

# AGENDA

## *PUBLIC HEARING*

**Tuesday, April 17, 2012  
7:00 p.m.**

**Council Chamber, Municipal Hall  
355 West Queens Road,  
North Vancouver, BC**

**Council Members:**

Mayor Richard Walton  
Councillor Roger Bassam  
Councillor Robin Hicks  
Councillor Mike Little  
Councillor Doug MacKay-Dunn  
Councillor Lisa Muri  
Councillor Alan Nixon



[www.dnv.org](http://www.dnv.org)

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**PUBLIC HEARING**

**7:00 p.m.  
Tuesday, April 17, 2012  
Council Chamber, Municipal Hall,  
355 West Queens Road, North Vancouver**

**AGENDA**

**1. OPENING BY THE MAYOR**

**2. INTRODUCTION OF BYLAWS BY CLERK**

**2.1. The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 7902, 2011 (Amendment 1)**

*Purpose of Bylaw:*

Bylaw 7902 proposes to redesignate the subject lands in the Official Community Plan from *Residential Level Two* to *Parks, Open Space, and Natural Areas*.

**2.2. The District of North Vancouver Rezoning Bylaw 1276**

*Purpose of Bylaw:*

Bylaw 7903 proposes to rezone the subject lands from residential zoning to park zoning.

**3. PRESENTATION BY STAFF**

Presentation: Tamsin Guppy, Community Planner

**4. REPRESENTATIONS FROM THE PUBLIC**

**5. QUESTIONS FROM COUNCIL**

**6. COUNCIL RESOLUTION**

*Recommendation:*

THAT the April 17, 2012 Public Hearing be Closed;

AND THAT Bylaw 7902 – The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 7902, 2011 (Amendment Bylaw 1), be returned to Council for further consideration;

AND THAT Bylaw 7903 – The District of North Vancouver Rezoning Bylaw 1276, be returned to Council for further consideration.

**7. CLOSING**

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# **The Corporation of the District of North Vancouver**

## **Bylaw 7902**

A bylaw to amend The District of North Vancouver Official Community Plan Bylaw 7900, 2011

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The Council for The Corporation of the District of North Vancouver enacts as follows:

### **1. Citation**

This bylaw may be cited as “The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 7902, 2011 (Amendment 1)”.

### **2. Amendments**

- 2.1 The Official Community Plan – Land Use Map is amended by re-designating from *Residential Level 2 to Parks, Open Space and Natural Areas* the properties as illustrated in Schedule 1 to this bylaw and described as follows:

Lot 1, Blocks 17-19, District Lot 778, Plan 14603, PID:007-758-189  
Lot 1, Block 2, District Lot 850, Plan 8972, PID 009-859-594  
Lot A of Lot 36, Block 1, District Lot 850, Plan 17837, PID: 004-741-021  
Lot 27, Block 3, District Lot 850, Plan 8987, PID: 009-846-867  
Lot 26, Block 3, District Lot 850, Plan 8987, PID: 009-846-859  
Lot 25, Block 3, District Lot 850, Plan 8987, PID: 009-847-201  
Lot 24, Block 3, District Lot 850, Plan 8987, PID:009-846-841

- 2.2 The Official Community Plan – Land Use Map is amended by re-designating from *Residential Level 2 to Parks, Open Space and Natural Areas* the properties as illustrated in Schedule 1 to this bylaw and described as follows:

All that portion of Lot “B” of Lot 36, Block “I”, District Lot 850, Group One, New Westminster District, Plan 17837, which said portion may be more particularly described thus:

Commencing at the bend point on the Westerly boundary of said Lot “B”, as shown on Plan 17837

Thence 0° 14’ 20” and along the Westerly boundary of said Lot “B”, a distance of 39.690 metres more or less, to the NorthWest corner of said Lot “B”,

Thence 90° 14’ 20” and along the Northerly boundary of said Lot “B”, a distance of 30.065 metres more or less, to the NorthEast corner of said Lot “B”,

Thence 180° 14' 20" and along the Easterly boundary of said Lot "B", a distance of 3.670 metres more or less, to a bend in the Easterly boundary of said Lot "B",

Thence 198° 10' 30" and along the Easterly boundary of said Lot "B", a distance of 49.990 metres more or less, to a bend in the Easterly boundary of said Lot "B",

Thence 146° 40' 00" and along the Easterly boundary of said Lot "B", a distance of 11.595 metres,

Thence 305° 35' 49' a distance of 29.425 metres more or less, to a point on the Westerly boundary of said Lot "B", said point lying 5.091 metres SouthWesterly of the point of commencement,

Thence 35° 10' 25" and along the Westerly boundary of said Lot "B" to the point of commencement .

Said portion containing 0.120 hectares more or less.

**READ** a first time the 26<sup>th</sup> of March, 2012

**PUBLIC HEARING** held the

**READ** a second time the

**READ** a third time the

**ADOPTED** the

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Mayor

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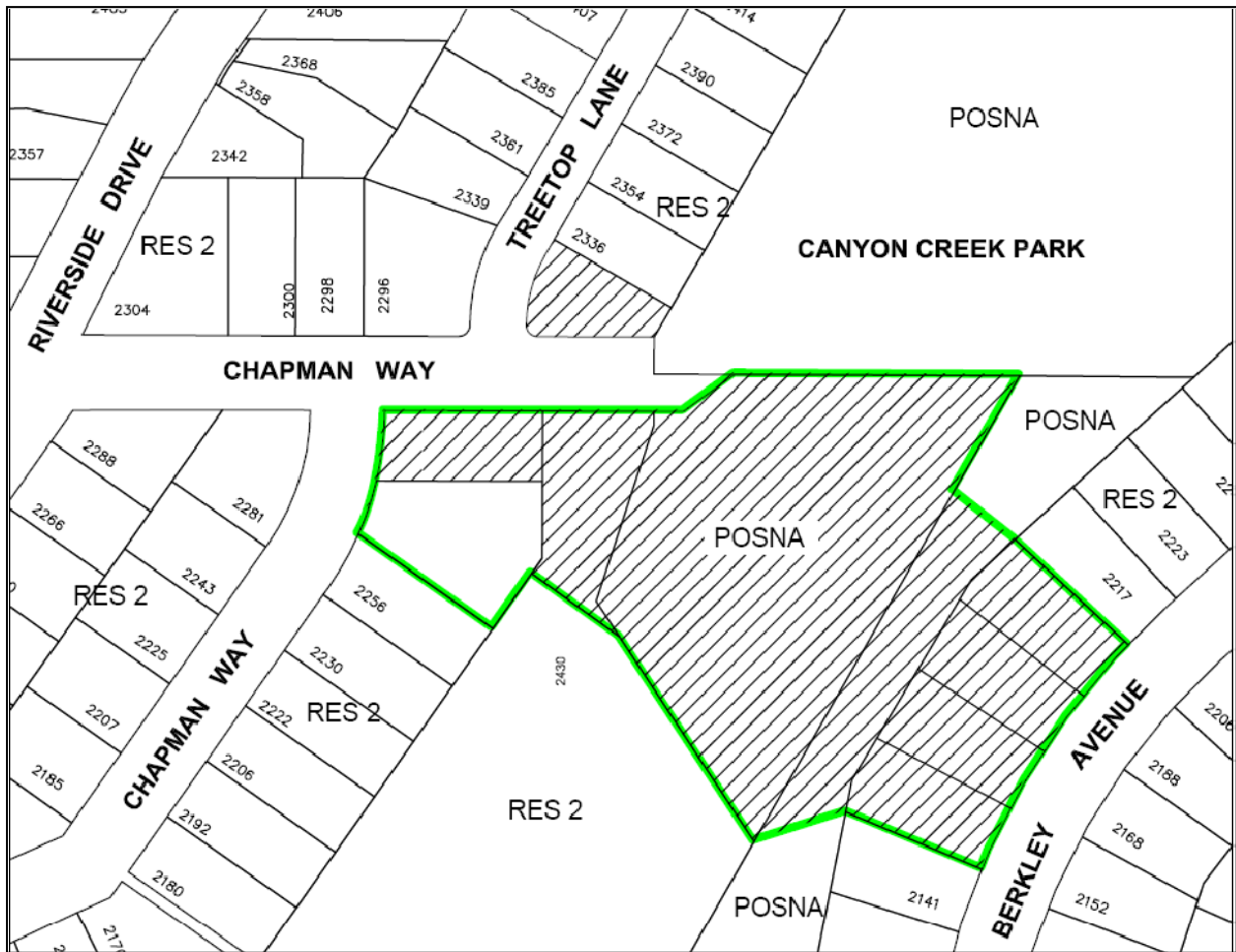
Municipal Clerk

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Municipal Clerk

# Schedule 1 to Bylaw 7902



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# **The Corporation of the District of North Vancouver**

## **Bylaw 7903**

A bylaw to amend The District of North Vancouver Zoning Bylaw 3210, 1965

---

The Council for The Corporation of the District of North Vancouver enacts as follows:

### **1. Citation**

This bylaw may be cited as “The District of North Vancouver Rezoning Bylaw 1276 (Bylaw 7903)”.

### **2. Amendments**

- 2.1 The Zoning Map is amended to rezone from Single Family Residential (RS3) to Natural Parkland (NPL) the land as illustrated in Schedule 1 to this bylaw and legally described as follows:

Lot 1, Blocks 17-19, District Lot 778, Plan 14603, PID:007-758-189

- 2.2 The Zoning Map is amended to rezone from Single Family Residential (RS1) to Natural Parkland (NPL) the land as illustrated in Schedule 1 to this bylaw and legally described as follows:

Lot A of Lot 36, Block 1, District Lot 850, Plan 17837, PID: 004-741-021  
And all that portion of Lot “B” of Lot 36, Block “I”, District Lot 850, Group One, New Westminster District, Plan 17837, which said portion may be more particularly described thus:

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Thence 35° 10' 25" and along the Westerly boundary of said Lot "B" to the point of commencement .

Said portion containing 0.120 hectares more or less.

- 2.3 The Zoning Map is amended to rezone from Single Family Residential (RS3) to Neighbourhood Park Zone (NP) the land as illustrated in Schedule 1 to this bylaw and legally described as follows:

Lot 27, Block 3, District Lot 850, Plan 8987, PID: 009-846-867  
Lot 26, Block 3, District Lot 850, Plan 8987, PID: 009-846-859  
Lot 25, Block 3, District Lot 850, Plan 8987, PID: 009-847-201  
Lot 24, Block 3, District Lot 850, Plan 8987, PID: 009-846-841  
Lot 1, Block 2, District Lot 850, Plan 8972, PID: 009-859-594  
Lot 2, Block 2, District Lot 850, Plan 8972, PID: 003-423-913

**READ** a first time the 26<sup>th</sup> of March, 2012

**PUBLIC HEARING** held the

**READ** a second time the

**READ** a third time the

**ADOPTED** the

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Mayor

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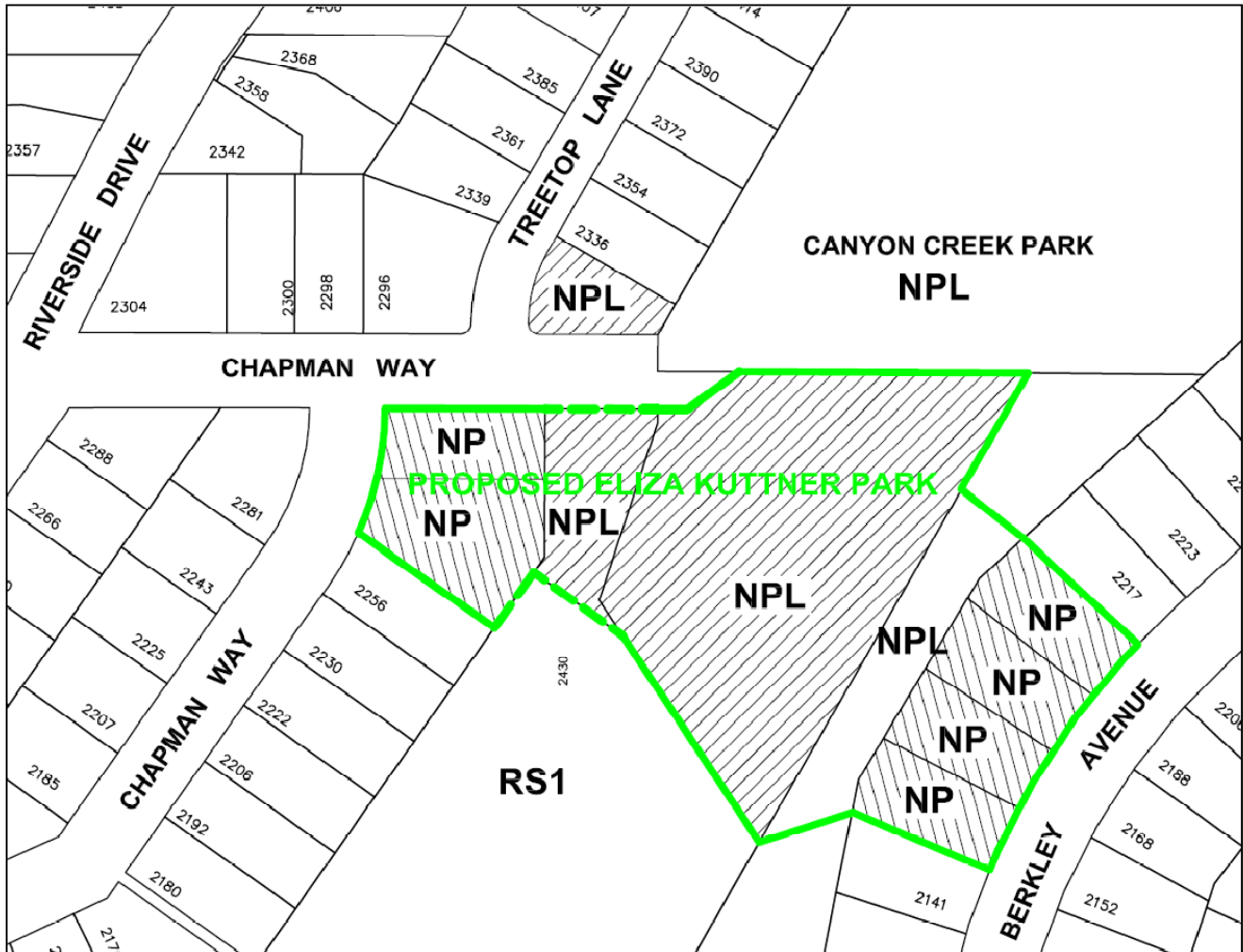
Municipal Clerk

Certified a true copy

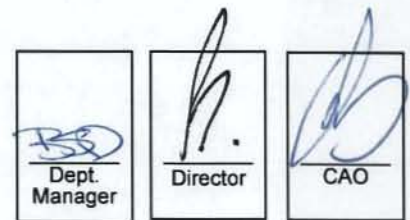
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Municipal Clerk

Schedule 1 to Bylaw 7903



COUNCIL AGENDA/INFORMATION				
<input type="checkbox"/> In Camera	Date:	Item #		
<input checked="" type="checkbox"/> Regular	Date: <u>MARCH 26, 2012</u>	Item #		
<input type="checkbox"/> Agenda Addendum	Date:	Item#		
<input type="checkbox"/> Info Package	DM#	Date:	Mailbox:	



## The District of North Vancouver REPORT TO COUNCIL

March 12, 2012  
File: 3060-20-56.11  
Tracking Number: RCA -

**AUTHOR:** Tamsin Guppy, Community Planning

**SUBJECT:** Bylaw 7902 and 7903: Eliza Kuttner Memorial Park

### RECOMMENDATION:

That the following bylaws be introduced and referred to a Public Hearing:

1. Bylaw 7902 amending the Official Community Plan from Residential Level 2 to Parks, Open Space and Natural Areas (Attachment A); and
2. Bylaw 7903 rezoning land from Single Family Residential to Parkland(Attachment B).
3. Council pass the following resolutions:
  - a) That pursuant to Section 879 of the Local Government Act, additional consultation is not required with respect to Bylaws 7902 and 7903; and
  - b) That pursuant to Section 882(3)(a) of the Local Government Act, Council has considered Bylaws 7902 and 7903 in conjunction with its Financial Plan and applicable Waste Management Plan.

### REASON FOR REPORT:

Staff are bringing forward the necessary bylaws to start the process of converting land that was once residential to parkland, and more precisely to create a memorial to Eliza Kuttner.





## **BACKGROUND:**

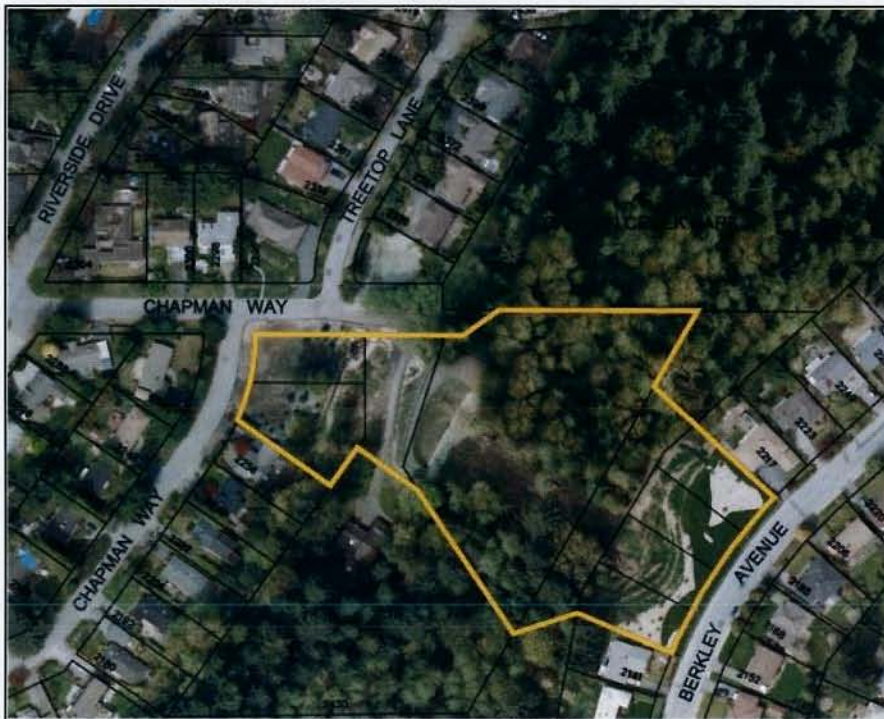
On January 19, 2005, District resident Eliza Kuttner died in a landslide originating from the crest of the Berkley escarpment. This tragic event changed the way the District deals with hazards. Following the remediation of the site to reduce the landslide risk, the area has been re-planted and two flat parkland style pieces of land are now located at the top and bottom of the slide area.

## **Eliza Kuttner Park**

The residential and park lands that are located at the site of the Berkley landslide between Berkley Avenue and Chapman Way are proposed to be rezoned Park and named Eliza Kuttner Park.

The park site would include the lots shown below, including subdividing off a portion of District owned 2430 Chapman Way, and a portion of the existing park lot located below the Berkley lots, to create one continuous and clearly defined parcel, which henceforth would be known as Eliza Kuttner Park. Access to 2430 Chapman Way would be maintained by the creation of an access easement.

The Proposed Eliza Kuttner Park Site:





Following the landslide, the lots were cleared and landscaped and now form a parklike setting for both Berkley and Chapman Way (shown below).



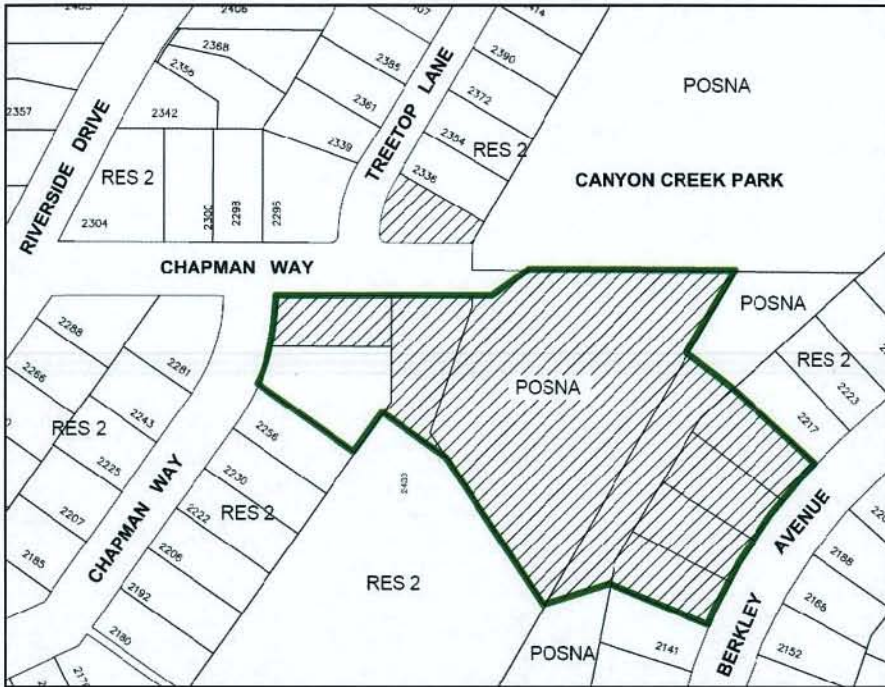
**Berkley Avenue**



**Chapman Way**



Bylaw 7902 is a housekeeping bylaw which proposes to redesignate the hatched areas shown on the map below from Residential Level 2 to Parks, Open Space and Natural Areas (Attachment A). These changes will amend the Official Community Plan's land use map.



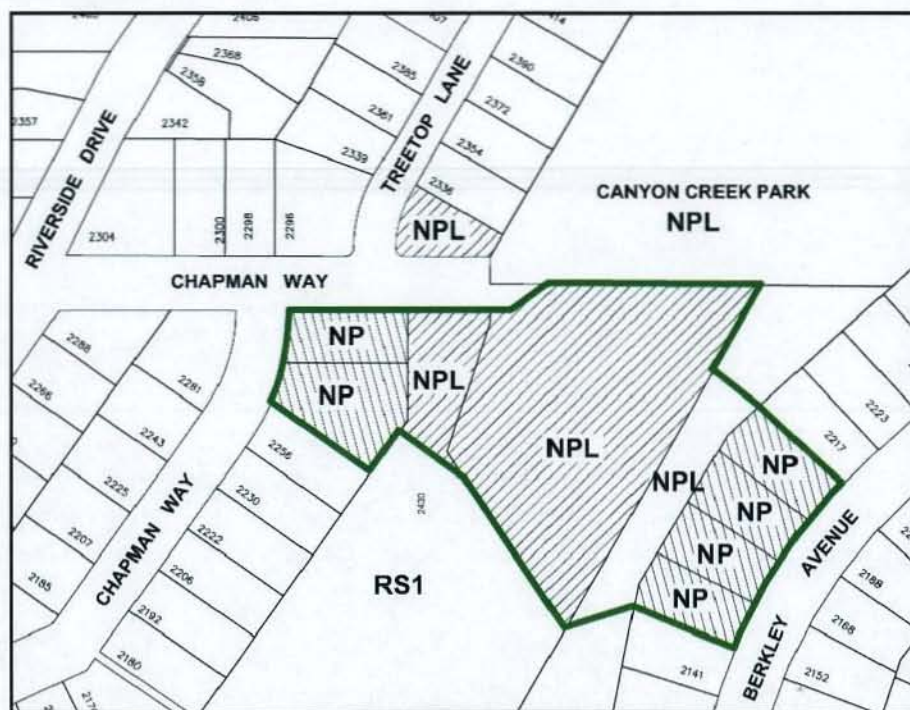
Document: 1779944



## **Park Zoning**

Bylaw 7903 proposes to rezone lands from residential zoning to park zoning. The properties on Chapman Way and Berkley Avenue that have flat landscaped areas that could be suitable for public uses, including neighbourhood park uses, like playgrounds, or benches are proposed to be rezoned to Neighbourhood Park (NP). At this time the only addition to these lands would be the addition of a memorial bench on Chapman Way and park signs on both street fronts.

The properties on the steep embankment are part of the forested embankment, and as such are proposed to be rezoned to the Natural Parkland Zone (NPL) with the expectation that they remain forested.



**Proposed Zoning Map**

## **Memorials**

**Eliza Kuttner Park:** This report outlines how the District owned lots can be packaged together to create a park on the site of the 2005 Berkley landslide. This park is proposed to be named "Eliza Kuttner Park" and two parks signs will be erected, one on Berkley Avenue and one at Chapman Way. This proposal is in keeping with Corporate Policy 12-5810-1 which lays out the criteria for naming parks.

In addition, a memorial bench will be located on Chapman Way, and will be fitted with a plaque which reads:

**Eliza Wing-Mun Chandra Prabha Chiu Kuttner**  
**March 26, 1961 – January 19, 2005**  
**"She Brought Love to Everyone She Met"**



**Concurrence:**

This report has been written in conjunction with input from the Parks and Engineering staff.

**Financial Impacts:**

The lands in question are owned by the District and were acquired with funds granted by the Province of British Columbia. For accounting purposes, these lands are recorded at cost in the amount of \$4.8 million. In the event of a conversion to parklands, the existing values are no longer supportable and these lands will need to be written down as a result of the change in use. The value of these lands as parklands is assessed at \$.4 million by BC Assessment (2012). The asset write-down will have the effect of reducing the District's equity in tangible capital assets by \$4.4 million to reflect the value given up by the District in creating the park.

**Conclusion:**

The rezoning and designation of these lands to create a park as a memorial to Eliza Kuttner is an appropriate use of the land.

Staff recommend that the following bylaws be introduced and referred to a Public Hearing:

1. Bylaw 7902 amending the Official Community Plan from Residential Level 2 to Parks, Open Space and Natural Areas (Attachment A); and
2. Bylaw 7903 rezoning land from Single Family Residential to Parkland(Attachment B).
3. Council pass the following resolutions:
  - c) That pursuant to Section 879 of the Local Government Act, additional consultation is not required beyond that already undertaken with respect to Bylaws 7902 and 7903; and
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Tamsin Guppy  
Community Planning

REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:
<input type="checkbox"/> Sustainable Community Development	<input type="checkbox"/> Clerk's Office	External Agencies:	Advisory Committees:
<input type="checkbox"/> Development Services	<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Library Board	<input type="checkbox"/> _____
<input type="checkbox"/> Utilities	<input type="checkbox"/> Communications	<input type="checkbox"/> NS Health	<input type="checkbox"/> _____
<input type="checkbox"/> Engineering Operations	<input checked="" type="checkbox"/> Finance <i>MD</i>	<input type="checkbox"/> RCMP	<input type="checkbox"/> _____
<input type="checkbox"/> Parks & Environment	<input type="checkbox"/> Fire Services	<input type="checkbox"/> Recreation Commission	
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Human resources	<input type="checkbox"/> Other: _____	
	<input type="checkbox"/> ITS		
	<input type="checkbox"/> Solicitor		
	<input type="checkbox"/> GIS		

## **The Corporation of the District of North Vancouver**

### **Bylaw 7902**

A bylaw to amend The District of North Vancouver Official Community Plan Bylaw 7900, 2011

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#### **2. Amendments**

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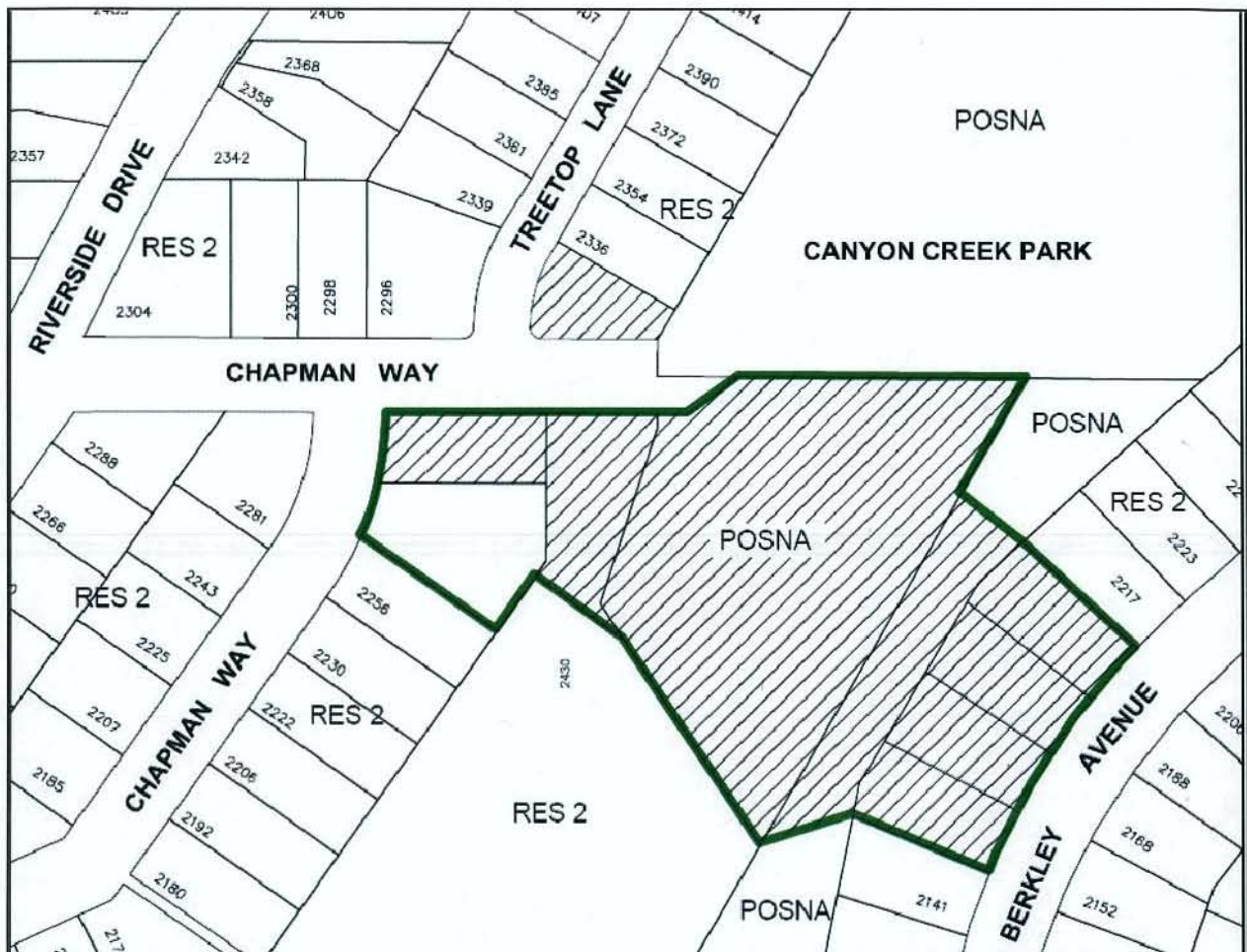
Municipal Clerk

Certified a true copy

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Municipal Clerk

## Schedule 1 to Bylaw 7902



## **The Corporation of the District of North Vancouver**

### **Bylaw 7903**

A bylaw to amend The District of North Vancouver Zoning Bylaw 3210, 1965

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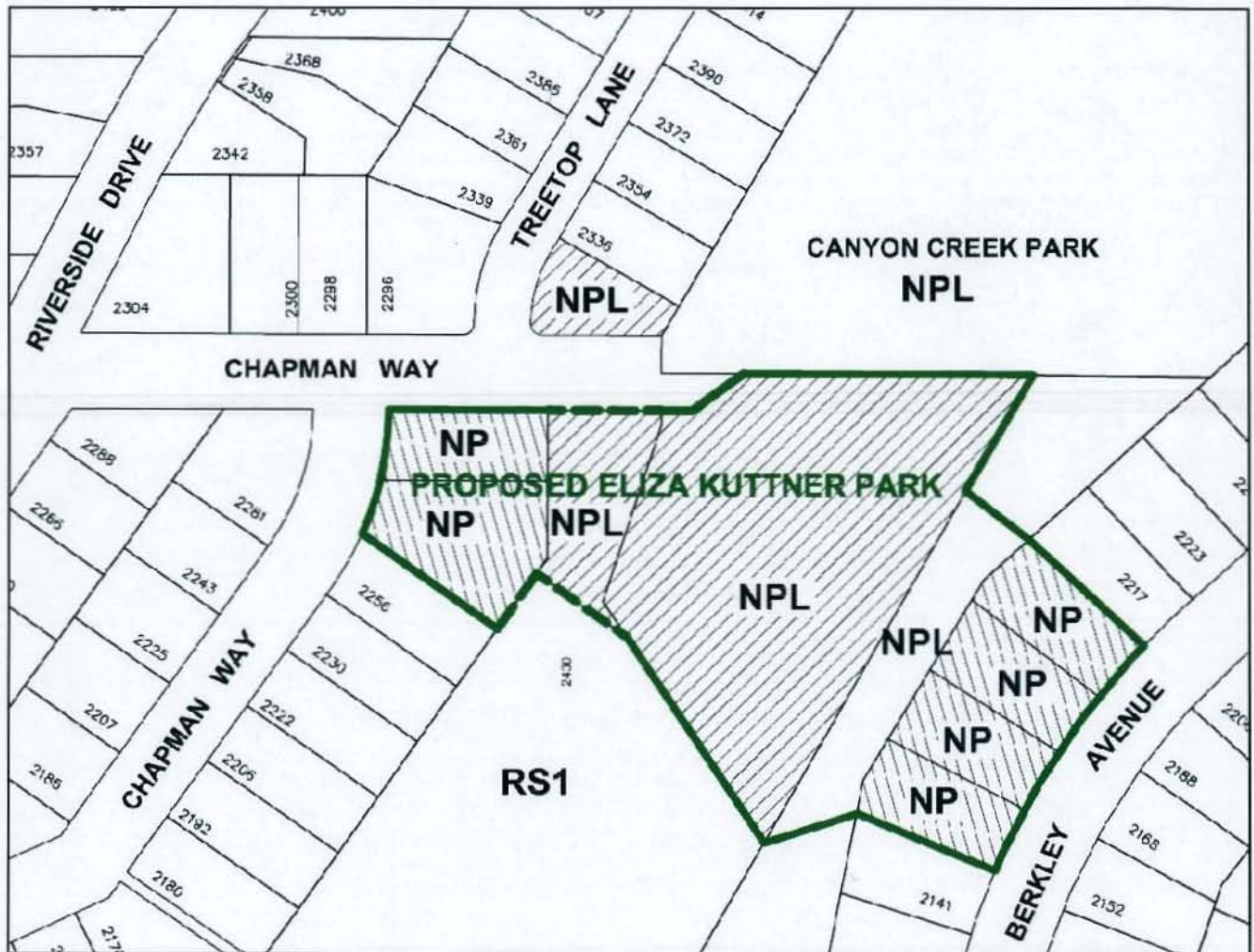
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Municipal Clerk



**Schedule 1 to Bylaw 7903**



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# NOTICE OF PUBLIC HEARING

## Bylaws 7902 and 7903: Eliza Kuttner Park

A Public Hearing is scheduled for **7:00 pm on TUESDAY, April 17, 2012**, in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, B.C., to allow the public to make representations to Council respecting matters contained in proposed Bylaws 7902 and 7903. Written submissions will be accepted up to the conclusion of the Public Hearing.

### Bylaw 7902:

The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 7902, 2011 (Amendment 1)

### Applicant:

District of North Vancouver

### Subject Lands:

- Lot 1, Blocks 17-19, District Lot 778, Plan 14603, PID: 007-758-189
- Lot 1, Block 2, District Lot 850, Plan 8972, PID: 009-859-594
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### Bylaw 7903:

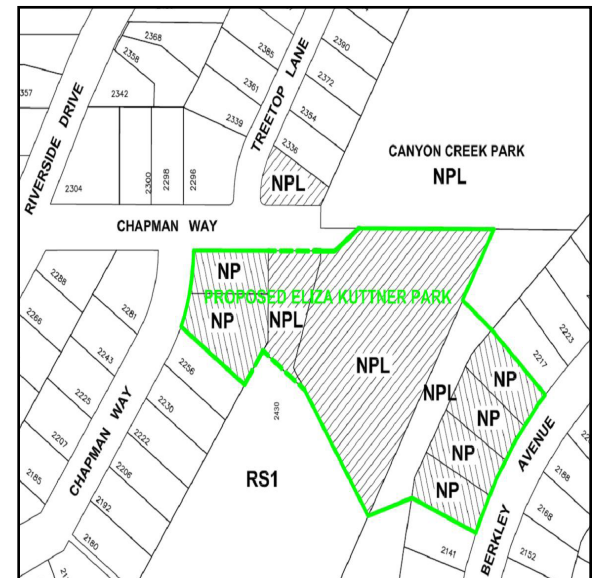
The District of North Vancouver Rezoning Bylaw 1276

### Applicant:

District of North Vancouver

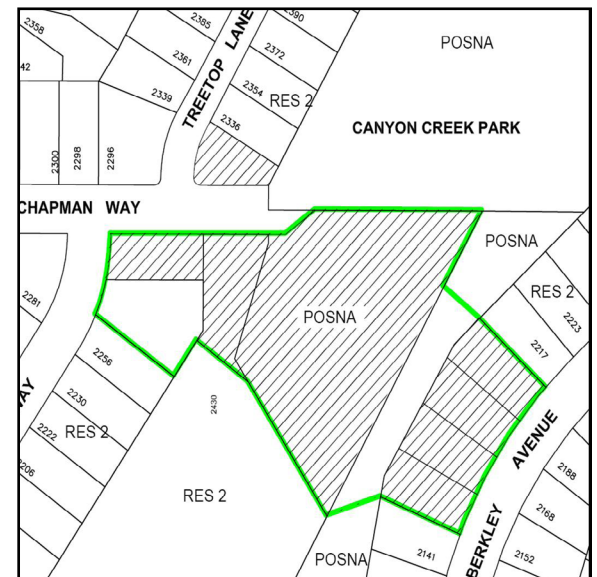
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- Lot 1, Block 2, District Lot 850, Plan 8972, PID: 009-859-594
- Lot 2, Block 2, District Lot 850, Plan 8972, PID: 003-423-913
- All that portion of Lot "B" of Lot 36, Block "I", District Lot 850, Group One, New Westminster District, Plan 17837, which said portion may be more particularly described thus: Commencing at the bend point on the Westerly boundary of said Lot "B", as shown on Plan 17837; thence 0° 14' 20" and along the Westerly boundary of said Lot "B", a distance of 39.690 metres more or less, to the Northwest corner of said Lot "B"; thence 90° 14' 20" and along the Northerly boundary of said Lot "B", a distance of 30.065 metres more or less, to the Northeast corner of said Lot "B"; thence 180° 14' 20" and along the Easterly boundary of said Lot "B", a distance of 3.670 metres more or less, to a bend in the Easterly boundary of said Lot "B"; thence 198° 10' 30" and along the Easterly boundary of said Lot "B", a distance of 49.990 metres more or less, to a bend in the Easterly boundary of said Lot "B"; thence 146° 40' 00" and along the Easterly boundary of said Lot "B", a distance of 11.595 metres; thence 305° 35' 49" a distance of 29.425 metres more or less, to a point on the Westerly boundary of said Lot "B", said point lying 5.091 metres South Westerly of the point of commencement; thence 35° 10' 25" and along the Westerly boundary of said Lot "B" to the point of commencement; and, said portion containing 0.120 hectares more or less.



### Proposed Amendment:

Bylaw 7902 proposes to redesignate the subject lands in the Official Community Plan from Residential Level Two to Parks, Open Space, and Natural Areas.



### Proposed Amendment:

Bylaw 7903 proposes to rezone lands from residential zoning to park zoning.

### Purpose:

The proposed bylaws will allow residential lands to be converted to parkland allowing the creation of a new park. The proposed park will be named Eliza Kuttner Park.

Copies of the bylaws, Council resolutions, supporting staff reports and other relevant background materials are available after March 29, 2012, at the District of North Vancouver Clerk's Office (Monday to Friday, except statutory holidays, between 8:00 am and 4:30 pm) or online at [www.dnv.org/public\\_hearing](http://www.dnv.org/public_hearing). Please direct inquiries to Ms. Tamsin Guppy, Community Planner, at 604-990-2391.

James A Gordon  
Municipal Clerk

District of North Vancouver  
355 West Queens Road, North Vancouver, BC, V7N 4N5  
Main Line 604-990-2311

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