

<i>COUNCIL AGENDA</i>	
Date: <u>October 18, 2021</u>	Item: <u>9.</u>



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

9.

COUNCIL REPORT

Date:	September 27, 2021
From:	Michelle McGuire, Senior Manager of Current Planning and Urban Design
Subject:	Proposed Official Community Plan and Zoning Amendment for 5826 Eagle Island
File:	1010-20-21-123

RECOMMENDATION

THAT the proposed Official Community Plan and Zoning Amendment application for 5826 Eagle Island be refused.

1.0 Purpose

The purpose of this report is to provide Council with information about the Official Community Plan and Zoning Amendment proposal received to allow subdivision of 5826 Eagle Island.

2.0 Legislation/Bylaw/Policy

Zoning Bylaw

The Zoning Bylaw regulates the permitted uses, form and location on individual lots. The subject property is zoned RS6 and this zone does not permit subdivision.

3.0 Council Strategic Objective(s)/Official Community Plan

The Official Community Plan (OCP) contains the following relevant policy:

2.1.11 Support the small island character of Eagle Island by continuing to prohibit subdivision and attached or detached secondary suites (i.e., basement suites or coach houses).

4.0 Financial Implications

If Council directs staff to process the application and bring forward amendment bylaws (not recommended) a Community Amenity Contribution would be evaluated and determined through that application review process.

5.0 Background

5.1 Previous Decisions

Not applicable.

5.2 History

In July 2014, Council adopted zoning and OCP bylaw amendments that allowed for detached secondary suites (considered under a development permit) in all single family residential zones, except for the RS6 Zone (Eagle Island). Although coach houses were not permitted in the RS6 zone, policy allowed individual applications for coach houses on Eagle Island to be considered under a site specific rezoning application.

Under that policy consideration, in 2015, the current owner of the subject site submitted a rezoning application to allow a coach house. As such, when staff brought forward that coach house application it was supported by the relevant OCP policies at the time and staff recommended that the application be approved. During Council's consideration of that application, significant community concerns were raised around servicing, parking, garbage and recycling, and access to Eagle Island. Council defeated the application.

During community consultation on the proposed 2018 OCP, concerns were reiterated regarding impacts of additional housing units on the Island. As a result, and in consultation with Island residents, policy was included in the 2018 OCP to continue to prohibit subdivision, coach houses and secondary suites on Eagle Island (The zoning bylaw does not permit subdivisions on Eagle Island).

Notwithstanding that area specific OCP direction for Eagle Island and zoning bylaw prohibition, staff have now received a subdivision application from the same owner as the aforementioned coach house application.

The owners have indicated that they have worked to address the concerns of the neighbours and have now submitted a new application to allow subdivision of the site into two parcels and development of two new single family dwellings. The applicant conducted preliminary public consultation prior to submission of the application. However, due to the changes in the OCP, the new application is not consistent with the current approved OCP, and is therefore not supported by staff.

6.0 Analysis

6.1 Discussion

Subject Property and Context

The subject property is located on the south-west corner of Eagle Island adjacent to the ocean (**Appendix A**). The property is the second largest on the island at approximately 3,530 m² (37,998 sq. ft.) in area and contains an existing two-storey, 375 m² (4,037 sq. ft.) house and an accessory building. The remnants of a concrete tennis court are located behind the house. The site also contains a number of mature trees and is accessed via footpath from the public dock.

The subject property is adjacent to two lots located on either side, and to the Island pedestrian trail to the rear.

Proposal

The owners are proposing to subdivide the property into two parcels and develop two new single family houses (see Figure 1 and the development plans in **Appendix B**). As the RS6 zone and OCP does not allow subdivision, a zoning and OCP amendment is required. The proposed waterfront parcel (Lot 1) would be 2,131.8 m² (22,947 sq. ft.) and the proposed inland parcel (Lot 2) would be 1,398.3 m² (15,051 sq. ft.). The proposed new house on the waterfront parcel is proposed to be generally located where the existing house currently sits. The proposed new house on the inland parcel is proposed to be located on the existing concrete tennis court behind the existing house (see Figure 1).

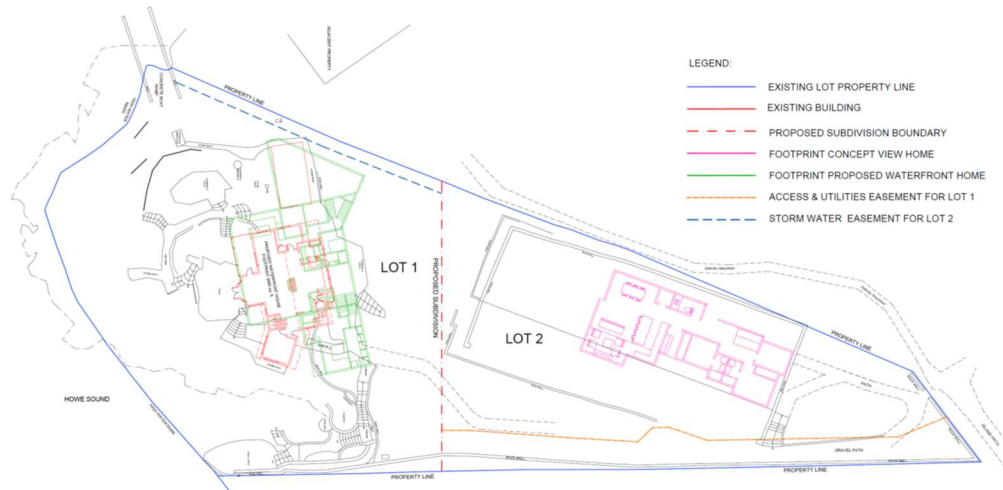


Figure 1: Proposed Subdivision and Location of New Houses

The owners are proposing to construct two new single family dwellings that would comply with all zoning requirements including maximum height, setbacks and size requirements. A rendering of the proposed designs is shown in Figure 2 and 3. Other features of the proposal include an access and utilities easement for the waterfront parcel and retention of all mature trees on the site.



Figure 2: Rendering of Proposed Waterfront House



Figure 3: Rendering of Proposed Inland House

In order to reduce the potential building massing on the site, the owners have agreed to limit the permitted floor area ratio of the two proposed parcels to 0.28 (rather than the permitted 0.35).

Vehicle Parking

As Eagle Island is limited to water access the Zoning Bylaw does not require vehicle parking for single family dwellings on the Island. Most resident parking on shore is located on Eagle Harbour Road. The use and availability of spaces within Eagle Harbour Road has been a historic issue with residents along that street. Most of the properties on the Island are assigned one parking space within Eagle Harbour Road by the District for their exclusive use (approximately 7 property owners have obtained parking spaces in West Vancouver Yacht Club). Where residents have more than one vehicle or visitors, there are a number of unassigned, public parking spaces next to the assigned resident parking along Eagle Harbour Road opposite the Yacht Club. Public parking in the area is usually at capacity in summer months due to visitors using the beach access off Eagle Harbour Road.

Additional public parking is located next to the intersection of Eagle Harbour Road and Telegraph Trail, which can also be used on a first come, first served basis.

To help address the additional parking demand that the proposed new dwelling may generate, the owners have reviewed options to pay for construction of additional public vehicle parking spaces in the public parking area near Telegraph Trail. If Council directs staff to review and process the application, further analysis will be required to determine if the creation of additional parking spaces would be recommended by staff.

Water Access to the Island

A number of residents on the Island gain access via individual barges between the District dock located at the end of Eagle Harbour Road, and the District dock located on the Island. Barges are parked at each dock and there is limited space for parking.

The owners have reviewed various options for providing additional barge capacity. During review of the previous coach house application correspondence received from residents in the area indicated that dock parking operates at capacity most of the time and that there is no space for additional barges. Multiple site visits to the public docks by staff during review of the coach house proposal indicated that there was unused capacity for barge parking. If Council directs staff to review and process the current application, staff would conduct further analysis of the existing barge capacity.

6.2 Sustainability

If Council directs staff to review and process the application the proposal would be required to meet the “Sustainable Buildings Policy” that states “*New buildings should comply with the Low-carbon Energy System*

pathway and should meet the step higher of the BC Energy Step code than is otherwise required by Building Bylaw No. 4400, 2004.”

6.3 Public Engagement and Outreach

Public Engagement

Prior to submission of the application the owners hosted virtual public engagement and a public consultation summary report was submitted with the application that is included in **Appendix D**. If the application proceeds to first reading and a public hearing is scheduled the applicant would be required to host public engagement prior to the public hearing.

Webpage

In alignment with current practise, a description of the development proposal has been placed on the District website.

6.4 Other Communication, Consultation, and Research

Should Council direct staff to review and process the application, planning staff will consult with staff from various departments to identify issues and technical considerations for the proponent to address.

7.0 Options

7.1 Recommended Option

That Council refuse the application.

7.2 Considered Options

THAT Council directs staff to

- a) Review and process the proposed Official Community Plan and Zoning Bylaw amendment for 5826 Eagle Island; and
- b) Bring forward proposed bylaws to amend the Official Community Plan and Zoning Bylaw for 5826 Eagle Island for Council consideration.

8.0 Conclusion

As the proposed application does not comply with the relevant area specific direction in the OCP staff are recommending that Council refuse the application.

Author:



Michelle McGuire, Senior Manager of Current Planning and Urban Design

Appendices:

Appendix A – Context Map

Appendix B – Proposed Development Plans

Appendix C – Proposed Subdivision Plan

Appendix D – Public Consultation Summary

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5826 Eagle Island

Waterfront Subdivision Concept

WATERFRONT HOME FRONT ELEVATION



WATERFRONT HOME WEST ELEVATION



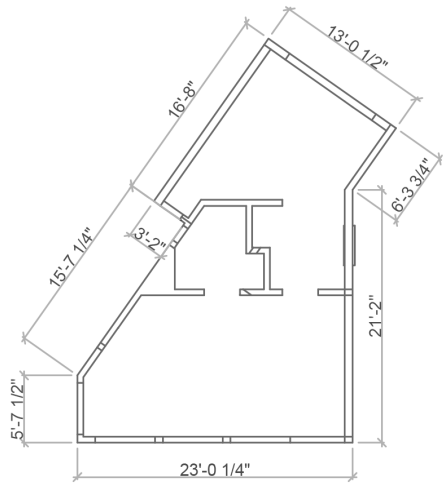
WATERFRONT HOME REAR ELEVATION



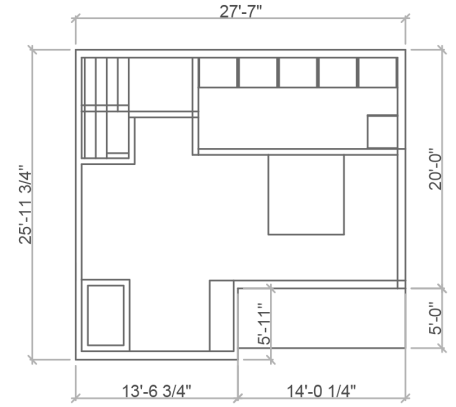
WATERFRONT HOME EAST ELEVATION



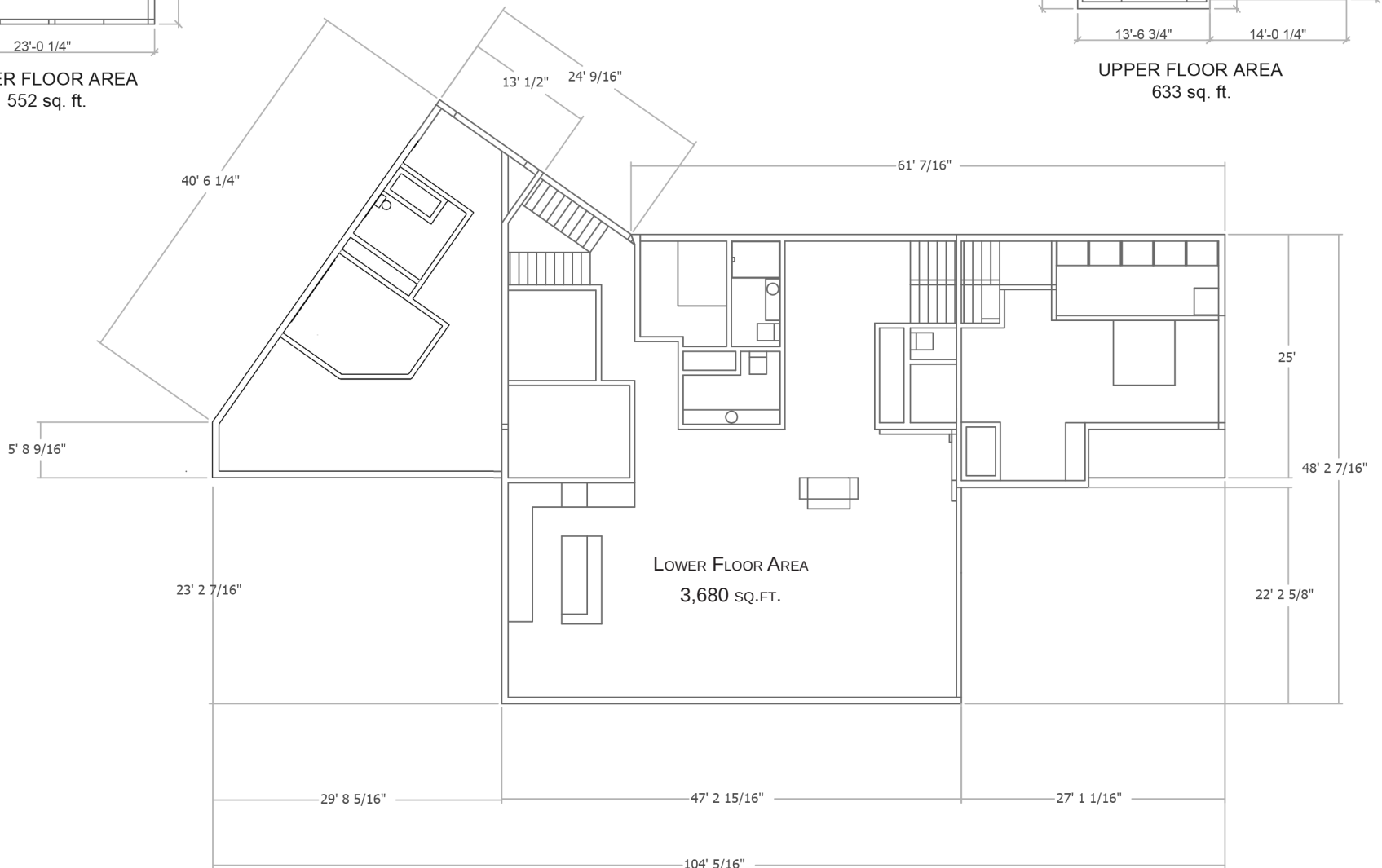
PROPOSED WATERFRONT HOUSE
TOTAL SqFt 4865



UPPER FLOOR AREA
552 sq. ft.



UPPER FLOOR AREA
633 sq. ft.



LOWER FLOOR AREA
3,680 SQ.FT.

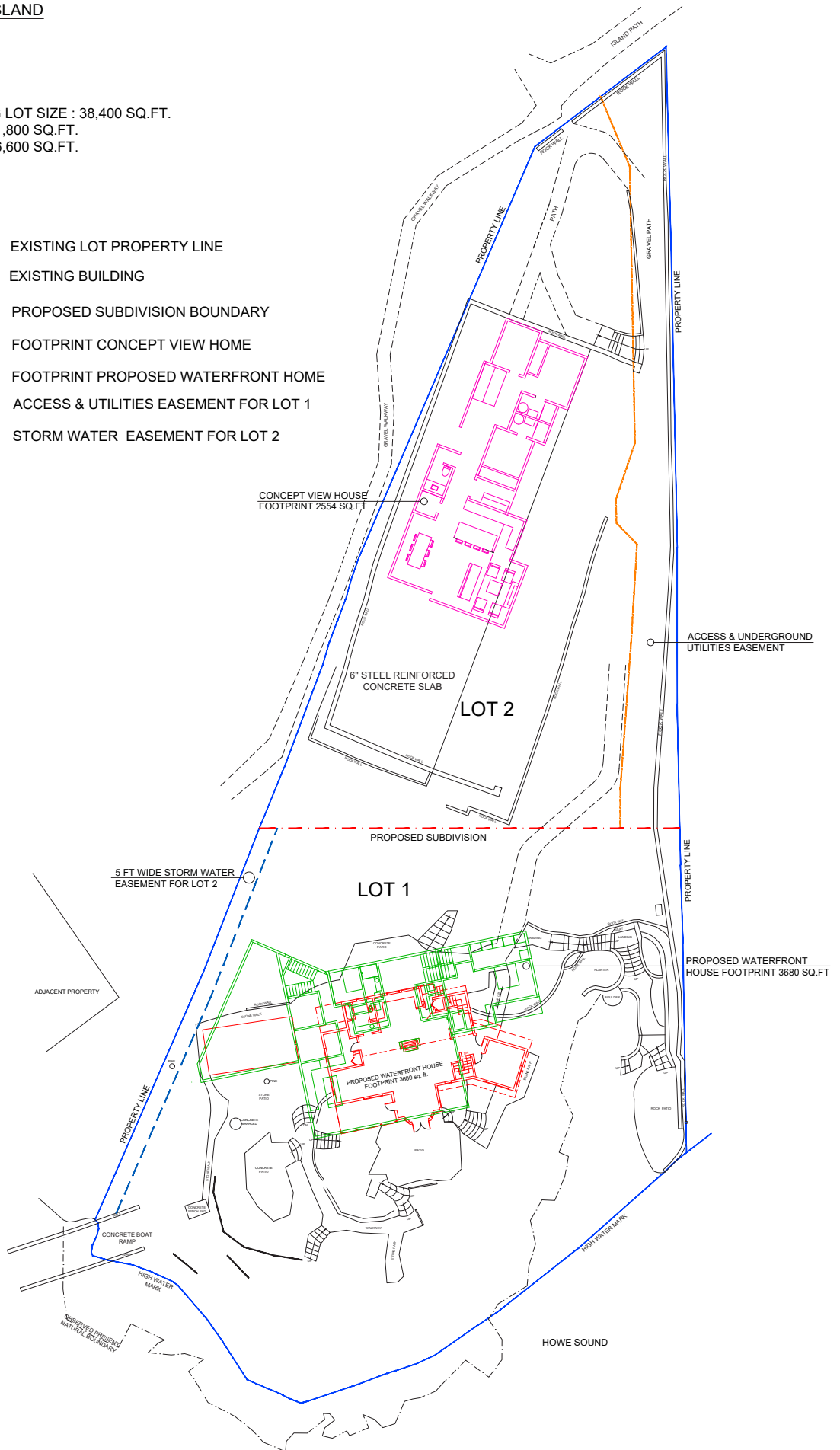
5826 EAGLE ISLAND

NOTES:

- EXISTING LOT SIZE : 38,400 SQ.FT.
- LOT 1 : 21,800 SQ.FT.
- LOT 2 : 16,600 SQ.FT.

LEGEND:

- EXISTING LOT PROPERTY LINE
- EXISTING BUILDING
- - - PROPOSED SUBDIVISION BOUNDARY
- FOOTPRINT CONCEPT VIEW HOME
- FOOTPRINT PROPOSED WATERFRONT HOME
- - - ACCESS & UTILITIES EASEMENT FOR LOT 1
- - - STORM WATER EASEMENT FOR LOT 2





5826 Eagle Island
View Lot Subdivision Concept

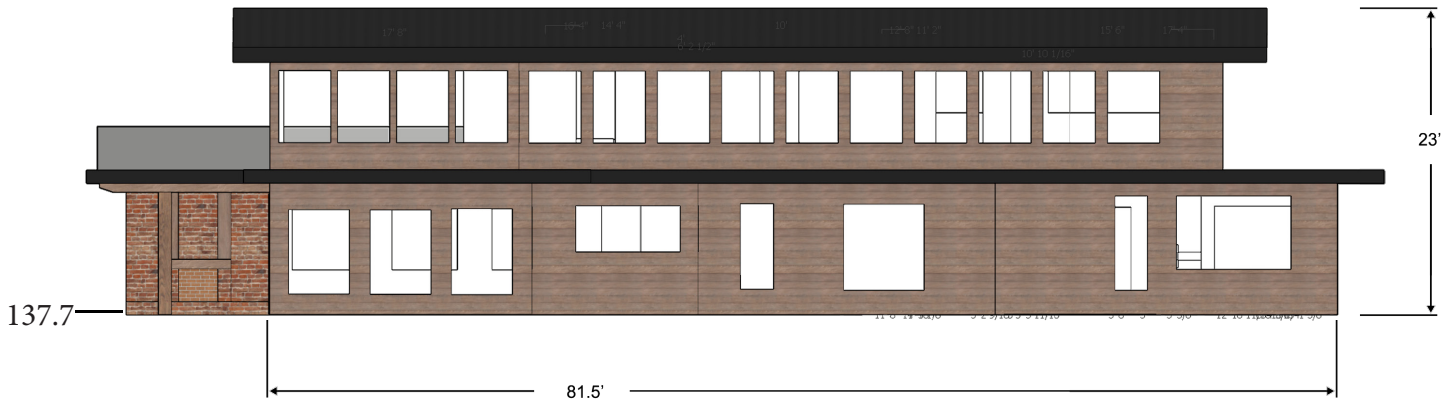
VIEW HOME VIEWED FROM SOUTH WEST



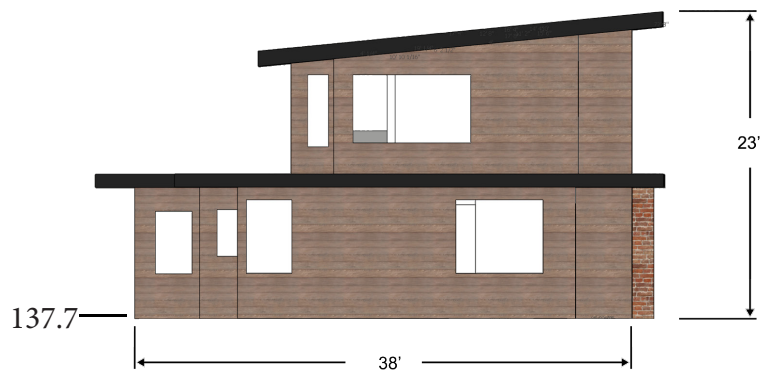
VIEW HOME VIEWED FROM NORTH EAST



VIEW HOME EAST ELEVATION



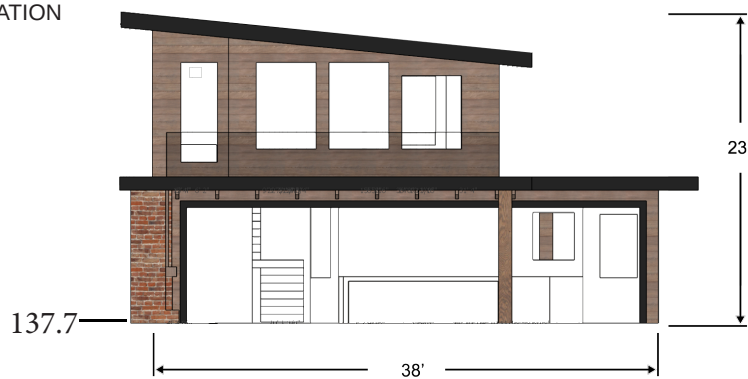
VIEW HOME NORTH ELEVATION



VIEW HOME WEST ELEVATION



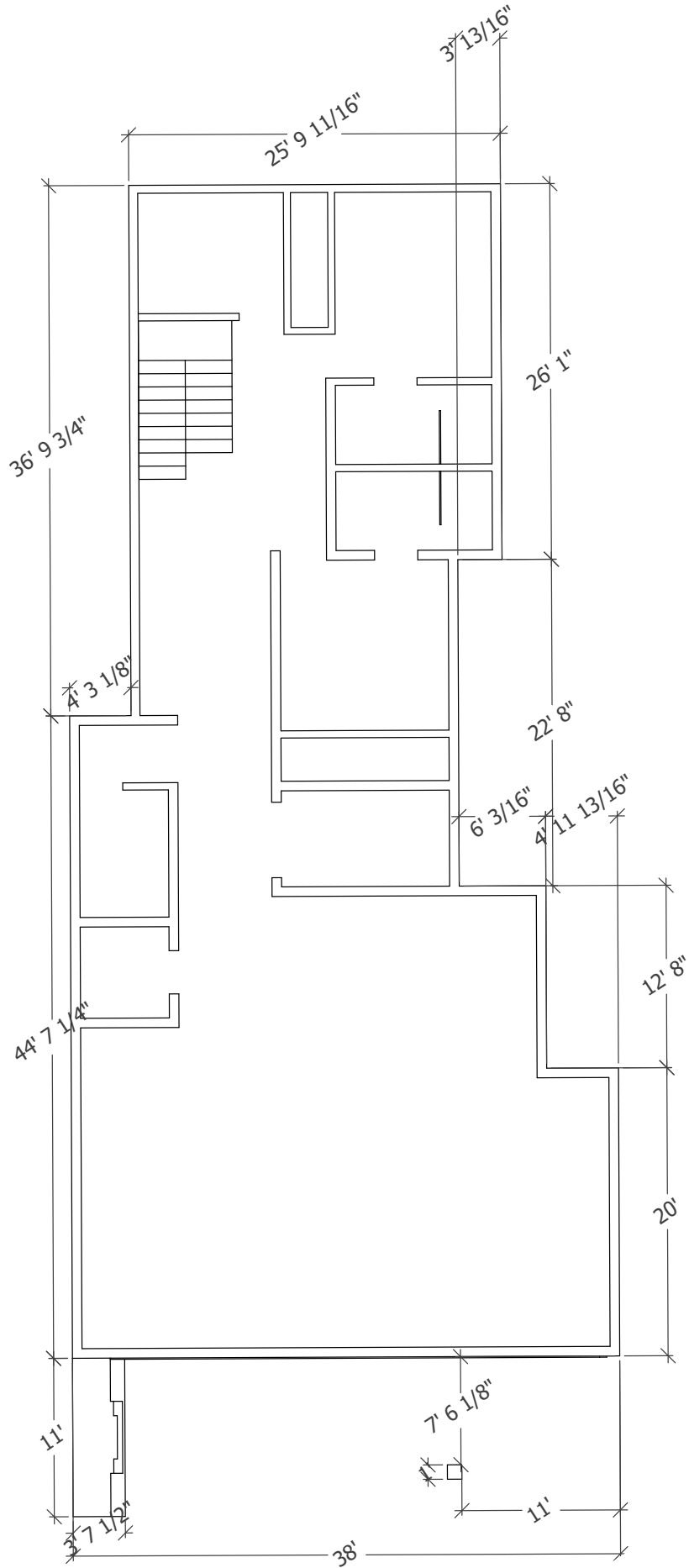
VIEW HOME SOUTH ELEVATION



CONCEPT VIEW HOME

FOOTPRINT 2392 SQFT

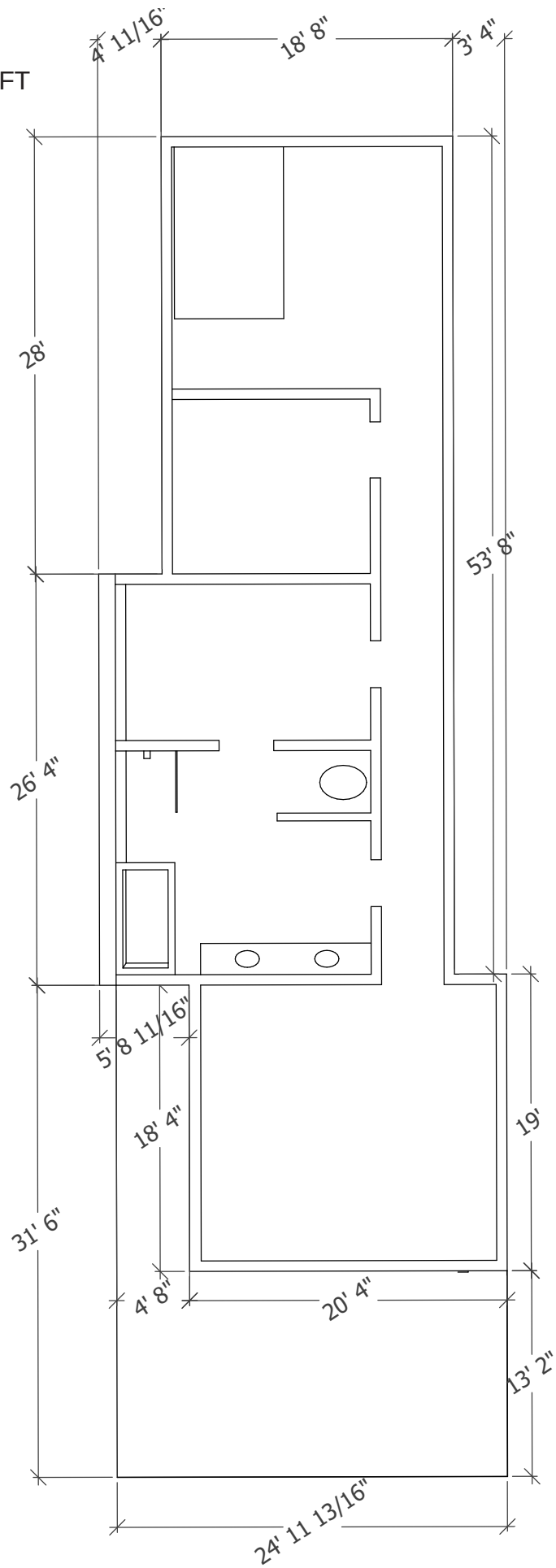
TOTAL 3605 SQFT



CONCEPT VIEW HOME

UPPER LEVEL 1213 SQFT

TOTAL 3605 SQFT



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PUBLIC CONSULTATION SUMMARY

5826 Eagle Island Proposed Subdivision

Date of Public Consultation: June 9 – June 30, 2021

Website Visits: 189 from 96 Visitors

Comments: 7
 3 against from 2 Properties
 1 for, 1 against from other islanders
 1 for, 1 against from mainland

Thank you to those who visited our website and commented on our proposal. We have consolidated our response as those who expressed concerns or were against our proposal had similar issues. It should be noted that 96 different people visited our website, but the vast majority addressed their comments directly to Mayor and Council rather than reply through the “Comments” section of the website. As of July 14, 2021 correspondence to Mayor and Council showed support from 22 residents and 14 were against.

Support Comments:

The two people who responded positively on the website noted that our proposal added value, enhanced sustainable goals, and provided gentle densification while maintaining beauty, nature and character of Eagle Island. They also noted that our large lot was perfect for subdivision, with homes far from adjacent neighbours, and in that there was plenty of parking, barge and dingy moorage.

Against / Concern Comments:

Negative comments were received from Island property owners. They expressed concern about Parking, Water Access, Garbage, Water Supply, Sewage, New Home Size, Other Possible Subdivisions in the future. One mainlander was against increased traffic on Westport Road.

These issues have been addressed:

- Parking and increased barge mooring proposals have been put forward, most recently in a “Revised Summary of Applicant Paid Infrastructure Improvements” dated Aug. 1, 2021.
- Other Municipal Services were addressed in the Coach House Council Reports.
- New home size has been reduced with the implementation of Neighbourhood Character Working Group recommendations with FAR reduction to 0.3. A specific question about the size of the concept waterfront house was addressed in an email to our neighbour at 5830 on June 22, 2021.
- The same June 22, 2021 email addressed claims by neighbours that other island lots offered equally viable opportunities for subdivision”. Our request for substantiating information of similar potential subdivisions went unanswered. The owner of the one lot larger than ours is renovating a large home in the centre of the lot and has publicly stated he has no plans for subdivision. All other lots are at least 9,000 sq.ft smaller than ours, precluding a similar subdivision.

“What’s in this for anyone else”

This question was posed on June 22, 2021 by a neighbour. In an effort to gain support from adjacent neighbours and the Island in general, on June 30, 2021 we proposed what we thought would be improvements of considerable value. As these proposed improvements to infrastructure and benefits to individual neighbours were met with negative comments and criticism we withdrew them and on Aug 1, 2021 replaced them with a “Revised Summary of Applicant Paid Infrastructure Improvements.

The Revised Summary details the addition of 2 new vehicle parking spaces, up to 5 barge moorages on the mainland dock and up to 3 on the Island dock, and in one case up to 6 ft. of additional dingy tie-up area.

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Aug 3, 2021