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<u>COUNCIL AGENDA</u>	
Date: _____	Item: _____



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

## COUNCIL REPORT

Date:	July 3, 2018
From:	Lisa Berg, Senior Community Planner
Subject:	Rezoning and Development Variance Permit for The Beach House (150 25th Street)
File:	1010-20-18-070

### RECOMMENDATION

Proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4992, 2018” be read a first time.

### RECOMMENDATION

Proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4992, 2018” be presented at a public hearing scheduled for September 10, 2018 at 6 p.m. in the Municipal Hall Council Chamber, and that notice be given of the scheduled public hearing.

### RECOMMENDATION

Proposed Development Variance Permit No. 18-070 be presented at a public meeting scheduled for September 10, 2018 at 6 p.m. in the Municipal Hall Council Chamber, to be held concurrently with the public hearing scheduled for September 10, 2018 at 6 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:

- rezone a portion of land from M1 (Marine 1) to C1 (Commercial 1) to bring the existing restaurant located at 150 25th Street (**Appendix A**) into compliance with the zoning bylaw; and
- provide for variances that are triggered by the proposed renovations.

#### 2.0 Legislation/Bylaw/Policy

##### *Provincial Legislation*

The *Local Government Act* requires that a public hearing be held on the proposed rezoning bylaw.

##### *Official Community Plan*

The OCP supports the regeneration of the Dundarave Village Centre with small-scale, street-level retail, service and restaurants and the expansion

of commercial zones to broaden economic opportunity and stimulate employment growth. The rezoning is consistent with the OCP.

### *Zoning Bylaw*

The site is split-zoned C1 (Commercial 1) and M1 (Marine 1). A rezoning is required to bring the existing use into compliance with the zoning bylaw.

A development variance permit is proposed to deal with non-conforming siting (rear yard setback), building height, and parking.

## **3.0 Background**

3.1 Previous Decisions – Not applicable.

3.2 History

The site is owned by the District and the restaurant is operated by the building tenant. The building is known as the “Clachan,” which was constructed in 1912 and has continuously operated as a commercial building over its century-long lifetime. According to the Statement of Significance (SOS)<sup>1</sup>, the building is historically valued for *“its prominent location, hipped roof and the second storey paired front-gabled dormers and half-timbering and hipped roof bays.”* The SOS is available on the District website. The building has not been added to the heritage register.

## **4.0 Analysis**

4.1 Discussion

### Site Context

The site is located at the foot of 25th Street in Dundarave, which terminates in a public park and the Dundarave Pier. The site is bounded by 25th street to the west and by functioning non-dedicated park on all other sides. Approximately a quarter of the building and the patio extend past the south property line. To site the building and patio entirely within its own lot, adjustments to the property lines are required (**Appendix B**).

### The Proposal

The building tenant wishes to undertake renovations to the building. Upgrades are needed to the kitchen, there is a need for more storage space, and better access is required for the public throughout the restaurant. The upgrades will also bring a “refresh” to the dining room and will open views to the Burrard Inlet, improve overall building performance and safety, and ensure its continued commercial use into the future (Figure 1).

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<sup>1</sup> Prepared by Donald Luxton & Associates Inc., February 2012



Figure 1: The Beach House Restaurant (before)

Key features of the proposal include:

- 64 square metre (689 square feet) two-storey addition to accommodate improved public access and back-of-house operations;
- improved accessibility to the restaurant including: elevator access to the second floor, a ramp, and accessible washrooms;
- new mechanical, electrical and emergency systems;
- patio upgrades including a new pergola with a retractable awning (to replace the existing fabric awnings and umbrellas), rebuilding and reconfiguration of the steps, and new south-facing windows on the main floor; and
- removal of the fireplace (not original) and second storey temporary tent.

No new seating or “expansion” of the restaurant is proposed (168 patron seats before and after) and there is no extension of the patio. See Figure 2 and **Appendix C** for the project profile.



Figure 2: Rendering of The Beach House Restaurant (after)

To enable the renovations, the following are proposed:

1. a road closure and foreshore accretion (underway) to adjust the property lines;
2. a rezoning for the accreted land from M1 to C1 (**Appendix D**); and
3. a development variance permit (**Appendix E**) to allow for the renovations as follows:
  - a. Rear Yard Setback: The zoning bylaw requires a 9.1 metre (30 feet) rear yard setback. The back of the building (to the east) is within the setback, and the proposed addition is entirely within the rear yard setback.
  - b. Building Height: The maximum building height in the zoning bylaw is 7.6 metres (25 feet). The existing building is approximately 10.2 metres in height. The proposed addition will be approximately 8.0 metres in height.
  - c. Parking: The zoning bylaw requires one parking space per 18.6 square metres (200 square feet) of gross floor area. The number of parking spaces is 7 spaces, which does not comply. The restaurant would need 25 spaces under current zoning regulations. With the addition, the required number of parking spaces increases to 35 total.

The site is surrounded by park, mature trees and landscaped areas. Further north is Bellevue Avenue and the railroad track. The proposed renovations and variances will not negatively impact the surrounding park, businesses north of the railroad track, or residents as:

- the addition is minor in nature and will serve “back-of-house” operations and improve public access;
- the roof peak on the addition will be lower than the existing roof peak; and
- the renovations will not increase patron seating or expand restaurant operations, therefore there will not be further demand for customer parking. Patrons typically park on Bellevue Avenue and the site is located in close proximity to Dundarave Village, which benefits from frequent transit service.

#### *Design Review Committee*

The proposal was considered by the Design Review Committee (DRC) at its June 21, 2018 meeting. Although the site is not within a development permit area, advice from the committee was sought due to the heritage value of the building. The DRC supported the proposal and recommended that:

- the sequencing and experience of the entrance for arrivals be thought of, and that the applicant collaborate with the District to pursue improvements to the pedestrian experience, including the treatment of the cul-de-sac;
- the applicant explore any opportunity to configure the patio steps so that the patio could be enlarged; and
- the applicant collaborate with Parks staff to ensure a consistent and compatible planting scheme that reflects the high quality of the park area and the building.

The proposed renovations do not detract from the heritage character of the building, and will help ‘declutter’ it with the removal of non-original items such as the fireplace, second storey tent and individual awnings and umbrellas. The chosen materials, colours and trims are complementary and blend with the building. Lastly, the applicant will continue to work with District staff on the public realm and will explore the potential to reconfigure the patio steps during the building permit phase.

#### 4.2 Sustainability

Renovations to the restaurant will help it continue into the future as a viable business bringing economic vitality and vibrancy to the area. They will also provide much needed universal public access and safety updates to a valued heritage building in the community.

#### 4.3 Public Engagement and Outreach

Following first reading of the proposed bylaw and scheduling a public hearing by Council, staff will give notification of the public hearing and the proposed development variance permit consistent with District policy and legislated requirements to property owners, businesses, and residents.

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

Planning staff has consulted with District staff from corporate services and parks on the proposal.

### 5.0 Options

#### 5.1 Recommended Option

Amend the zoning bylaw to bring the commercial use of the property into compliance.

If adopted, the proposed zoning amendment would bring existing commercial use into compliance with the zoning bylaw, while the development variance permit would address the non-conformities.

#### 5.2 Considered Options

- a. Give first reading to the proposed bylaw and set an alternate date for the public hearing (to be specified); or
- b. Request further information (to be specified); or
- c. Reject the proposal.

### 6.0 Conclusion

The proposed rezoning and development variance permit will bring the existing restaurant into compliance with the zoning bylaw and allow for the renovations. The proposal is supported by the OCP and the renovations will help ensure that the building is continued to be used for commercial purposes into the future, in keeping with its 100 year history. Lastly, the proposal will bring necessary upgrades that will increase public accessibility and safety.

Author:



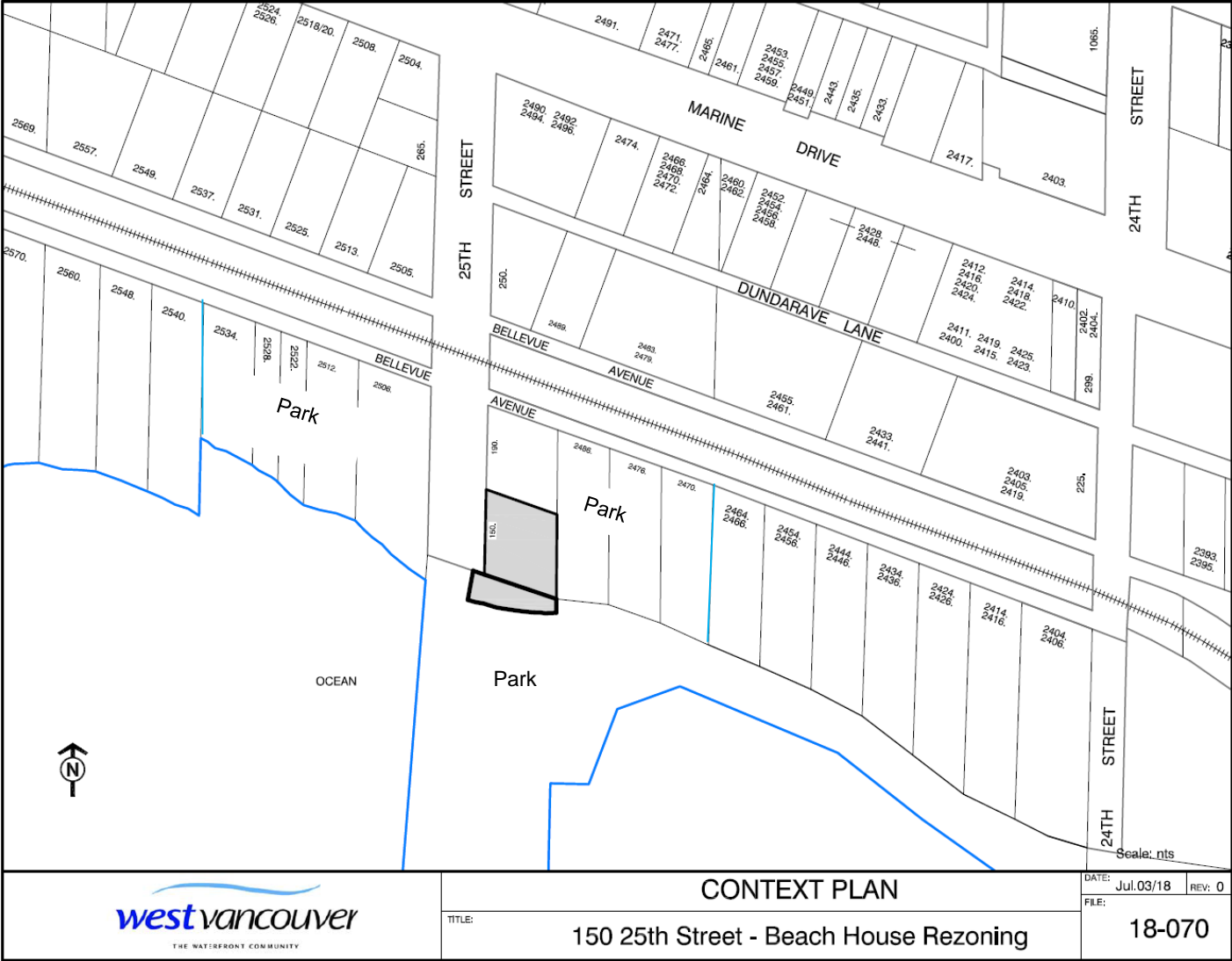
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Lisa Berg, Senior Community Planner

#### Appendices:

- A- Context Map
- B- Proposed Property Boundary map
- C- Project Profile
- D- "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 4992, 2018"
- E- Proposed Development Variance Permit No. 18-070

# APPENDIX A CONTEXT MAP



**west vancouver**  
THE WATERFRONT COMMUNITY

**CONTEXT PLAN**

TITLE: **150 25th Street - Beach House Rezoning**

DATE:	Jul.03/18	REV:	0
FILE:	<b>18-070</b>		

**APPENDIX B**  
**PROPOSED PROPERTY BOUNDARY MAP**  
*(with area to be rezoned)*





# APPENDIX C PROJECT PROFILE

<b>Project:</b>	<b>The Beach House</b>
<b>Application:</b>	Development Variance Permit No. 18-070
<b>Applicant:</b>	Earls Kitchen + Bar
<b>Architect:</b>	Lovick Scott Architects Ltd.
<b>Address:</b>	150 25th Street
<b>Legal Description:</b>	LOT B BLOCK 31 DISTRICT LOT 555 PLAN 6907
<b>PID:</b>	010-736-341
<b>OCP Policy:</b>	2.3.4 and 2.3.6
<b>Zoning:</b>	C1 (Commercial 1)
<b>Heritage Register:</b>	Nominated
<b>Summary:</b>	A 2-storey addition and patio improvements to the existing restaurant.

	<b>BYLAW C1</b>	<b>PROPOSED OR EXISTING</b>	<b>VARIANCE</b>	<b>COMMENTS/NOTES</b>
<b>Site Area</b>	464.5 sq m	727 sq m	n/a	Complies
<b>Site Width &amp; Frontage</b>	18.2 m	32.5 m	n/a	Complies
<b>Front &amp; Rear Setbacks:</b>				
Front Yard (West, 25th)	0 m	0 m	n/a	Complies
Rear Yard (East)	9.1 m	0	9.1 m	Historic non-conforming & addition
Side Yards (N & S)	0 m	0 m	n/a	Complies
<b>Height:</b>				
<b>Building Height</b>	7.6 m	10.11 m	2.51 m	Historic non-conforming
<b>No. of Storeys</b>	2	2		
<b>Parking:</b>				
Commercial Spaces	1/37 sq m = 35*	7	28	Historic non-conforming

\*Parking requirement for the existing restaurant (25 spaces) plus additional parking required due to the addition (10 spaces) for a total 35 required spaces. There are 7 on-site parking spaces making a parking deficit of 28 spaces.