

AGENDA ADDENDUM

REGULAR MEETING OF COUNCIL

Monday, September 10, 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

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REGULAR MEETING OF COUNCIL

7:00 p.m.
Monday, September 10, 2012
Council Chamber, Municipal Hall
355 West Queens Road, North Vancouver

AGENDA ADDENDUM

THE FOLLOWING LATE ITEMS ARE ADDED TO THE PUBLISHED AGENDA

8. REPORTS FROM COUNCIL OR STAFF

8. 2 Bylaw 7943: 2013 – 2015 Taxation Exemption Bylaw for Places Of Public Worship

File No. 05.1970.30/000.000

The recommendation has been updated to include an additional clause.

Recommendation:

THAT “2013 – 2015 Taxation Exemptions for Places of Public Worship, Bylaw 7943, 2012” is given FIRST, SECOND and THIRD reading.

AND THAT the Clerk is directed to provide notice in accordance with s. 227 of the Community Charter prior to adoption.

8. 6 Bylaw 7953: Road Closure and Disposition – Seylynn Developments

File No. 08.3192.20/064.000

Recommendation:

THAT

1. “Mountain Highway and Fern Street Highway Closure Bylaw 7953, 2012” is given FIRST reading; and,
2. Staff be directed to publish the required notice of intention to close, removal of dedication and subsequent disposal of the newly created lots.

8.7 Development Variance Permit 43.12 – 3355 Aintree Drive
File No. 08.3060.20/043.12

Please note: Joint report submitted for items 8.7 and 8.8.

Recommendation:

THAT the September 6, 2012 report of the Community Planner be received for information.




8.8 Development Variance Permit 45.12 – 4112 Sunnycrest Drive
File No. 08.3060.20/45.12

Please note: Joint report submitted for items 8.7 and 8.8.

Recommendation:

THAT the September 6, 2012 report of the Community Planner be received for information.

COUNCIL AGENDA/INFORMATION				
<input type="checkbox"/> In Camera	Date:	Item #		
<input checked="" type="checkbox"/> Regular	Date: <u>SEPT 10.12</u>	Item #		
<input type="checkbox"/> Agenda Addendum	Date:	Item#		
<input type="checkbox"/> Info Package				
<input type="checkbox"/> Council Workshop	DM#	Date:	Mailbox:	




 Dept. Manager Director CAO

The District of North Vancouver REPORT TO COUNCIL

August 30, 2012
 File: 08.3192.20/064.000
 Tracking Number: RCA -

AUTHOR: Ryan P. Malcolm – Manager, Real Estate and Properties

SUBJECT: Road Closure and Disposition - Seylynn Developments

RECOMMENDATION:

THAT:

1. Mountain Highway and Fern Street Highway Closure Bylaw 7953, 2012 is given First Reading; and,
2. Staff be directed to publish the required notice of intention to close, removal of dedication and subsequent disposal of the newly created lots.

REASON FOR REPORT:

Mountain Highway and Fern Street Highway Closure Bylaw 7953, 2012 (**Attachment 2**) authorizes the closure and the raising of title to portions of Mountain Highway, Fern Street and the remainder of an opened lane allowance, for the purpose of consolidation with the adjacent development property. (**Attachment 1**)

SUMMARY:

The District has negotiated a complex agreement with Seylynn (North Shore) Properties Corp. ("Seylynn") in which the District will transfer portions of road, the remainder of a lane allowance and a fee simple property to Seylynn in exchange for a portion of their development property to accommodate a new road dedication for the purpose of constructing and extending Keith Road.

Prior to completing the transaction contemplated in the above agreement, the District must stop up, close, and raise title to the road and lane allowance concurrently with the Planning Department process regarding the rezoning the property. The transfer of the roads is contingent upon adoption of the rezoning bylaw.

ANALYSIS:

The stopping up and closing of those portions of road and lane allowance adjacent to the Seylynn property is required to accommodate the dedication and construction of the new Keith Rd extension. Due to this new road alignment, the Seylynn development requires portions of Mountain Highway and Fern St.

Process/Public Input:

In accordance with the provisions of Section 26 and Section 94 of the *Community Charter* a notice of Council's intention to adopt this bylaw and exchange the road and lane allowances must be published in a local newspaper once a week for two consecutive weeks. Council must then provide an opportunity for persons who consider they are affected by the bylaw to make representations to Council.

Utility Companies must be provided notice and the opportunity to provide submissions regarding the proposed road closure.

Concurrence:

Planning, Engineering and Transportation have concurred to the proposed plan.

Financial Impacts:

Seylynn is responsible for all associated costs of the road and lane closures.

Liability/Risk:

Seylynn will own portions of Mountain Highway and Fern St. prior to the construction of the Keith Road extension. To negate any liability and/or risk, the District will secure a Statutory Right Of Way ("SRW") over these portions so that there will be no disruption of traffic until such time Fern St is closed and the traffic diverted to the new Keith Rd extension. The SRW's will then be discharged so the developer then may use the lands in conjunction with the proposed development. Portions of the SRW's adjacent to the road allowance will remain for public works. The SRW's will contain the necessary and appropriate indemnities from Seylynn in favour of the District.

Options:

1. That Council give the proposed bylaw First Reading as well as direct staff to publish notice in a newspaper of the proposed road closure and exchange in accordance with requirements of the *Community Charter* (staff recommendation);
2. That Council not give the proposed bylaw First Reading and do not authorize staff to publish notice in a newspaper of the proposed road closure and exchange in accordance with requirements of the *Community Charter*.



Ryan P. Malcolm
Manager - Real Estate and Properties

<u>REVIEWED WITH:</u>	<u>REVIEWED WITH:</u>	<u>REVIEWED WITH:</u>	<u>REVIEWED WITH:</u>
<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		

[illegible]

ATTACHMENT 2
Road Closure Bylaw 7953

The Corporation of the District of North Vancouver

Bylaw 7953

A bylaw to close and remove highway dedication

WHEREAS under the *Community Charter* the Council may close to traffic and remove the dedication of a highway; and,

WHEREAS the Council has posted and published notices of its intention to close the highway referred to in this Bylaw and remove its dedication, and has provided an opportunity for persons who consider they are affected to make representations to the Council; and,

WHEREAS the Council does not consider that the closure will affect the transmission or distribution facilities or works of utility operators;

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

1. Citation

This bylaw may be cited as "Mountain Highway and Fern Street Highway Closure Bylaw 7953, 2012".

2. Bylaw to close and remove highway dedication

- 2.1 The portions of highway dedicated by Plans 3881, 9135, BCP45273 and BCP11973 shown as "CLOSED LANE" and "CLOSED ROAD" on the Reference Plan, a reduced copy of which is attached to this bylaw as Schedule A, is closed to all types of traffic.
- 2.2 The dedication as a highway of the "CLOSED LANE" and "CLOSED ROAD" is removed.
- 2.3 The Mayor and Clerk are authorized to execute and delivered such transfers, deeds of land, plans and other documents as are required to effect the aforesaid closure and removal of highway dedication.

READ a first the

READ a second time the

READ a third time the

Certified a true copy of "Mountain Highway and Fern Street Highway Closure Bylaw 7953, 2012" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure the

ADOPTED the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

**REFERENCE PLAN TO ACCOMPANY CORPORATION OF THE DISTRICT OF NORTH VANCOUVER
BYLAW NO 7953 STOPPING UP AND CLOSING A PORTION OF ROAD DEDICATED BY THE
DEPOSIT OF PLAN 9135, PORTIONS OF ROAD AND LANE DEDICATED BY THE DEPOSIT
OF PLAN 3681, PORTIONS OF ROAD DEDICATED BY THE DEPOSIT OF PLAN BCP45273, AND A
PORTION OF ROAD DEDICATED BY THE DEPOSIT OF PLAN BCP11973 ALL ADJACENT TO LOT
B BLOCK 6 PLAN 8284, LOT 3 PLAN BCP45273 AND LOT A PLAN BCP49795 ALL OF DL 613
GROUP 1, NWD.**

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND
SECTION 49 OF THE COMMUNITY CHARTER

PRELIMINARY PLAN ONLY

ROAD PLAN BCP45273
CLOSED ROAD

"2"
PLAN 9135

ROAD PLAN BCP45273
CLOSED ROAD

ROAD PLAN 3681
CLOSED ROAD

ROAD PLAN BCP45273
CLOSED ROAD

"B"
PLAN 8284

ROAD PLAN BCP45273
CLOSED ROAD

ROAD PLAN 3681
CLOSED ROAD

ROAD PLAN BCP45273
CLOSED ROAD

ROAD PLAN 3681
CLOSED ROAD

ROAD PLAN 9135
CLOSED ROAD

ROAD PLAN 3681
CLOSED ROAD

3
PLAN BCP45273

"A"
PLAN BCP49795
DL 613, GROUP 1

UPPER LEVELS HIGHWAY

FERN STREET

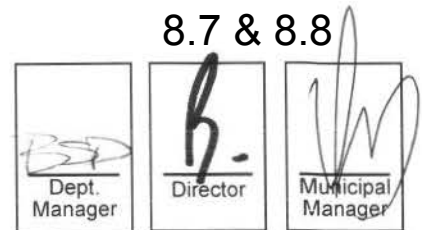
8 **C** **D** **A** **13** **14** **18** **19** **20** **21** **REM. 8** **REM. 9** **REM. 10** **REM. 11**

BOOK OF REFERENCE

PLAN	AREA	PLAN	AREA
8	1.0	13	1.0
9	1.0	14	1.0
10	1.0	15	1.0
11	1.0	16	1.0
12	1.0	17	1.0
13	1.0	18	1.0
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84	1.0	89	1.0
85	1.0	90	1.0
86	1.0	91	1.0
87	1.0	92	1.0

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COUNCIL AGENDA/INFORMATION		
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<input type="checkbox"/> Info Package	Date: _____	Item # _____
<input checked="" type="checkbox"/> Agenda Addendum	Date: <u>SEPT 10, 2012</u>	Item # _____



The Corporation of the District of North Vancouver

REPORT TO COUNCIL

File: 08.3060.20/039.12
September 6, 2012

AUTHOR: Kathleen Larsen, Community Planner

SUBJECT: NEIGHBOURHOOD RESPONSE TO DEVELOPMENT VARIANCE PERMITS FOR SINGLE FAMILY HOMES

RECOMMENDATION:

That Council receive this report for information.

REASON FOR REPORT:

In accordance with Council's request to receive an indication as to the number of residents receiving notification, being in support or in opposition, the following information is submitted for each development variance permit being considered on September 10, 2012.

DISCUSSION:

As of 10:00 a.m. on September 6, 2012:

- a) Development Variance Permit 39.12 – 4112 Sunnycrest Drive.
 - i) 6 notices were sent out to adjacent property owners/ residents and the Edgemont Community Association. No responses have been received.
- b) Development Variance Permit 43.12 – 3355 Aintree Drive
 - i) 10 notices were sent out to adjacent property owners/ residents and the Edgemont Community Association. No responses have been received.

Kathleen Larsen
Kathleen Larsen
Community Planner

REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:
<input type="checkbox"/> Communications	<input type="checkbox"/> Finance	External Agencies:	Advisory Committees:
<input type="checkbox"/> Env. Protection	<input type="checkbox"/> Fire Services	<input type="checkbox"/> Recreation Commission	<input type="checkbox"/> _____
<input type="checkbox"/> Human Resources	<input type="checkbox"/> Legislative Services	<input type="checkbox"/> Library Board	<input type="checkbox"/> _____
<input type="checkbox"/> Eng. Public Works	<input type="checkbox"/> Land	<input type="checkbox"/> Health Dept.	<input type="checkbox"/> _____
<input type="checkbox"/> Eng. Admin.	<input type="checkbox"/> Permits & Licenses	<input type="checkbox"/> RCMP	
<input type="checkbox"/> Eng. Parks	<input type="checkbox"/> Planning	<input type="checkbox"/> Other: _____	
	<input type="checkbox"/> Social Planning		

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