

AGENDA

PUBLIC HEARING

**Tuesday, May 15, 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



NORTH VANCOUVER
DISTRICT

www.dnv.org

THIS PAGE LEFT BLANK INTENTIONALLY

PUBLIC HEARING

7:00 p.m.
Tuesday, May 15, 2012
Council Chamber, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

1. OPENING BY THE MAYOR

2. INTRODUCTION OF BYLAW BY CLERK

2.1. The District of North Vancouver Rezoning Bylaw 1278 (Bylaw 7922)

Purpose of Bylaw:

Bylaw 7922 proposes to rezone the commercial property at Edgemont Boulevard and West Queens Road to Comprehensive Development Zone 65 (CD 65) to allow for the development of a three-storey retail, service, and office building.

3. PRESENTATION BY STAFF

Presentation: Steven Petersson, Community Planner

4. REPRESENTATIONS FROM THE PUBLIC

5. QUESTIONS FROM COUNCIL

6. COUNCIL RESOLUTION

Recommendation:

THAT the May 15, 2012 Public Hearing be Closed;

AND THAT Bylaw 7922 – The District of North Vancouver Rezoning Bylaw 1278 (Bylaw 7922), be returned to Council for further consideration.

7. CLOSING

THIS PAGE LEFT BLANK INTENTIONALLY

The Corporation of the District of North Vancouver

Bylaw 7922

A bylaw to amend The District of North Vancouver Zoning Bylaw 1278 (Bylaw 3210) to rezone a commercial property at Lot B, Block 41, District Lot 599, Plan 13502, PID 008-581-231 (3053-3059 Edgemont Boulevard) to CD65 to permit commercial and office development.

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 1278 (Bylaw 7922)”.

2. Amendments

1. The following amendments are made to the “District of North Vancouver Zoning Bylaw 1965” as they affect:

a) Part 2 by replacing:

“For definitions applicable to the Employment Zones and Village Commercial Zones see Part 2A, for all other zones see below.”

With:

“For definitions applicable to the Employment Zones, Village Commercial Zones and Comprehensive Development Zone 65 see Part 2A, for all other zones see below.”

b) Part 2A by replacing:

“Definitions Applicable to the Employment Zones and Village Commercial Zones (Sections 600-A, 600-B, 750 and 770)

The following definitions apply in the Employment Zones and Village Commercial Zones (Section 600-A, 600-B, 750 and 770) only:”

With:

“Definitions Applicable to the Employment Zones, Village Commercial Zones, and Comprehensive Development Zone 65 (Sections 600-A, 600-B, 750, 770, and 4B370 to 4B385)

The following definitions apply in the Employment Zones, Village Commercial Zones and Comprehensive Development Zone 65 (Sections 600-A, 600-B, 750, 770, and 4B370 to 4B385) only:"

c) Section 301(2) by inserting the following zoning designation:

"Comprehensive Development Zone 65 (CD 65)"

d) Part 4B by inserting the following:

"4B370 Comprehensive Development Zone 65 (CD65)"

The CD 65 Zone is applied to:

Lot B, Block 41, District Lot 599, Plan 13502, PID: 008-581-231 (3053-3059 Edgemont Boulevard)

4B371 Intent

The purpose of the CD65 zone is to permit commercial and office development in Edgemont Village.

4B372 Uses

The following *principal uses* shall be permitted in the Comprehensive Development 65 Zone:

(a) Uses Permitted without Conditions:

Not applicable

(b) Conditional Uses:

The following *principal uses* are permitted:

Office use

Personal service use

Retail use (with the exception of liquor store use as defined in Part 2 of the Zoning Bylaw)

Take-out Restaurant

Service use

(c) Prohibited Uses

The following uses are not permitted:

Liquor Store

4B373 Conditions of Use:

- (a) **All uses:** all uses of land, buildings, and structures are only permitted when the following conditions are met:
- i. All aspects of use are completely contained within an *enclosed building* except for:
 - a. Parking and loading areas and external corridors
 - b. *Outdoor customer service areas*
 - c. The display of goods limited to 5m² (54 sq ft) per commercial unit
 - d. Glass elevator
 - e. *Outdoor amenity areas (balconies, patios or roof decks)*.
 - ii. Noise, glare, odour and air pollution generated on a parcel shall not be detectable from the parcel's property line, and shall comply with Part 4, Section 414 of the Zoning Bylaw.
 - iii. Any outdoor customer service areas must comply with the regulations found in Section 413.

4B374 Accessory Use

- (a) **Accessory Uses** are permitted.

4B375 Density

- a) The density in the CD 65 zone is limited to a Floor Area Ratio of 1.0.
- b) Despite Subsection 4B375 (a), Floor Area Ratio in the CD 65 Zone is increased to a maximum of 1.84 if \$312,975 is contributed to the municipality to be used for community amenities (such as public realm, park, trail, recreation improvements and the Affordable Housing Fund, with allocation to be determined by the municipality at its sole discretion), plus \$95,000 in off-site landscaping and construction of park improvements and dedication of a Statutory Right of Way to formalize the seating park adjacent to the site (at the corner of Edgemont Blvd and West Queens Rd).
- c) For the purpose of calculating Floor Area Ratio, the following are exempted:
 - i. Covered or enclosed parking and loading bays
 - ii. Bicycle storage
 - iii. Up to 11m² (119 sf) of the rooftop garden shed
 - iv. Glass elevator shaft

4B376 Maximum Principal Building Size

Not applicable.

4B377 Setbacks

Side Setback 1.8m (6 ft), applying only to the second and third storey, from the Edgemont Boulevard property line, extending 9.75m (32 feet) along the north-west property line, as illustrated on Bylaw 7922 Attachment 1: Level 2 & 3 Setbacks.

4B378 Building Orientation

Not applicable.

4B379 Building Depth and Width

Not applicable.

4B380 Coverage

- a) Building Coverage shall not exceed a maximum of 85%.
- b) Site Coverage shall not exceed a maximum of 90%.

4B381 Height

- a) The maximum building height is 14 meters (46 feet) inclusive of any roof slope bonus permitted in Part 2 of the Zoning Bylaw.

4B382 Landscaping

- a) All land areas not occupied by buildings, structures, parking spaces, loading spaces, driveways, manoeuvring aisles and sidewalks shall be landscaped or finished in accordance with an approved landscape plan; and
- b) All electrical kiosks and garbage and recycling container pads not located underground or within a building shall be screened with landscaping.

4B383 Subdivision Requirements

Minimum Lot Area (m ²)	Minimum Lot Width (metres)	Minimum Lot Depth (metres)
1,100	30	45

4B384 Additional Accessory Structure Regulations

Not applicable.

4B385 Parking and Loading Regulations

a) Parking spaces shall be provided in accordance with Part 10 of this Bylaw.

e) The Zoning Map is amended in the case of the lands illustrated on the attached map by rezoning the land from Commercial-2 (C-2) to Comprehensive Development Zone 65 (CD 65).

READ a first time this the 26th day of March, 2012

READ a second time as amended this the 16th day of April, 2012

PUBLIC HEARING held the

READ a third time the day of

APPROVED by the Ministry of Transportation the day of

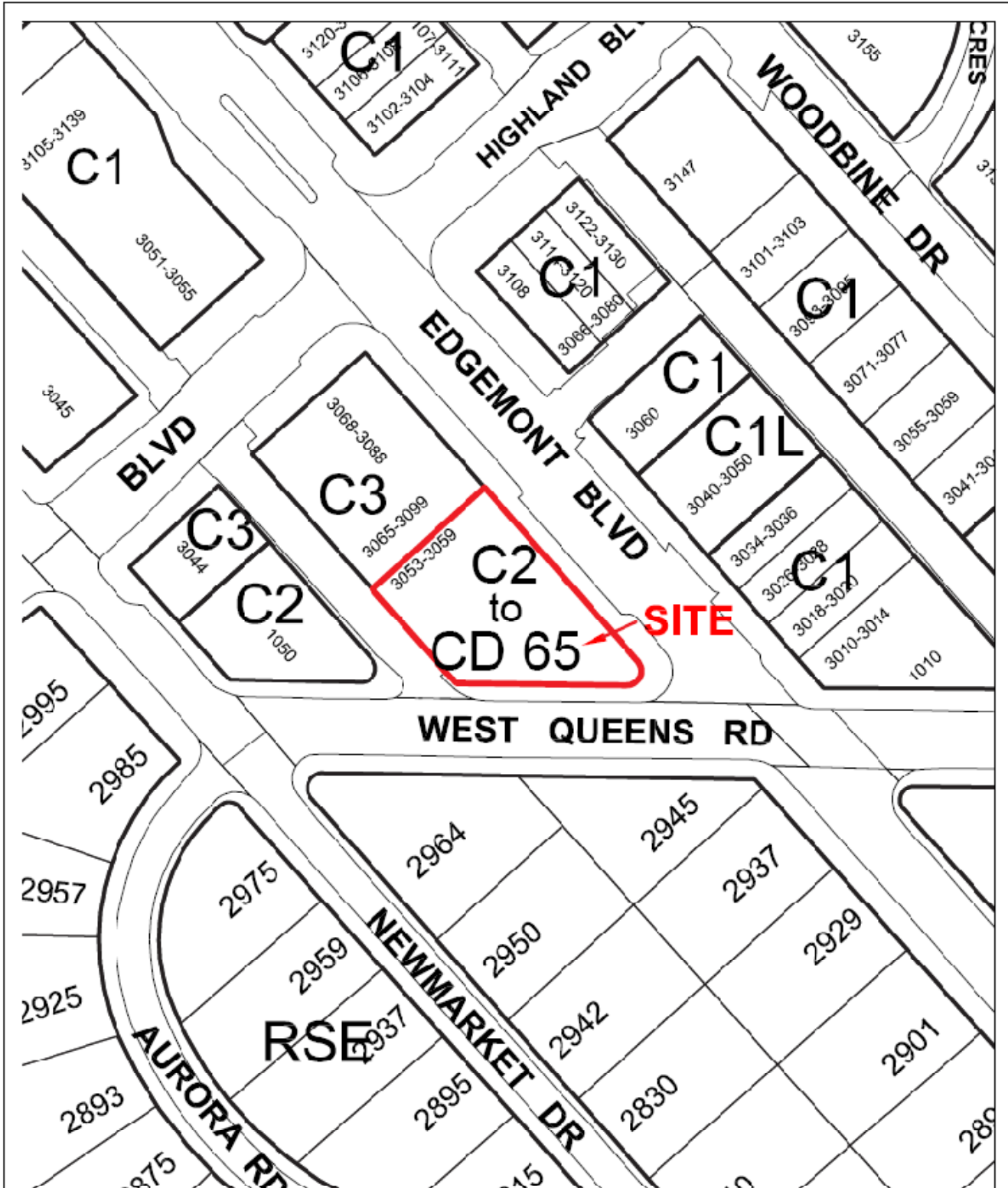
ADOPTED the

Mayor

Municipal Clerk

Certified a true copy

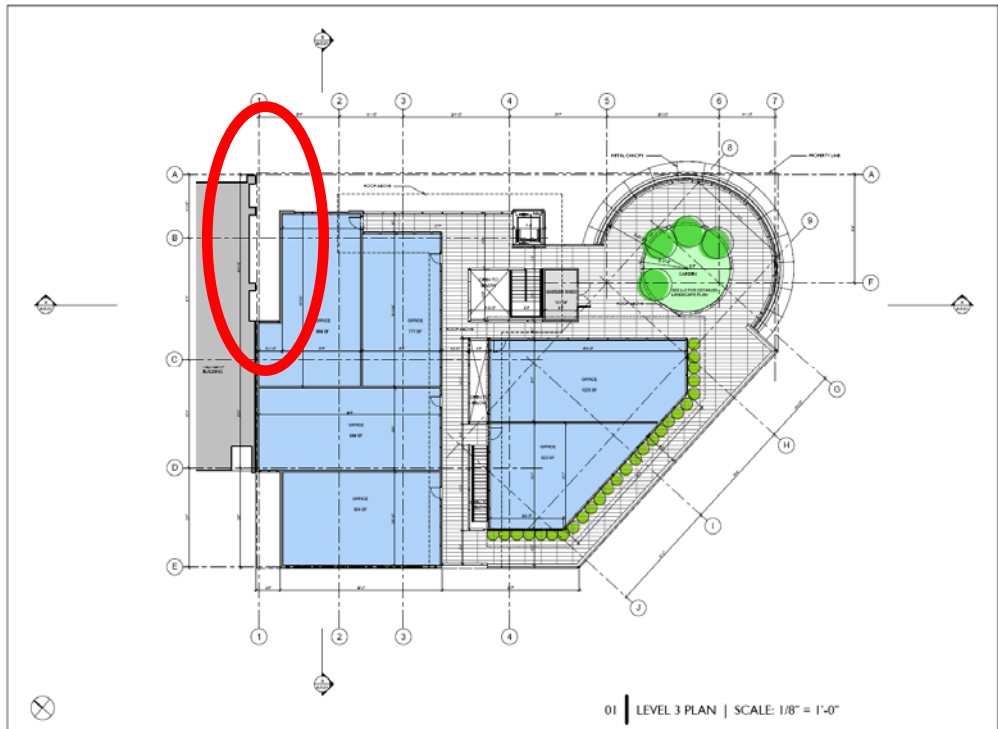
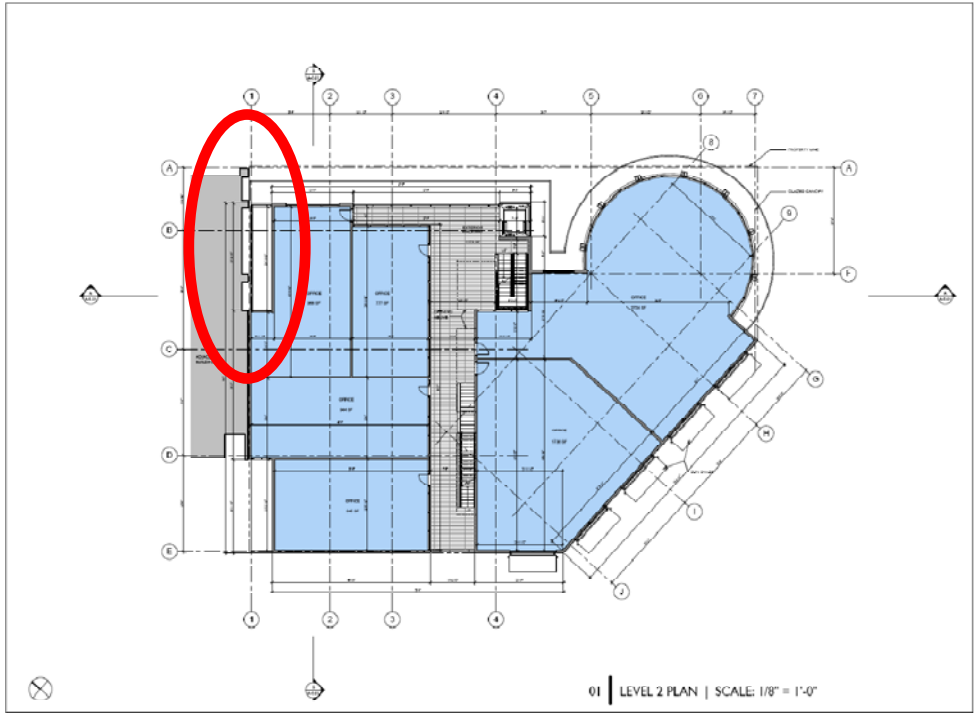
Municipal Clerk



3053 - 3059 Edgemont Blvd
 Bylaw 7922 Rezone From C2 to CD 65






Bylaw 7922 Attachment 1: Level 2 & 3 Setbacks



THIS PAGE LEFT BLANK INTENTIONALLY

COUNCIL AGENDA/INFORMATION				
<input type="checkbox"/> In Camera	Date:	Item #		
<input checked="" type="checkbox"/> Regular	Date: <u>April 16, 2012</u>	Item #		
<input type="checkbox"/> Agenda Addendum	Date:	Item#		
<input type="checkbox"/> Info Package	DM#	Date:	Mailbox:	

 Dept. Manager	 Director	 CAO
---	--	---

The District of North Vancouver REPORT TO COUNCIL

March 30, 2012
File: 3060-62.11
Tracking Number: RCA -

AUTHOR: Jennifer Paton, Section Manager Development Planning

SUBJECT: 3053-59 EDMONTON BOULEVARD: CONSIDERATION OF SECOND
READING BYLAW 1278 (BYLAW 7922)

RECOMMENDATION: Council give second reading, as amended, to Rezoning Bylaw 1278, Bylaw 7922 (Attachment A), to amend the bylaw by adding take-out restaurant to the list of permitted uses.

REASON FOR REPORT: To add take-out restaurant to the list of permitted uses for the site.

SUMMARY: Bylaw 7922 proposes to rezone the commercial property at Edgemont Blvd and West Queens Rd to Comprehensive Development Zone 65 (CD 65) to allow for the development of a three-storey retail, service and office building. The CD 65 zone uses the definitions found in Part 2A of the zoning bylaw (the broader group of zoning definitions applicable to the new village commercial and employment zones).

Take-out restaurants in a retail storefront should also be permitted in CD 65 in order to maximize the flexibility in the proposed CD65 zone.

ANALYSIS: As the new employment and village commercial zones separate take-out restaurant from retail or service uses the specific use class needs to be listed in the permitted uses in order to allow for a take-out restaurant on the site.

The site is within the Edgemont Village centre and designated Commercial Residential Mixed Use Level 1 in the District Official Community Plan. Take-out restaurant use is compatible with the retail office use proposed in CD 65 as well as with the village nature of the area.

Timing/Approval Process: Amending the bylaw at second reading prior to a public hearing is required as use cannot be changed after a closed public hearing without holding another public hearing.

Public Input: A public hearing is currently scheduled for May 15, 2012.

SUBJECT: 3053-59 EDMONTON BOULEVARD: CONSIDERATION OF SECOND READING BYLAW 1278 (BYLAW 7922)


March 30, 2012

Page 2

Conclusion: A take-out restaurant is not only well suited to the building design but compatible with the village area. By adding the take-out restaurant use to the CD 65 bylaw it provides the flexibility for take-out restaurants to locate in the building.

Options:

1. Council give second reading to Rezoning Bylaw 1278, Bylaw 7922 (Attachment A), to amend the bylaw by adding take-out restaurant to the list of permitted uses (staff recommendation), or
2. Council defer consideration of second reading until after the public hearing thereby restricting the list of permitted uses to office, personal service, retail and service uses only (no take-out restaurant use).



Jennifer Paton,
Section Manager – Development 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 type="checkbox"/> Finance	<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 7922

A bylaw to amend The District of North Vancouver Zoning Bylaw 1278 (Bylaw 3210) to rezone a commercial property at Lot B, Block 41, District Lot 599, Plan 13502, PID 008-581-231 (3053-3059 Edgemont Boulevard) to CD65 to permit commercial and office development.

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 1278 (Bylaw 7922)".

2. Amendments

1. The following amendments are made to the "District of North Vancouver Zoning Bylaw 1965" as they affect:

a) Part 2 by replacing:

"For definitions applicable to the Employment Zones and Village Commercial Zones see Part 2A, for all other zones see below."

With:

"For definitions applicable to the Employment Zones, Village Commercial Zones and Comprehensive Development Zone 65 see Part 2A, for all other zones see below."

b) Part 2A by replacing:

"Definitions Applicable to the Employment Zones and Village Commercial Zones (Sections 600-A, 600-B, 750 and 770)

The following definitions apply in the Employment Zones and Village Commercial Zones (Section 600-A, 600-B, 750 and 770) only:"

With:

"Definitions Applicable to the Employment Zones, Village Commercial Zones, and Comprehensive Development Zone 65 (Sections 600-A, 600-B, 750, 770, and 4B370 to 4B385)

The following definitions apply in the Employment Zones, Village Commercial Zones and Comprehensive Development Zone 65 (Sections 600-A, 600-B, 750, 770, and 4B370 to 4B385) only:"

c) Section 301(2) by inserting the following zoning designation:

"Comprehensive Development Zone 65 (CD 65)"

d) Part 4B by inserting the following:

"4B370 Comprehensive Development Zone 65 (CD65)"

The CD 65 Zone is applied to:

Lot B, Block 41, District Lot 599, Plan 13502, PID: 008-581-231 (3053-3059 Edgemont Boulevard)

4B371 Intent

The purpose of the CD65 zone is to permit commercial and office development in Edgemont Village.

4B372 Uses

The following *principal uses* shall be permitted in the Comprehensive Development 65 Zone:

(a) Uses Permitted without Conditions:

Not applicable

(b) Conditional Uses:

The following *principal uses* are permitted:

Office use

Personal service use

Retail use (with the exception of liquor store use as defined in Part 2 of the Zoning Bylaw)

Take-out Restaurant

Service use

(c) Prohibited Uses

The following uses are not permitted:

Liquor Store

4B373 Conditions of Use:

- (a) **All uses:** all uses of land, buildings, and structures are only permitted when the following conditions are met:
- i. All aspects of use are completely contained within an *enclosed building* except for:
 - a. Parking and loading areas and external corridors
 - b. *Outdoor customer service areas*
 - c. The display of goods limited to 5m² (54 sq ft) per commercial unit
 - d. Glass elevator
 - e. *Outdoor amenity areas* (balconies, patios or roof decks).
 - ii. Noise, glare, odour and air pollution generated on a parcel shall not be detectable from the parcel's property line, and shall comply with Part 4, Section 414 of the Zoning Bylaw.
 - iii. Any outdoor customer service areas must comply with the regulations found in Section 413.

4B374 Accessory Use

- (a) **Accessory Uses** are permitted.

4B375 Density

- a) The density in the CD 65 zone is limited to a Floor Area Ratio of 1.0.
- b) Despite Subsection 4B375 (a), Floor Area Ratio in the CD 65 Zone is increased to a maximum of 1.84 if \$312,975 is contributed to the municipality to be used for community amenities (such as public realm, park, trail, recreation improvements and the Affordable Housing Fund, with allocation to be determined by the municipality at its sole discretion), plus \$95,000 in off-site landscaping and construction of park improvements and dedication of a Statutory Right of Way to formalize the seating park adjacent to the site (at the corner of Edgemont Blvd and West Queens Rd).
- c) For the purpose of calculating Floor Area Ratio, the following are exempted:
 - i. Covered or enclosed parking and loading bays
 - ii. Bicycle storage
 - iii. Up to 11m² (119 sf) of the rooftop garden shed
 - iv. Glass elevator shaft

4B376 Maximum Principal Building Size

Not applicable.

4B377 Setbacks

Side Setback 1.8m (6 ft), applying only to the second and third storey, from the Edgemont Boulevard property line, extending 9.75m (32 feet) along the north-west property line, as illustrated on Bylaw 7922 Attachment 1: Level 2 & 3 Setbacks.

4B378 Building Orientation

Not applicable.

4B379 Building Depth and Width

Not applicable.

4B380 Coverage

- a) Building Coverage shall not exceed a maximum of 85%.
- b) Site Coverage shall not exceed a maximum of 90%.

4B381 Height

- a) The maximum building height is 14 meters (46 feet) inclusive of any roof slope bonus permitted in Part 2 of the Zoning Bylaw.

4B382 Landscaping

- a) All land areas not occupied by buildings, structures, parking spaces, loading spaces, driveways, manoeuvring aisles and sidewalks shall be landscaped or finished in accordance with an approved landscape plan; and
- b) All electrical kiosks and garbage and recycling container pads not located underground or within a building shall be screened with landscaping.

4B383 Subdivision Requirements

Minimum Lot Area (m ²)	Minimum Lot Width (metres)	Minimum Lot Depth (metres)
1,100	30	45

4B384 Additional Accessory Structure Regulations

Not applicable.

4B385 Parking and Loading Regulations

a) Parking spaces shall be provided in accordance with Part 10 of this Bylaw.

e) The Zoning Map is amended in the case of the lands illustrated on the attached map by rezoning the land from Commercial-2 (C-2) to Comprehensive Development Zone 65 (CD 65).

READ a first time the 26th of March 2012

READ a second time as amended the

PUBLIC HEARING held the

READ a third time the day of

APPROVED by the Ministry of Transportation the day of

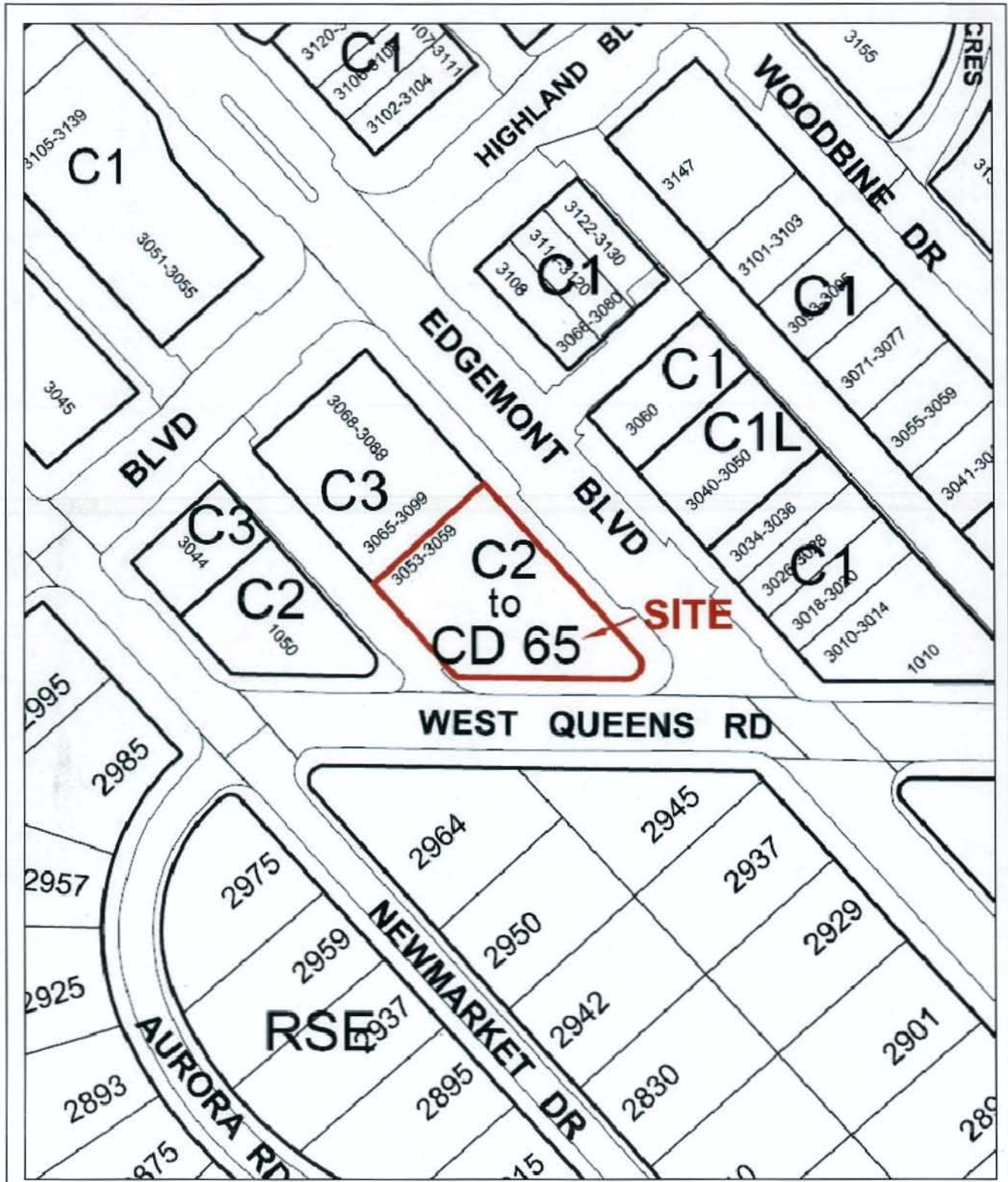
ADOPTED the

Mayor

Municipal Clerk

Certified a true copy

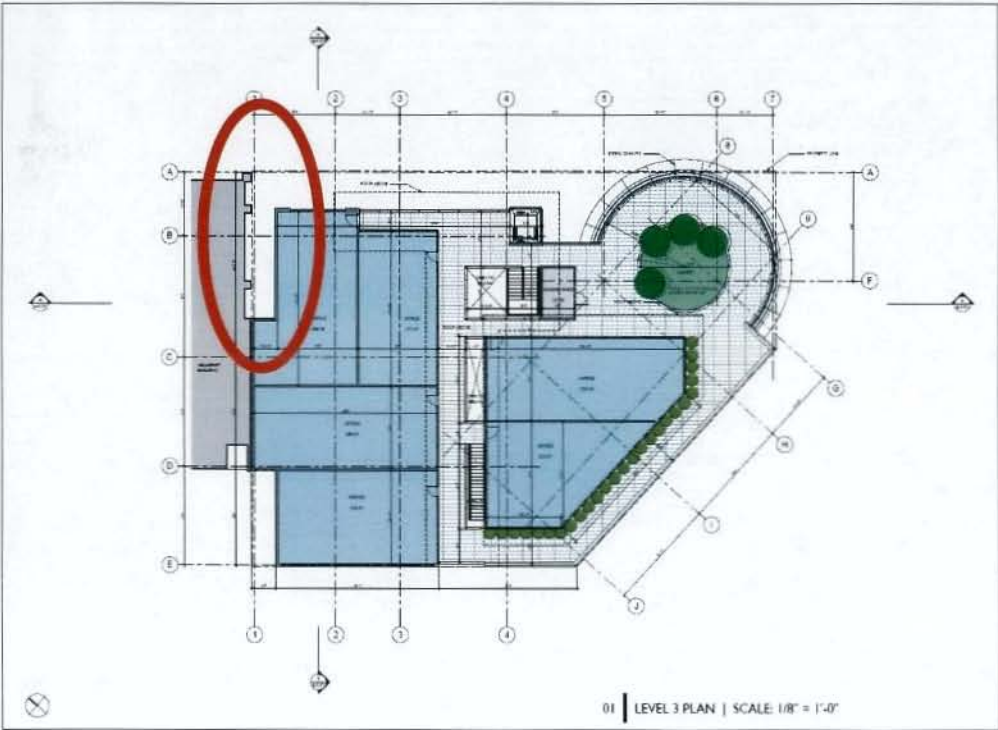
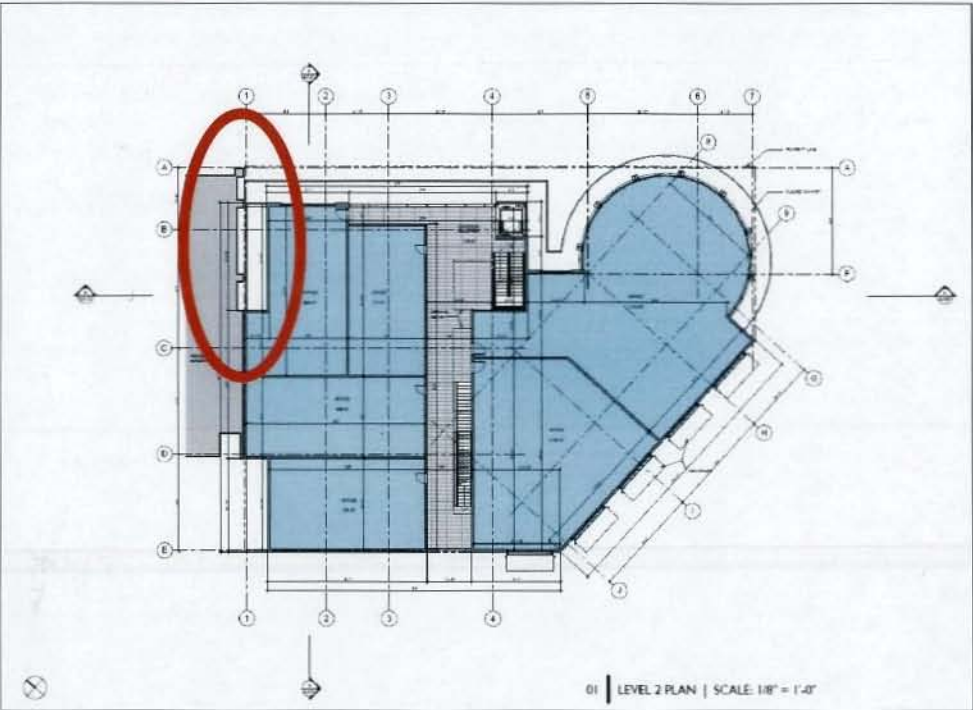
Municipal Clerk



3053 - 3059 Edgemont Blvd
 Bylaw 7922 Rezone From C2 to CD 65



Bylaw 7922 Attachment 1: Level 2 & 3 Setbacks



THIS PAGE LEFT BLANK INTENTIONALLY

NOTICE OF PUBLIC HEARING

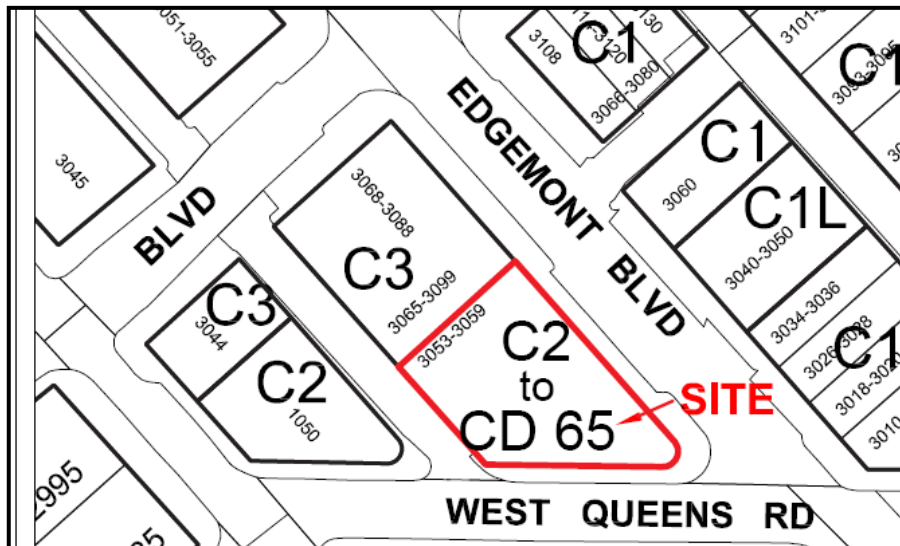
3053-3059 EDMONTON BOULEVARD: BYLAW 1278 (BYLAW 7922)

A Public Hearing is scheduled for **7:00 pm on TUESDAY, May 15, 2012**, in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, B.C., to allow the public to make representation to Council respecting matters contained in proposed Bylaws 7922. Written submissions will be accepted up to the conclusion of the Public Hearing.

BYLAW 7922 **The District of North Vancouver Rezoning Bylaw 1278 (Bylaw 7922)**

Applicant: Mr. Tom Bell, GBL Architects

Subject Lands: 3053-3059 Edgemont Boulevard legally described as Lot B Block 41, District Lot 599, Plan 13502, PID: 008-581-231 and shown in the following map:



Proposed Amendment: Bylaw 7922 proposes to rezone the commercial property at Edgemont Boulevard and West Queens Road to Comprehensive Development Zone 65 (CD 65) to allow for the development of a three-storey retail, service, and office building.

Purpose: The proposed Zoning Bylaw amendment will allow for take-out restaurants to be added to the list of permitted uses.

Copies of the bylaw, Council resolution, supporting staff report and other relevant background material are available from May 2, 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. Please direct inquiries to Mr. Steven Petersson, Community Planner, at 604-990-2378.

Mr. James Gordon
Municipal Clerk

THIS PAGE LEFT BLANK INTENTIONALLY