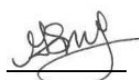


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| Director |  Municipal Manager/Deputy Municipal Manager |
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| <i>COUNCIL AGENDA</i> | |
| Date: <u>November 25, 2024</u> | Item: <u>3.</u> |



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

COUNCIL REPORT

| | |
|----------|---|
| Date: | July 31, 2024 |
| From: | Hope Dallas, Senior Manager, Legislative Services/Corporate Officer |
| Subject: | Alternative Approval Process Results Park Exchange Bylaw No. 5302, 2024 |
| File: | 08-1640-20-2024 |

RECOMMENDATION

THAT the report titled Alternative Approval Process Results Park Exchange Bylaw No. 5302, 2024 dated July 31, 2024 from the Senior Manager, Legislative Services/Corporate Officer, be received for information.

1.0 Purpose

To provide Council with the determination of results for the Alternative Approval Process (AAP) conducted for proposed Park Exchange Bylaw No.5302, 2024.

2.0 Legislation/Bylaw/Policy

The *Community Charter*, section 27, authorizes Council, by bylaw adopted with the approval of the electors, to dispose of park land in exchange for other land suitable for a park.

Electoral approval was obtained using an AAP in accordance with section 86 of the *Community Charter*.

3.0 Council Strategic Objective(s)/Official Community Plan

Objective 2.3: Finalize the Cypress Village Area Development Plan.

4.0 Financial Implications

There are no financial implications associated with this report.

5.0 Background

5.1 Previous Decisions

Council, at its June 3, 2024 regular meeting, passed first reading of the Cypress Village and Eagleridge bylaws, and directed staff use an Alternative Approval Process to obtain elector assent for the proposed Park Exchange Bylaw No. 5302, 2024. Additional council direction was received to establish the elector response form to be used, set the

deadline for submission of elector response forms, issue public notice, and to establish the total number of eligible electors.

6.0 Analysis

6.1 Discussion

Section 86(3)(a) of the *Community Charter*, establishes the response deadline to be at least 30 days after the second publication of the notice of AAP. The response deadline for the AAP was established by Council resolution to be July 22, 2024 at 4:30 p.m., and the estimated total number of eligible electors was established as being 3,158, as outlined in the staff report dated May 13, 2024 (**Appendix A**).

6.2 Other Communication, Consultation, and Research

Notice of AAP (**Appendix B**) was published in the North Shore News on June 12 and June 19, 2024, in accordance with section 94 of the *Community Charter*.

Notice and background information was posted to the district website, and public notice posting places, as required by district bylaws.

The elector response form (**Appendix C**) was available in hard copy at Municipal Hall and online via the district website.

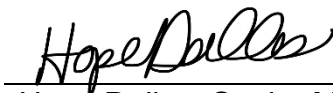
6.3 Results

During the submission period (June 19 – July 22), no elector response forms were received. The Certification of Results are included in this report (**Appendix D**) and certify that approval of the electors was obtained.

7.0 Conclusion

The Alternative Approval Process has concluded resulting in no objection from the electorate. Council is now able to proceed with adopting the proposed Park Exchange Bylaw (**Appendix E**), required as part of the Cypress Village and Eagleridge development.

Author:



Hope Dallas, Senior Manager, Legislative Services/Corporate Officer

Appendices:

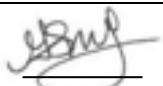
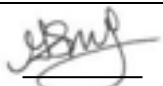
Appendix A – [Staff Report, dated May 13, 2024](#)

Appendix B – Notice of Alternative Approval Process

Appendix C – Elector Response Form

Appendix D – Certification of Results, dated July 22, 2024

Appendix E – Proposed Park Exchange Bylaw No.5302, 2024

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|  _____ Director |  _____ Municipal Manager |
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| COUNCIL AGENDA | |
|-------------------------------------|----------------------|
| Date: MAY 13, 2024 | Item: 161 |
| JUNE 26, 2024 PM 4:11 PM | |



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

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COUNCIL REPORT

| | |
|----------|--|
| Date: | May 13, 2024 |
| From: | Jim Bailey, Director of Planning and Development Services and Nicole Olenick, Project Co-Manager, Planning the Upper Lands |
| Subject: | Cypress Village and Eagleridge Approvals Package: Proposed Bylaws, Legal Agreements, and Resolutions |
| File: | 2570-01 |

RECOMMENDATION

THAT proposed “Official Community Plan Bylaw No. 4985, 2018, Amendment Bylaw No. 5205, 2024” be read a first time.

RECOMMENDATION

THAT proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5206, 2024” be read a first time.

RECOMMENDATION

THAT proposed “Park Dedication Bylaw No. 5213, 2024” be read a first time.

RECOMMENDATION

THAT proposed “Phased Development Agreement Authorization Bylaw No. 5207, 2024” be read a first time.

RECOMMENDATION

THAT proposed “Road Closure and Removal of Highway Dedication Bylaw No. 5208, 2024” be read a first time.

RECOMMENDATION

THAT proposed “Park Exchange Bylaw No. 5302, 2024” be read a first time.

RECOMMENDATION

THAT:

1. proposed “Cypress Village Reserve Fund Establishment Bylaw No. 5221, 2024” be read a first time;
2. proposed “Development Cost Charge Bylaw No. 3801, 1993, Amendment Bylaw No. 5209, 2024” be read a first time;

3. proposed “Development Cost Charge Reserve Fund Expenditures Bylaw No. 5211, 2024” be read a first time;
4. proposed “Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5210, 2024” be read a first time;
5. proposed “Fees and Charges Bylaw No. 5251, 2023, Amendment Bylaw No. 5216, 2024” be read a first time;
6. proposed “Noise Control Bylaw No. 4404, 2005, Amendment Bylaw No. 5215, 2024” be read a first time;
7. proposed “Revised Soil Removal, Deposit, Blasting and Rock Breaking Bylaw No. 5130, 2021, Amendment Bylaw No. 5214, 2024” be read a first time;
8. proposed “Sewerage and Drainage Regulation Bylaw No. 5263, 2023, Amendment Bylaw No. 5288, 2024” be read a first time;
9. proposed “Subdivision Control Bylaw No. 1504, 1955, Amendment Bylaw No. 5212, 2024” be read a first time; and
10. proposed “Waterworks Regulation Bylaw No. 5260, 2023, Amendment Bylaw No. 5287, 2024” be read a first time.

RECOMMENDATION

THAT the District is authorized to enter into the Cypress Village Land Agreement substantially in the form attached as **Appendix 17** to the May 13, 2024 report from the Director of Planning and Development Services and the Project Co-Manager, Planning the Upper Lands, including entering into all further agreements as contemplated in the Land Agreement, and that the Mayor and Corporate Officer are authorized to execute any such agreements on behalf of the District, and that District staff are directed to undertake or carry out any further administrative steps and tasks that staff consider necessary to give effect to the Land Agreement.

RECOMMENDATION

THAT opportunities for consultation on the proposed Official Community Plan amendment, with persons, organizations, and authorities, as outlined in the May 13, 2024 report from the Director of Planning and Development Services and Project Co-Manager, Planning the Upper Lands, be endorsed as sufficient consultation for purposes of section 475 of the *Local Government Act*.

RECOMMENDATION

THAT proposed “Official Community Plan Bylaw No. 4985, 2018, Amendment Bylaw No. 5205, 2024”; proposed “Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5206, 2024”; and proposed “Phased Development Agreement Authorization Bylaw No. 5207, 2024” be presented at a public hearing on June 25, 2024 at 6 p.m. in the Municipal Hall Council Chamber and via electronic

communication facilities (WebEx video conferencing software), and that notice be given of the scheduled public hearing.

RECOMMENDATION

THAT public notice of Council's intention to adopt proposed "Road Closure and Removal of Highway Dedication Bylaw No. 5208, 2024" be given in accordance with section 94 of the *Community Charter*, and that persons who consider they are affected by the bylaw be given an opportunity to make representations to Council at a public meeting to be held on June 25, 2024 at 6 p.m. in the Municipal Hall Council Chamber and via electronic communication facilities (WebEx video conferencing software), to be held concurrently with the public hearing scheduled for June 25, 2024 at 6 p.m. in the Municipal Hall Council Chamber and via electronic communication facilities (WebEx video conferencing software), and that notice be given of this opportunity, all as required by the *Community Charter*.

RECOMMENDATION

THAT:

1. An Alternative Approval Process be provided in relation to proposed "Park Exchange Bylaw No. 5302, 2024" and a Notice of Alternative Approval Process be provided in accordance with section 86 of the *Community Charter*;
2. Elector responses shall be in the form set out in **Appendix 18** to the May 13, 2024 report from the Director of Planning and Development Services and the Project Co-Manager, Planning the Upper Lands;
3. The deadline for the submission of elector response forms shall be 4 p.m. on July 22, 2024 (the "Deadline");
4. The Corporate Officer is authorized to prepare and publish a Notice of Alternative Approval Process, which notice must be published once each week for two consecutive weeks with the second notice publication being at least 30 days before the Deadline;
5. A fair determination of the total number of eligible electors of the District of West Vancouver is 31,579; and
6. District staff are directed to undertake or carry out any further administrative steps and tasks that staff consider necessary to complete the Alternative Approval Process in relation to proposed "Park Exchange Bylaw No. 5302, 2024".

RECOMMENDATION

THAT the District transfer the following funds to the new Cypress Village Reserve Fund account following adoption of proposed "Cypress Village Reserve Fund Establishment Bylaw No. 5221, 2024":

1. \$13 million currently held in the Community Amenity Reserve Fund, which funds were collected from community amenity contributions from rezonings in Rodgers Creek Areas 5 and 6, to be restricted for use towards planning, designing, and constructing the Cypress Village Fire Station; and
2. \$1 million currently held as restricted funds for McGavin Field in the Community Amenity Reserve Fund, to remain restricted for use towards planning, designing, and constructing the McGavin Sports Field.

RECOMMENDATION

THAT, subject to adoption of proposed “Phased Development Agreement Authorization Bylaw No. 5207, 2024”, District staff are authorized to enter into further agreements as contemplated in the Cypress Village Phased Development Agreement and District staff are directed to undertake and carry out any administrative steps and tasks that staff consider necessary to give effect to the Cypress Village Phased Development Agreement, including but not limited to the planning, design, procurement, and construction of the Cypress Village Fire Station within the timeframe required by the Cypress Village Phased Development Agreement.

RECOMMENDATION

THAT the following documents attached to the May 13, 2024 report from the Director of Planning and Development Services and the Project Co-Manager, Planning the Upper Lands, be received for information:

1. The Planning the Upper Lands: Phase 3 Engagement Summary report dated June 30, 2022 attached as **Appendix 19**;
2. The Planning the Upper Lands: What We Heard and How that has Helped Shape the Plan document dated May 2024, attached as **Appendix 20**;
3. The Contextual Review of the Draft Development Plan for Cypress Village and Eagleridge letter from Steve Nicholls, Past West Vancouver Director of Planning, Lands, and Permits, dated April 29, 2023, attached as **Appendix 21**;
4. The Financial Impacts of Cypress Village Development on the District of West Vancouver report by Wollenberg Munro Consulting Inc. dated April 2024 attached as **Appendix 22**;
5. The following documents related to traffic analysis for the Cypress Village development, attached as **Appendix 23**:

Initial Traffic Impact Assessment documents:

- a) The letter dated May 16, 2022 from the Ministry of Transportation & Infrastructure accepting the Traffic Impact Assessment Final Report: Rev 2 dated April 26, 2022;

- b) The technical memorandum re: “BPP Cypress Village TIA – Summary Document” by Howes Technical Advantage Ltd. dated October 31, 2023;
- c) The report entitled, “Traffic Impact Assessment Cypress Village Development, Final Report: Rev 2” by Howes Technical Advantage Ltd. dated April 2022;

Updated Traffic Impact Assessment documents:

- d) The email dated October 23, 2023 from the Ministry of Transportation & Infrastructure accepting the October 2023 TIA Addendum 1;
- e) The report entitled, “Traffic Impact Assessment Cypress Village Development, Addendum 1 - Final Report: Rev 2” by Howes Technical Advantage Ltd. dated October 2023;

Additional Traffic Analysis documents:

- f) The technical memorandum re: “BPP Cypress Village – Municipal Analysis: Summary of Findings” by Howes Technical Advantage Ltd. and McElhanney Ltd. dated November 30, 2022;
 - g) The technical memorandum re: “BPP Cypress Village – Municipal Analysis Sensitivity Analysis Summary” by Howes Technical Advantage Ltd. and McElhanney Ltd. dated April 22, 2024;
6. The letter dated May 24, 2022 from Solstice Sustainability Works Inc. providing natural capital asset value estimates for the lands in Eagleridge that are currently owned by British Pacific Properties Limited (“BPP”) for high level planning purposes, attached as **Appendix 24**; and
7. The Letter Agreement dated March 28, 2024 between BPP and the District attached as **Appendix 25**, which outlines the park restoration works that BPP will complete following adoption of proposed “Park Exchange Bylaw No. 5302, 2024”.

1.0 Purpose

This report has five main purposes:

1. To initiate bylaw adoption procedures for 16 proposed bylaws which collectively will achieve two interconnected goals:
 - a) District acquisition and protection of 262 acres of land in Eagleridge that are currently owned by British Pacific Properties (“BPP”) and that have outstanding environmental and recreational value for the community; and
 - b) Creating a new compact, mixed-use, sustainable urban community in Cypress Village, which incorporates development potential transferred from Eagleridge to help enable the protection of the Eagleridge lands;

2. To seek authorization to enter into the Cypress Village Land Agreement, and all further agreements as contemplated in the Land Agreement;
3. To seek approval to transfer funds from the Community Amenity Reserve Fund to the new Cypress Village Reserve Fund following adoption of the proposed Cypress Village Reserve Fund Establishment bylaw;
4. To seek direction for District staff to enter into further agreements as contemplated in the Cypress Village Phased Development Agreement (“PDA”) and to undertake and carry out any administrative steps and tasks needed to give effect to the PDA following adoption of the proposed Phased Development Agreement Authorization bylaw, including but not limited to the planning, design, procurement, and construction of the Cypress Village Fire Station within the timeframe required by the PDA; and
5. To provide background reports for information related to Cypress Village and Eagleridge.

2.0 Legislation/Bylaw/Policy

2.1 Bylaw/Policy Context

The policy context for area development planning is provided by the District’s “Official Community Plan Bylaw No. 4985, 2018” (“OCP”), which includes community-wide visions/goals as well as policies specific to planning for Cypress Village and Eagleridge which have guided this process.

The OCP also includes a Regional Context Statement, describing how the District’s policies support regional goals. The District endorsed the previous Regional Growth Strategy, Metro Vancouver 2040, and the District’s Regional Context Statement in the OCP includes policies related to supporting the regional goals from Metro Vancouver 2040 of creating a compact urban area, supporting a sustainable economy, protecting the environment, developing complete communities, and supporting sustainable transportation choices.

The District also endorsed the new Regional Growth Strategy, Metro Vancouver 2050, which was adopted by Metro Vancouver in February 2023, and is required to update the Regional Context Statement in its OCP within two years to demonstrate how its policies support the regional goals of creating a compact urban area, supporting a sustainable economy, protecting the environment/addressing climate change/responding to natural hazards, providing diverse and affordable housing choices, and supporting sustainable transportation choices.

In addition, the District’s “Development Procedures Bylaw No. 4940, 2017” sets out requirements related to public hearings and notices of public hearings.

2.2 Provincial Legislation Context

The *Local Government Act* authorizes a local government to, by bylaw, enter into a phased development agreement with an owner of land.

The *Local Government Act* requires that a public hearing be held for proposed Official Community Plan amendment bylaws, Zoning Bylaw amendment bylaws¹, and Phased Development Agreement Authorization bylaws and sets out requirements for notice of public hearings. The *Local Government Act* also sets out requirements for consultation on proposed Official Community Plan amendment bylaws.

The *Community Charter* requires that prior to adopting a proposed Road Closures and Removal of Highway Dedication bylaw, Council must give notice and provide an opportunity for persons who consider they are affected by the proposed bylaw to make representations to Council. Notice must be given to operators of utilities whose transmission or distribution facilities or works will be affected by the closure.

The Cypress Village Land Agreement disposes of municipal land. The *Community Charter* requires that notice of a proposed disposition of municipal land be published before the disposition.

The *Community Charter* authorizes Council, by bylaw adopted with the approval of the electors, to dispose of park land in exchange for other land suitable for a park. Electoral approval can be obtained by an Alternative Approval Process in accordance with section 86 of the *Community Charter* (which is the proposed approach for the proposed Park Exchange bylaw).

3.0 Council Strategic Objective(s)/Official Community Plan

3.1 Council’s Strategic Objectives

This planning and engagement process has been underway since 2019 when the planning consultant team was retained. Since then, Council’s Strategic Plans have included goals and objectives that align with the plan for Cypress Village and Eagleridge:

1. Council’s current Strategic Plan, 2024-2025, sets out a vision of making West Vancouver a complete community that is liveable, vibrant, and inclusive; attracting and inspiring a full spectrum of people

¹ Except that the *Local Government Act* prohibits public hearings for zoning bylaws that are consistent with the OCP and where the sole purpose is to permit a development with at least 50% residential floor area. This prohibition does not apply to the proposed Zoning amendment bylaw for Cypress Village and Eagleridge, because it has more than one purpose (to rezone lands in Cypress Village to allow the mixed-use village and to rezone lands in Eagleridge and in Cypress Village to community use zones).

to live, play, and work in West Vancouver; and having a vibrant economy, diverse housing choices, and exciting amenities consistent with the OCP. It sets out goals, objectives, and deliverables grouped into six main topics. Objective 2.3 is to “finalize the Cypress Village Area Development Plan.” The proposed bylaws and legal agreements for Cypress Village and Eagleridge will help to meet Council’s strategic goals in these ways:

- a) For the Environment & Climate Change goal to “Protect our natural environment, reduce greenhouse gas emissions, and adapt our community to become more resilient in a changing climate”:
- The proposed bylaws and legal agreements for Cypress Village and Eagleridge will protect and put into public ownership a large, ecologically valuable natural area (262 acres) in Eagleridge that is currently owned by BPP and could otherwise be developed with large single family houses under the existing zoning.
 - The plan includes retaining at least 30% of the Cypress Village area (over 100 acres) for recreation and conservation.
 - The plan sets out policy for developing a compact, transit-served community in Cypress Village, which is a more sustainable way of accommodating new housing than large single family houses (which is permitted under the existing zoning on BPP’s lands).
 - The plan incorporates sustainability standards and infrastructure design that seek to support the District’s response to climate change. See Section 6.2 of this report for more details.
- b) For the Housing goal to “Expand a diverse housing supply”:

The proposed Area Development Plan and proposed new zoning for Cypress Village include a total of 3,711 housing units, with a mix of strata apartment units, market rental apartment units, affordable rental apartment units, ground-oriented multi-family units (e.g. duplexes, triplexes, townhouses) and a small number of single family houses. This will help expand housing supply in West Vancouver (i.e. 3,711 housing units under the proposed plan, compared to an estimated 626 single family houses that could be developed on BPP’s land under the existing zoning in Cypress Village and Eagleridge), as well as housing diversity and housing affordability, as multi-family units typically have lower prices than single family houses. Expanding housing supply will help the District work towards the new targets mandated by the Province under the Housing Supply Act (which is Objective 2.1 in Council’s Strategic Plan, 2024-2025).

- c) For the Local Economy goal to “Enhance our vital and vibrant commercial centres”:

The plan for Cypress Village includes a mixed-use commercial centre to meet the needs of Cypress Village residents and residents of Rodgers Creek and nearby areas, while also providing an attractive amenity for all residents in West Vancouver.

- d) For the Mobility goal to “Enhance the mobility within the community”:

The plan for Cypress Village provides multiple options for active modes of travel with the goal of accommodating persons with physical, visual, hearing, and cognitive disabilities, including persons who use mobility aids.

- e) For the Municipal Services goal to “Deliver municipal services efficiently”:

- The plan allows the District to take advantage of cost-sharing opportunities with BPP for some infrastructure projects that are needed partly to serve existing neighbourhoods outside of Cypress Village and partly to serve the new community of Cypress Village.
- The Cypress Village Phased Development Agreement includes provision for a cost-recovered applications review office to help efficiently process applications related to the Cypress Village development.

- f) For the Social Well-Being goal to “Enhance the social well-being of our community”:

The plan will create a vibrant new place for West Vancouver residents for recreation and entertainment and will protect 262 acres in Eagleridge for recreation and conservation, both of which provide opportunities to enhance the community’s physical and mental health, and social connections and well-being.

2. Council’s Strategic Plan, 2020-2021 and Strategic Plan, 2021-2022 included goals and objectives for these main topics: Housing, Local Economy, Climate Change and Nature, Mobility, Municipal Services, Social Well-Being, and Major Project Priorities, with the following references to Cypress Village:

- The goal for Housing was to “significantly expand the diversity and supply of housing, including housing that is more affordable.” Objective 1.3 under this goal was to “work towards an Area Development Plan for a residential mixed-use neighbourhood in the Upper Lands – Cypress Village.”

- The goal for the Local Economy was to “create vital and vibrant commercial centres.” Objective 2.4 under this goal was to “ensure that a vibrant commercial component is included in the neighbourhood development of Cypress Village.”

3.2 Official Community Plan

The preparation of an Area Development Plan (“ADP”) for Cypress Village and Eagleridge and associated proposed bylaws and legal agreements represents a significant implementation opportunity for a wide range of OCP policies related to environmental protection, housing diversity, local economic resiliency, mobility improvements, and community connectedness. The OCP includes numerous policies and references to the Upper Lands. Some of the key policies that provide the context for this planning and engagement process are as follows:

- OCP Section 2.2: “The Upper Lands comprise undeveloped publicly and privately owned lands north of Highway 1. Historically, residential development above the highway has consisted predominantly of detached single-family housing, often on large estate-sized lots. Environmental features and lands with high recreational potential have typically remained under private ownership. Neighbourhoods have been planned incrementally over the last 80 years, moving from the eastern boundary of West Vancouver westwards, which has led to limited amenities and services in the Upper Lands. More recently, planning for the Rodgers Creek neighbourhoods (currently under construction) marked a shift towards multi-family housing forms in anticipation of the future Cypress Village. Undeveloped lands below 1,200 feet in elevation are zoned for single-family development. However, these lands include important environmental assets and recreational opportunities that the community values, notably in areas west of Eagle Creek where the District recently dedicated Whyte Lake Park (2014) and where important wetlands and Arbutus groves exist. Adopting a more holistic lens is needed to situate all future development within its wider mountain context - both to preserve the most valuable environmental and recreational values in perpetuity, and to provide for future development of the kinds of housing and amenities in and around Cypress Village that most benefit the community. This OCP recommends the transfer of development potential away from higher value ecological and recreational assets to cluster new housing close to existing infrastructure in the compact and complete future neighbourhood(s) of Cypress Village and Cypress West. This would allow a much larger area to become protected in perpetuity.” Note that the reference to ‘lands west of Eagle Creek’ refers to the planning areas called Eagleridge and Inter Creek.
- OCP Policy 2.2.1c: new development in the Upper Lands should be managed through area development plans and by “...Varying density

within areas and transferring development rights from one area to another to direct development to lands most suitable for development, protect and acquire environmental and recreational assets, and allocate density to achieve neighbourhood focus and identity.”

- OCP Policy 2.2.9: “Seek to transfer the residential development potential from all remaining lands below 1,200 feet west of Eagle Creek to: (a) The Cypress Village planning area (between Cave and Cypress Creeks) as the primary focus for future neighbourhood development in the Upper Lands; and (b) The Cypress West planning area (between Cypress and Eagle Creeks) as a secondary community supporting Cypress Village.”
- OCP Policy 2.7.9: “Protect environmental values below 1,200 feet in the Upper Lands area by: (a) Seeking to protect permanently areas west of Eagle Creek, prioritizing areas of significant ecological values such as the Arbutus groves west of Nelson Creek, Larson Creek and wetlands, and other sensitive wetlands and habitats.”
- OCP Policy 2.2.11: “Protect lands west of Eagle Creek below 1,200 feet whose development potential has been transferred, designate these lands as Limited Use and Recreation, and dedicate them as public parkland or non-profit conservancy or similar publicly-accessible open space in perpetuity.”

Protecting the lands in Eagleridge and planning for a compact, sustainable urban community in Cypress Village are the first steps toward implementing these policies in the OCP.

4.0 Financial Implications

4.1 Financial Implications of the Planning Process and this Report

The District is responsible for this comprehensive planning and engagement process. The District retained a team of planning and community engagement consultants that report directly to the District who have helped to design and implement the process. There is a Council-approved Cost Recovery Agreement in place, so the costs associated with the consulting team are recovered from the major landowner, BPP. There are no financial implications to the District of the planning process or preparing this report.

4.2 Financial Implications of Adopting and Implementing the Proposed Bylaws and Entering into the Proposed Legal Agreements

An independent analysis was prepared to analyze the capital and operating financial implications of the proposed bylaws and legal agreements for the District (see the Financial Impacts of Cypress Village Development on the District of West Vancouver report attached as **Appendix 22**).

There are three main findings about implications for the District:

1. Overall, the proposed new community of Cypress Village is likely to produce significant financial and other benefits to the District and taxpayers of West Vancouver.
2. In terms of capital costs implications for the District:
 - a) BPP will pay for all of the on-site and off-site roads and servicing costs for Cypress Village, so the District will not have to make any new capital expenditures for roads and servicing. The District will take the opportunity to cost-share with BPP some of the infrastructure projects needed to serve existing neighbourhoods (outside Cypress Village) as well as Cypress Village. The District's portion of these costs (estimated to total about \$37.5 million spread over a decade or so) is not caused by or needed by Cypress Village; these costs would have to be incurred at some point anyway. However, the timing of these projects will now be related to the development schedule for Cypress Village, so the District will have to include these capital expenditures in the District's capital budget planning. See Section 6.1.10 (point 8) of this report for more information.
 - b) A total of \$14.625 million in DCC Reserve funds are proposed to be allocated to projects associated with Cypress Village and the District's acquisition of BPP's Eagleridge lands. This will reduce the DCC Reserves balances, but these are all purposes consistent with what the funds were collected for. These allocation are needed (in addition to the density proposed for the mixed-use village) to help achieve protection of all of the lands in Eagleridge that are currently owned by BPP and the desired amenities in Cypress Village to be paid for by BPP. See Section 6.1.9 and Section 6.1.10 (point 6a) for more information.
 - c) A total of \$14 million in CAC Reserve funds on hand collected from BPP from previous rezonings in Rodgers Creek are proposed to be allocated to projects consistent with what the funds were collected for (i.e. the new fire station and new sports field in Cypress Village). These allocations are needed (in addition to the density proposed for the mixed-use village) to achieve protection of all of the lands in Eagleridge that are currently owned by BPP and the desired amenities in Cypress Village to be paid for by BPP. See Section 6.1.9 and Section 6.1.10 (point 6b) for more information.
 - d) A total of 17 District-owned parcels, portions of parcels, or road closure areas (totaling 21.5 acres) in Cypress Village are proposed to be transferred to BPP to become part of adjacent development sites or new roads in Cypress Village. The value of these lands has been estimated by an independent appraiser retained by the District to be approximately \$8.5 million on the assumption that the

lands could be sold to a third party who could develop them. However, the most likely candidate is BPP as the adjacent land owner because of the location, shape, and slope of the lands and because there are restrictive covenants on title in favour of BPP for about 85% of these lands that restricts the District's use to public/community uses. These lands are not readily developable on their own by the District, and it is unlikely that the District could realize significant capital inflow from the sale of these lands to others. The transfer of these lands is needed (in addition to the density proposed for the mixed-use village) to help achieve protection of all of the lands in Eagleridge that are currently owned by BPP and the desired amenities in Cypress Village to be paid for by BPP. See Section 6.1.9 and Section 6.1.10 (point 6c) for more information.

- e) One of the District-owned parcels in Cypress Village proposed to be transferred to BPP is the location of the District's existing materials transfer facility (which stores and handles materials such as rocks, asphalt, gravel, and soils excavated from municipal roads/lands). The District will need to relocate the materials transfer facility functions to the District Operations Centre (works yard) site, remediate the parcel as needed, and reconfigure the works yard site as needed. The District will need to budget for these capital costs (estimated to total \$2.8 million.² spread over the next three years).
- f) If, at its discretion, the District elects to increase the size or scope of the new community centre, fire station, or sports field (e.g. to include more functions than currently planned), the incremental capital costs will be to the District's account. These would not be impacts of Cypress Village (as they are discretionary), but could potentially be additional capital expenditures that would have to be included in the District's capital budget planning. See Section 6.1.10 (point 9) for more information.
- g) The municipal DCC rates for Cypress Village and Rodgers Creek Areas 5 and 6 are proposed to be reduced, reflecting that BPP will be directly responsible for capital works that could otherwise be DCC-eligible capital projects and BPP will be transferring ownership of its lands in Eagleridge to the District as major parkland. There is no significant financial impact on the District, because the new DCC rate payable is approximately equal to the "net" DCC rate that would be collected in any case (i.e. if BPP paid the current DCC rates, built DCC-eligible works, and then was

² Currently anticipated to be a total of \$985,000 in 2025, \$925,000 in 2026, and \$925,000 in 2027. See the financial impact analysis in Appendix 22 for more information.

eligible for DCC credits). See Section 6.1.10 (point 10) for more information.

So, the main capital cost financial implication for the District caused by Cypress Village is that the District will need to budget for relocating the materials transfer facility and reconfiguring the Works Yard site (which has an estimated cost of about \$2.8 million spread over the next three years).

3. In terms of operating costs:

- Estimated future property taxes from development and other revenues (e.g. community centre program fees) in Cypress Village are expected to be sufficient to cover the estimated new operating costs for providing ongoing services to the new community (e.g. operating costs for the new fire station, community centre, parks and recreation, road maintenance, and municipal operations).
- The most likely outcome is that Cypress Village will have a net positive financial impact on the District's operating budget, with municipal revenues from Cypress Village exceeding the municipal costs of providing services to the new community. If municipal revenues from Cypress Village are higher than the District's operating costs related to Cypress Village, this will affect future municipal budgeting in one of two ways: municipal property tax rates will be lower than they otherwise would be (for the entire municipality), or some municipal services could be expanded without having to increase property taxes.

5.0 Background

5.1 Previous Decisions

Council, at its July 24, 2017 regular meeting, passed the following resolutions:

THAT:

1. The report from the Manager of Community Planning and Sustainability titled "Cypress Village Update" dated July 11, 2017 and its attached Appendices A, B and C be received for information; and
2. The community be advised that cost recovery is proceeding for Cypress Village planning as outlined in this report.

Council, at its February 8, 2021 regular meeting, passed the following resolutions upon completion of Phase 1 of Planning the Upper Lands:

THAT

1. The Planning the Upper Lands: Phase 1 Engagement Summary attached as Appendix A to the report from Jim Bailey, Director of Planning & Development Services and Nicole Olenick, Project Co-

Manager for the Planning the Upper Lands project team, dated January 22, 2021 be received for information;

2. The project team be directed to proceed to Phase 2 of the Planning the Upper Lands process in accordance with the next steps outlined in this report;
3. Approach B³ from the Phase 1 engagement be adopted as the basis for detailed planning work in Phase 2; and
4. The Planning Principles for Cypress Village and Eagleridge attached as Appendix B to the report from Jim Bailey, Director of Planning & Development Services and Nicole Olenick, Project Co-Manager for the Planning the Upper Lands project team, dated January 22, 2021 be adopted to guide the detailed planning work in the next phases of the project, subject to text refinements to reflect the selection of Approach B (assuming Council direction to proceed on this basis) and refinements as needed as the planning work proceeds.

Council, at its November 19, 2021 regular meeting, passed the following resolutions upon completion of Phase 2 of Planning the Upper Lands:

THAT:

1. The Planning the Upper Lands: Phase 2 Engagement Summary attached as Appendix A to the report from Jim Bailey, Director of Planning and Development Services and Nicole Olenick, Project Co-Manager, Planning the Upper Lands, dated November 19, 2021 be received for information; and that
2. The project team be directed to proceed to Phase 3 of the Planning the Upper Lands process in accordance with the next steps outlined in this report.

Council, at its February 12, 2024 regular meeting, passed the following resolution⁴:

THAT:

1. Council endorse the proposal to protect District owned property in the Upper Lands above the 1200 foot contour that is not yet dedicated as park (approximately 2,500 acres);
2. Council direct staff to conduct a legal search to confirm land parcels under District ownership above the 1200 ft contour, and to confirm park

³ For reference, Approach B was to seek to protect all of Eagleridge at this time, plan for about 3,500 housing units (plus amenities and commercial space) in Cypress Village, and determine what other mechanisms are also needed (in addition to housing units) to make this approach work.

⁴ This resolution is not directly related to Cypress Village and Eagleridge, but as described in Section 6.1.5, point 2e, the proposed Park Dedication bylaw related to Eagleridge helps make progress towards this goal.

dedication status and zoning of District-owned land parcels above the 1200 foot contour; and

3. Council direct staff to report back on a park dedication bylaw for adoption by Council in 90 days.

5.2 History

5.2.1 General History

In 2018, Council adopted a new OCP to provide high-level District-wide objectives and policies around land use. As previously noted, the OCP sets out policies for the four remaining planning areas in the Upper Lands that seek to protect lands in Eagleridge and Inter Creek (1 and 2 in the map below) for conservation and recreation and to create new compact sustainable neighbourhoods in Cypress Village and Cypress West (3 and 4 in the map below). The OCP recommends achieving this vision by transferring the development potential from the lands in Eagleridge and Inter Creek into Cypress Village and Cypress West.



The policies in the 2018 OCP build on the 2015 Upper Lands Working Group recommendations which looked at planning the remaining Upper Lands in a holistic way, which in turn built on the vision in the 2008 Rodgers Creek Area Development Plan for a new mixed-use village west of Rodgers Creek to serve the Upper Lands communities. The idea for a village located generally near the first switchback of Cypress Bowl Road has been policy since the 2004 OCP.

As the major landowner⁵ in the four remaining Upper Lands planning areas, BPP completed an independent pre-application planning and visioning process in 2016 that involved public consultation and conceptual planning. This was a BPP initiative and process.

Between 2017 and 2019, BPP and the District worked collaboratively on technical analysis and studies related to the remaining Upper Lands. This is referred to as the “Pre-Conditions” phase.

In July 2020, the District launched a three-phase process called Planning the Upper Lands, which has been a comprehensive planning and community engagement process to create detailed policy for the lands in Eagleridge and Cypress Village (contained in the Area Development Plan) and proposed bylaws and legal agreements to implement the policy.

The process has three phases as illustrated in the diagram below (with Phase 3 divided into two steps).

Planning the Upper Lands Process



Phase 1, Phase 2, and Phase 3, Step 1 are complete and are documented in the following sections.

5.2.2 Overview of Phase 1 of Planning the Upper Lands

Timing and Objectives for Phase 1

Phase 1 of Planning the Upper Lands spanned July to December 2020. The objectives of Phase 1 were as follows:

⁵ In 1931, BPP acquired about 4,000 acres of undeveloped, residential zoned land above Highway 1 from the District. BPP then designed and built the Lions Gate Bridge and started developing the Upper Lands, starting at the eastern boundary of the District and moving westward, with new neighbourhoods planned incrementally over time. There are four remaining planning areas as noted above. BPP owns about 262 acres of the total 690 acres in Eagleridge, about 75 acres of the total 170 acres in Inter Creek, about 177 acres of the total 200 acres in Cypress West, and about 235 acres of the total 345 acres in Cypress Village. This creates an opportunity to plan for the areas in a more holistic way.

- Seek community input about proposed principles to help guide the detailed planning for Eagleridge and Cypress Village.
- Seek community input about the trade-off between the scale of development in Cypress Village and the share of Eagleridge that is protected at this time. Two options were presented in the Phase 1 engagement materials:
 - Approach A: Protect about half of Eagleridge at this time and plan for about 2,500 housing units (plus amenities and commercial space) in Cypress Village. The other half of Eagleridge would then be protected as part of a subsequent, future planning process.
 - Approach B: Protect all of Eagleridge at this time, plan for about 3,500 housing units (plus amenities and commercial space) in Cypress Village and determine what other mechanisms are also needed (in addition to housing units) to make this approach work (e.g. trading District lands in Cypress Village for BPP lands in Eagleridge, reducing the total amount of amenities to be paid for by BPP).

The Phase 1 planning and engagement process did not consider the option of developing BPP's lands in Eagleridge and Cypress Village under the existing single family zoning because it would be inconsistent with the District's OCP. The OCP includes policy that encourages transferring the development potential away from Eagleridge (and Inter Creek) to protect the lands in these areas. The OCP also includes policy to create compact, sustainable urban communities in Cypress Village (and Cypress West) instead of developing large-lot single family subdivisions that do not support transit service and do not allow the potential to create communities in which residents can walk to commercial and community facilities. The OCP was updated in 2018 and there was extensive community consultation about updating the OCP policies at that time, so this planning process is working within the context of exploring a first major step towards implementing the vision in the OCP.

Scope of Phase 1

Phase 1 involved:

- Creating a dedicated webpage on the District's westvancouverITE.ca platform (westvancouverITE.ca/upperlands) to raise awareness, communicate information, and engage with the community, and posting initial planning documents on the webpage. The webpage has been the main portal for the public to (a) access up-to-date information about the project throughout the process, (b) access online surveys and question forms, and (c) subscribe to project updates.
- Creating a project-specific email address to receive questions.

- Sending an initial postcard mailer to all households and businesses in West Vancouver at project launch.
- Awareness building and promotion using methods including North Shore News print and digital advertisements, e-newsletters, and social media campaigns using the District's Facebook, Instagram, and Twitter platforms.
- Providing an online community survey (Phase 1 Survey) on the project webpage.
- Engaging with members of the former Upper Lands Working Group. The Upper Lands Working Group was appointed in late 2012 and completed their work during 2013 to 2015, which helped define the overarching vision and idea of protecting the lands in Eagleridge and Inter Creek through the transfer of development potential to Cypress Village and Cypress West. The former group members offered ongoing input and insight, feedback about the content of materials, suggestions for important questions to be addressed, and suggestions for the narrative about the dual goals of the process.
- Participating in Cypress Liaison group meetings, which are organized twice a year by the District for groups, associations, and organizations with an interest in the Upper Lands to provide updates to each other.
- Outreach to 39 stakeholder groups to advise about the planning and engagement process, communicate that the online survey was available, and communicate an openness to receiving input. During this phase, input was provided by 8 stakeholder groups.
- Outreach to the Squamish Nation, Tsleil-Waututh Nation, and Musqueam First Nation to communicate that the District-led planning and engagement process is underway and to communicate an openness to receiving input.
- Engaging with BPP, the major landowner, at key milestones.

Outcomes of Phase 1

Phase 1 culminated in the planning team⁶ submitting a report and presenting the findings from Phase 1 to Council at its February 8, 2021 regular meeting. A copy of the Phase 1 staff report, which includes the Phase 1 Engagement Summary Report, is online here: <https://westvancouver.ca/sites/default/files/dwv/council-agendas/2021/feb/08/21feb08-7.pdf>

⁶ The planning team includes District staff and the planning consultant.

The main themes from the Phase 1 Engagement were as follows:

- There was strong support for the overarching idea of creating a sustainable, urban community in Cypress Village and protecting lands in Eagleridge.
- There was strong support for Approach B (described above).⁷
- There was interest in including affordable housing and a range of amenities and recreation opportunities in Cypress Village.
- There was concern about traffic impacts, storm water management, wild fire management, and the potential loss of mountain biking trails in Cypress Village.
- A small number of people expressed opposition to any development in the Upper Lands or a preference for the Upper Lands to be developed under the existing single family zoning.⁸

Phase 1 recommended that Phase 2 include (a) traffic impact analysis and (b) contact with the Department of Fisheries and Oceans (“DFO”) regarding environmental features in the village core area that could be impacted by development and an approach to mitigation and compensation.

At the end of Phase 1, Council directed the planning team to proceed to Phase 2 of the process based on the proposed Planning Principles developed during Phase 1 and Approach B (protect 100% of Eagleridge, plan for about 3,500 housing units plus amenities and commercial space in Cypress Village, and determine what other mechanisms are needed to make this approach work).

5.2.3 Overview of Phase 2 of Planning the Upper Lands

Timing and Objectives of Phase 2

Phase 2 spanned March to November 2021. The objectives of Phase 2 were to:

- Develop and present a proposed land use plan and development concept for Cypress Village, consistent with the policies in the OCP and the direction from Phase 1.
- Seek community and stakeholder input about the level of support for the proposed land use plan and development concept for Cypress Village.

⁷ In the Phase 1 Survey, 64.5% of all respondents (and 67% of those who indicated they live in West Vancouver) indicated that they would prefer to protect all of the Eagleridge lands at this time, rather than in a phased approach, despite the trade-off of a larger scale community in Cypress Village.

⁸ In the Phase 1 Survey, 27 people expressed opposition to any development in the Upper Lands and 13 people expressed a preference for the Upper Lands to be developed under the existing single family zoning. For context, a total of 617 surveys were completed in Phase 1.

- Provide open-ended opportunities for the public to ask questions and provide suggestions/comments.

Scope of Phase 2

Phase 2 involved:

- Developing and posting documents on the project webpage containing:
 - Updated planning principles for Cypress Village and Eagleridge;
 - Proposed concept plans (including an urban and natural areas plan, road network plan, land use plan, active transportation network and recreation areas plan) for Cypress Village;
 - Information about the proposed community size, housing mix, community facilities, transit, servicing strategy, anticipated phasing of development, and approach to protecting the lands in Eagleridge. Phase 2 proposed a total of about 3,700 housing units for Cypress Village, which is slightly higher than the 3,500 housing units referred to during Phase 1. The difference reflected the desire to include some purpose-built affordable rental housing in the village; and
 - A list of answers to anticipated questions.
- Completing a Traffic Impact Assessment (“TIA”) as recommended in Phase 1, plus additional traffic analysis to help inform the planning work, and posting a summary of the findings on the project webpage.
- Communication with DFO, as recommended in Phase 1.
- Continuing to respond to enquiries received.
- Continuing to raise awareness of the planning and engagement process and opportunities for input using methods including North Shore News print and digital advertisements, The Beacon print and digital advertisements, e-newsletters, social media campaigns using the District’s Facebook, Instagram, and Twitter platforms, a direct mailout to residents in nearby neighbourhoods, and posters at the West Vancouver Memorial Library and Seniors’ Activity Centre.
- Providing in-person/socially-distanced engagement activities at the West Vancouver Memorial Library and the Youth Hub.
- Hosting three Virtual Information Meetings.
- Providing an online community survey (Phase 2 Survey) on the project webpage.
- Continuing to engage with members of the former Upper Lands Working Group.
- Participating in Cypress Liaison group meetings.

- Outreach to 40 stakeholder groups to advise about the planning and engagement process, communicate that the online survey was available, and communicate an openness to receiving input. During this phase, input was provided by 6 stakeholder groups.
- Providing information to the Squamish Nation, Tsleil-Waututh Nation, and Musqueam First Nation to communicate that Phase 2 of the District-led planning and engagement process is underway and an openness to receiving input.
- Ongoing discussions with BPP about the transfer of development potential, community amenities and benefits, development phasing, and planning and engagement work for Cypress Village and Eagleridge.

Outcomes of Phase 2

Phase 2 culminated in the planning team submitting a report and presenting the findings from Phase 2 to Council at its November 19, 2021 regular meeting. A copy of the Phase 2 staff report, which includes the Phase 2 Engagement Summary Report, is online here:

<https://westvancouver.ca/sites/default/files/dwv/council-agendas/2021/dec/06/21dec06-7.pdf>

The main themes from the Phase 2 Engagement were as follows:

- There was continued support for the dual objectives of creating a sustainable, urban community in Cypress Village and protecting lands in Eagleridge.
- There was strong support for the proposed land use plan and development concept for Cypress Village.⁹

⁹ In the Phase 2 Survey, respondents were asked to indicate their level of support for five proposals: the proposed housing mix, proposed land use plan, proposed active transportation network/recreation areas plan, proposed list of community facilities, and proposed form and character for development in Cypress Village. The community responded with support for all five proposals:

- Proposed housing mix: 60% of all respondents (and 58% of those who indicated they live in West Vancouver) indicated they “support” or “generally support but have some concerns”.
- Proposed land use plan: 60% of all respondents (and 57% of those who indicated they live in West Vancouver) indicated they “support” or “generally support but have some concerns”.
- Proposed walking, cycling, and recreation networks: 68% of all respondents (and 67% of those who indicated they live in West Vancouver) indicated they “support” or “generally support but have some concerns”.
- Proposed community facilities: 72% of all respondents (and 69% of those who indicated they live in West Vancouver) indicated they “support” or “generally support but have some concerns”.
- Proposed form and character: 59% of all respondents (and 57% of those who indicated they live in West Vancouver) indicated they “support” or “generally support but have some concerns”.

The planning work in Phase 3 took into consideration the main concerns raised in Phase 2.

- Concerns focused on traffic impacts, environmental impacts, storm water management, density, and the loss of existing (unauthorized) mountain biking trails in Cypress Village.
- Suggestions for refinement were extensive, varied, and diverse. Some frequently noted suggestions for refinement were:
 - Consider a higher share of low-density multi-family forms.
 - Consider increasing the affordable housing component.
 - Consider reducing building heights.
 - Consider reducing the footprint of the low-density residential area in the northwest corner of the planning area.
 - Consider sufficient infrastructure to accommodate vehicles (e.g. parking).
 - Consider separating cycling paths from walking paths and vehicular traffic.
 - Preserve as many of the existing mountain biking trails as possible.
 - Consider the interface between the proposed multi-use path above the 1200 foot contour and existing mountain biking trails.
 - Commit to subsequent process(es) to formalize, plan for, build, and manage mountain biking trails (in the proposed mountain biking area in Cypress Village and above the 1200 foot contour).
 - Consider an ice rink as part of the community facilities.
- As in Phase 1, a small number of people expressed opposition to any development in the Upper Lands or a preference for the Upper Lands to be developed under the existing single family zoning.¹⁰

At the end of Phase 2, Council directed the planning team to proceed to the third and final phase (Phase 3).

5.2.4 Division of Phase 3 into Two Steps

The original intention for Phase 3 was to move directly into documenting the proposed bylaws and bringing them forward for Council's consideration of adoption, with community input during Phase 3 being provided in the public hearing process. However, given the amount of information and the level of interest from the community and stakeholders in planning for Cypress Village and Eagleridge, Phase 3 was divided into two main steps:

- Developing a draft Area Development Plan ("ADP") and posting the draft ADP on the project webpage with an opportunity for the

¹⁰ In the Phase 2 Survey, 48 people expressed opposition to any development in the Upper Lands and 7 people expressed a preference for the Upper Lands to be developed under the existing single family zoning. For context, a total of 509 surveys were completed in Phase 2.

community and stakeholders to review the draft and ask questions, prior to the bylaw adoption process. This is referred to as the Phase 3 Engagement. This step is complete.

- Preparing the full proposed approvals package including a final proposed ADP, and proposed bylaws and legal agreements to help implement the policies in the proposed ADP, to bring forward for Council's consideration. This step is the subject of this report.

5.2.5 Overview of Phase 3, Step 1 of Planning the Upper Lands

Timing and Objectives for Phase 3, Step 1 (Phase 3 Engagement)

Phase 3, Step 1 (the Phase 3 Engagement) was completed during January to June 2022. The objectives were to:

- Allow the community and stakeholders to review the draft ADP for Cypress Village and ask questions about the draft Plan, prior to the bylaw adoption process.
- Re-engage with the community and stakeholders who provided input during Phases 1 and 2 and explain how community input from Phases 1 and 2 influenced the draft ADP.

Scope for Phase 3, Step 1 (Phase 3 Engagement)

The Phase 3 Engagement involved:

- Developing a full draft of the Area Development Plan ("ADP") for Cypress Village and Eagleridge consistent with the policies in the OCP and the direction from Phases 1 and 2.
- Posting the draft ADP plus supporting documents (including an update about status, an updated list of answers to anticipated questions, an updated summary of the traffic analysis, and an overview of community input during Phases 1 and 2 and how that helped shape the draft ADP) on the project webpage.
- Continuing to respond to enquiries received.
- Communicating that the draft ADP was available for review and that there was an opportunity to ask questions about the draft ADP, using methods including North Shore News print and digital advertisements, e-newsletters, social media campaigns using the District's Facebook, Instagram, and Twitter platforms, a direct mailout to residents in nearby neighbourhoods, and posters at the West Vancouver Memorial Library, West Vancouver Community Centre, Seniors' Activity Centre, and Youth Hub.
- Providing an opportunity for the public to ask questions about the draft ADP using an online question form (the Phase 3 Question Form).
- Participating in Cypress Liaison group meetings.

- Hosting four pop-up information booths (at Spring Fest West at the Gleneagles Community Centre, West Vancouver Memorial Library, West Vancouver Community Centre, and Cypress Pop-Up Village).
- Hosting two Virtual Information Meetings.
- Continuing to engage with members of the former Upper Lands Working Group.
- Outreach to 40 stakeholder groups to advise that the draft ADP was available for review and to communicate an openness to receiving input. During this phase, input was provided by 5 stakeholder groups.
- Providing the draft ADP to the Squamish Nation, Tsleil-Waututh Nation, and Musqueam First Nation along with information about how the draft responded to input from Phase 2.
- Engaging with BPP, the major landowner, in ongoing discussions and negotiations about the transfer of development potential, community amenities and benefits, development phasing, amenity delivery schedules, planning and engagement work, and content of the proposed bylaws and legal agreements to help implement the proposed ADP.

Outcomes of Phase 3, Step 1 (Phase 3 Engagement)

The Phase 3 Engagement culminated in the planning team posting a Phase 3 Engagement Summary report on the project webpage in July 2022, which is attached as **Appendix 19**.

The main themes from the Phase 3 Engagement were as follows:

- Almost all input received on all platforms was positive and was mostly questions for clarification or suggestions for refinements.
- Questions/comments were varied and diverse. Topics included:

| | | |
|--|---|--|
| <ul style="list-style-type: none"> • Accessibility • Active transportation network • Climate change • Community facilities • Creekside protection • Financial considerations • Form and character • Future processes for trail planning • How input shaped the Draft Plan | <ul style="list-style-type: none"> • Impacts on environment • Impacts on wildlife including birds • Land ownership • Phasing of development • Planning context • Protection/management of Eagleridge lands • Recreation elements (mountain biking, bouldering) | <ul style="list-style-type: none"> • Residential mix • Road network changes • School planning • Servicing • Timeline for approvals • Timeline for unit sales • Traffic impacts • Transit • View impact images |
|--|---|--|

- Comments that expressed concerns focused on traffic impacts, impacts on the environment/wildlife, and storm water management. This is a narrower range of concerns than in previous phases.

An overall summary of community input from all phases of the Planning the Upper Lands process and how that helped shape the proposed ADP is attached as **Appendix 20**.

The second and final step in Phase 3 (Step 2: preparing the proposed approvals package to bring forward for Council's consideration) is the subject of this report.

6.0 Analysis

6.1 Discussion

6.1.1 Status of the Planning Process

As noted above, Phase 1, Phase 2, and Phase 3, Step 1 are complete and the proposed approvals package (Phase 3, Step 2) has been prepared for Council's consideration.

6.1.2 Key Assumptions for the Overall Process

Key assumptions that were incorporated into the overall Planning the Upper Lands process are as follows:

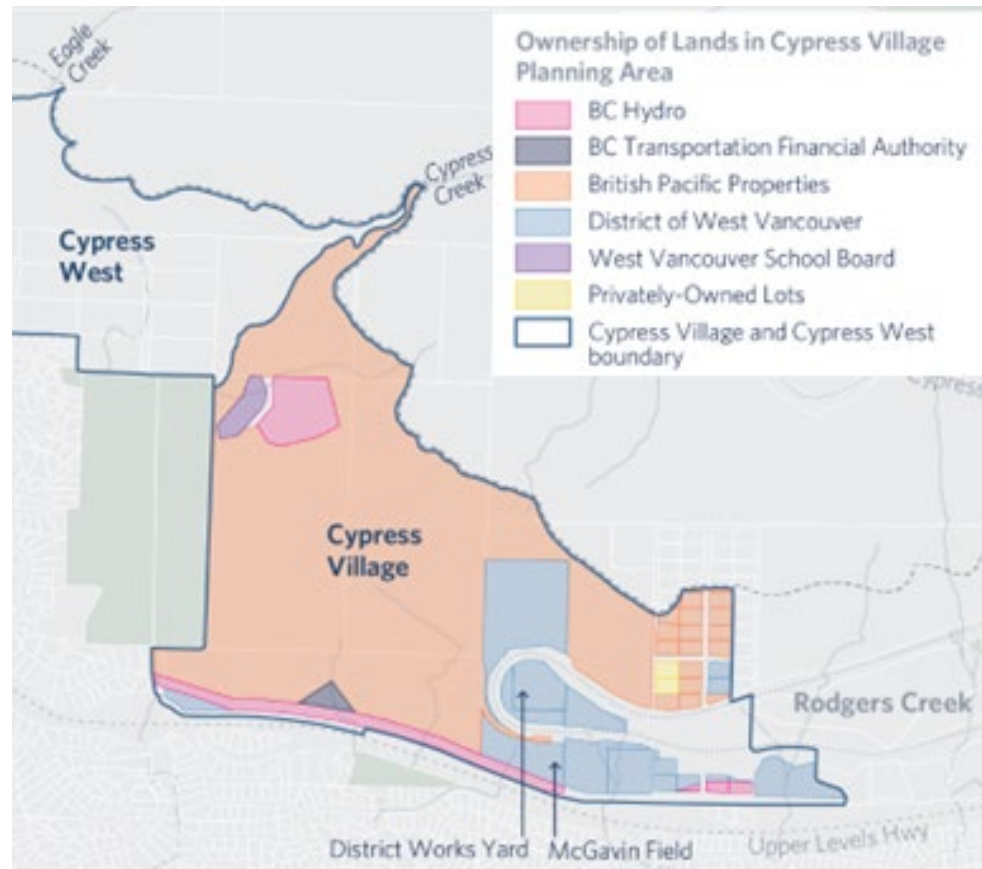
1. This planning and engagement process focused on creating detailed policy for protecting the lands in Eagleridge that are currently owned by BPP and for creating a compact, sustainable urban community in Cypress Village as a first step towards implementing the Upper Lands policies in the OCP. Planning for Inter Creek and Cypress West should be done in a subsequent, future planning process.
2. The OCP policies regarding "transferring the development potential" from lands in Eagleridge to Cypress Village necessarily involve converting the development potential under existing zoning from single family lots/houses into multi-family units to achieve a compact, sustainable urban community. Multi-family housing has a lower land value per unit than single-family housing, so more than one multi-family unit is needed in Cypress Village to offset the land value of each foregone single-family lot. About 2 to 3 townhouse units or about 5 to 7 strata apartment units are needed in the mixed-use village to equal the value of each foregone single-family lot on BPP's lands in Eagleridge and Cypress Village. One reason for this is that the housing units in the mixed-use community in Cypress Village will be much smaller than the single-family houses that are permitted under the existing zoning. For example:
 - Under the existing single-family zoning on BPP's lands in Cypress Village, a total of about 310 large single family lots could be developed. The average lot size would be about 0.6 acres and the average house size would be about 9,100 square feet (plus floorspace exclusions such as basement areas).

- Under the existing single-family zoning on BPP's lands in Eagleridge, a total of about 316 large single family lots could be developed. The average lot size would be about 0.7 acres and the average house size would be about 10,600 square feet (plus floorspace exclusions such as basement areas).
- Housing units will be much smaller in the mixed-use village. For example, the average unit size based on the number of units and permitted floorspace by unit type in the proposed zoning is about 1,300 square feet for strata apartment units, about 2,700 square feet for townhouse units, and about 3,300 square feet for single-family houses.

The existing single family zoning on BPP's lands in Eagleridge and Cypress Village supports significant existing land value. The fundamental financial basis for the transfer of development rights and rezoning is that the value of BPP's vacant land in Cypress Village *after rezoning* to allow a mixed-use village should be approximately equal to the value of BPP's vacant lands in Eagleridge and Cypress Village *under the existing zoning*, which allows single family lot subdivision.

3. The planning work incorporated the condition that BPP will provide Independent Transit Service ("ITS") at Cypress Village (bus service connecting the village to Park Royal) at its cost for the 20 year term of the Cypress Village Phased Development Agreement (unless TransLink takes over the service during that timeframe), reflecting that in Fall 2019 TransLink approved in principle BPP's proposal about this service.
4. The District's Operations Centre (Works Yard) site is located in the Cypress Village area and is assumed to remain in its present location for the foreseeable future, because previous analysis (prior to this planning and engagement process) found that there are limited options for where the Works Yard could be relocated to and doing so would involve significant capital costs. The planning work for Cypress Village allows for flexibility for the Works Yard site to change in the future, but assumes the facility remains in this location (with some reconfigurations necessitated by the plan).
5. The District-owned McGavin Field site should be used for community facilities, as these lands are centrally-located in Cypress Village, flat (which is required for amenities such as a sports field), and the District's use of the site is limited to public/community uses by a restrictive covenant in favour of BPP.

Location of McGavin Field Site



6.1.3 Key Starting Directions for Phase 3, Step 2 (Preparation of the Approvals Package)

The proposed Area Development Plan and associated proposed bylaws and legal agreements are based on the following key starting directions from the planning and engagement work and direction from Council in previous phases:

1. Protect 100% of the lands in Eagleridge that are currently owned by BPP and obtain District ownership of these lands.
2. Include a total housing count of 3,711 units and total employment floorspace of 380,600 square feet in Cypress Village, as in the draft ADP.
3. Refine the proposed land use plan, urban and natural areas plan, road network plan, active transportation network plan, recreation areas plan, development concept, list of community amenities, and form and character presented in the Phase 3 Engagement to reflect additional technical work, input from the community and stakeholders in the Phase 3 Engagement, as well as input from other agencies (e.g. Ministry of Transportation and Infrastructure, DFO), First Nations, District departments, and negotiations with BPP.

4. Finalize the funding strategy and mechanisms needed (in addition to density) to achieve the full protection of all of the lands in Eagleridge that are currently owned by BPP and the desired list of community amenities for Cypress Village presented in the draft ADP.

6.1.4 Review of Draft ADP by Past West Vancouver Director of Planning, Lands, and Permits

As part of the Phase 3, Step 2 work, the District asked Mr. Steve Nicholls, Past West Vancouver Director of Planning, Lands, and Permits, to review and comment on the draft ADP. The review letter is attached as **Appendix 21**, in which Mr. Nicholls concluded that the draft ADP's "proposals are extensive and inclusive, and have the promise of creating a community focus and identity not just for the future residents within it, but also for those in the surrounding neighbourhoods." Mr. Nicholls also indicated that "based upon my review, and my experience in community planning and development in West Vancouver, it is my view that the proposed plan for the Cypress Village and Eagleridge lands is consistent with the history of policy development over the past 4 decades, and will result in significant benefit to our community."

6.1.5 Summary of Main Changes to the Proposed ADP Since the Draft ADP

A final proposed ADP has been prepared which reflects the following main changes since the published draft ADP:

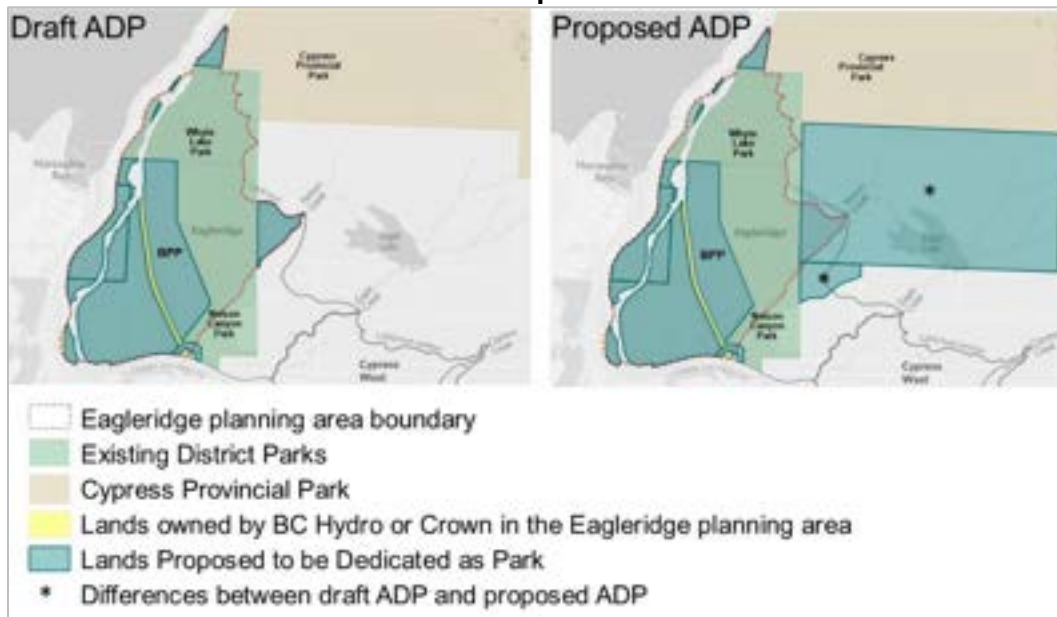
1. Refinements to reflect public input during the Phase 3 Engagement, such as:
 - Increasing the setback from Cypress Creek.
 - Adding text indicating that, as subdivision and development proceeds, there may be opportunities to consider including space for community groups (e.g. a nature house).
 - Adding a view of Cypress Village from Kitsilano Beach into the View Analysis section of the ADP.
 - Noting that the Independent Transit Service will serve residents of Rodgers Creek and nearby areas in addition to residents of Cypress Village.
 - Describing the goal of having mountain biking trails for all levels of riders and noting that opportunities to keep existing trails, re-route existing trails, and add new trails should be considered during implementation.
 - Noting that there may be opportunities to utilize facilities at Mulgrave School in addition to the local-serving amenities and facilities included in the plan for the village.

These were mostly clarifications and additional details, not substantial changes to the draft ADP.

2. Refinements to reflect additional technical work, input from other agencies, input from District departments, and the business terms negotiated between the District and BPP for the transfer of development potential, the District's acquisition of all of BPP's lands in Eagleridge, and the funding strategy for amenities in Cypress Village, including:
 - a) Increasing the total permitted residential floorspace (from 4.8 million square feet to 5.1 million square feet) and consequential changes to floorspace by unit type, but with no changes to total unit count (which is still 3,711 housing units) or number of units by type.¹¹
 - b) Changing BPP's obligation regarding the affordable rental housing. BPP will be responsible for providing two subdivided, serviced parcels of land to the District (or, at the District's option, to a non-profit housing operator selected by the District), instead of BPP being responsible for working with non-profit housing operators to provide the affordable rental housing units. The District can lease the sites to non-profit housing operator(s) who will build/operate the affordable housing, giving the District more control over selecting the non-profit entity and the construction schedule.
 - c) Refining some development pod and natural areas footprints.
 - d) Refining the routing of the multi-use path south of Eagle Lake Road.
 - e) Increasing the amount of District-owned land in/near Eagleridge proposed to be dedicated as municipal park in the proposed ADP. The draft ADP identified the 262 acres in Eagleridge that are currently owned by BPP as lands proposed to be dedicated as municipal park as well as District-owned lands *within* the Eagleridge planning area boundary that are not yet dedicated as park. Based on more detailed planning work, two District-owned legal lots are partly in the Eagleridge planning area and partly above the 1200 foot contour (which marks the northeastern boundary of the Eagleridge planning area). The proposed ADP now includes these two District-owned parcels in their entirety (not just the portions *within* the Eagleridge planning area) as part of the area proposed to be dedicated as park.

¹¹ The traffic analysis, servicing analysis, and comprehensive financial analysis described in Sections 6.1.7, 6.1.8, and 6.1.9 were updated to reflect this change.

Comparison of Lands In/Near Eagleridge Proposed to be Dedicated as Park in the Draft ADP and Final Proposed ADP



This change is consistent with, and makes progress towards¹², the Upper Lands Legacy Park Dedication resolution that Council approved at its February 12, 2024 regular meeting, seeking to protect District-owned property in the Upper Lands above the 1200 foot contour that is not yet dedicated as park.

3. Preparing four Development Permit Area (“DPA”) Guidelines for Cypress Village (CV1: Cypress Village Riparian Areas DPA Guidelines, CV2: Cypress Village Wildfire Hazard DPA Guidelines, CV3: Cypress Village Hazardous Conditions DPA Guidelines, CV4: Cypress Village Form and Character DPA Guidelines) for inclusion in the ADP document. The draft ADP noted that Development Permit Area Guidelines would be developed and inserted in the final proposed ADP, and this is now complete.

6.1.6 Highlights of the Proposed ADP

The proposed ADP sets out detailed policies for the protection of Eagleridge and the development of Cypress Village. These policies form the basis of the proposed bylaws and legal agreements.

Highlights of the proposed ADP are as follows:

1. Housing Count and Community Size: The proposed ADP includes a total of 3,711 housing units (as in the draft ADP) with a housing mix that is predominantly multi-family units to help achieve a compact,

¹² The February 12, 2024 resolution noted that the District-owned property above the 1200 foot contour that is not yet dedicated as park totals approximately 2,500 acres. The proposed ADP and associated proposed Park Dedication bylaw for Eagleridge includes 585.7 acres above the 1200 foot contour.

sustainable community that is transit-oriented, supports walking and cycling for many daily errands, and accommodates the transfer of development potential that helps to enable the protection of lands in Eagleridge. It will likely take about 20 to 25 years for the village to be built. It is expected that about 6,900 people will live in Cypress Village when it is fully built.

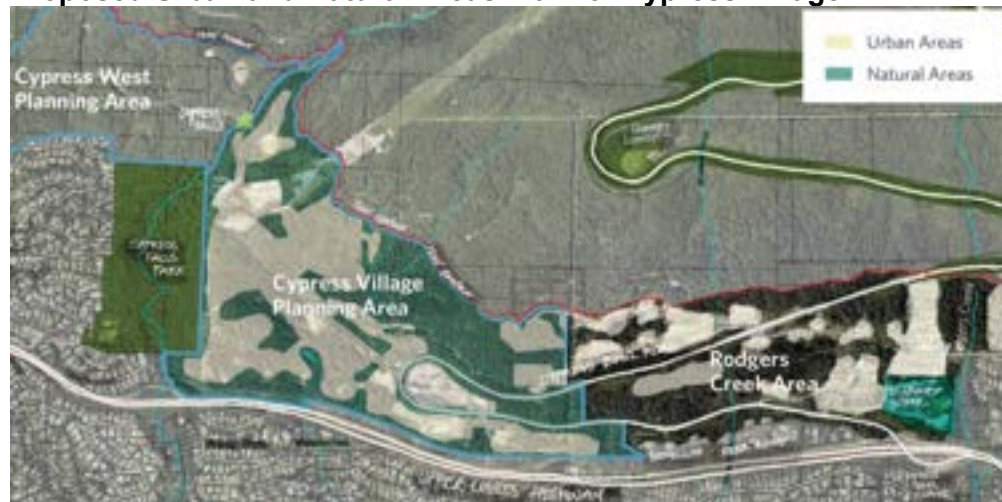
Proposed Housing Mix

| Unit Type | Total # of Housing Units | Approximate Share of Total Units |
|--|--------------------------|----------------------------------|
| Single family lots/houses | at most 230 units | 6% |
| Duplex, triplex, townhouse units | at least 161 units | 4% |
| Rental apartment units, affordable rental rates ^a | at least 184 units | 5% |
| Rental apartment units, market rental rates | at least 553 units | 15% |
| Strata apartment units | at most 2,583 units | 70% |
| Total ^b | at most 3,711 units | 100% |

Notes:

- a. The target average rental rates for the purpose-built affordable rental housing units are 70% of market rents for similar new units. The actual rents will be determined on a project-by-project basis taking into consideration the rates needed to fund project cost (excluding land costs) and any grants, financing, or funding provided by senior levels of government that can help reduce the rents.
 - b. Not including secondary suites and detached secondary suites, which are in addition.
2. Urban and Natural Areas Plan: In addition to protecting lands in Eagleridge for conservation and recreation, the intent is to cluster development in Cypress Village to retain at least 30% of the Cypress Village area for conservation and recreation. The Cypress Village area has a total size of 345 acres, so this means at least 103 acres will be retained for conservation and recreation.

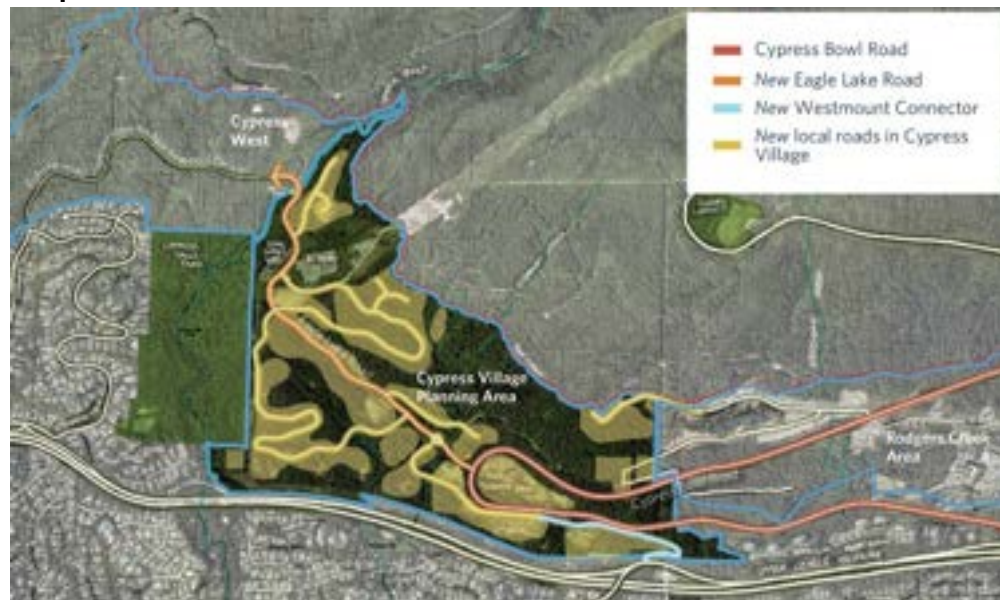
Proposed Urban and Natural Areas Plan for Cypress Village



To achieve a compact, higher density, sustainable urban core, and the full protection of Eagleridge, there will be some impacts on relatively small aquatic features and riparian areas in Cypress Village which will require compensation through the construction of new and improved habitat. The compensation approach required authorization by DFO, which BPP has obtained.

3. **Road Network Plan:** Three vehicular access points to Cypress Village are included in the plan:
 - Access from Cypress Bowl Road from the existing interchange on Highway 1 (Exit 8) which will undergo improvements;
 - Access from the Chippendale Road intersection at Cypress Bowl Road northeast of the village; and
 - A new two-way road (referred to as the Westmount Connector) to be built by BPP as part of developing Cypress Village connecting the Westmount Road Interchange (Exit 7) from Wentworth Avenue up to the village.

Proposed Road Network



4. **Land Use Plan:** The proposed land use plan for when Cypress Village is fully developed in about 20 to 25 years has five main elements:
 - The mixed-use village core (shaded red and numbered 1 on the image below), which is proposed to contain almost all of the commercial space, community facilities, and a mix of mid-rise buildings of about 4 to 6 storeys and taller buildings with residential above commercial. The proposed zoning allows a maximum of 5 buildings up to 25 storeys in the mixed-use village core.
 - Multi-family residential areas (shaded orange and numbered 2) along Eagle Lake Road to help concentrate additional housing near

the village core. A mix of mid-rise buildings in the range of 4 to 6 storeys and up to 8 taller buildings (maximum height of 25 storeys) are permitted in the proposed zoning.

- Lower density residential areas (yellow shading and numbered 3) which will include ground-oriented housing (small single family houses, duplexes, townhouses).
- Employment areas (blue shading and numbered 4), including the existing District Operations Centre (Works Yard) site and a new business park-type employment area at the proposed Westmount Connector. For the business park employment space, the proposed zoning includes uses compatible with a location in close proximity to the village (e.g. office, craft brewery, light manufacturing).
- Community facilities (community centre, elementary school, and sports field) clustered on the District-owned site known as McGavin Field.

Proposed Land Use Plan



5. Proposed Active Transportation Network/Recreation Areas Plan: The proposed ADP aims to provide multiple options for people to choose active modes of travel (cycling, walking, scooting, rollerblading, etc) and avoid driving in cars for many of their trips within the village. There are some pedestrian-only paths, some paved multi-use paths, and some cycling-only paths. There are also hiking, mountain biking, and bouldering recreational opportunities as well as supporting infrastructure (e.g. parking, staging, trailheads, washrooms).

Proposed Active Transportation Network/Recreation Areas Plan

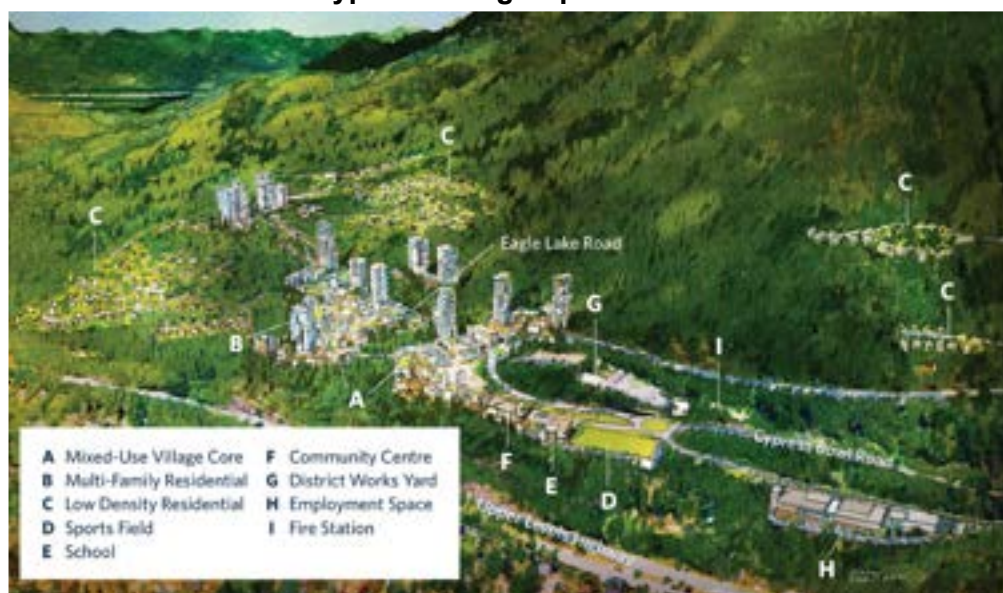


6. Community facilities and amenities: The proposed ADP seeks to provide the transit, commercial space, and community facilities that are needed by existing and future residents of Cypress Village as well as Rodgers Creek and other nearby areas, including:
- A new community centre (with a gym, fitness centre, multi-purpose rooms, and possibly a branch library) similar in size and design as the Gleneagles Community Centre.
 - A new fire station.
 - Neighbourhood parks and plazas.
 - Paved multi-use paths.
 - Hiking trails.
 - Over 50 acres of land for mountain biking.
 - A sports field.
 - Childcare spaces.
 - A site for an elementary school (for when School District 45 has funding in place to build and operate an elementary school in Cypress Village).
 - Independent transit service (bus service connecting the village with Park Royal).
 - Commercial space (which will include restaurants, cafes, stores, and services that will meet the needs of Cypress Village and

Rodgers Creek residents while also providing an attractive amenity for all residents of West Vancouver).

7. **Illustrative Images:** The proposed ADP includes several images of what the village could look like when it is fully developed in 20 to 25 years as well as a view impact analysis. The proposed form incorporates taller buildings to help reduce the footprint of development and to accommodate the transfer of development potential that helps enable the protection of the lands in Eagleridge owned by BPP.

Artist's Illustration of Cypress Village Upon Build-Out



8. **Development Permit Area Guidelines:** The proposed ADP includes four DPA Guidelines (CV1: Cypress Village Riparian Areas DPA Guidelines, CV2: Cypress Village Wildfire Hazard DPA Guidelines, CV3: Cypress Village Hazardous Conditions DPA Guidelines, CV4: Cypress Village Form and Character DPA Guidelines).
9. **Future planning processes:** The proposed ADP sets out three future planning processes for the District to undertake:
 - a) Explore options for managing the lands in Eagleridge.
 - b) Formalize, plan for, build, and manage mountain biking trails in the designated mountain biking area.
 - c) Formalize, build, and manage hiking and mountain biking trails above the 1200 foot contour as a continuation of the incremental step-by-step process towards a broader management plan for the entire mountainside.

Overall, the proposed ADP aims to protect a very large natural area for recreation and conservation, limit suburban sprawl, concentrate urban development in a more compact, sustainable way, and provide a range of

housing choices to help expand housing supply, diversity, and affordability in the community.

The proposed ADP is included in proposed “Official Community Plan Bylaw No. 4985, 2018, Amendment Bylaw No. 5205, 2024.” The policies in the proposed ADP are the basis for the proposed bylaws and legal agreements.

6.1.7 Traffic Impact Assessment (TIA) and Additional Traffic Analysis

When considering the possible traffic impacts of Cypress Village, there are several factors to consider:

- The impacts will be gradual because the village will be built over 20 to 25 years;
- Other changes will also contribute to the amount of traffic that affects West Vancouver residents (e.g. residential development in the Sea-to-Sky Corridor, other parts of the North Shore, and rest of the region as well as increased passenger volumes on BC Ferries);
- Some additional traffic would have been caused by development under the existing single family zoning (which was netted out of the analysis);
- Vehicular trips will be spread throughout the day; and
- The village is being purposefully planned to reduce trips elsewhere by including amenities, employment uses, retail/service space, and transit.

As part of the technical work, traffic analysis was completed in two ways:

- A Traffic Impact Assessment (TIA), which focused on assessing the potential impacts of the Cypress Village development on the existing local road infrastructure network.
- A broader analysis (referred to as the Municipal Analysis), which considered travel impacts that could result from Cypress Village.

Traffic Impact Assessment (TIA)

The TIA was completed by BPP’s transportation consultants, based on terms of reference approved by the District and the Ministry of Transportation and Infrastructure (“MoTI”). Both the TIA and an Addendum¹³ to the TIA were accepted by MoTI (see **Appendix 23**).

As noted above, the TIA focused on assessing the impacts of the development of Cypress Village on the existing local road infrastructure network. It reflected the active transportation facilities planned for Cypress Village and the following proposed improvements to the local road network to accommodate traffic volumes for Cypress Village:

¹³ The Addendum to the TIA considered the increase in the amount of residential floorspace between the draft ADP and the proposed ADP and updated planning/technical inputs.

- A new two lane road referred to as the Westmount Connector which will connect Cypress Bowl Road to the Westmount/Highway 1 Interchange with a signalized intersection at the westbound off-ramp of the interchange.
- Conversion of the existing intersection on Cypress Bowl Road at the District Operations Centre (work yard) site into a new roundabout connecting to a street accessing the village and the new Westmount Connector.
- A new roundabout at the intersection of Cypress Bowl Road and a realigned Eagle Lake Road.
- A full traffic signal at the Cypress Lane intersection on Cypress Bowl Road (Mulgrave School Access).
- Upgrades to Cypress Bowl Road from Cypress Lane to the Highway 1 interchange.
- Upgrade to the Westmount Road/Westridge Road intersection to a full traffic signal.

The TIA concluded that with these local road network improvements, the future road network will perform well at the full build-out of Cypress Village with all intersections operating at acceptable levels of service.

Additional Traffic Analysis (Municipal Analysis)

In addition to the TIA, the District requested additional traffic analysis from BPP to help inform the planning work. This additional analysis was completed by BPP's consultants based on terms of reference from the District. The analysis found that when Cypress Village is completely built out in about 20 to 25 years:

- The additional travel time attributable to the mixed-use Cypress Village for illustrative trips from West Vancouver to downtown Vancouver, Lonsdale in North Vancouver, and Brentwood in Burnaby will be less than about a 2-minute increase.
- About 1% of the amount of traffic on the North Shore major road system (as measured by total daily vehicular kilometres travelled) will be related to Cypress Village (over and above the amount of traffic that would be related to development of Cypress Village under the existing single family zoning), which is a small share of future transportation demand on the North Shore.

6.1.8 Servicing Analysis

Servicing standards and design criteria for roads, the active transportation network, transit, water, sanitary sewer, rainwater management and conveyance, streetlighting, and third party utilities are set out in Schedule G of the Cypress Village Phased Development Agreement (PDA). In addition, the proposed ADP and Schedule G of the PDA include

conceptual road cross sections. The determination of key design principles, design criteria, and conceptual road cross sections was informed by detailed technical analysis and guided by the application of engineering standards and best practices. The work was conducted by professional engineering firms and was reviewed and accepted by District engineering staff, informed by input from other professional engineering consultants.

Detailed designs for all on-site and off-site infrastructure to serve Cypress Village will be completed as part of subdivision servicing requirements for individual parcels as subdivision and development proceeds over time, or as part of construction contracts or similar agreements between the District and BPP for off-site infrastructure not being constructed in connection with a specific subdivision approval. Detailed design for infrastructure must be consistent with the standards, criteria, and schematic road cross sections set out in Schedule G of the PDA, and will be subject to review and approval by the District and, in some cases, other agencies (e.g. the Ministry of Transportation and Infrastructure for changes to Cypress Bowl Road, TransLink for the independent transit service).

Infrastructure to serve the population and development in Cypress Village will connect with existing West Vancouver water, sewer, and stormwater servicing networks. Some key points about the water, sanitary sewer, and rainwater management and conveyance strategies are as follows:

Water

- Cypress Village will be connected to the existing District of West Vancouver water distribution system. As with much of the rest of the municipality, Cypress Village will be serviced with treated water provided by both Eagle Lake and Metro Vancouver sources.
- In addition to the local network of water infrastructure (e.g. distribution and transmission watermains in roads/rights-of-way, storage reservoirs, pump stations and pressure reducing valves), there will be several upgrades to the District's existing water infrastructure: relocating and upsizing an existing transmission watermain known as the "cross-country watermain", adding pumping capacity at the Westmount and 11th Street pump stations, and increasing the capacity within the Queens Avenue transmission watermain between the Westmount and 11th Street pump stations.

Sanitary Sewer

- Cypress Village will be connected to the existing West Vancouver sanitary sewer collection system. Almost all of the sewer collection system serving the Cypress Village development will connect to a single line that will exit Cypress Village, connect to the existing District sewer system, and then connect into Metro Vancouver's trunk system

which conveys effluent to the Lions Gate Wastewater Treatment Facility. Development in the northeast portion of the Cypress Village area adjacent to Rodgers Creek will connect to the existing Rodgers Creek sanitary sewer systems.

- In addition to the local network of sanitary sewer infrastructure to be constructed within the Cypress Village development lands, there will be some upgrades and upsizing required to the District's existing sanitary sewer infrastructure within catchments below the Upper Levels Highway, to provide net additional capacity to service the demand from the Cypress Village development.

Rainwater Management and Drainage

- The rainwater management strategy for Cypress Village will be designed to maintain the quantity and quality of water in the natural drainage systems of the Cypress Village area and avoid negative downstream impacts. The strategy will use a holistic approach including the principles of detention, retention, treatment, base flow maintenance, peak flow diversion, and enhanced environmental benefit for the entire development area.
- Low Impact Development features will be combined with productive natural wetland ecosystems to yield a system that removes pollutants, avoids increased erosion and flood risk, and encourages habitat growth.
- Consistent with the Five Creeks Integrated Stormwater Management Plan (ISMP), the western leg of the diversion system will be constructed to serve Cypress Village and will be tied into the existing diversion system, which will safely convey potentially damaging high runoff flows from significant weather events into the ocean. This approach is derived from and is an extension to the already completed Five Creeks diversion system/ISMP.
- Schedule G of the Phased Development Agreement sets out design criteria that must be adhered to for the rainwater management system and requires (a) a Hydrotechnical Master Plan be prepared for the District's review and approval for the entire Cypress Village development prior to the first subdivision to create lots/roads, (b) Subdivision Rainwater Management Plans be prepared for the District's review and approval for each subdivision application, and (c) Building Permit Rainwater Management Plans be prepared for the District's review and approval for each building and associated landscaping area.

Overall, the servicing strategy for Cypress Village is designed to achieve consistent service levels provided to existing populations within the District, and addresses the additional demands that will be generated by

Cypress Village; it aims to mitigate risks and build in resiliency, and reflects that it is more efficient to service a compact, sustainable community with a smaller development footprint than it would be to service large lot single family housing in Cypress Village and Eagleridge, which would be permitted under the existing zoning.

6.1.9 Fundamental Financial Principle for the Transfer of Development Potential/Rezoning

As previously noted, BPP's lands in Eagleridge and Cypress Village are currently zoned to allow development of large single family houses on large lots. This existing zoning creates development potential (and value).

The fundamental financial basis for the upfront transfer of development rights and the rezoning to allow a mixed-use Cypress Village instead of the existing single family zoning in Cypress Village and Eagleridge is that the value of BPP's vacant lands in Cypress Village *after rezoning* to allow a mixed-use village should be approximately match to the value of BPP's vacant lands in Eagleridge and Cypress Village *under the existing single family zoning*.

So, in addition to being based on comprehensive community planning principles developed during the process, the proposed bylaws and legal agreements reflect comprehensive financial analysis and negotiations with BPP. This involved:

- Estimating the land value supported by redevelopment in Eagleridge and Cypress Village under the existing single family zoning.¹⁴
- Estimating the land value supported by development under rezoning to allow a mixed-use community in Cypress Village.¹⁵

¹⁴ The financial analysis approach to estimating the value of BPP's lands in Eagleridge and Cypress Village under the existing single family zoning is called residual land value analysis (also known as pro forma analysis). The steps in the residual land value analysis were:

- prepare subdivision plans to estimate the number and sizes of single family lots that could realistically be developed under the existing single family zoning, taking into account terrain, environmentally sensitive areas, physical constraints, the parameters of the zoning, and the land that would be needed for roads and park dedications;
- estimate the total revenues related to selling single family lots (lot values, rate of lot sales);
- estimate the total costs of creating the single family lots (including servicing costs, professional fees, financing, all permits fees and levies, and contingency costs);
- estimate an allowance for developer profit (the analysis assumed a typical allowance as market forces tend to produce market-wide consistency in target profit levels);
- finally, the costs and profit allowance are deducted from the revenue estimate to determine the estimated land value supported by development under the existing zoning.

¹⁵ The same general approach was used to estimate the value of BPP's lands under rezoning to allow a mixed-use village (i.e. concept planning, estimating the revenues associated with the concept plan, estimating the infrastructure and amenities costs associated with the concept plan, deducting an allowance for developer profit, estimating the financial impacts of other agreed-upon mechanisms to help enable the protection of the lands in Eagleridge, and calculating the estimated land value supported by development under the rezoning to allow the mixed use village and associated package of business terms).

- Calibrating/negotiating the amount of density, mix of amenities, and other mechanisms needed to try to balance the land values under the two scenarios.

This is referred to as the land value-for-land value analysis.

6.1.10 Negotiated Business Terms

The negotiated business terms are as follows:

1. Eagleridge Lands and Community Amenities to be Provided by BPP:

BPP will transfer ownership of its lands in Eagleridge (262 acres) to the District. The value of these lands has been estimated by an independent appraiser retained by the District to be approximately \$500 million under the existing single family zoning. The lands are proposed to be dedicated as park and rezoned to CU2 – Community Use Zone 2, but this is the existing value that BPP is giving up by transferring ownership of these lands to the District.

BPP will also provide at its cost the following community amenities or cash contributions towards amenities in Cypress Village:

- Independent transit service for 20 years (at BPP's cost) unless TransLink takes over the service before then.
- Neighbourhood parks and plazas (at BPP's cost).
- Paths and hiking trails (at BPP's cost).
- Childcare spaces (107 spaces) (at BPP's cost).
- Two subdivided, serviced development sites suitable for accommodating a combined total of 184 affordable rental housing units with a combined total of 13,575 square metres (146,120 square feet) of floorspace.
- A \$476,000 contribution from BPP to top-up funds the District already has on hand from previous community amenity contributions from BPP rezonings in Rodgers Creek Areas 5 and 6, which will be used towards the District's construction of the new fire station in Cypress Village.
- A \$500,000 contribution from BPP to be used towards the establishment of the mountain biking area in Cypress Village.
- A \$1 million contribution in 2021 dollars from BPP (which will be inflation-adjusted to the time of construction) to top-up funds the District already has on hand from a previous McGavin Field Gift (\$1 million) from BPP, which will be used towards the District's construction of the sports field in Cypress Village.
- A \$23.1 million contribution in 2021 dollars from BPP (which will be inflation-adjusted to the time of construction) for the District's construction of the new community centre in Cypress Village.

These negotiated amenities/contributions for Cypress Village have a total estimated cost of approximately \$115 million (in 2024 dollars).

The value of BPP's lands in Eagleridge that will be transferred to the District plus the estimated cost of the amenities/contributions to be provided by BPP for Cypress Village has a combined total of over \$600 million.

2. BPP will pay for the costs of the infrastructure (roads/services) needed to service the new mixed-use community in Cypress Village.
3. BPP will dedicate natural areas in Cypress Village to the District over time as Cypress Village is built.
4. BPP will pay for the District's costs to review and process the various applications and permits required for the development of Cypress Village.
5. The District will rezone Cypress Village to a new zoning district ("CV Cypress Village Zone") to allow a mixed-use sustainable urban community consistent with the proposed ADP. BPP's development entitlements under the new CV Zone will be:
 - 3,711 housing units with a maximum total gross residential floorspace of 474,107 square metres (5,103,240 square feet). The CV Zone sets out the maximum number of units, total amount of floorspace by unit type, maximum building heights, and other parameters.
 - A maximum of 35,369 square metres (380,600 square feet) of employment space (including retail/service, office, hotel, and business park space).
6. In addition to the development entitlements described in point 5 above, other mechanisms are also needed for the District to achieve the full protection of the lands in Eagleridge that are currently owned by BPP and the desired amenities to be paid for by BPP in Cypress Village. This is because there is only so much density that can be realistically absorbed in the 20 year timeframe of the Phased Development Agreement, and the density is not enough to make BPP whole in terms of land value. The other mechanisms include:
 - a) DCC Reserve Contributions:

A total of \$14.625 million in DCC Reserve funds are proposed to be used for purposes associated with Cypress Village or with Eagleridge. These are all purposes consistent with what the funds were collected for.

Proposed DCC Reserve Allocations

| DCC Reserve | Available Balance ^a (Dec 31, 2023) | Proposed Allocation to Cypress Village/ Eagleridge | Remaining Balance |
|--|--|--|---------------------|
| Major Parkland Acquisition | \$8,407,000 | \$7,500,000 (towards acquisition of BPP Eagleridge lands) | \$907,000 |
| Local Parkland Acquisition | \$8,018,000 | \$3,000,000 (towards local park improvements in Cypress Village) | \$5,018,000 |
| Ambleside Park Improvements | \$1,486,000 | \$0 | \$1,486,000 |
| Highways-Underground Wiring | \$1,456,000 | \$500,000 (towards underground communications conduit in Cypress Village) | \$956,000 |
| Highways-Community Roads | \$2,608,000 | \$0 | \$2,608,000 |
| Highways-Neighbourhood (Area 3-Cypress Creek Crossing) | \$1,887,000 | \$0 | \$1,887,000 |
| Highways-Neighbourhood (Area 4-McDonald & Cypress Creek Crossings) | \$3,124,000 | \$0 | \$3,124,000 |
| Drainage | \$3,169,000 | \$1,900,000 (towards Godman and Turner Creek Diversions) | \$1,269,000 |
| Water | \$1,912,000 | \$1,725,000 (towards Queens Main waterworks) | \$187,000 |
| Total DCC Reserves | \$32,067,000 | \$14,625,000 | \$17,442,000 |

Note:

a) Calculated as the total available balance in each DCC Reserve as of Dec 31, 2023 less DCC expenditures committed by bylaw but not yet spent.

b) Community Amenity Reserve Contributions:

A total of \$14 million in CAC Reserve funds are proposed to be used for purposes associated with Cypress Village or with Eagleridge:

- \$13 million towards the District's construction of the new fire station in Cypress Village. These funds were obtained by the District from BPP as part of negotiations for previous rezonings

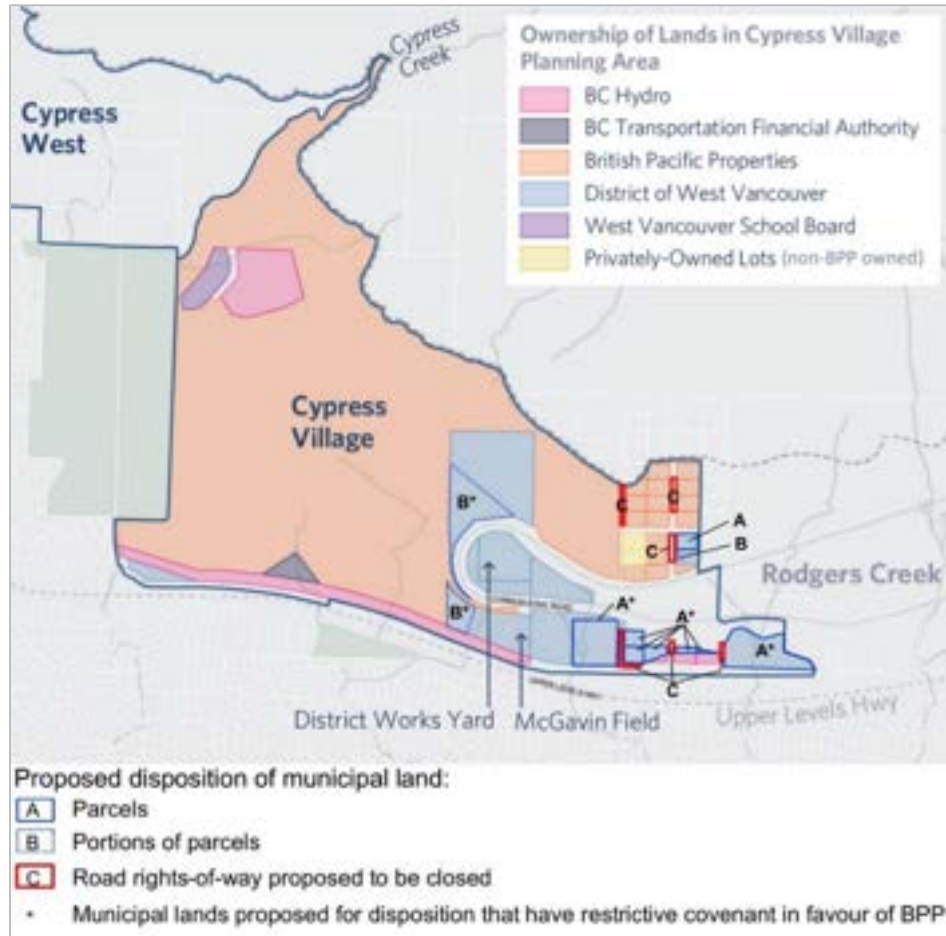
in Rodgers Creek Areas 5 and 6 for the purpose of providing amenities that benefit Rodgers Creek and nearby areas including Cypress Village.

- \$1 million towards the District's construction of the new sports field at the McGavin Field Site. These funds were obtained by the District from BPP as a "McGavin Field Gift" and are already restricted for use towards a sports field in this location.

c) Transfer of District-Owned Lands in Cypress Village to BPP:

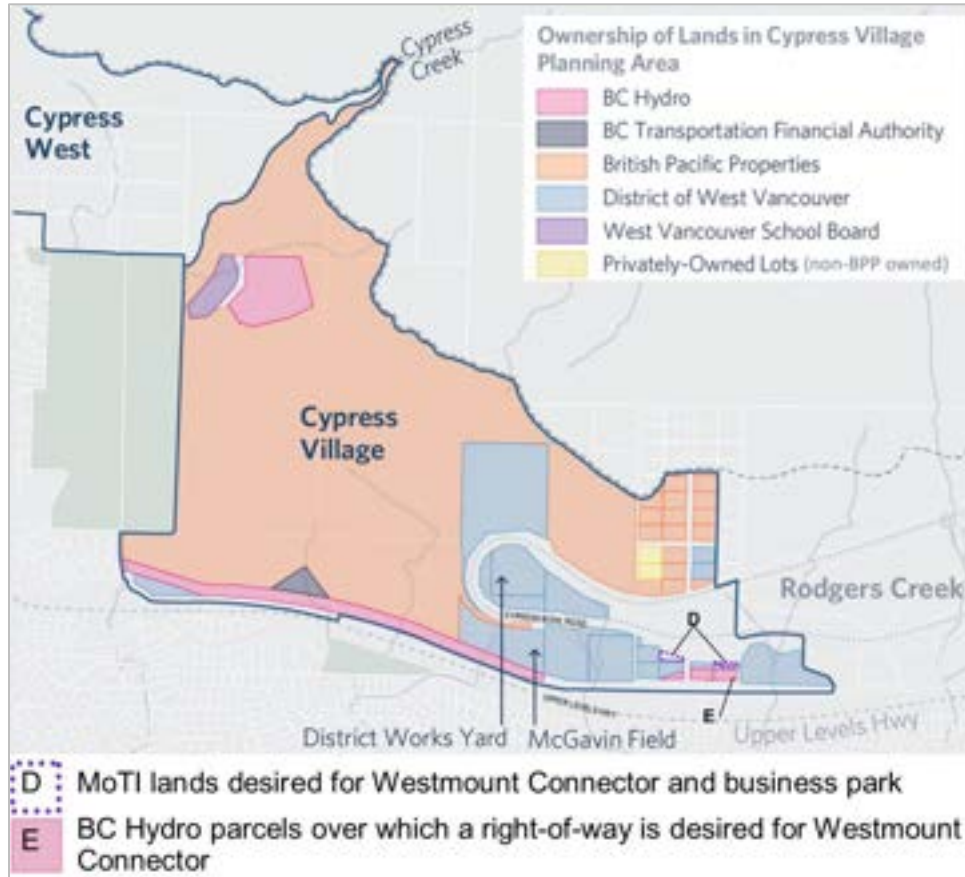
The District owns about 53 acres of land inside the Cypress Village area. As part of the terms of acquiring BPP's Eagleridge lands, a total of 17 pieces of District-owned land (including 8 District-owned parcels, 3 portions of parcels to be subdivided, and 6 portions of road rights-of-way to be closed) ranging in size from about 0.3 acres to 5.15 acres (with a total combined area of 21.5 acres) are proposed to be transferred to the ownership of BPP for assembly with surrounding or adjacent BPP lands to help accommodate some of the residential development, business park development, and roads for Cypress Village. There will be a need to relocate the District's existing materials transfer facility from one of these parcels to the District Operations Centre (works yard) site, remediate the parcel as needed, and reconfigure the works yard site as needed. There is also a need to extend some existing statutory rights-of-way.

District-Owned Lands in Cypress Village Proposed for Transfer to BPP



7. There are also three other property transfers proposed:
 - a) There are some lands owned by MoTI in the Cypress Village area that the District will be obligated to use reasonable efforts to acquire and transfer to BPP to help accommodate the new Westmount Connector Road and business park. This obligation runs for 6 years from the date the District and BPP enter into the Cypress Village Land Agreement.
 - b) The District will be obligated to use reasonable efforts to acquire a right-of-way over a BC Hydro parcel for the new Westmount Connector Road. This obligation runs for the 20 year term of the Cypress Village Phased Development Agreement.
 - c) The District will be obligated to make a portion of the McGavin Field site available to School District 45 for an elementary school, when the School District has funding to build and operate a school in Cypress Village. This obligation runs for the 20 year term of the Cypress Village Phased Development Agreement.

MoTI Lands and BC Hydro Lands Desired for Westmount Connector and/or Business Park and Location of McGavin Field Site



8. Some of the off-site works that BPP must provide to serve Cypress Village create the opportunity for the District to cost-share infrastructure projects needed to serve existing neighbourhoods (outside of Cypress Village) and Cypress Village. The District's portion of these costs (estimated to total about \$37.5 million spread over a decade or so) is not caused by or needed by Cypress Village; these costs would have to be incurred at some point anyway, but the timing of these projects will now be related to the development schedule for Cypress Village. The District will build two of the infrastructure projects (11th Street Pump Station, which is underway, and Queens Avenue Transmission Watermain).

**Estimated Cost & Timeframe for Shared Infrastructure Projects
 (District's costs for these projects are not caused by Cypress Village)**

| | Who Builds? | District's Share of Costs | Estimated Total Cost for District (2023 dollars) ^c | Anticipated Timing of Work |
|--|-------------|---------------------------|---|---|
| 11 th Street Pump Station | District | 78% | \$6,247,000 ^b | ongoing-2026 |
| Westmount Pump Station | BPP | 59% ^a | \$9,771,000 ^b | 2022-2026 (design/site prep); 2027-2029 (construction) |
| Westmount Reservoir | BPP | 100% ^a | \$14,093,000 ^b | 2022-2026 (design/site prep); 2027-2029 (construction) |
| Stormwater diversion pipe | BPP | 60% | \$3,740,000 | 2025-2031 |
| Stormwater intake/splitter | BPP | 100% | \$679,000 | 2027 |
| Realignment of cross country watermain | BPP | 50% ^a | \$3,027,000 | 2027-2033+ |
| Queens Avenue transmission watermain | District | 0% | \$0 | phased over time |
| Total | n/a | n/a | \$37,557,000 | n/a |

Notes:

- a. Except earthworks, which are to BPP's account.
 - b. Including costs to demolish the existing infrastructure that is being replaced.
 - c. Costs were estimated by professional engineering firms and are estimates only. The actual costs will be determined after the detailed design and construction of each item, but the District's percentage share is fixed. The estimated costs to the District include hard costs, an allowance of 35% for soft costs and contingency, and a 10% project administration fee.
9. The District will be responsible for constructing some of the amenities in Cypress Village using funds BPP will provide as required by the Cypress Village Phased Development Agreement and CAC Reserve funds on hand from previous contributions from BPP: the fire station, community centre, sports field, and mountain biking trails. If the District elects to expand the scope or functions included for any of these amenities beyond the current vision, any costs above the funding allocated in the negotiated business terms will be to the District's account.

Amenities to be Built by the District

| | Funding | Location | Timing |
|---|--|---|--|
| Fire station | \$13 million from Community Amenity Reserve Funds on hand from BPP from previous rezonings in Rodgers Creek + \$476,000 top-up contribution from BPP | Works yard site | To be complete within 5 years of adoption of proposed bylaws |
| Community centre (24,000 sq.ft. similar to Gleneagles Community Centre) | \$23.1 million ^a from BPP | McGavin Field site | To be complete by later of 8 years from adoption of proposed bylaws or occupancy of 1400 th unit in Cypress Village |
| Sports field (50m x 100m) | \$1 million from Community Amenity Reserve Funds on hand from previous contribution from BPP + \$1 million ^a from BPP | McGavin Field site | At District's discretion after BPP's license for Cypress Pop-Up Village on portion of McGavin Field site expires in 2031 |
| Mountain biking trails | \$500,000 from BPP | Designated mountain biking area in proposed ADP | At District's discretion ^b |

Notes:

- a. This is in 2021 dollars. The amount that BPP will actually pay is this amount escalated at the Statistics Canada Building Construction Price Index for Non-Residential Buildings to the date the District awards a construction contract for the facility.
- b. There will be a subsequent, separate process to formalize, plan for, build, and set out the approach to managing these trails, which could be similar to the recent partnership between the District, BPP, and the North Shore Mountain Bike Association (NSMBA) that involved formalizing 3 existing mountain biking trails outside of Cypress Village and building a new multi-use path in Rodgers Creek.

10. The municipal DCC rates payable in Cypress Village and Rodgers Creek Areas 5 and 6 will be reduced, reflecting that BPP is directly responsible for capital works to serve these communities that could otherwise be DCC-eligible capital projects, and reflecting that BPP is transferring ownership of its lands in Eagleridge to the District as major parkland.

a) Within Cypress Village:

- The DCC rates for the water, drainage, neighbourhood highway facilities, underground wiring, and local public open spaces categories are proposed to be set to \$0 because BPP is

supplying the infrastructure and local parks directly as part of the Cypress Village Phased Development Agreement.

- The DCC rate for the major public open spaces category is proposed to be set to \$0 because BPP is providing community-serving open spaces within Cypress Village and is also transferring ownership of its 262 acres of land in Eagleridge to the District as a major park.
- The existing DCC rate for the community highway facilities category is being retained, as this is a contribution to the overall road network.
- The existing DCC rate for the Ambleside Waterfront public open spaces category is being retained, as this is a contribution to a community scale park that all residents of West Vancouver can use including future residents of Cypress Village.
- The net impact is that the total municipal DCC rate payable in Cypress Village will be reduced from \$15,657 to \$1,291 per residential unit and per 186 square metres (about 2,000 square feet) of gross non-residential floor area.

b) Within Rodgers Creek Areas 5 and 6:

- The DCC rates for the water, drainage, underground wiring, and local public open spaces categories are proposed to be set to \$0 because BPP supplied or is responsible for supplying the infrastructure and local parks directly as part of the Rodgers Creek Phased Development Agreement. This is not directly related to Cypress Village and Eagleridge, but is an administrative update being completed at the same time as the bylaw amendments for Cypress Village and Eagleridge.
- The DCC rate for the major public open spaces category is proposed to be set to \$0 because BPP is providing community-serving open spaces within Cypress Village that will also serve residents of Rodgers Creek Areas 5 and 6 and BPP is transferring ownership of its 262 acres of land in Eagleridge to the District as a major park. This rate change is part of the business terms related to the plan for Cypress Village and Eagleridge.
- The existing DCC rate for the neighbourhood highway facilities category is being retained, as this is a contribution to bridge crossings that are not all complete.
- The existing DCC rate for the community highway facilities category is being retained, as this is a contribution to the overall road network.

- The existing DCC rate for the Ambleside Waterfront public open spaces category is being retained, as this is a contribution to a community scale park that all residents of West Vancouver can use including residents of Rodgers Creek.
- The net impact is that the total municipal DCC rate payable in Rodgers Creek Areas 5 and 6 will be reduced from \$15,657 to \$3,501 per residential unit and per 186 square metres (about 2,000 square feet) of gross non-residential floor area.

11. If the District decided to add residential development on the Works Yard site during the 20 year term of the Cypress Village Phased Development Agreement¹⁶ (which would require rezoning), the housing will be limited to workforce housing (housing for people who work for an employer that operates primarily in West Vancouver and mainly provides goods and/or services to West Vancouver residents) or affordable rental housing (for which the overall average monthly rent is at most 70% of the market monthly rent rate for dwellings of a comparable size and number of bedrooms in similar quality/aged buildings).

6.1.11 Results of the Land Value-for-Land Value Financial Analysis

The comprehensive financial analysis to compare the land value supported by the existing zoning in Eagleridge and Cypress Village and the land value supported by the negotiated package of business terms for the transfer of development potential, rezoning, and amenities to be paid for by BPP was completed by independent experts retained by and acting for the District.

The analysis was updated during the process to reflect the evolution of the planning work and to inform the District's negotiations with BPP. Because some of the information about BPP's business plans is confidential, the full financial analysis is not publicly available.

The negotiations resulted in a package of business terms for the transfer of development potential, rezoning, and amenities to be paid for by BPP that approximately balances the land value under the two scenarios, but is slightly in the District's favour.

¹⁶ The District's Works Yard site currently accommodates works yard functions and the District's firefighter training grounds. As a result of the proposed bylaws and legal agreements related to Cypress Village and Eagleridge, the Works Yard site would also need to accommodate the relocated materials transfer functions and the new Cypress Village fire station, so there is no room to add residential floorspace to the site unless incorporated into the new fire station or a redeveloped works yard.

6.1.12 Description of the Proposed Approvals Package

The proposed approvals package consists of:

- 16 proposed bylaws (the proposed ADP is contained in the proposed Official Community Plan Amendment bylaw, which is 1 of these 16 proposed bylaws);
- 2 legal agreements (the Cypress Village Phased Development Agreement, which is contained in the proposed Phased Development Agreement Authorization bylaw, and the Cypress Village Land Agreement); and
- 2 resolutions related to implementing the bylaws and legal agreements.

These are each described below.¹⁷

Proposed Bylaws

There are 16 proposed bylaws presented in this report for Council's consideration of first reading:

1. Proposed "Official Community Plan Bylaw No. 4985, 2018, Amendment Bylaw No. 5205, 2024", attached as **Appendix 1**, which is intended to:
 - adopt the Area Development Plan (ADP) for Cypress Village and Eagleridge as part of the Official Community Plan (OCP);
 - redesignate the Eagleridge lands from "Future Neighbourhoods" to "Limited Use and Recreation Area"; and
 - make consequential text/map amendments to the OCP.
2. Proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5206, 2024", attached as **Appendix 2**, which is intended to:
 - rezone lands in the Cypress Village planning area from various Single Family Dwelling zones to a new "CV - Cypress Village Zone" to allow a mixed-use sustainable urban community in Cypress Village consistent with the proposed ADP and, for small portions at the northern tip of the Cypress Village planning area, to "CU4 - Community Use 4" consistent with the adjacent land use designation; and
 - rezone lands in the Eagleridge planning area that are currently owned by BPP and that are to be transferred to the District from various Single Family Dwelling zones to "CU2 - Community Use Zone 2" to allow park, community uses, and municipal services.

¹⁷ This report also contains recommendations related to bylaw-related procedures and receiving reports for information.

3. Proposed “Park Dedication Bylaw No. 5213, 2024”, attached as **Appendix 3**, which is intended to dedicate lands in Eagleridge as municipal park, including the lands currently owned by BPP in Eagleridge which are being transferred to the District (262 acres) and District-owned lands either entirely or partly in the Eagleridge planning area that are not yet dedicated as municipal park (704 acres).¹⁸
4. Proposed “Phased Development Agreement Authorization Bylaw No. 5207, 2024”, attached as **Appendix 4**, which is intended to authorize entering into the Cypress Village Phased Development Agreement (PDA) between the District and BPP. The PDA is described in the next section about the proposed legal agreements.
5. Proposed “Road Closure and Removal of Highway Dedication Bylaw No. 5208, 2024”; attached as **Appendix 5**, which is intended to close and remove the dedication of portions of highway near Chippendale Road, Uplands Way, and Wentworth Avenue to facilitate the transfer of these lands to BPP as part of the Cypress Village Land Agreement (these are the lands outlined in red and marked with a “C” on the map in Section 6.1.10, point 6c) and to facilitate the land exchange set out in the proposed “Park Exchange Bylaw No. 5302, 2024” described in point 6 below.
6. Proposed “Park Exchange Bylaw No. 5302, 2024”, attached as **Appendix 6**, which is intended to exchange park land on Chippendale Road and Uplands Way. A previous subdivision in Rodgers Creek Area 6 dedicated certain lands on Uplands Way as park and certain lands for the anticipated Chippendale Road extension west of 3389 and 3370 Chippendale Road into Cypress Village. More recent planning work supports a slightly different preferred route for Chippendale Road in this area, so this bylaw proposes to dispose of a total of 955 square metres (approximately 10,280 square feet) of park land in exchange for the dedication of 1,075.2 square metres (approximately 11,573 square feet) as park land, yielding a net increase in park land of 120.2 square metres (approximately 1,293 square feet) and an alignment of Chippendale Road that is preferable to the District from a transportation planning perspective. The 1,075.2 square metres to be dedicated as park are portions of the existing Chippendale Road allowance to be closed pursuant to the proposed “Road Closure and Removal of Highway Dedication Bylaw No. 5208, 2024.” Following adoption of proposed “Park Exchange Bylaw No. 5302, 2024”, BPP will complete park land improvements as set out in the Letter Agreement dated March 28, 2024 between BPP and the District, attached as **Appendix 24**. See Section 6.1.13 for information

¹⁸ Of the total 704 acres, 118.3 acres are within the Eagleridge area and 585.7 acres are outside the Eagleridge area, above the 1200 foot contour.

about the proposed Alternative Approval Process related to this proposed bylaw.

7. Proposed “Cypress Village Reserve Fund Establishment Bylaw No. 5221, 2024”, attached as **Appendix 7**, which is intended to establish a reserve fund to hold monies for the District’s construction of the new fire station, community centre, and the McGavin sports field in Cypress Village as set out in the PDA.
8. Proposed “Development Cost Charge Bylaw No. 3801, 1993, Amendment Bylaw No. 5209, 2024”, attached as **Appendix 8**, which is intended to designate Cypress Village and Rodgers Creek Areas 5 and 6 as separate sub-areas within DCC Area 4 and to provide for amended Development Cost Charges in these two new sub-areas as described in this report.
9. Proposed “Development Cost Charge Reserve Fund Expenditures Bylaw No. 5211, 2024”, attached as **Appendix 9**, which is intended to authorize expenditures totalling \$14.625 million from various Development Cost Charge Reserve Funds towards purposes consistent with what the funds were collected for and related to Cypress Village and Eagleridge, as described in this report.
10. Proposed “Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5210, 2024”, attached as **Appendix 10**, which is intended to delegate the approval of development permits and development variance permits for development in Cypress Village to the Director of Planning and Development Services.
11. Proposed “Fees and Charges Bylaw No. 5251, 2023, Amendment Bylaw No. 5216, 2024”, attached as **Appendix 11**, which is intended to provide for amended fees and charges for permits and other development applications for Cypress Village consistent with the PDA.
12. Proposed “Noise Control Bylaw No. 4404, 2005 Amendment Bylaw No. 5215, 2024”, attached as **Appendix 12**, which is intended to regulate construction noise in Cypress Village.
13. Proposed “Revised Soil Removal, Deposit, Blasting and Rock Breaking Bylaw No. 5130, 2021, Amendment Bylaw No. 5214, 2024, attached as **Appendix 13**, which is intended to regulate soil removal and deposit and rock breaking and processing in Cypress Village.
14. Proposed “Sewerage and Drainage Regulation Bylaw No. 5263, 2023, Amendment Bylaw No. 5288, 2024”, attached as **Appendix 14**, which is intended to define security requirements on sewerage and drainage works and services in Cypress Village consistent with the PDA.
15. Proposed “Subdivision Control Bylaw No. 1504, 1955, Amendment Bylaw No. 5212, 2024”, attached as **Appendix 15**, which is intended to

address subdivision servicing and subdivision applications in Cypress Village consistent with the PDA.

16. Proposed “Waterwork Regulation Bylaw No. 5260, 2023, Amendment Bylaw No. 5287, 2024”, attached as **Appendix 16**, which is intended to define security requirements on water works and services in Cypress Village consistent with the PDA.

Proposed Legal Agreements

There are two legal agreements that are part of the proposed approvals package:

1. The Cypress Village Phased Development Agreement, which:
 - Sets out the rights and obligations of the District and BPP with respect to development in Cypress Village and the protection of lands in Eagleridge, including delivery schedules for amenities.
 - Includes servicing standards and a template servicing agreement.
 - Includes cost-allocations and terms for shared infrastructure works.
 - Includes sustainability and adaptable housing standards.
 - Includes the proposed cost-recovery agreement whereby the District will establish a Cypress Village applications review office to facilitate efficient review of applications related to the Cypress Village development at BPP’s cost.

The authorization for the District to enter into the PDA would be provided by Council adopting the proposed Phased Development Agreement Authorization bylaw (described in the previous section about the Proposed Bylaws).

2. The Cypress Village Land Agreement, which includes:
 - Terms for the transfer of BPP’s lands (262 acres) in Eagleridge to the District and the transfer of District-owned lands in Cypress Village totaling 21.5 acres to BPP, including conditions precedent that must be satisfied prior to the transfers occurring. One of these conditions is adoption of the proposed OCP amendment bylaw, proposed Zoning amendment bylaw, proposed Phased Development Agreement Authorization amendment bylaw, and proposed DCC Reserve Fund Expenditure bylaw, so the land transfers will happen after bylaw adoption. There are also conditions requiring that some agreements and covenants be executed by the District or BPP in preparation for the land transfers prior to adoption of these bylaws. These are taken into account in Section 6.1.14 below in the information about conditions for bylaw adoption.

- Terms for the District's obligation to use reasonable efforts to acquire some lands owned by the Ministry of Transportation and Infrastructure and transfer these to BPP to facilitate the business park and Westmount Connector in this location.
- Terms for the District's obligation to use reasonable efforts to secure a right-of-way over a BC Hydro parcel for the Westmount Connector.
- Sketch plans for extending two statutory rights-of-way, which require extension over District-owned parcels being transferred to BPP.
- A covenant limiting the types of housing that the District can build on the District Operations Centre (works yard) site during the 20 year term of the PDA (if it wanted to add residential uses to the site as part of the new fire station or a redeveloped works yard during this timeframe) to workforce housing and affordable rental housing, as described in this report.
- A covenant to be registered on the title to BPP's lands in Eagleridge valid between the date that ownership transfers from BPP to the District and the date of adoption of the Park Dedication bylaw. The intention of this Park Use Covenant is to restrict the District's use of the lands to park and ancillary uses, uses authorized by existing charges registered on title, and uses associated with the provision of municipal water, sewer, and drainage services between the date that ownership transfers from BPP to the District and date of the adoption of proposed "Park Dedication Bylaw No. 5213, 2024."

The authorization for the District to enter into the Cypress Village Land Agreement would be provided by Council passing a resolution in favour of the recommendation in this report to authorize entering into the Land Agreement.

Proposed Resolutions

Two of the recommendations presented in this report for Council's consideration are related to implementation:

1. The recommendation to transfer funds to the new Cypress Village Reserve Fund following adoption of the proposed Cypress Village Reserve Fund Establishment bylaw.
2. The recommendation that, subject to adoption of the proposed Phased Development Agreement Authorization bylaw, Council authorize staff to enter into further agreements as contemplated in the PDA and to undertake and carry out any administrative steps and tasks that staff consider necessary to give effect to the PDA, including but not limited

to the planning, design, and construction of the new fire station within the timeframe contemplated in the PDA.

These are both required by the PDA.

6.1.13 Information about the Proposed Alternative Approval Process for Proposed Park Exchange Bylaw No. 5302, 2024

As described in this report, an Alternative Approval Process (AAP) is proposed in relation to proposed Park Exchange Bylaw No. 5302, 2024.

As part of an AAP, notice must be published once each week for two consecutive weeks.

Eligible electors will have at least 30 days from the publication of the second AAP notice to submit an elector response form to the Corporate Officer indicating they oppose the proposed bylaw. When 10% or more of the eligible electors sign an elector response form, the local government cannot proceed with the matter proposed in the bylaw without then conducting an assent voting process (referendum).

Section 86(3) of the *Community Charter* requires Council to:

1. Establish the deadline for receiving elector response forms, being 4 p.m. on July 22, 2024;
2. Establish the elector response form to be used in the AAP, attached to this report as **Appendix 18**; and
3. Make a fair determination of the total number of eligible electors of the area to which the approval process applies. The calculation is made by combining the total number of Resident Electors (31,560) and Non-Resident Property Electors (19). The total number of eligible electors within the area defined for the AAP is estimated to be 31,579. The 10% threshold (section 86(1)(c) of the *Community Charter*) is determined to be 3,158.

The *Community Charter* (section 86(4)) requires Council make available to the public the report in which the determination of the number of eligible electors was made. The determination is noted above in this May 13, 2024 report from the Director of Planning and Development Services and the Project Co-Manager, Planning the Upper Lands, and will form part of the public record for the AAP and be made available at Municipal Hall, upon request, and via the Council Agenda package.

6.1.14 Anticipated Steps in the Approvals Process and Conditions for Adoption

Subject all to Council direction, the following steps in the approvals process and conditions for bylaw adoption are anticipated:

1. First reading of the 16 proposed bylaws, authorization to enter into the Cypress Village Land Agreement, and Council resolutions approving the recommendations presented in this report.

2. Public hearing, opportunity for public input, and Alternative Approval Process procedures.
3. Second and third reading of the proposed 16 bylaws.
4. Following third reading, adoption for certain bylaws will be conditional upon the following:
 - a) Adoption of the proposed Park Dedication Bylaw will be conditional on the District having obtained ownership of BPP's Eagleridge lands (the transfer of which is conditional on adoption of the proposed OCP amendment bylaw, proposed Zoning amendment bylaw, proposed Phased Development Agreement Authorization bylaw, and proposed DCC Reserve Funds Expenditures bylaws, so adoption of these other bylaws must come first).
 - b) Adoption of the proposed OCP amendment bylaw, proposed Zoning amendment bylaw, proposed Phased Development Agreement Authorization bylaw, and proposed DCC Reserve Fund Expenditure bylaws will be conditional on:
 - BPP having executed the Statutory Right-of-Way Extension Agreements contemplated in the Cypress Village Land Agreement in registrable form;
 - BPP having executed the District Material Transfer Site License contemplated in the Cypress Village Land Agreement in registrable form;
 - The District having executed the District Works Yard Site Covenant contemplated in the Cypress Village Land Agreement in registrable form;
 - The District having executed the Park Use Covenant contemplated in the Cypress Village Land Agreement in registrable form;
 - The District's review and acceptance of a final Functional Servicing Report to be submitted by BPP setting out the conceptual design, supporting rationale, and delivery strategy for roads and civil infrastructure for Cypress Village, consistent with the content of the PDA.
 - c) In addition to the conditions in point 4b:
 - Adoption of the proposed Phased Development Agreement Authorization bylaw will be conditional on obtaining approval from the Inspector of Municipalities for the proposed 20 year term.¹⁹

¹⁹ The *Local Government Act* sets a maximum term of 10 years for a phased development agreement but, with approval of the inspector, a local government may enter into a phased development agreement for a term not exceeding 20 years.

- Adoption of the proposed Zoning amendment bylaw will be conditional upon obtaining approval from the Minister responsible for the *Transportation Act* under section 52 of the *Transportation Act* in connection with development within 800 metres of a controlled access highway.
 - d) Adoption of the proposed Road Closure and Removal of Highway Dedication bylaw will be conditional upon providing reasonable accommodation of any utility's affected transmission or distribution facilities or works under section 41(4) of the *Community Charter* and obtaining approval from the Minister responsible for the *Transportation Act* under section 41(3) of the *Community Charter* in connection with highways that are within 800 metres of an arterial highway.
 - e) Adoption of the proposed Park Exchange bylaw will be conditional upon certification pursuant to section 86 of the *Community Charter* that elector approval has been obtained regarding the Alternative Approval Process.
5. Adoption of 15 of the 16 proposed bylaws (all except the proposed Park Dedication bylaw) can occur once conditions are satisfied.
 6. Prior to the transfers of BPP's Eagleridge lands to the District and the specified District Cypress Village lands to BPP, BPP must obtain approval of the Approving Officer for the subdivision plans related to 3 portions of parcels that are part of the District lands in Cypress Village proposed to be transferred to BPP in the Cypress Village Land Agreement.
 7. Following adoption of the 15 of 16 proposed bylaws and approval for the subdivision noted in point 6 above, BPP's 262 acres in Eagleridge will be transferred to the District and the District's lands in Cypress Village totalling 21.5 acres will be transferred to BPP.
 8. Following the District's acquisition of the BPP lands in Eagleridge, the proposed Park Dedication bylaw will be brought forward for consideration of adoption.

6.2 Climate Change & Sustainability

Climate change and sustainability are addressed in these ways:

1. Developing a compact, transit-served community in Cypress Village is a more sustainable way of accommodating new housing than large single family housing, which is what is currently permitted by the existing zoning on BPP's lands in Cypress Village and Eagleridge. The District's "Community Energy & Emissions Plan" found that household emissions are lowest in mixed-use, compact village nodes and corridors with a diverse mix of housing types, transportation options,

and close proximity to destinations such as shopping and community facilities.

2. Protecting a large area in Eagleridge in its natural treed state for conservation and recreation maintains forested areas that play an important role as carbon sinks, in addition to contributing to ecological diversity. In 2019, the District retained Solstice Sustainability Inc. to provide a preliminary inventory and estimate of value of the ecosystems services that natural capital assets provide in West Vancouver (e.g. forests provide services such as carbon sequestration and storage, water filtration and purification, flood control, air filtration, and play a role in climate regulation; waterways and riparian areas provide services such as water supply, transport, and filtration). The 2019 report for the District as a whole is online here:
<https://www.westvancouver.ca/sites/default/files/dwv/council-agendas/2019/jul/15/19jul15%20-%206.pdf>.

In 2022, as part of planning for Cypress Village and Eagleridge, the planning team retained Solstice Sustainability Inc. to estimate the portion of the total natural capital assets value for West Vancouver attributable to BPP's lands in Eagleridge. The 2022 report for the BPP Eagleridge lands is attached as **Appendix 24**. The work suggests that about 1.6% of the total value of carbon storage, about 1.7% of the total value of forest ecosystem services, and about 1% of the total creek ecosystem services value provided by natural capital assets in West Vancouver is attributable to the lands in Eagleridge that are currently owned by BPP.

3. As outlined in Section 9.10.1 of the proposed ADP, one of the key planning principles for Cypress Village is to minimize the carbon footprint of the village by providing for:
 - A compact community with transit service and a diversity of housing and population that maximizes transit ridership.
 - Bike and pedestrian networks with connectivity within and outside of the community to encourage active modes of transportation such as walking and cycling rather than driving.
 - Building design, site development, and energy systems that achieve a low carbon footprint.
 - Integrated rainwater management planning.
 - Protection of environmental areas within the Cypress Village planning boundary to enhance habitat and reduce risks of natural hazards.
 - Other sustainable principles such as providing for car share and electric vehicle use and charging stations.

4. As outlined in Section 9.10.2 of the proposed ADP, the infrastructure design for Cypress Village addresses climate change by:
 - Designing low-impact rainwater management systems (e.g. including mechanisms such as infiltration, rain gardens, bio-swales, and biofiltration as part of street, building, and pathway designs to help manage the rate and quality of run-off and provide a cleaning function for rainwater and supplement the wetland and stream habitats).
 - Providing stormwater diversion systems that will divert higher rainwater event flows, which are happening more frequently, to the ocean and in turn protecting existing public and private property and infrastructure below the highway.
 - Planning, designing, and providing for climate resilient infrastructure systems that will service the Cypress Village community over the life of the assets comprising those systems.
 - Incorporating a new fire station in the Cypress Village planning area which will significantly improve response times in the area and help address the risk of wildfires.
 - Adhering to the CV2: Cypress Village Wildfire Hazard DPA Guidelines to mitigate the impacts of a potential wild fire event on Cypress Village and West Vancouver.
 - Incorporating other requirements such as emergency access routes to cul-de-sac streets.
5. Proposed “Phased Development Agreement Authorization Bylaw No. 5207, 2024” includes sustainability and adaptable housing standards for the Cypress Village development.

6.3 Public Engagement and Outreach

This section describes public engagement and outreach for three periods:

- During Phase 1, Phase 2, and Phase 3, Step 1 (the Phase 3 Engagement), which spanned 2020 to 2022.
 - Additional outreach to inform the community and stakeholders that the proposed bylaws and legal agreements for Cypress Village and Eagleridge have been prepared and will be presented for Council’s consideration of First Reading in June 2024, which commenced at the start of May 2024.
 - Legal notifications and procedures during the bylaws process.
- 6.3.1 Public Engagement and Outreach Completed During Phase 1, Phase 2, and Phase 3, Step 1 (Phase 3 Engagement)

Public engagement and outreach have been central to the planning and engagement process and have helped to shape the proposed ADP and

proposed bylaws and legal agreements.

An overview of each phase is provided in Section 5.2 of this report and, as noted, detailed reports outlining the engagement activities and input received were published for each phase.

The table on the following pages summarizes the engagement activities and number of interactions during Phase 1, Phase 2, and Phase 3, Step 1 (the Phase 3 Engagement).

On the IAP2 spectrum of engagement, Phases 1 and 2 were at the level of *consult* and *involve*.²⁰ and the Phase 3 Engagement was at the level of *inform*.²¹, so the engagement activities evolved as the process progressed.

In summary, there were:

- Over 50,000 instances of direct communication sent (postcards, letters, e-newsletters, emails to stakeholder groups).
- Over 11,000 site visits to the project webpage from project launch to the end of the Phase 3 Engagement involving draft ADP (July 6, 2020 to June 15, 2022).
- About 3,000 click-throughs on e-newsletters, social media posts, digital ads.
- 1,126 completed surveys (during Phases 1 and 2).
- 185 participants at information meetings (virtual sessions, pop up information sessions, scheduled information sessions).
- About 100 direct enquiries (emails, phone calls, questions submitted via the Phase 3 online question form).
- Outreach to 40 stakeholder groups, with input provided by 11 different groups (some groups provided input in more than one phase).
- Input provided by the former Upper Lands Working Group.
- Input provided by First Nations.
- Engagement and negotiations with BPP throughout the process.

²⁰ The goal of a *consulting* process is to “obtain feedback on analysis, alternatives, and/or decisions” with participants contributing their viewpoints, opinions, or preferences and decision-makers using this information to inform decisions. The goal of an *involving* process is to “work directly with the public through the process to ensure that public concerns and aspirations are consistently understood and considered.”

²¹ The goal of an *informing* process is to provide “balanced and objective information to assist the public in understanding the problem, alternatives, and/or solutions.” In this case, the intent was to inform the community and stakeholders about: the process to date, alternatives considered, how the input and involvement of the community and stakeholders in Phases 1 and 2 helped to shape the draft Plan, the content of the draft Plan, the rationale for decisions, and the intent to bring bylaws forward to Council when ready.

**Summary of Engagement Activities and Engagement Statistics:
 Phase 1, Phase 2, and Phase 3, Step 1 (Phase 3 Engagement)**

| | Phase 1 (Vision) (July-Dec 2020) | Phase 2 (Framework) (Mar-Nov 2021) | Phase 3, Step 1 (Phase 3 Engagement: draft ADP) (Jan-June 2022) |
|---|--|--|--|
| Project webpage/District website | ✓ (6,200 visits) | ✓ (3,300 visits) | ✓ (1,800 visits) |
| Direct mail | ✓ (21,859 postcards sent – all residents/businesses) | ✓ (2,838 letters sent – nearby neighbourhoods) | ✓ (2,845 letters sent – nearby neighbourhoods) |
| E-newsletters (westvancouver TE, project subscribers, e-west) | ✓ (~7,600 sent in total) | ✓ (~9,400 sent in total) | ✓ (~5,600 sent in total) |
| Project specific email address | ✓ (28 enquiries) | ✓ (23 enquiries) | ✓ (12 enquiries) |
| Print newspaper advertisements | ✓ (North Shore News: July 8 & 15, 2020 at project launch and Nov 25 & Dec 2, 2020 re: Phase 1 Survey) | ✓ (North Shore News: Sept 15 & 22, 2021 re: Phase 2 Survey) (The Beacon: July/Aug 2021 re: Phase 2) | ✓ (North Shore News: May 4 & 11, 2022 re: Phase 3 and online question form) |
| Digital advertisements | ✓ (North Shore News: at project launch and during Phase 1 Survey) | ✓ (The Beacon: Phase 2; North Shore News: Phase 2 and Phase 2 Survey) | ✓ (North Shore News: Phase 3) |
| Social media campaigns (Instagram, Facebook, Twitter) | ✓ (at project launch and for Phase 1 Survey) (12 posts, ~7,100 people reached) | ✓ (for Phase 2 Survey) (9 posts, ~4,100 people reached) | ✓ (to communicate the opportunity to review the draft ADP and ask questions) (10 posts, ~2,900 people reached) |
| Meetings with former Upper Lands Working Group | ✓ (3 as a group plus input provided by email) | ✓ (3 as a group plus input provided by email) | ✓ (3 total with group or subsets of group; plus input provided by email) |
| Outreach to Stakeholder Groups | ✓ (39 contacted; 8 provided input) | ✓ (40 contacted; 6 provided input) | ✓ (40 contacted; 5 provided input) |
| Participation in Cypress Liaison Meetings | ✓ (June 10 and Oct 7, 2020 meetings) | ✓ (June 2 and Oct 6, 2021 meetings) | ✓ (April 2022 email; June 1, 2022 meeting) |

(table continues on following page)

**Summary of Engagement Activities and Engagement Statistics:
 Phase 1, Phase 2, and Phase 3, Step 1 (Phase 3 Engagement) - Continued**

| | Phase 1 (Vision) (July-Dec 2020) | Phase 2 (Framework) (Mar-Nov 2021) | Phase 3, Step 1 (Phase 3 Engagement: draft ADP) (Jan-June 2022) |
|------------------------------|--|--|---|
| Posters | | ✓ (at the Library and Seniors Activity Centre) | ✓ (at the Library, Seniors Activity Centre, Community Centre, and Youth Hub) |
| In-person activities | | ✓ (pop-up promotion at Library; in-person activity at the Youth Hub) (32 participants/ interactions) | ✓ (pop-up promotion at Spring Fest West, Library, Community Centre, Cypress Pop-up Village) (52 interactions) |
| Virtual Information Meetings | (pre-recorded video posted on webpage) | ✓ (Sept 21, 28, 29, 2021) (plus video recording on webpage) (78 participants) | ✓ (May 17 & 18, 2022) (plus video recording and Q&A notes on webpage) (23 participants) |
| Online engagement | ✓ Phase 1 Survey (617 surveys completed over 4 weeks) | ✓ Phase 2 Survey (509 surveys completed over 3 weeks) | ✓ Questions Tool (34 questions submitted over 4 weeks) |
| Outreach to First Nations | ✓ | ✓ | ✓ |
| Engagement with BPP | ✓ | ✓ | ✓ |

6.3.2 Updating the Public and Stakeholders about the Status of the Project (May 2024)

The project webpage was updated at the start of May 2024 to inform the community and stakeholders that:

- The proposed bylaws and legal agreements related to Cypress Village and Eagleridge have been prepared.
- District staff anticipate bringing the proposed bylaws forward for consideration of First Reading at the June 3, 2024 regular Council meeting.
- Prior to the introduction of the proposed bylaws and public hearing, District staff are hosting an information meeting to provide an overview of the proposed plan, bylaws, and legal agreements.

This update included posting:

- 1) Three updated documents to the project webpage:
 - a copy of the ADP showing edits since the published draft ADP.

- a copy of the proposed ADP.
 - an updated overview of community input during previous phases and how that helped to shape the proposed ADP.
- 2) A description of the main changes to the ADP since the published April 2022 draft ADP.
 - 3) Details about the information meeting.

In addition to updating the project webpage, the following communication was sent to inform the community and stakeholders that staff anticipate bringing the proposed approvals package related to Cypress Village and Eagleridge forward for Council’s consideration of First Reading at the June 3, 2024 regular Council meeting and to inform the community and stakeholders about the information session:

| | May 2024 Update about Status of Project and Information Session |
|--|---|
| Direct mail | ✓ (~1,200 letters sent – nearby neighbourhoods) |
| E-newsletters (westvancouver TE, project subscribers, those who took a survey in previous phases of Planning the Upper Lands) | ✓ (~1,050 sent in total) |
| Social media posts (Instagram, Facebook, Twitter) | ✓ (~1,700 people reached) |
| Emails to stakeholder groups, former Upper Lands Working Group, and Cypress Liaison group members | ✓ (~100 sent in total) |
| Print newspaper advertisement | ✓ (North Shore News: May 8, 2024) |
| Correspondence to First Nations | ✓ |

The intent of the May 2024 updates and communications were to raise awareness about the current status of the process and next steps.

6.3.3 Legal Notifications/Procedures During Bylaws Process

- Notice and a public hearing are proposed to be as required by the *Local Government Act* for the proposed Official Community Plan amendment bylaw, proposed Zoning amendment bylaw, and proposed Phased Development Agreement Authorization bylaw.
- Notice regarding the intended disposition of municipal land pursuant to the Cypress Village Land Agreement is proposed to be as required by the *Community Charter*.
- Notice and an opportunity for persons who consider they are affected to make representations to Council, as well as notice to affected third

party utilities, are proposed to be as required by the *Community Charter* for the proposed Road Closure and Removal of Highway Dedication bylaw.

- The Alternative Approval Process is proposed to be in accordance with the *Community Charter* for the proposed Park Exchange Bylaw.

6.4 Other Communication, Consultation, and Research

Communication with the following other parties is anticipated:

- The Inspector of Municipalities, regarding a 20 year term for the proposed Phased Development Agreement Authorization bylaw.
- Affected third party utilities, regarding the proposed Road Closure and Removal of Highway Dedication bylaw.
- The Minister responsible for the *Transportation Act*, regarding the proposed Zoning amendment bylaw and proposed Road Closure and Removal of Highway Dedication bylaw.

7.0 Options

7.1 Recommended Option

The planning team recommends that Council:

1. Give first reading to the proposed OCP amendment bylaw, proposed Zoning amendment bylaw, and proposed Phased Development Agreement Authorization bylaw and set the date for public hearing;
2. Endorse the opportunities for consultation on the proposed OCP amendment bylaw as sufficient for the purposes of section 475 of the *Local Government Act*;
3. Give first reading to the proposed Road Closure and Removal of Highway Dedication bylaw and set the date (concurrent with the public hearing) for an opportunity for persons who consider they are affected by the bylaw to make representations to Council;
4. Give first reading to the proposed Park Exchange bylaw and direct that the proposed Alternative Approval Process be provided;
5. Give first reading to the proposed Park Dedication bylaw;
6. Give first reading to the following proposed bylaws: Cypress Village Reserve Fund Establishment bylaw, Development Cost Charge Bylaw amendment bylaw, Development Cost Charge Reserve Fund Expenditures bylaw, Development Procedures Bylaw amendment bylaw, Fees and Charges Bylaw amendment bylaw, Noise Control Bylaw amendment bylaw, Revised Soil Removal, Deposit, Blasting and Rock Breaking Bylaw amendment bylaw, Sewerage and Drainage Regulation Bylaw amendment bylaw, Subdivision Control Bylaw

amendment bylaw, and Waterworks Regulation Bylaw amendment bylaw;

7. Authorize the District to enter into the Cypress Village Land Agreement and all further agreements contemplated in the Land Agreement, authorize the Mayor and Corporate Officer to execute any such agreements on behalf of the District, and direct staff to undertake or carry out further administrative steps and tasks that staff consider necessary to give effect to the Land Agreement;
8. Direct that the District transfer the following funds currently held in the Community Amenity Reserve Fund to the proposed new Cypress Village Reserve Fund following adoption of the proposed Cypress Village Reserve Fund Establishment bylaw: \$13 million to be restricted for use towards planning, designing, and constructing the Cypress Village Fire Station and \$1 million to continue to be restricted for use towards planning, designing, and constructing the McGavin Sports Field;
9. Direct staff to undertake and carry out any administrative steps and tasks that staff consider necessary to give effect to the Cypress Village Phased Development Agreement, including but not limited to the planning, design, procurement and construction of the Cypress Village Fire Station within the timeframe required by the PDA, and authorize staff to enter into further agreements as contemplated by the PDA; and
10. Receive the background documents attached as Appendices 19 to 25 for information.

7.2 Considered Options

Five broad other options were considered:

1. Give first reading to all of the proposed bylaws but set alternative dates (to be specified) or procedures, such as:
 - An alternative date (to be specified) for a public hearing in relation to the proposed OCP amendment bylaw, proposed Zoning amendment bylaw, and proposed Phased Development Agreement Authorization bylaw;
 - An alternative date (to be specified) for an opportunity for persons who consider they are affected by the proposed Road Closure and Removal of Highway Dedication bylaw to make representations to Council;
 - Alternative procedures (to be specified) for the proposed Alternative Approval Process;
2. Amend one or more elements of the proposed approvals package, such as:
 - Amend one or more of the proposed bylaws (amendments to be

specified), give reading, and then set a date for a public hearing in relation to the proposed OCP amendment Bylaw, proposed Zoning amendment bylaw, and proposed Phased Development Agreement Authorization bylaw and the date for an opportunity for persons who consider they are affected by the proposed Road Closure and Removal of Highway Dedication bylaw to make representations to Council;

- Authorize the District to enter into the Cypress Village Land Agreement subject to amendments (to be specified);
 - Amend any of the other recommendations in this report (amendments to be specified);
3. Defer consideration of the proposed bylaws and recommendations pending receipt of additional information (to be specified);
 4. Reject the proposed bylaws and recommendations; or
 5. Provide alternative direction (to be specified).

8.0 Conclusion

Staff and the planning consultant recommend giving the 16 proposed bylaws first reading, scheduling a public hearing and an opportunity for input for June 25, 2024 at 6 p.m. as contemplated in this report, directing that the proposed Alternative Approval Process related to the proposed Park Exchange bylaw be provided as contemplated in this report, authorizing the District to enter into the Cypress Village Land Agreement and further agreements contemplated in the Land Agreement, approving the transfers of funds into the proposed new Cypress Village Reserve Fund once established by bylaw, directing staff to carry out administrative steps and tasks to facilitate implementation of the Cypress Village Phased Development Agreement and authorizing staff to enter into further agreements as contemplated in the PDA, and receiving for information the background documents provided with this report.

This recommendation is based on consideration of:

1. The planning policy context in the OCP;
2. Direction from Council during previous phases of this process;
3. The extensive and helpful input received during the District's comprehensive planning and engagement process which has helped shape the proposed ADP and proposed bylaws and legal agreements, including input from members of the former Upper Lands Working Group, the public, stakeholders, First Nations, Ministry of Transportation and Infrastructure, Department of Fisheries and Oceans, BPP, District departments, and the Past Director of Planning, Lands, and Permits;

4. The technical work completed during the “Pre-Conditions” phase prior to the Planning the Upper Lands process and during this planning and engagement process;
5. The results of the financial impact analysis which concluded that the most likely outcome is that Cypress Village will have a net positive financial impact on the District’s operating budget; and
6. The results of the comprehensive land value-for-land value financial analysis that compared BPP’s land value supported by the existing zoning in Eagleridge and Cypress Village and BPP’s land value supported by the negotiated package of business terms for the transfer of development potential, transfer of ownership of BPP’s Eagleridge lands to the District, rezoning, and amenities to be paid for by BPP in Cypress Village, which found that the negotiated package of business terms approximately balances the land value under the two scenarios but is slightly in the District’s favour.


The proposed bylaws and legal agreements, if approved, will be a milestone in implementing the policies in the OCP for the Upper Lands and will:


- achieve public ownership and protection of a very large, beautiful natural area in Eagleridge for recreation and conservation;
- provide a range of housing choices to help expand housing supply, housing diversity, and housing affordability in the community;
- achieve significant community amenities and benefits for West Vancouver without imposing significant new costs on the municipality or residents;
- provide a more diversified tax base for the municipality; and
- create a vibrant new place for West Vancouver residents for outdoor recreation and entertainment.


Date: May 13, 2024 Page 70
From: Jim Bailey, Director of Planning and Development Services and
Nicole Olenick, Project Co-Manager, Planning the Upper Lands
Subject: Cypress Village and Eagleridge Approvals Package: Proposed Bylaws, Legal
Agreements, and Resolutions

Author:  
Jim Bailey, Director of Planning and Development Services
Nicole Olenick, Project Co-Manager, Planning the Upper Lands

Concurrence 
Isabel Gordon, Director of Financial Services


Gord Howard, Fire Chief


Sue Ketler, Director of Parks, Culture & Community Services


Jenn Moller, Director, Engineering and Transportation


John Wong, Acting Director of Corporate Services

Appendices:

- Appendix 1:** Proposed "Official Community Plan Bylaw No. 4985, 2018, Amendment Bylaw No. 5205, 2024"
- Appendix 2:** Proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5206, 2024"
- Appendix 3:** Proposed "Park Dedication Bylaw No. 5213, 2024"
- Appendix 4:** Proposed "Phased Development Agreement Authorization Bylaw No. 5207, 2024"
- Appendix 5:** Proposed "Road Closure and Removal of Highway Dedication Bylaw No. 5208, 2024"
- Appendix 6:** Proposed "Park Exchange Bylaw No. 5302, 2024"

- Appendix 7:** Proposed “Cypress Village Reserve Fund Establishment Bylaw No. 5221, 2024”
- Appendix 8:** Proposed “Development Cost Charge Bylaw No. 3801, 1993, Amendment Bylaw No. 5209, 2024”
- Appendix 9:** Proposed “Development Cost Charge Reserve Fund Expenditures Bylaw No. 5211, 2024”
- Appendix 10:** Proposed “Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5210, 2024”
- Appendix 11:** Proposed “Fees and Charges Bylaw No. 5251, 2023, Amendment Bylaw No. 5216, 2024”
- Appendix 12:** Proposed “Noise Control Bylaw No. 4404, 2005 Amendment Bylaw No. 5215, 2024”
- Appendix 13:** Proposed “Revised Soil Removal, Deposit, Blasting and Rock Breaking Bylaw No. 5130, 2021, Amendment Bylaw No. 5214, 2024”
- Appendix 14:** Proposed “Sewerage and Drainage Regulation Bylaw No. 5263, 2023, Amendment Bylaw No. 5288, 2024”
- Appendix 15:** Proposed “Subdivision Control Bylaw No. 1504, 1955, Amendment Bylaw No. 5212, 2024”
- Appendix 16:** Proposed “Waterworks Regulation Bylaw No. 5260, 2023, Amendment Bylaw No. 5287, 2024”
- Appendix 17:** Cypress Village Land Agreement
- Appendix 18:** Proposed Elector Response Form
- Appendix 19:** Planning the Upper Lands: Phase 3 Engagement Summary Report dated June 30, 2022
- Appendix 20:** Planning the Upper Lands: What We Heard and How that has Helped Shape the Plan document dated May 2024
- Appendix 21:** Contextual Review of the Draft Development Plan for Cypress Village and Eagleridge letter from Steve Nicholls, Past West Vancouver Director of Planning, Lands, and Permits, dated April 29, 2023
- Appendix 22:** Financial Impacts of Cypress Village Development on the District of West Vancouver report by Wollenberg Munro Consulting Inc. dated April 2024
- Appendix 23:** Initial Traffic Impact Assessment documents:
- a) The letter dated May 16, 2022 from the Ministry of Transportation & Highways accepting the Traffic Impact Assessment Final Report: Rev 2 dated April 26, 2022

- b) The technical memorandum re: “BPP Cypress Village TIA – Summary Document” by Howes Technical Advantage Ltd. dated October 31, 2023
- c) The report entitled, “Traffic Impact Assessment Cypress Village Development, Final Report: Rev 2” by Howes Technical Advantage Ltd. dated April 2022

Updated Traffic Impact Assessment documents:

- d) The email dated October 23, 2023 from the Ministry of Transportation & Infrastructure accepting the October 2023 TIA Addendum 1
- e) The report entitled, “Traffic Impact Assessment Cypress Village Development, Addendum 1 - Final Report: Rev 2” by Howes Technical Advantage Ltd. dated October 2023

Additional Traffic Impact Analysis documents:

- f) The technical memorandum re: “BPP Cypress Village – Municipal Analysis: Summary of Findings” by Howes Technical Advantage Ltd. dated November 30, 2022
- g) The technical memorandum re: “BPP Cypress Village – Municipal Analysis Sensitivity Analysis Summary” by Howes Technical Advantage Ltd. and McElhanney Ltd. dated April 22, 2024

Appendix 24: The letter dated May 24, 2022 from Solstice Sustainability Works Inc. providing natural capital asset value estimates for the lands in Eagleridge that are currently owned by BPP for high level planning purposes

Appendix 25: The Letter Agreement dated March 28, 2024 between BPP and the District outlining park restoration works that BPP will complete following adoption of proposed “Park Exchange Bylaw No. 5302, 2024”

Date: May 13, 2024

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From: Jim Bailey, Director of Planning and Development Services and
Nicole Olenick, Project Co-Manager, Planning the Upper Lands

Subject: Cypress Village and Eagleridge Approvals Package: Proposed Bylaws, Legal
Agreements, and Resolutions

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NOTICE OF ALTERNATIVE APPROVAL PROCESS

The District is considering adopting Park Exchange Bylaw No. 5302, 2024. This proposed bylaw would remove the dedication for park purposes of portions of District-owned land as shown shaded blue on the map to the right. This land was dedicated as park by way of subdivision of lands creating parcels on Chippendale Road.

SUBJECT PARK LANDS: The Subject Park Lands at 3841 Uplands Way and at 3492 & 3496 Chippendale Road are labeled “Park to be Disposed” on the map to the right.

PARK EXCHANGE BYLAW NO. 5302, 2024 WOULD:

- a. Remove the dedication for park purposes of the Subject Park Lands (which total 955 square metres) for the purpose of constructing an extension to Chippendale Road to access lands within the Cypress Village area; and
- b. In exchange, dedicate 1,075.2 square metres of portions of the existing Chippendale Road road allowance labelled “Part Closed Road” on the map to the right (proposed to be closed via Road Closure and Removal of Highway Dedication Bylaw No. 5208, 2024) for park purposes.

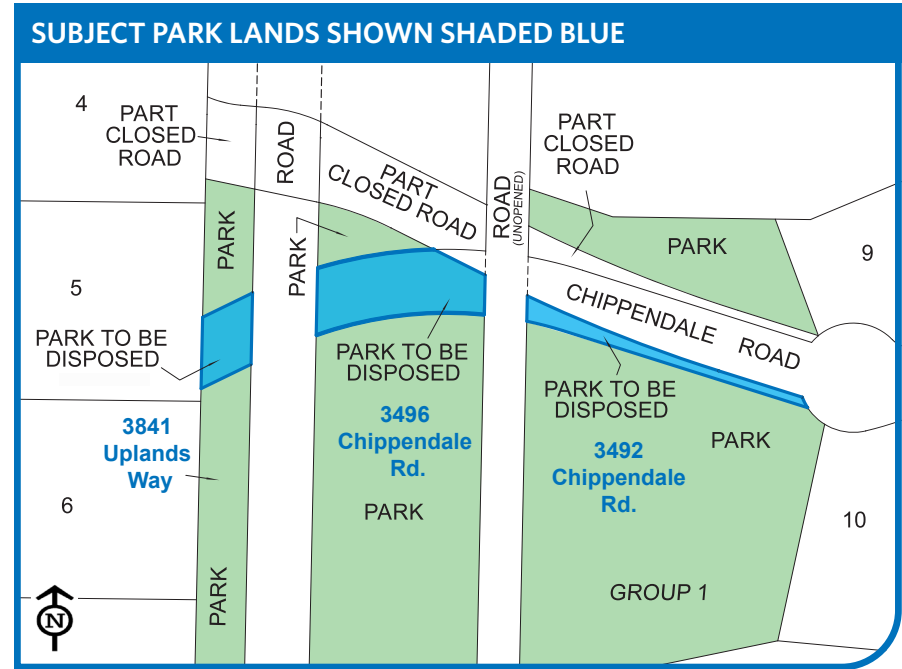
Council may adopt the proposed Park Exchange Bylaw unless at least 10% of the electors within the District of West Vancouver sign elector response forms and submit them to the District by the deadline of 4 p.m., July 22, 2024. If 10% of the electors sign and submit elector response forms by the deadline, Council must obtain the assent of the electors before adopting the proposed Park Exchange Bylaw.

PROVIDE YOUR SUBMISSION: The District estimates that 3,158 is the total number of eligible electors who need to submit signed elector response forms indicating they oppose the proposed bylaw in order to prevent the District from adopting the proposed Park Exchange Bylaw without the assent of the electors. Elector responses must be in the form established by the District. These forms are available from the District’s Municipal Hall, which is located at 750 17th Street, West Vancouver BC V7V 3T3; or online at westvancouverite.ca/upperlands. All original signed elector response forms must be received by the District by 4 p.m. July 22, 2024. Electronic submissions are not accepted. The only persons entitled to submit an elector response form is an elector of the District.

MORE INFORMATION: The proposed bylaw and other relevant documents that Council may consider in deciding whether to adopt the proposed Park Exchange Bylaw may be inspected at westvancouver.ca/notices and at Municipal Hall from June 4 to July 22, 2024 (8:30 a.m. to 4:30 p.m., Monday to Friday, excluding statutory holidays).

QUESTIONS? For information on the park exchange contact: Jim Bailey, Director of Planning and Development Services | upperlands@westvancouver.ca | 604-925-7058

For information on the Alternative Approval Process contact: Hope Dallas, Corporate Officer | hdallas@westvancouver.ca | 604-925-7045



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ALTERNATIVE APPROVAL PROCESS
ELECTOR RESPONSE FORM

District of West Vancouver Park Exchange Bylaw No. 5302, 2024, authorizing the disposal of Park Land

Pursuant to sections 84 and 86 of the *Community Charter*, I certify that:

- I am a person entitled to be registered as an elector (pursuant to sections 65 and 66 of the *Local Government Act*) within the District of West Vancouver (see information on page 2);
- I have not previously signed an Elector Response Form with respect to this Bylaw; and
- I am OPPOSED to the adoption of “Park Exchange Bylaw No. 5302, 2024” which authorizes disposal of 955 square meters of land currently dedicated as park and the dedication as park of 1,075.2 square meters of land currently dedicated as road.

The proposed disposal area is shown on plan EPP136132 which is shown as Figure 1 on Schedule A to the Bylaw as “PARK TO BE DISPOSED”, and the proposed dedication is shown on plan EPP136131 which is shown as Figure 2 on Schedule A to the Bylaw as “ROAD TO BE CLOSED”.

NAME OF ELECTOR: _____
(Please Print Full Name)

ELECTOR’S STREET ADDRESS: _____

SIGNATURE OF ELECTOR: _____

DATE: _____

| |
|---|
| To be completed by Non-Resident Property Electors only |
| I am entitled to register as a non-resident property elector as an owner of the property legally described as: _____ |

Freedom of Information and Protection of Privacy Act Collection Notice

Your personal information will be collected for the purpose of counting elector responses to “Park Exchange Bylaw No. 5302, 2024”. This information is being collected by the District of West Vancouver under section 86 of the *Community Charter* and sections 26(c) and (e) of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of this personal information, please contact the Privacy Officer, District of West Vancouver, at 604-921-3497.

For this elector response form to be counted, it must be submitted in person or by mail and received by the Corporate Officer, Legislative Services Department **NO LATER THAN 4 P.M. ON MONDAY, JULY 22, 2024.**

Postmarks **WILL NOT** be accepted as date of submission. **ORIGINAL SIGNATURES ARE REQUIRED; THE ELECTOR RESPONSE FORMS MAY NOT BE RETURNED BY EMAIL OR BY FAX.**

Approval of the electors by alternate approval process is obtained if fewer than 3,158 elector responses are received by the stated deadline.

Contact information for the District is as follows:

Legislative Services Department
750 – 17th Street, West Vancouver, BC V7V 3T3
Phone: 604-925-7004

Office hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding statutory holidays.

INFORMATION REGARDING QUALIFICATIONS FOR ELECTORS

Qualifications for Resident electors:

- age 18 or older;
- a Canadian citizen;
- a resident of British Columbia for at least 6 months;
- a resident of the District of West Vancouver; and
- not disqualified from voting in an election by any enactment or by law.

Qualifications for Non-resident property electors:

- not entitled to register as a resident elector in the District of West Vancouver;
- age 18 or older;
- a Canadian citizen;
- a resident of British Columbia for at least 6 months;
- a registered owner of real property in the District of West Vancouver for at least 30 days;
- the only persons who are registered owners of the real property owned by the non-resident elector, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust; and
- not disqualified from voting in an election by any enactment or by law.

Notes:

- If there is more than one registered owner of the property (either as joint tenants or tenants in common), only one of those individuals may, with the written consent of the majority of the owners, register as a non-resident property elector; and
- A person may only register as a non-resident property elector in relation to one parcel of real property in a jurisdiction.

An accurate copy of this elector response form may be utilized (either single-sided or double-sided), provided that it is made of the form prior to any electors signing such form, so that only elector response forms with original signatures are submitted.



Certification of Results for Alternative Approval Process

I, the undersigned Corporate Officer, as the person assigned responsibility for corporate administration in the District of West Vancouver under section 148 of the *Community Charter*, certify the results of the Alternative Approval Process that was conducted to obtain approval of the electors for the adoption of proposed "Park Exchange Bylaw No. 5302, 2024".

| | |
|------|---|
| 3158 | Estimated number of eligible electors |
| 0 | Number of elector response forms submitted by the deadline (July 22, 2024 at 4:30 p.m.) |
| 0 | Percentage of estimated electors who validly submitted elector response forms |

And in accordance with Section 86 of the *Community Charter*, the approval of the electors was obtained.

Dated this 23rd day of July, 2024.

Hope Dallas
Corporate Officer
District of West Vancouver

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District of West Vancouver

Park Exchange Bylaw No. 5302, 2024

Effective Date:

Park Exchange Bylaw No. 5302, 2024

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District of West Vancouver

Park Exchange Bylaw No. 5302, 2024

A bylaw to exchange park land on Chippendale Road and Uplands Way.

WHEREAS section 27 of the *Community Charter* authorizes a Council by bylaw, to dispose of land dedicated as park in exchange for other land suitable for park;

WHEREAS pursuant to Section 30 of the *Community Charter*, a Council of a municipality may, by bylaw adopted by 2/3 of all members of Council, dedicate land for municipal park purposes;

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 Park Exchange Bylaw No. 5302, 2024.

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 Park Exchange

3.1 All of the land comprising a total of 955 square metres (the “Park Lands”) shown as “Park to be Disposed” in Figure 1 in Schedule A attached to this bylaw, being portions of the lands more particularly described as follows, is disposed of for the purpose of constructing an extension of Chippendale Road:

- 3.1.1 3492 Chippendale Road Park,
 - 3.1.2 3496 Chippendale Road Park, and
 - 3.1.3 3841 Uplands Way Park.
- 3.2 Those portions of land comprising a total of 1,075.2 square metres shown as “Road to be Closed” in Figure 2 in Schedule A attached to this bylaw (the “Closed Road Portions”), which are currently dedicated as road, are taken in exchange for the Park Lands and are dedicated for the purpose of a park.
- 3.3 The Director of Planning and Development Services is authorized to execute such agreements, plans, and other documents as may be necessary to complete the disposal and dedication of the park lands.

Schedules

Schedule A – Figures 1 and 2 showing lands to be exchanged

READ A FIRST TIME on June 3, 2024

READ A SECOND TIME on June 25, 2024

READ A THIRD TIME on June 25, 2024

ALTERNATIVE APPROVAL PROCESS COMPLETED on July 22, 2024

ADOPTED by the Council on

Mayor

Corporate Officer

Schedule A – Park Lands to be Exchanged



Figure 1 – Park Lands to be Disposed Of

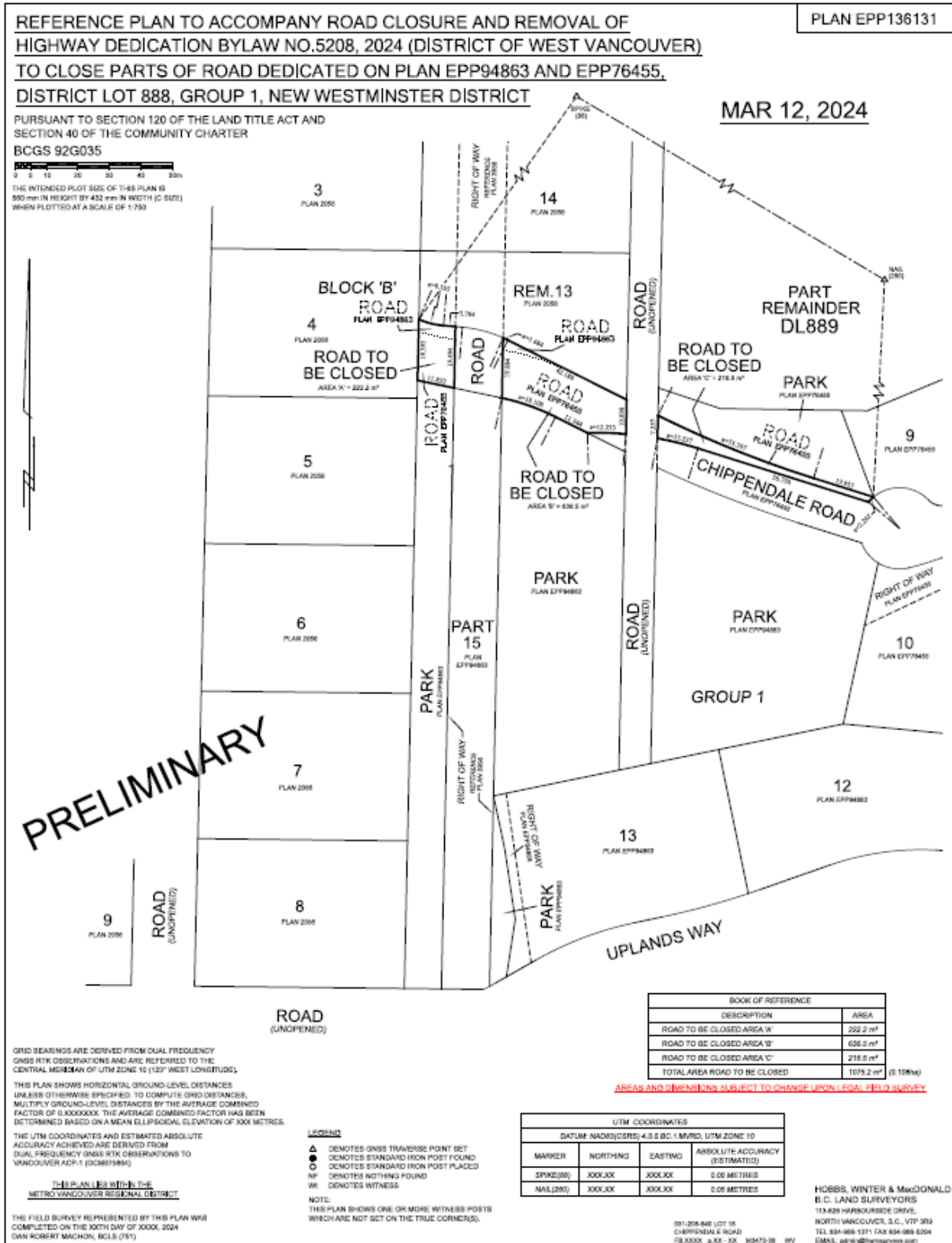


Figure 2 - Closed Road Portions to be Dedicated as Park