

# AGENDA

*PUBLIC HEARING*

**Tuesday, July 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



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**PUBLIC HEARING**

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

**AGENDA**

- 1. OPENING BY THE MAYOR**
- 2. INTRODUCTION OF BYLAW BY CLERK**

**Bylaw 7939: The District of North Vancouver Rezoning Bylaw 1282**

*Purpose of Bylaw:*

Bylaw 7939 will allow for an increase in the size of the accessory café use; the sale of a limited range of alcoholic beverages under a food-primary liquor licence; and, the on-site preparation of a limited range of foods for sale in conjunction with a permitted accessory café use.

- 3. PRESENTATION BY STAFF**  
Presentation: Doug Allan, Community Planner
- 4. PRESENTATION BY APPLICANT**  
Ms. Tracey Cochrane, Owner
- 5. REPRESENTATIONS FROM THE PUBLIC**
- 6. QUESTIONS FROM COUNCIL**
- 7. COUNCIL RESOLUTION**

*Recommendation:*

THAT the July 17, 2012 Public Hearing be closed;

AND THAT Bylaw 7939 "The District of North Vancouver Rezoning Bylaw 1282", be returned to Council for further consideration.

- 8. CLOSING**

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# The Corporation of the District of North Vancouver

## Bylaw 7939

A bylaw to amend The District of North Vancouver Zoning Bylaw 3210, 1965  
(Pemberton Heights)

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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 Rezoning Bylaw 1282 (Bylaw 7939)”.

### 2. Amendments

The District of North Vancouver Zoning Bylaw 1965, Part 6 Commercial Zone Regulations is amended by adding a new subsection 616.3.4 as follows:

- 616.3.4 In the case of the corner store in Pemberton Heights at 2230 Lloyd Avenue (Lot 26, Block 4, District Lot 552, Plan 3412, PID: 012-916-595):
- (a) the floor space devoted to cafe use is limited to 30% of the gross floor area of that part of the building used for local commercial purposes, excluding all outdoor seating areas;
  - (b) the maximum number of seats in a cafe use, excluding all outdoor seating areas, is limited to 30;
  - (c) the on-site preparation of a limited range of foods for sale is permitted; and
  - (d) the sale of a limited range of alcoholic beverages under a food-primary liquor licence is permitted up to 9p.m.

**READ** a first time this the 18<sup>th</sup> day of June, 2012

**PUBLIC HEARING** held this the

**READ** a second time this the

**READ** a third time this the

Certified a true copy of “Rezoning Bylaw 1282 (Bylaw 7939)” as at Third Reading

\_\_\_\_\_  
Municipal Clerk

**APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE**  
this the

**ADOPTED** this the

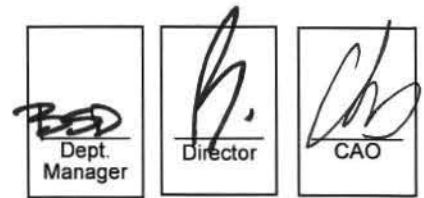
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

Certified a true copy

\_\_\_\_\_  
Municipal Clerk

COUNCIL AGENDA/INFORMATION			
<input type="checkbox"/> In Camera	Date:	Item #	
<input checked="" type="checkbox"/> Regular	Date: <u>JUNE 13, 2012</u>	Item #	
<input type="checkbox"/> Agenda Addendum	Date:	Item#	
<input type="checkbox"/> Info Package			
<input type="checkbox"/> Council Workshop	DM#	Date:	Mailbox:



## The District of North Vancouver REPORT TO COUNCIL

May 31, 2012  
File: 3060-20/37.12

Tracking Number: RCA -

**AUTHOR:** Doug Allan, Community Planner

**SUBJECT:** **BYLAW 7939 - ZONING BYLAW TEXT AMENDMENT - THE CORNER STORE, 2230 LLOYD AVENUE**

### RECOMMENDATION:

It is recommended that Bylaw 7939, amending the text of the C1B Zone to allow for the introduction of accessory cafe use regulations unique to 'The Corner Store', 2230 Lloyd Avenue:

1. be given First Reading; and
2. be referred to a Public Hearing.

### REASON FOR REPORT:

As the proposal requires an amendment to the Zoning Bylaw and a Public Hearing, Council's consideration is required.

### SUMMARY:

The owner of The Corner Store, a local commercial use at 2230 Lloyd Avenue, has applied to amend the Zoning Bylaw to allow for: an increase in the size of the accessory cafe use; the sale of a limited range of alcoholic beverages under a food primary liquor licence; and, the on-site preparation of a limited range of foods for sale in conjunction with a permitted accessory café use. This will require amendments to the







**ANALYSIS:**

**The Proposal:**

As outlined in the letter from the owner (Attachment A), the proposal is to allow for the sale of foods prepared on site and the sale of alcoholic beverages under a food-primary licence. In addition, the existing accessory cafe use area exceeds the 10% limitation. To implement the proposal, the owner has applied to amend the text of the C1B Zone. In support of the proposal, the applicant has provided a petition containing approximately 550 names. The following images illustrate the existing cafe use area.



Bylaw 7939 (Attachment B) amends the C1B Zone by creating a new subsection 616.3.4 which:

- permits an increase in the floor space devoted to cafe use from 10% to 30% of the gross floor area of the local commercial purpose area, excluding all outdoor seating areas;
- establishes an upper limit of 30 seats in the cafe use, excluding all outdoor seating areas;
- permits the on-site preparation of a limited range of foods for sale; and
- permits the sale of a limited range of alcoholic beverages under a food-primary liquor licence until 9p.m.

As the existing store does not have a commercial kitchen venting system, staff have advised the applicant that a restrictive covenant will be required prior to bylaw adoption which prohibits the preparation of foods that create grease laden vapours.

These changes to the C1B Zone are applicable only to The Corner Store business at 2230 Lloyd Avenue, not the other two C1B-zoned sites.

The food primary liquor licence requires the approval of the BC Liquor Control Board. If Council supports proceeding with the Zoning Bylaw amendment, the required Council motion will be forwarded to the Liquor Board following Bylaw adoption.

**Concurrence:**

The application has been reviewed by the Property Use Inspector and the Commercial Plans Reviewer and there are no concerns. The bylaw amendments were forwarded to the RCMP for review and there were no concerns with the proposal to sell liquor under the food primary liquor licence.

**Public Input:**

A notification letter was sent to the owners/occupants within a 75m radius in accordance with the Public Notification Policy. A total of 59 notices were sent to owners and occupants of 38 properties. Written comments from 8 area residents and 2 verbal comments were received, all in support of the proposal citing the importance of keeping the store alive and the benefits to the community it provides. One respondent expressed concern over the sale of liquor at late evening hours. As a result, Bylaw 7939 proposes that the consumption of alcoholic beverages use be permitted only until 9p.m. The Pemberton Heights Community Association was notified of the proposal and have advised that, as the store is a key component of the neighbourhood, they are supportive of the proposal. A copy of the Association's comments is included as Attachment C.

**Conclusion:**

Staff have reviewed this proposal and, on balance, find that this operator continues to expand their local commercial services in ways to which the neighbourhood has responded positively and therefore, support the proposal. The application has also been positively received by the surrounding community and the Pemberton Heights Community Association. As a result, Bylaw 7939 (Attachment B) may be considered for First Reading and referral to Public Hearing.

**SUBJECT: BYLAW 7939 - ZONING BYLAW TEXT AMENDMENT - THE CORNER STORE, 2230 LLOYD AVENUE**

**May 31, 2012**

**Page 5**

**Options:**

The following options are available for Council's consideration:

1. that Bylaw 7939, amending the text of the C1B Zone to allow for the introduction of accessory cafe use regulations unique to 'The Corner Store', 2230 Lloyd Avenue be given First Reading and referred to a Public Hearing; or
2. that the proposal be rejected.



Doug Allan  
Community Planner  
da/  
attach.

<b>REVIEWED WITH:</b> <input type="checkbox"/> Sustainable Community Development <input type="checkbox"/> Development Services <input type="checkbox"/> Utilities <input type="checkbox"/> Engineering Operations <input type="checkbox"/> Parks & Environment <input type="checkbox"/> Economic Development	<b>REVIEWED WITH:</b> <input type="checkbox"/> Clerk's Office <input type="checkbox"/> Corporate Services <input type="checkbox"/> Communications <input type="checkbox"/> Finance <input type="checkbox"/> Fire Services <input type="checkbox"/> Human resources <input type="checkbox"/> ITS <input type="checkbox"/> Solicitor <input type="checkbox"/> GIS	<b>REVIEWED WITH:</b> External Agencies: <input type="checkbox"/> Library Board <input type="checkbox"/> NS Health <input type="checkbox"/> RCMP <input type="checkbox"/> Recreation Commission <input type="checkbox"/> Other: _____	<b>REVIEWED WITH:</b> Advisory Committees: <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____
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May 10, 2012

Dear District of North Vancouver Council,

I am the owner of the Pemberton Height's Corner Store and I am interested in pursuing a text amendment to my existing C1A zoning enabling The Corner Store to offer patrons an expanded food menu and the opportunity to purchase a glass of wine, beer, cider or liqueur – similar to a Food Primary license.

I have now owned The Corner Store for almost 6 years and while we play an important role in the community and are treasured by the people in the neighborhood we are still a very small business and are constantly faced with the prospect of going out of business. In the time that I have owned the business, it has been a 'labor of love' - I have never taken a dime and cannot continue to do this indefinitely. Without the ability of new revenue streams the store will be sold with a strong possibility of closure.

I firmly believe a corner store plays a vital role in a healthy community but unfortunately under the current model most stores of this type are 'at risk of' or going out of business. The attempt to keep the store in Pemberton Heights alive was a significant reason for my initial purchase. We are not just a convenience store we are the 'hub' of the neighborhood. It is for this reason that I sought and continue to look for additional revenue streams to try and make the business viable. As well, the idea of having beer & wine available has been a common request.

The Corner Store is very unique whereby we know approximately 90% of the customers, they are our neighbors and friends, and feel that these expanded offerings will enhance the business not detract from the special place that we have become. Enabling people to walk to the store to enjoy a bite and drink of their choice without having to get into their car and drive. As well, The Corner Store is the only retail point in the neighborhood. However with limited access - our market is also limited – therefore we need to find new ways to increase revenue and meet our customer needs.

Where we have come from . . .

I have included photos of the building when I purchased it as well as photos of the property today. There have been significant improvements along with the addition of wonderful gardens surrounding the store and a commemorative hopscotch, initiatives by the store and with the valuable input of the District and the community.

Three years ago, The Corner Store was nominated and presented the Community Collaborator 'Heart of the Community' award by the North Shore Neighborhood House and the past two years we have been nominated for the business excellence award 'Community Contribution' through the North Shore Chamber of Commerce. I am actively involved in the community, sit on the executive of the Pemberton Heights Neighborhood Associations and recently purchased a home with my partner one block away from the store furthering my commitment to the store and the neighborhood.

What I Am Looking For . . .

I would like to see the current license amended to a Food Primary license enabling The Corner Store to prepare food onsite and offer an adult beverage thereby truly embracing the idea of 'community living'. Intended hours of operation will remain 7am (8am on Sat & Sun) - 6:30pm during the winter months and 9pm during the summer. We may wish to expand the hours Thursday, Friday and Saturday evenings until 9pm and for special events - depending upon the demand.

Without the opportunity for the store to expand its offerings, The Corner Store in its current form will be out of business.

I appreciate your consideration.

Sincerely,

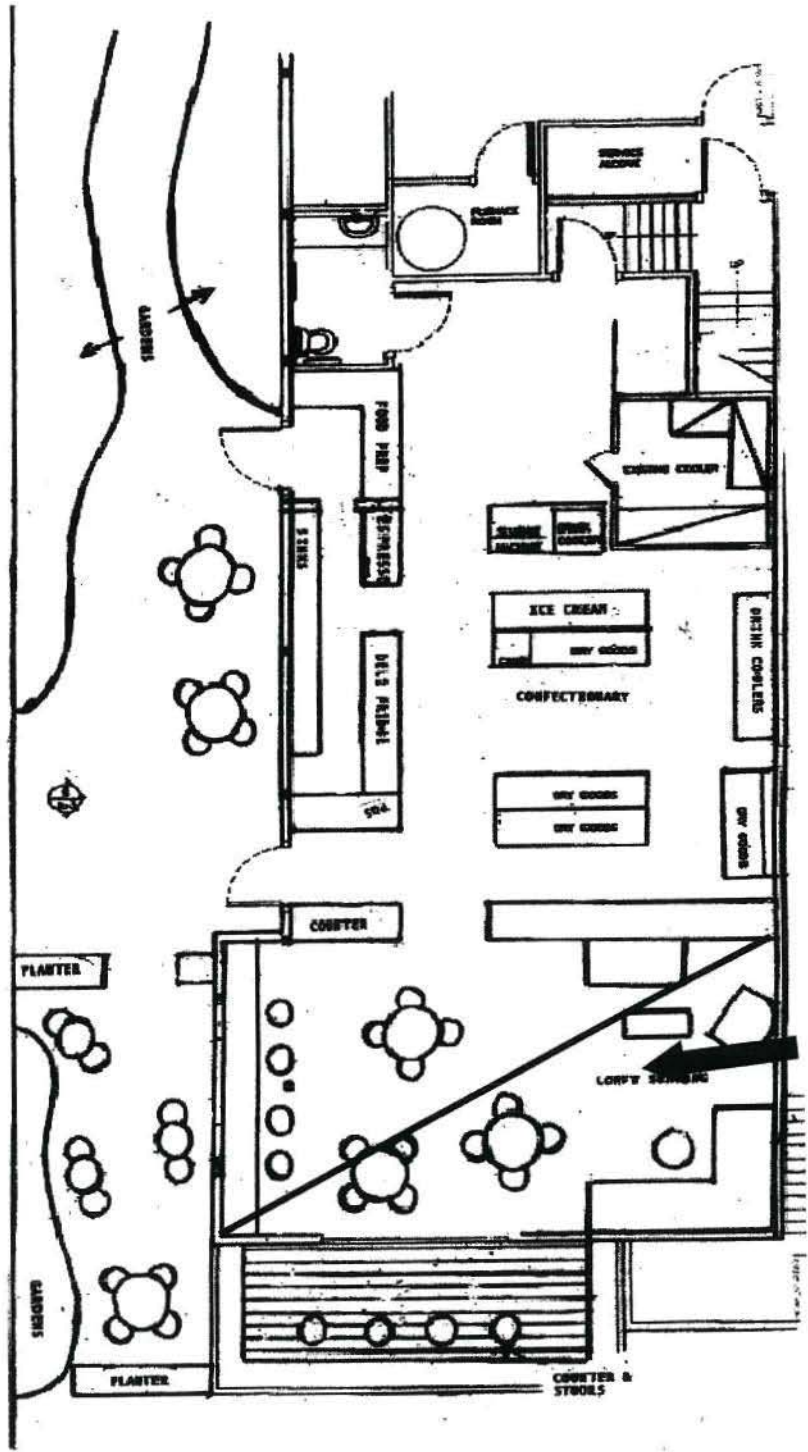


Tracey Cochrane  
Owner,  
The Corner Store

Cc. Brian Bydwell  
Director of Planning

Brett Dwyer  
Manager Development Services

W 22nd Street and Lloyd Avenue  
 North Vancouver  
 Scale: 1/8" = 1'-0"



**CAFÉ USE AREA**

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

**Bylaw 7939**

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\_\_\_\_\_  
Municipal Clerk

**APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE**  
this the

**ADOPTED** this the

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

Certified a true copy

\_\_\_\_\_  
Municipal Clerk



**Doug Allan**

ATTACHMENT — *C* —

**From:** Colin.Metcalf@pch.gc.ca  
**Sent:** Monday June 04, 2012 8:25 AM  
**To:** Brian Bydwell; Brett Dwyer; Doug Allan  
**Cc:** Herman Mah; Leslie Landell; Jo-Anne Burleigh; Paul Tubb; Gordon Simms  
**Subject:** The Cornerstore alcohol application - Letter of support from the Pemberton Hts Community Assoc.

Dear Sirs,

On behalf of the Pemberton Heights Community Association, I am writing to support Tracy Cochran's Cornerstore application to serve alcohol.

This store has struggled over the years, prior to Ms. Cochran's ownership. Even with the tremendous support of our neighbourhood under Ms. Cochran's management, the store has had a difficult time turning a profit. Our Association is extremely concerned that we will soon face the unfortunate reality of seeing the store close if something isn't done. This application will not only help ensure the store survives, but will ensure that we do not lose a key component to our great neighbourhood.

The Cornerstore is a very special place and we must take every step, however unique, to protect this neighbourhood meeting place.

Ms. Cochran recently advised the neighbourhood of this application at a meeting where over 65 neighbours attended. There was widespread support for her application during that report. So on behalf of the neighbours that our Association represent, please see this letter as support for this application.

Regards,

Colin Metcalfe  
President  
Pemberton Heights Community Assoc.  
604-506-5145

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## NOTICE OF PUBLIC HEARING

### THE CORNER STORE - 2230 LLOYD AVENUE: THE DISTRICT OF NORTH VANCOUVER REZONING BYLAW 1282 (BYLAW 7939)

A Public Hearing is scheduled for **7:00 pm on TUESDAY, July 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 the proposed Bylaw 7939. Written submissions will be accepted up to the conclusion of the Public Hearing.

**BYLAW 7939**

**The District of North Vancouver Rezoning Bylaw 1282**

Applicant: Ms. Tracey Cochrane, Owner

Subject Lands: 2230 Lloyd Avenue legally described as Lot 26, Block 4, District Lot 552, Plan 3412, PID: 012-916-595 and shown on the following map:



Proposed Amendment: Bylaw 7939 amends the text of the C1B Zone to allow for the introduction of accessory cafe use regulations unique to The Corner Store business.

Purpose: The proposed Zoning Bylaw amendment will allow for: an increase in the size of the accessory cafe use; the sale of a limited range of alcoholic beverages under a food-primary liquor licence; and, the on-site preparation of a limited range of foods for sale in conjunction with a permitted accessory cafe use.

Copies of the bylaw, Council resolution, supporting staff report, and other relevant background material are available from July 4, 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 Mr. Doug Allan, Community Planner, at 604-990-2357.

*for*   
Mr. James Gordon  
Manager of Administrative Services

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