

REQUEST FOR DECISION

DATE: November 09, 2015

Report No. DEV-15-065

TO: Laurie Hurst, Chief Administrative Officer

FROM: Bill Brown, Director of Development Services

SUBJECT:

West Bay Neighbourhood Design Guidelines – Results of Public Consultation

RECOMMENDATION:

That Council adopt the West Bay Neighbourhood Design Guidelines (Schedule “A” to Staff Report DEV-15-065) by resolution with the following changes:

- 1) The addition of a note on page 21 (Height): “Six (6) stories may be allowed on the Triangle Lands where it is clearly demonstrated that the siting of the building and the additional storey does not significantly increase the sun shadow beyond what is contemplated by these guidelines based on the “Conceptual Siting, Form and Massing” illustrated on page 33”.
- 2) Add the word “historical” between “built” and “and” in the last sentence of the Vision on page 7.
- 3) Change the word “waterfront” to “harbourfront” throughout the document.
- 4) Delete the reference to “public phone” on page 24.
- 5) Change the description in the caption on page 31 from “northeast” to “southeast”.
- 6) That the text for the final bullet on page 16 be amended to indicate that “sun shade diagrams for the Winter Solstice will be required only when significant impacts are expected such as shading solar panels.”
- 7) That the concept of “urban village” be used where appropriate to clarify meaning.

RELEVANT POLICY:

Official Community Plan

Economic Development Strategy:

- Encourage quality commercial developments;
- Promote marine recreational opportunities and events in the Township;
- Consider increasing the number of public spaces, so that people may gather and connect, in all new developments.

STRATEGIC RELEVANCE:

The proposed guidelines support the following strategic priorities in Council's 2015 – 2019 Strategic Priorities document:

- Undertake process to update the Official Community Plan; and
- Implement the Economic Development Strategy.

BACKGROUND:

At their September 14, 2015 regular meeting, Council authorized staff to circulate the West Bay Neighbourhood Design Guidelines to the community for review and comment. The Guidelines were posted on our web site, on our Facebook ® site, and made available at the Municipal Hall. There were over 1000 views of this item on our Facebook ® site – the third highest number of views for any post this year. We received 14 written submissions (Schedule “B”). In addition, the Guidelines were reviewed by the Design Review Committee. Generally the responses were positive, however, there were some suggested changes. A summary of the suggested changes and the staff response is outlined below:

Public Comment	Staff Response
Can we create a more appealing interface with Work Point, particularly with regard to the chain link fence?	The Base Commander has indicated through informal discussions that he is willing to examine ways of making the interface between the base and the neighbourhood more appealing as long as security is not compromised.
Add “historical” to the last sentence of the vision statement	Staff is recommending that Council amend the document accordingly.
There should be acknowledgement of the two major precincts on Work Point	This will be addressed in the OCP review.
Change “should” to “must” throughout the document	These are guidelines, not regulations, therefore words like “should” and “may” are more appropriate.
Is it possible to enroll retailers, café owners, etc. to join this process at an early stage?	Ultimately it is the land owner who selects tenants. However, the Township is continually working to attract businesses and will certainly do what it legally can to help attract businesses to the West Bay Neighbourhood in cooperation with the land owner.
The “park” on Paradise Street is missing from the map on page 6	This map is taken directly from the OCP. The map will be corrected as part of the OCP process.
Can wood burning stoves be controlled?	The Guidelines are not the appropriate

	document to control air quality. If it is a serious problem there may be other legislation that can be used to control air quality due to wood burning stove emissions.
Do not agree that Paradise Street should be designated for townhouse development	The south side of Paradise Street is designated as "Townhouse" in the OCP and was not part of the Guideline process.
Do not support the proposed changes to Head Street	This is the only comment opposed to the proposed changes to Head Street.
Infrastructure has to meet the standards applied across the Township.	By law, all works must conform to the OCP.
6-storey buildings should be allowed on the Triangle lands	Recommend that six (6) stories may be allowed on the Triangle Lands where it is clearly demonstrated that the siting of the building and the additional storey does not significantly increase the sun shadow beyond what is contemplated by these guidelines based on the "Conceptual Siting, Form and Massing" illustrated on page 33."
The maximum height on waterfront lands be increased from 3 to 4 storeys	Not supported by staff because of the desire to create a gradual increase in building height as the distance from West Bay increases.
Change wording related to surface parking from "strongly discouraged and should be avoided" to "is not encouraged"	Staff feel that the existing wording still gives Council room to allow surface parking where it can be demonstrated that it contributes to an overall public good in the West Bay Neighbourhood (e.g. allows a small business that depends on having some convenient customer parking a better chance to survive or facilitates convenient parking for care givers).
Delete reference to discouraging vinyl windows	Staff support the discouragement of vinyl windows.
Delete "New buildings should not block significant views or solar access to adjacent buildings and open spaces"	Staff feel that notwithstanding potential legal issues, Council has sufficient leeway to implement this policy while avoiding potential legal issues.
Reference to "public telephones" is an anachronism	Staff agree and recommend that Council delete reference to "public telephones".
Shadow studies at the winter solstice should only be conducted where staff feels that there is a specific need for such a study	Staff agree that shadow studies at the winter solstice may misrepresent the actual impacts of the shadow at this time of year and recommend that winter

	solstice shadow studies be required only when specifically required by staff or Council.
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The Guidelines were reviewed by the Design Review Committee at their regular meeting on October 14, 2015. The comments from the members of the Committee were very positive. They have provided the following two comments to Council:

- 1) The addition of some language around “village” versus “high street”; and
- 2) Stress the importance of urban streetscapes to the creation of a neighbourhood village in the document.

Following Council approval of the amended Guidelines, they will be used to inform the OCP review and will be eventually conflated with the OCP.

ISSUES:

1. Rationale for Selected Option
Through the public review process, several points were raised that staff feel should be incorporated into the Guidelines in order to clarify them. Staff also feel that several of the suggested changes should not be incorporated into the Guidelines as they do not significantly improve the interpretation of the guidelines.
2. Organizational Implications
The proposed changes to the Guidelines will not result in significant organizational implications.
3. Financial Implications
The proposed changes to the Guidelines will not result in significant financial implications.
4. Sustainability & Environmental Implications
The proposed changes do not significantly impact the sustainability and environmental implications of the Guidelines.
5. Communication & Engagement
The proposed changes to the Guidelines are the result of a one-month long public consultation process.

ALTERNATIVES:

1. That Council adopt the West Bay Neighbourhood Design Guidelines (Schedule “A” of Staff Report DEV-15-065) by resolution with the following changes:
 - 1) The addition of a note on page 21 (Height): “Six (6) stories may be allowed on the Triangle Lands where it is clearly demonstrated that the

siting of the building and the additional storey does not significantly increase the sun shadow beyond what is contemplated by these guidelines based on the “Conceptual Siting, Form and Massing” illustrated on page 33”.

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- 2) That Council adopt the West Bay Neighbourhood Design Guidelines by resolution with no changes or alternative changes.