APPROVED THIS PERMIT BY RESOLUTION
PASSED ON

MAYOR

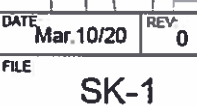
THE REQUIREMENTS AND CONDITIONS UPON WHICH THIS PERMIT IS ISSUED ARE ACKNOWLEDGED AND AGREED TO. IT IS UNDERSTOOD THAT OTHER PERMITS / APPROVALS MAY BE REQUIRED INCLUDING PERMITS / APPROVALS FOR BUILDING CONSTRUCTION, SOIL AND ROCK REMOVAL OR DEPOSIT, BOULEVARD WORKS, AND SUBDIVISION.

FOR THE PURPOSES OF SECTION 6.0, THIS PERMIT IS ISSUED ON

Schedules:

A – McGavin Field Context Plan

B – Cypress Pop Up Village drawings package





Appendix C

District of West Vancouver

**Zoning Bylaw No. 4662, 2010,
Amendment Bylaw No. 5069, 2020**

(for "McGavin Field")

Effective Date:

Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5069, 2020

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District of West Vancouver

Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5069, 2020

A bylaw to amend the Residential Single Family Zone 8 (RS8 Zone) to provide for certain uses at McGavin Field.

Previous amendments: Amendment bylaws 4672, 4677, 4678, 4679, 4689, 4701, 4680, 4710, 4697, 4716, 4712, 4737, 4726, 4736, 4757, 4752, 4767, 4787, 4788, 4784, 4772, 4791, 4805, 4809, 4828, 4861, 4873, 4866, 4895, 4839, 4898, 4927, 4944, 4905, 4974, 4967, 4982, 4962, 4928, 4992, 5001, 5021, 5024, 5009, 4938 and 5044.

WHEREAS the Council of The Corporation of the District of West Vancouver deems it expedient to provide for an amendment to the zoning bylaw;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

- 1.1 This bylaw may be cited as Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5069, 2020.

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Amends the RS8 Zone

- 3.1 Zoning Bylaw No. 4662, 2010, Schedule A, Section 200 (Single Family Dwelling Zones) Section 208 RS8 Zone is amended as follows:
- 3.1.1 Section 208.01 "Permitted Uses" is amended by inserting as (i) "real estate presentation centre, office and park accessory uses at McGavin Field" and renumbering subsequent sections.

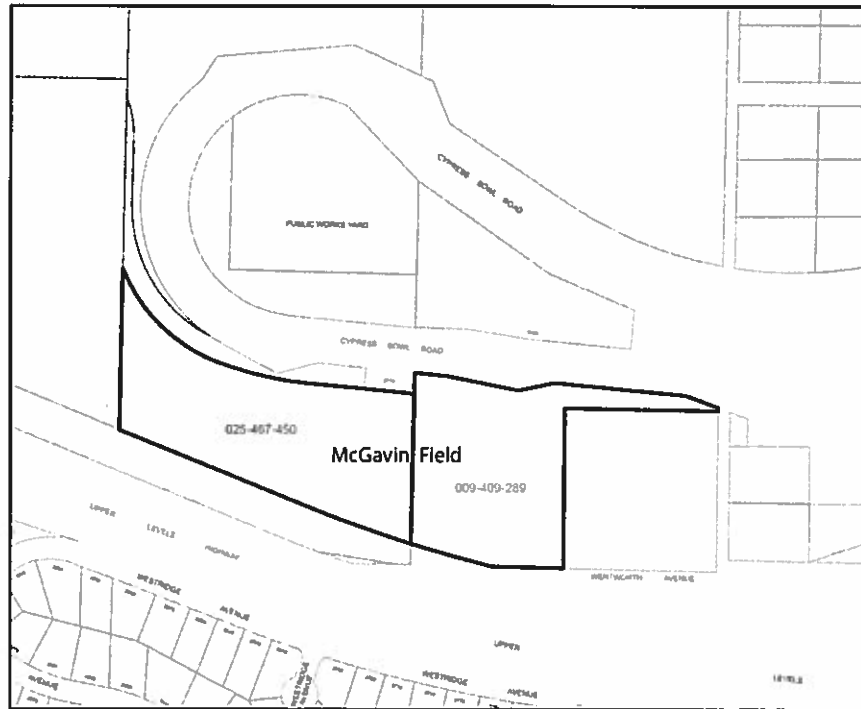
3.1.2 The text under Section 208.02 "Conditions of Use" is deleted and replaced with:

- (a) The keeping of not more than 2 lodgers within a single family dwelling.
- (b) Bistro – maximum 1 instance in this zone with a maximum gross floor area of 180m².

3.1.3 Adding a new Section 208.14 as follows:

Section 208.14 McGavin Field

McGavin Field is legally described as PID: 025-467-450, Lot 1 District Lot 888 Group 1 New Westminster District Plan BCP389 and 009-409-289, Lot C of Block 2 District Lot 888 Group 1 New Westminster District Plan 21528 and as shown below:



READ A FIRST TIME on [Date]

PUBLICATION OF NOTICE OF PUBLIC HEARING on [Date]

PUBLIC HEARING HELD on [Date]

READ A SECOND TIME on [Date]

READ A THIRD TIME on [Date]

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED by the Council on [Date].

Mayor

Corporate Officer

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