

BACKGROUND/SUMMARY

Three applications have been received for Lots A and C Gibsons Way in order to build one commercial building fronting the highway and three multi-family residential buildings behind, providing a total of 172 new residential units.

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

To change the Land Use Designation for Lot C from Medium Density Residential and Mixed-Use Commercial to High Density Residential.

The High Density Residential Description and Intent has been updated to remove the minimum FSR, specific housing types, and “greater than 3-storeys”.

The Development Permit areas are proposed to be updated in conjunction with the changes in land use.

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

To change the existing Light Industrial Zone 1 (I-1) on each lot. Lot A is proposed to be rezoned to Upper Gibsons Commercial District (C-1) and Lot C is proposed to be zoned to a new Multi-Family Residential Zone 8 (RM-8).

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).

This mixed-use proposal was introduced to the Committee of the Whole on April 23, 2024. A link to the report can be found here: [Committee of the Whole \(civicweb.net\)](https://www.civicweb.net)

The following resolution was recorded at the May 5 Council meeting:

R2024-108 Motion as Originally Presented in R2024-106 - OCP and Zoning Amendment for Lot A and C Gibsons Way

MOVED by Councillor Croal

SECONDED by Councillor Lumley

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.

CARRIED

OPPOSED by Councillor De Andrade

DISCUSSION

Land Lift Analysis

As per the Community Amenity Contribution Policy No. 3.14, Section 4.1. 4 allows for a negotiated approach with an economic analysis conducted at the applicant's expense used to determine the amount of CAC an approvable project can support.

The policy speaks to the analysis being completed by an independent third-party consultant agreed upon by the applicant and the Town of Gibsons and that 75% of the increase in land value from existing zoning to be a reasonable balance between the need for CACs and a project's economic viability.

The Land Lift Analysis completed by Mulholland Parker Land Economist Ltd (MPLE), dated May 31, 2024, is enclosed as Attachment C.

In summary, MPLE estimates a net loss in land value of close to \$1 million and does not recommend an amenity contribution from this project.

The applicant does, however, support providing a 4-metre right-of-way through the site for a future east-west active transportation corridor.

OCP Amendment Bylaw 985-38

The OCP amendment is enclosed as Attachment A and is specific to Lot C. The amendment changes both land use designations from Mixed-Use Commercial and Medium Density Residential to High Density Residential.

The apartment proposal meets the OCP's High Density Residential intent for the units per hectare (uph) (generally 60-110 uph) but falls short of the Floor Space Ratio (FSR) requirements of 1.2-1.4. The project has an FSR of 0.77. To increase the FSR the buildings would need to be made larger, and a likely consequence would be the loss of green space or taller buildings.

The minimum FSR allows for significant building massing within the unit per hectare density. To provide better alignment, the amendment removes the minimum FSR, while maintaining the units per hectare and the maximum FSR.

Staff have also removed the "greater than 3-storeys" and "apartments and condominiums" to provide more flexibility in housing design (stepping to two or three stories if necessary) and choice (apartment and townhouse options).

Zoning Amendment Bylaw 1065-83

Staff have drafted a new Multi-Family Residential 8 (RM-8) zone for properties designated High Density Residential. This is the same zone proposed for the Billy's Walk and The Harbour proposals, which are also designated as High Density Residential.

The permitted uses consist of apartments and townhouses, and there are two site-specific conditions for this proposal:

1. Changes to setbacks
 - i. front lot line 2.5 m (8.2 ft)
 - ii. rear lot line 5 m (16.4 ft)
2. A maximum building height of 23 m.

ADDITIONAL REFERRAL COMMENTS

The previous report (link above) provided most referral comments, this portion of the report provides additional comments.

The SCRDR responded to the application in regard to the Waste Management Plan:

The applicant is encouraged to ensure building design includes adequate space for storage and servicing of recycling, food waste and garbage receptacles and ensuring the storage space is inaccessible to wildlife.

Through the construction phase, the applicant is encouraged to review materials accepted at the Sechelt Landfill and sort accordingly to maximize diversion and ensure compliance with recyclable materials and controlled waste. Consideration should also be given to make sure any containers for separating garbage, recycling and food waste remain accessible to collection service providers during construction and will be accessible post-construction.

The Ministry of Transportation and Infrastructure (MOTI) provided comments on the Traffic Impact study and request revisions. The study is to be updated. No comments were provided regarding the frontage or the project in general.

The Financial Plan was assessed in the previous staff report, staff have provided the comments again, as an OCP amendment must be considered in conjunction with the Financial Plan:

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.

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.

COMMUNICATION

The proposal is available to view on the Town's Current Development Proposals webpage: [Current Development Proposals - Town of Gibsons](#).

A Public Hearing will be required because the proposal includes an Official Community Plan Amendment. Neighbours within 100 m of the subject property will receive a notice letter, and two adverts will be placed in two consecutive issues of the Coast Reporter before the date of the Public Hearing.

OPTIONS**Option 1: Proceed with the proposal – First Reading.**

This option puts the proposal on the table for consideration and further discussion. As an OCP amendment is being considered, a Public Hearing is required and must be scheduled before Third Reading.

1. *THAT Official Community Plan Amendment Bylaw 985-38, 2024 be given first reading;*
2. *AND THAT pursuant to Section 477 of the Local Government Act, Council consider Official Community Amendment Bylaw 985-38, 2024 in conjunction with the Town's Financial Plan and Waste Management Plan;*
3. *AND THAT Zoning Amendment Bylaw No. 1065-83, 2024 be given first reading;*
4. *AND THAT a Public Hearing be scheduled for November 5, 2024, at 5:30 p.m. in Council Chambers.*

OPTIONAL:

The following recommendations are optional for Council's selection – directing a public information meeting, and/or requesting further information, authorizing the issuance of the Development Permit subject to adoption of Bylaw 1065-83 and lastly, giving Second Reading to both Bylaws.

1. *AND THAT prior to the public hearing, a public information meeting be held by the developer and feedback collected be reported back to Council.*
2. *AND THAT prior to second reading, the following information is received:*
...
3. *AND THAT Development Permit (DP-2023-22) for Lot A and C be issued subject to the adoption of Bylaw 1065-83, 2024.*
4. *AND THAT Official Community Plan Amendment Bylaw 985-38, 2024 and Zoning Amendment Bylaw No. 1065-83, 2024 be given Second Reading*

Option 2 – Reject the proposal

This option rejects the proposal. Council may provide the developer with feedback on why Council feels it is not appropriate for the Town of Gibsons.

THAT Official Community Plan Amendment Bylaw 985-38, 2024 be rejected.

AND THAT Zoning Amendment Bylaw No. 1065-83, 2024 be rejected.

Attachments

- Attachment A – Bylaw 985- 38
- Attachment B – Bylaw 1065-83
- Attachment C - Land Lift Analysis, dated May 31, 2024

Respectfully Submitted,

Katie Thomas
Planner II

Report reviewed by:

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