



# STAFF REPORT

**TO:** Committee of the Whole

**MEETING DATE:** April 23, 2024

**FROM:** Planner II

**FILE NO:** 3220-GibsonsWay-LotA&C

**SUBJECT:** OCP and Zoning Amendment for Lot A and C Gibsons Way

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## REPORT FOR INFORMATION AND DECISION ON NEXT STEPS

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### PURPOSE

The Town of Gibsons has received an application for an OCP and zoning amendment for a phased mixed-use development consisting of one commercial building fronting the highway and three multi-family residential buildings behind, providing a total of 172 new housing units (homes).

The purpose of this report is to provide Council with an introduction to the application and obtain recommendations for next steps.

### BACKGROUND

This development application has been submitted with a vision that residents will be able to connect through Lot A and C, 629 Mahan Rd and the existing Blue Heron development, creating a community village feel. Figure 1 shows a site plan of the full build-out vision of all three lots.

Figure 1: Site Plan with the proposed development for Lot A and C and 629 Mahan Road



Three applications have been received for Lots A and C:

1. *OCP Amendment (OCP-2023-04)*

To change the Land Use Designation from Medium Density Residential to High Density Residential and remove the minimum FSR on a site-specific basis for this property. The Development Permit areas will change to be updated in conjunction with the changes in land use.

2. *Zoning Amendment (ZA-2023-07)*

To remove the existing Light Industrial Zone 1 (I-1) and replace it with Upper Gibsons Commercial District (C-1) along Gibsons Way (Lot A) and introduce a new high-density multi-family zone behind (Lot C).

3. *Development Permit (DP-2023-22)*

An application for a commercial building under DPA 3 (Upper Gibsons Commercial Area) and 3 apartment/condominium buildings under DPA 4 (Multi-Family Land Uses).



Figure 2: Location of subject properties

**DISCUSSION**

**Site and Surrounding Uses**

Lots A and C, Gibsons Way, are located on the south side of Gibsons Way, south of Seamount Way and the Shell gas station, between the 101 Brewhouse to the east and the City Transfer depot to the west. Table 1 provides the surrounding uses, existing OCP designations and zoning.

Figure 2 shows the subject properties. Lot A is the smaller lot, fronting Gibsons Way and outlined in blue. Lot A currently consists of an outdoor seating area for the 101 Brewhouse and informal staff parking. Lot C is a panhandle lot, outlined in yellow in Figure 2, with access to Gibsons Way and access to an undeveloped road on the south property line that extends off Mahan Road.

Table 1: Surrounding uses

	<b>Existing Land Use</b>	<b>Existing Zoning</b>	<b>Exiting OCP Designation</b>
<b>North</b>	Shell gas station	Automobile commercial Zone 3 (C-3)	Mixed-Use Commercial
<b>South</b>	Single Family (SCRD)	AG per SCRD Bylaw 722	SCRD Bylaw no. 600 Rural Residential Agricultural B
<b>East</b>	City Transfer depot and Kenmac	C-5 per SCRD Bylaw 310 (repealed) I-1 per SCRD Bylaw 310 (repealed)	Mixed-Use Commercial (North) Medium Density Residential (South)
<b>West</b>	101 Brewhouse and distillery, and vacant commercial	Light-Industrial (I-1) (North) and Upper Gibsons Commercial 3 District(C-3) (South)	Mixed-Use Commercial (North) Medium Density Residential (South)

**Proposal**

The entire development proposes to construct 4 buildings across both Lots A and C, shown in Figure 4. The lot area is approximately 16,500 m<sup>2</sup> and has a significant grade change from north to south, sloping down from Gibsons Way approximately 14 m.

Building A is proposed to front Gibsons Way and is a two-storey commercial building with a gross floor area (GFA) of approximately 9300 ft<sup>2</sup>. An image of the proposed commercial building is shown in Figure 3.





Figure 3: View of development from entrance on Gibsons Way, showing building A

Building B, the next building heading south, is proposed to be five storeys of residential units on top of a parkade that is underground on the north side with the entrance on the south side.

Buildings C and D are proposed to be six storeys in height and each have a parkade below the building which will be fully underground on the north and exposed on the south due to the grade of the lot.

Building C incorporates a 2,300 sf<sup>2</sup> daycare, with its own outdoor area and parking.

The buildings are proposed to be built in 3 Phases, with Building A and B constructed together in Phase 1, Building C in Phase 2 and Building D in Phase 3.

Pedestrian connections will be provided through the site and down towards the new road to the south of the property.

Figure 4 shows the building heights in relation to the slope of the lot. When looking at the site from Gibsons Way, the tops of the buildings will be slightly taller than the 2-storey commercial building.

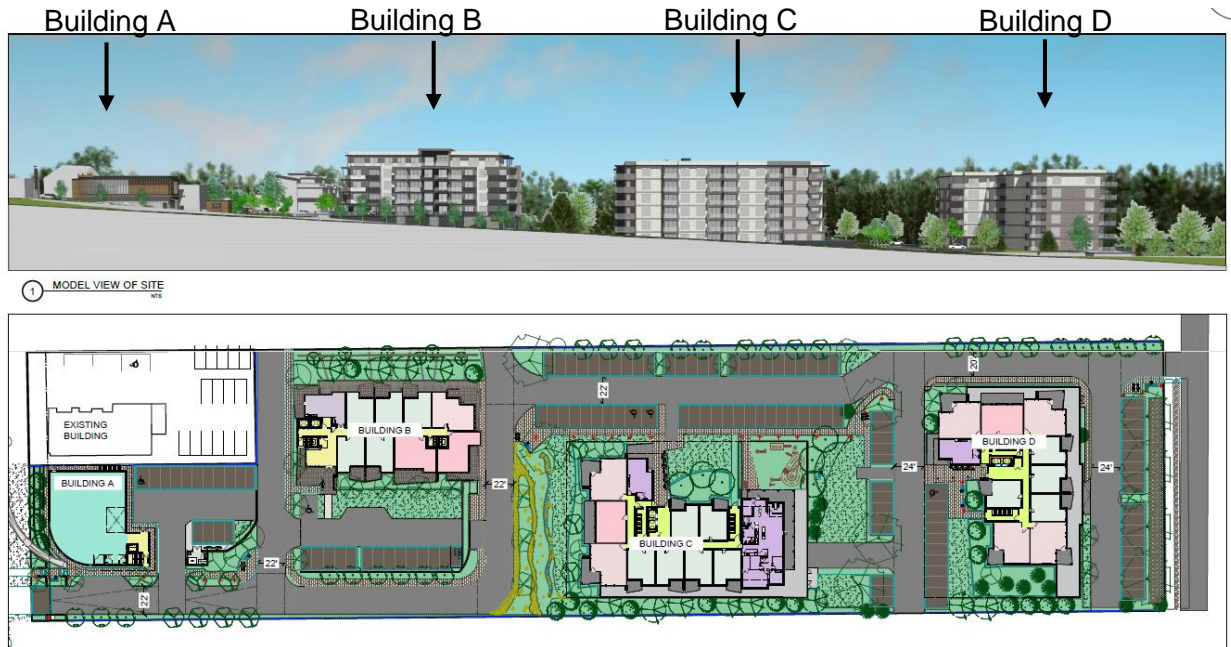


Figure 4: Lot A and C Gibsons Way development proposal

### Active Transportation Connection

With the proposed development of 629 Mahan, Lot A and C Gibsons Way and 1057 Gibsons Way, Staff have identified a potential east-west active transportation connection. Figure 5 shows the proposed location and staff have requested a 4.5-metre right-of-way across both 629 Mahan and Lot A and C Gibsons Way. The applicant has agreed to the connection in principle.

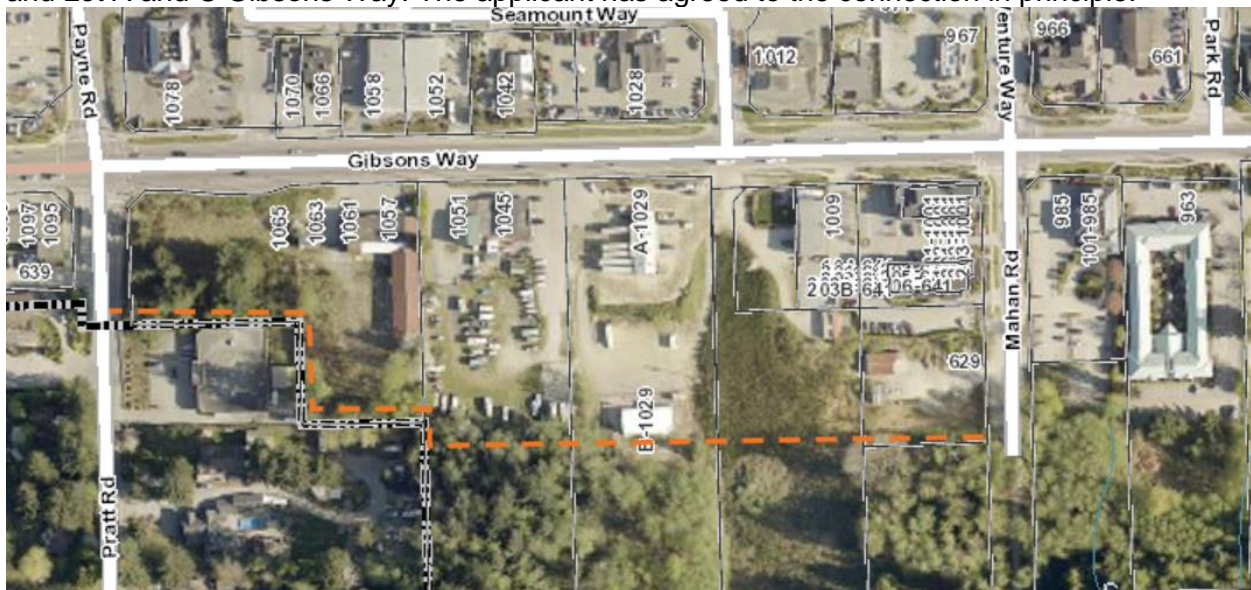


Figure 5: Proposed East-West active transportation connection

**Planning Context**

**Official Community Plan**

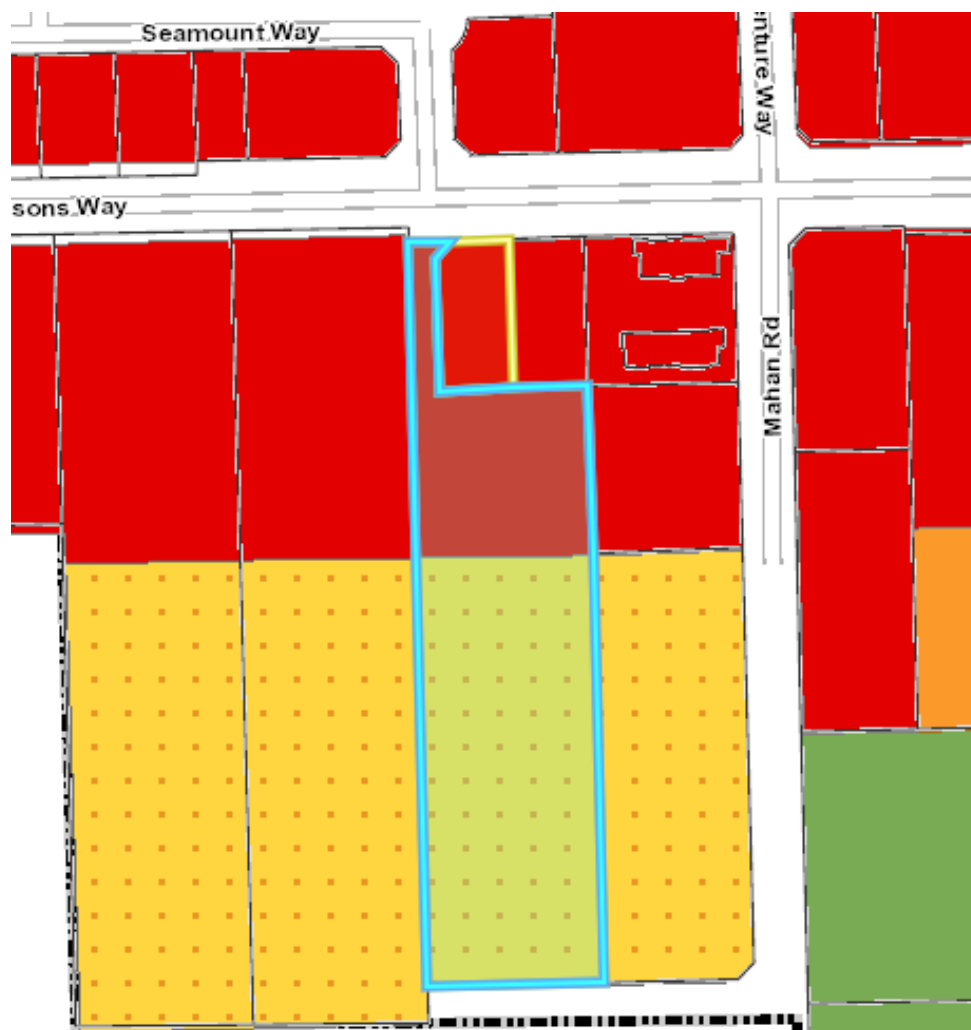


Figure 6: OCP Land Use Designation

Figure 6 shows the OCP land use designations for the lots. Lot A and the northern portion of Lot C is designated as Mixed-Use Commercial. The southern portion of Lot C is designated Medium Density Residential.

The Mixed-Use Commercial land use is within Development Permit Area 3 – Upper Gibsons Commercial Area and the Medium Density Residential land use is within Development Permit Area 4 – Multi-family Land Uses. The properties are also within the Well Head Protection Area of Development Permit Area 9 – Gibsons Aquifer.

The intent for Medium Density Residential is to permit townhouses, stacked townhouses and 2 to 4 storey apartments with an FSR of 0.7 to a maximum of 1.2 (generally between 40-75 units per hectare).

As the proposal is for 5 to 6 storey apartment buildings with an FSR of 0.77, an OCP amendment is required.

## OCP Proposed Amendment

The OCP amendment will move the boundary of the split land use designations northwards, by reducing the Mixed-Use Commercial area to just Lot A and changing the OCP land use designation from Medium Density Residential to High Density Residential, as well as removing the minimum FSR for the High-Density residential land use. The Development Permit area map would need to be altered to correspond with the land use designation change.

There is some support for moving to High Density Residential in Section 9 of the OCP, with the following Policies.

- 9.3.2 Foster a high standard of building and site design, ensure there is proper integration with surrounding uses, provide for landscaping and improve the general visual appearance in accordance with Multi-Family Development Permit Area 4.
- 9.3.3 Consider sites for higher density residential in the Upper Gibsons area that are in proximity to commercial centres or major community facilities. These sites should be compatible with adjacent land uses and have adequate access for the increased population and traffic levels.
- 9.3.5 Consider designating new areas to Medium Density Residential or High Density Residential based on the following criteria:
  - where the proposed development will be compatible in character and scale with adjoining uses
  - where separation can be achieved through adequate setback distances and landscaped buffers on a site-specific basis from existing or planned lower density housing
  - within 1.0 km of parks, recreational areas and facilities, commercial and employment areas or public / institutional facilities
  - on sites that afford direct and convenient vehicular access so as to avoid generating excessive traffic on local streets
  - on sites where adequate community sewer and water services are available or can be provided by the developer

### Zoning Bylaw

Both Lots A and C are currently zoned I-1, Light Industrial, shown in Figure 7. When the OCP was updated in 2015, the property was not rezoned to implement the OCP, and therefore this zone could be considered “out of date”.

An industrial form and character Development Permit was issued in 2008 for warehouses, but this has since expired. There is a new vision for the site, and the owners are requesting to rezone the properties for commercial fronting Gibsons Way, and high-density residential behind, which is more closely aligned with the OCP’s vision for Gibsons Way than Industrial land uses.

### Proposed Zoning Amendment

Lot A would be rezoned from I-1 to C-1, allowing commercial on the street front, in accordance with the OCP.

Lot C would be rezoned from I-1 to a new zone which aligns with the OCP’s high density residential land use designation.

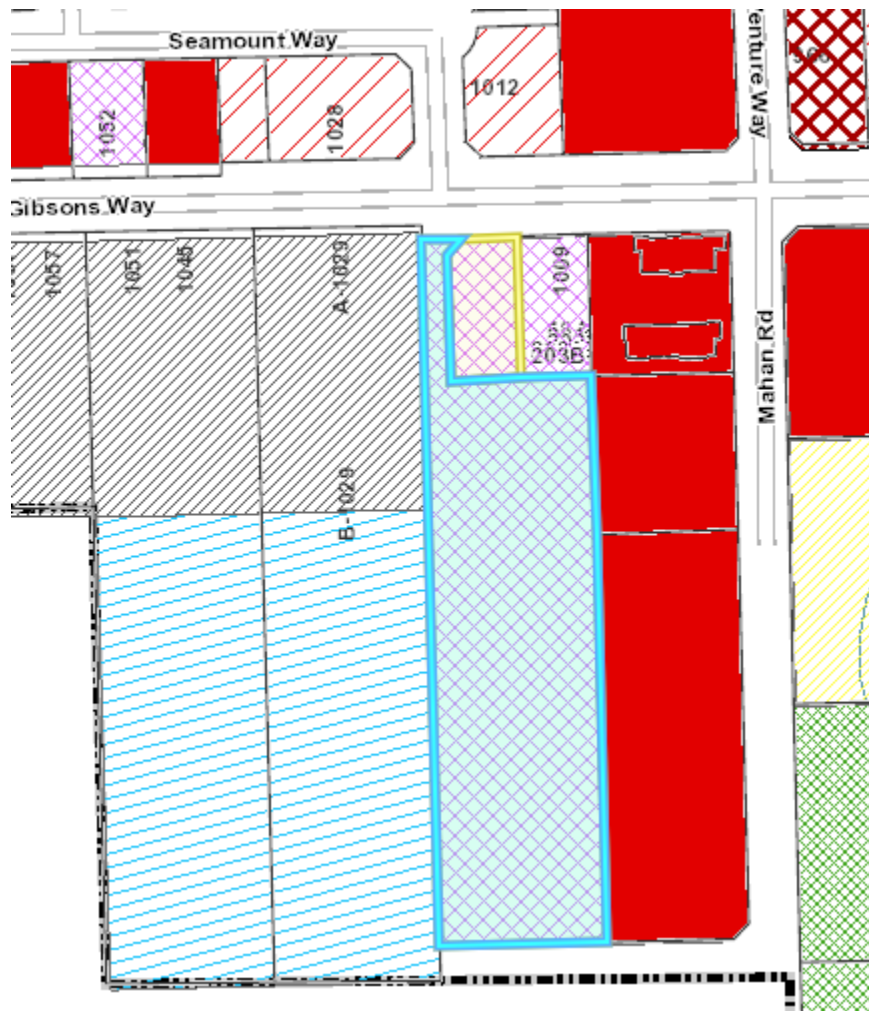


Figure 7: Zoning Bylaw of the subject lot



## DEVELOPMENT PERMITS

As the property is proposed to be zoned commercial along the Gibsons Way frontage and residential behind, there are two form and character Development Permit Areas that would apply to the buildings.

### Development Permit Area 3 – Upper Gibsons Commercial Area

This Development Permit Area applies to the proposed 2-storey commercial building.

The guidelines state the buildings should be situated near the front of the parcel, with the front face and main access facing the street and parking at the rear or side of the building, rather than in front. Figure 8 shows that the building is proposed to front the property line, with large windows and a wooden architectural feature accentuating the corner of the property and gateway to the residential area behind. This wooden feature also provides a natural warm interest to the building.



Figure 8: Northwest view of the commercial building



Figure 9: South (rear) view of the commercial building.

The entrance to the building is proposed at the rear of the building. Due to the site elevation, this is a deviation from the design guidelines.

### ***Transition from commercial to residential use***

With the different uses on the site, staff looked at the transition between the two uses. DPA3 suggests that effective transitions between commercial areas and adjacent residential properties can be achieved with

- fencing, combined with a broad area of landscape plantings
- dense shrubbery or hedges
- creating a transition zone to complement the scale of the development but not less than 2.0 metres in width
- careful positioning of lighting, parking and access points to minimize impacts on adjacent properties.

When looking at the Landscape Plan, as shown in Figure 9, Building B (residential) is off set to the east from Building A (commercial), but is adjacent to the 101 Brewhouse and Distillery parking lot and separated with 22 ft (6.7 m wide circulation road).

Pages 5 and 6 of the Landscape Plan – found on the agenda as Attachment B shows a heavy landscaping buffer to the east – which would be the transition zone to the mixed-used commercial/residential building at 629 Mahan Road.

Along the north side of the building, a permeable paved pathway and 4 mature trees with shrubs beneath are proposed. Currently there is no landscape buffer along the south side of the parking lots for the proposed new building and the 101. Staff suggest that additional landscaping may be needed to provide some screening of the parking from the residential areas.

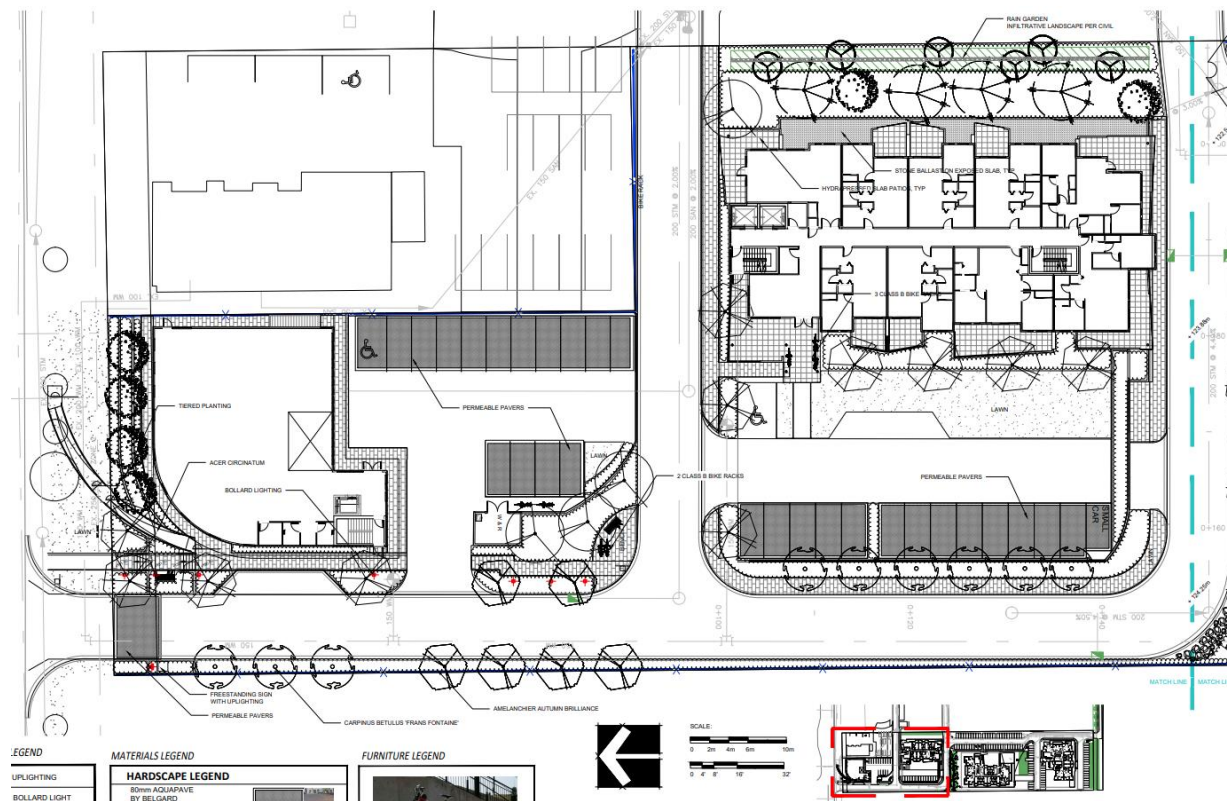


Figure 10: Landscape Plan showing Building A and Building B

### Development Permit Area 4 – Multi-Family Land Uses

Buildings B, C and D are assessed under the Development Permit Area 4 design guidelines for Multi-Unit Residential. Figures 11, 12 and 13 show the front entries of each of the buildings. The guidelines request that each building should appear unique and easily distinguishable from neighbouring buildings.

Each of the three separate buildings in the development has its own subtle distinctions while the colours and materials create a cohesive feel to the overall development.

Each building has their own amenity space on the ground floor, with level access to outside. Building C also incorporates a 2300 square foot daycare with outdoor space.

Each residential unit in the buildings have their own balconies. The guidelines ask that apartments have a minimum 3 m depth terrace or balcony, sufficiently large to create a usable outdoor “room”. Balconies should be at least half enclosed to give the occupant privacy, security, and weather protection. Most balconies are covered, as shown in Figure 11, 12 and 13.

Staff note that there are several 3-bedroom suites, which may be attractive to families with children, while there is a playground facility for the daycare, there is no outdoor amenity space for gatherings.





Figure 11: Building B Entry View



Figure 12: Building C Entry View





Figure 13: Building D Entry View

**ADVISORY DESIGN PANEL**

The ADP are scheduled to meet on April 17 – Staff will provide a verbal update on the recommendations at the Committee of the Whole meeting.

**REFERRALS**

Referrals were sent out in late January. Comments received are shown below. Staff have met with MOTI to discuss the application and are awaiting finalized comments.

Table 2: Referral comments

Referrals sent	Comments Received
Skw̓wú7mesh Úxwumix (Squamish Nation)	<i>Referral was resent April 16, 2024, comments will be presented to Council at a later date once received.</i>
Sunshine Coast Regional District	<i>No comments received as of April 16, 2024</i>
Gibsons and District Volunteer Fire Department (GDVFD)	<p><i>The Gibsons &amp; District Volunteer Fire Department approves this application with the following recommendations.</i></p> <ol style="list-style-type: none"> <li><i>1. Fire hydrants are installed in accordance with BCBC 3.2.5.15.</i></li> <li><i>2. A water supply in accordance with BCBC 3.2.5.7.</i></li> <li><i>3. Standpipe Systems are installed in accordance with BCBC 3.2.5.8.</i></li> <li><i>4. Automatic Sprinkler Systems are installed in accordance with BCBC 3.2.5.12.</i></li> <li><i>5. Road design is in accordance with BCBC 3.2.5.6.</i></li> </ol>

	<ol style="list-style-type: none"> <li>6. <i>Access Routes and Access Route locations are in accordance with BCBC 3.2.5.4. and 3.2.5.5.</i></li> <li>7. <i>Fire Alarm system to be installed in accordance with BCBC 3.2.4.1.</i></li> <li>8. <i>Annunciators to be installed in accordance with BCBC 3.2.4.9.</i></li> <li>9. <i>Roof access design in accordance with BCBC 3.2.5.3.</i></li> <li>10. <i>A key lock tube is located at or near the front entrance.</i></li> <li>11. <i>A fire safety plan is in place before occupancy is given and in a fire safety plan box in the main entrance in each building.</i></li> <li>12. <i>The Gibsons fire department would ask for standpipe connections for fire fighting on each landing please.</i></li> </ol>
<p>Vancouver Coastal Health</p>	<p><i>Feb 7, 2024 letter received. Attached.</i></p>
<p>Ministry of Transportation and Infrastructure (MOTI)</p>	<p><i>No comments received as of April 16, 2024, comments will be presented to Council at a later date once received.</i></p>
<p>Infrastructure Services Department</p>	<ul style="list-style-type: none"> <li>• <i>Requires water and sanitary sewer modeling to ensure that Town system can meet requirements of the development.</i></li> <li>• <i>Stormwater management plan required</i></li> <li>• <i>Development Cost Charges apply</i></li> <li>• <i>SCRD Bulk Water Facilities Charge applies</i></li> <li>• <i>SD2008-18 Latecomer fee applies</i></li> <li>• <i>Frontage Improvements required, as per "Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175."</i></li> <li>• <i>4.5 meter Statutory Right of Way requested for active transportation route to connect from Mahan Road to Pratt Road (just south of Highway 101).</i></li> <li>• <i>Traffic Impact Assessment may be required, as per Bylaw 1175.</i></li> </ul>
<p>Building Department</p>	<ul style="list-style-type: none"> <li>• <i>Full Building Code compliance to be determined upon permit application review.</i></li> <li>• <i>Height of building appears to comply with fire department service capabilities. (Under 18m from grade to highest floor level) but it is cutting it close. Fire Department to confirm.</i></li> <li>• <i>Applications submitted after March 8th 2024 are required to be designed under the 2024 BC Building Code.</i></li> </ul>
<p>Finance Department</p>	<p><i>Increased density generally has a positive impact on the Financial Plan as it enables the Town to collect comparatively more property taxes and user fees without significant infrastructure expansion being required.</i></p> <p><i>Development of a vacant lot will translate into new taxation and user fee revenue on the improvements, where previously revenue was limited to taxation on the vacant land only.</i></p>

**POLICY / PLAN IMPLICATIONS**

**Strategic Plan Implications**

Table 3 outlines the implications and responses of the development proposal and review process in relation to Council’s 2023-2027 Strategic Plan.

*Table 3 - Strategic Plan review*

Strategic Plan Objectives	Staff Comments
Goal 3 - Enhance transportation options.	
Update Active Transportation Network to plan for expanded safe routes and infrastructure to support diverse ages and users.	Staff have requested a 4.5 metre Statutory Right of Way requested for active transportation route to connect from Mahan Road to Pratt Road (just south of Highway 101).
Goal 7	
Ensure aquifer and watershed protection to continue to deliver safe and sustainable water supply to the community.	<p>Water supply capacity to support development is reviewed in relation to land use planning at the time of Official Community Plan Updates. Current assessments, as outlined in the Official Community plan and monitored on an ongoing basis support a population of 10,000 people in the Town of Gibsons. This and other development proposals under consideration would not exceed this projection.</p> <p>The applicant is required to complete water and sewer use modelling to ensure appropriate infrastructure upgrades to support the needs of the development.</p>

**NEXT STEPS**

- 1) The applicant will prepare and submit a CAC offer as per the Town’s CAC Policy.
- 2) If directed staff will prepare the draft OCP and Zoning Amendment Bylaws and a report to Council with outstanding referral comments, the CAC offer and finalized ADP minutes
- 3) A Public Hearing is necessary due to the OCP Amendment
- 4) If the Zoning Bylaw receives third reading, the Bylaw will be sent to MOTI for approval.
- 5) Upon receipt of MOTI approval, and registration of any covenants, Council may adopt the Bylaw and finalize a decision on the form and character development permit for the development proposal.

At any time in this process, Council may reject the OCP and or Zoning Amendment or require changes to proceed. Ideally, changes are requested early in the process. Once the OCP and Zoning Amendment Bylaws and Development Permits in place, the applicant may apply for a Building Permit.

## RECOMMENDATIONS / ALTERNATIVES

### Option 1 – Request staff to draft the Bylaws

- A) This options requests Staff to draft the OCP and Zoning Amendment for Council consideration, with the proposal as presented. If this option is chosen, a new staff report will be presented to Council. The staff report would introduce the Bylaws, provide the CAC offer and so provide outstanding referral comments.

*THAT staff be directed to prepare the OCP and Zoning Amendment Bylaws for OCP-2023-04 and ZA-2023-07 to accommodate the commercial and residential development on Lots A and C Gibsons Way*

- B) This option requests Staff to draft the OCP and Zoning Amendment but includes a request for some minor changes to the proposal – examples of minor changes/revisions could be to add additional landscaping to buffer the existing 101 Brewhouse parking lot from Building B, or add an outdoor amenity space for residents.

*THAT staff be directed to prepare the OCP and Zoning Amendment Bylaws for OCP-2023-04 and ZA-2023-07 to accommodate a commercial and residential development on Lots A and C Gibsons Way with the following changes to the proposal [...list any changes to be required].*

### Option 2 – Request changes prior to drafting the Bylaw

This option allows Council to request changes to the proposal prior to drafting the Bylaws. The proposal would be updated and presented to Council and at this point Staff would then be directed to draft the Bylaws for Council consideration.

*THAT the proposal for OCP-2023-04 and ZA-2023-07 at Lot A and C Gibsons Way be updated to include [...list any changes to be required].*

### Option 3 – Council may reject the proposal

This option is not recommended as the property requires an OCP and Zoning Amendment to align with Town of Gibsons land use policy, and the Town would benefit from appropriate development of the site. Instead, Option 2 may guide the applicant for any changes desired by Council.

### Attachments

- Attachment A – Application proposal
- Attachment B – Landscape Plan
- Attachment C - Referral comments from VCH

Respectfully Submitted,

Katie Thomas  
Planner II



**Report reviewed by:**

X	Chief Administrative Officer
	Director of Corporate Services
	Director of Finance
	Director of Infrastructure Services
X	Director of Planning and Development