

# AGENDA

## *PUBLIC HEARING*

**Tuesday, July 23, 2013**

**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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**PUBLIC HEARING**

**7:00 p.m.  
Tuesday, July 23, 2013  
Council Chamber, Municipal Hall  
355 West Queens Road, North Vancouver**

**1. OPENING BY THE MAYOR**

**2. INTRODUCTION OF BYLAW BY CLERK**

**Bylaw 7998: The District of North Vancouver Rezoning Bylaw 1296**

*Purpose of Bylaw:*

Bylaw 7998 amends the Zoning Bylaw to remove 'camping ground', 'stadium' and 'trailer park' as permitted principal uses in the PRO Zone.

**3. PRESENTATION BY STAFF**

Presentation: Mr. Doug Allan, Community Planner

**4. PRESENTATION BY APPLICANT**

**5. REPRESENTATIONS FROM THE PUBLIC**

**6. QUESTIONS FROM COUNCIL**

**7. COUNCIL RESOLUTION**

*Recommendation:*

THAT the July 23, 2013 Public Hearing be closed;

AND THAT Bylaw 7998 "The District of North Vancouver Rezoning Bylaw 1296", be returned to Council for further consideration.

**8. CLOSING**

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

## **Bylaw 7998**

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

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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 “District of North Vancouver Rezoning Bylaw 1296 (Bylaw 7998)”.

### **2. Amendments**

The District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

(A) Part 9 by amending Section 901.1 Principal Uses by removing ‘(iii) camping ground’, ‘stadium’ and ‘trailer park’ as principal uses in the PRO Zone.

**READ** a first time this the 10<sup>th</sup> day of June, 2013

**PUBLIC HEARING** held this the

**READ** a second time the

**READ** a third time the

**APPROVED** by the Ministry of Transportation and Infrastructure this the

**ADOPTED** this the

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Mayor

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Municipal Clerk

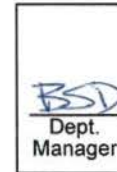
Certified a true copy

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Municipal Clerk

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>June 10, 2013</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

May 27, 2013  
File: 3060-20/33.13

**AUTHOR:** Doug Allan, Community Planner

**SUBJECT: REZONING BYLAW 7998 - AMENDMENT TO THE PERMITTED USES IN THE PARK, RECREATION AND OPEN SPACE (PRO) ZONE**

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**RECOMMENDATION:**

It is recommended that:

1. Bylaw 7998 (Attachment A), which amends the Zoning Bylaw to remove 'camping ground', 'stadium' and 'trailer park' as permitted principal uses in the PRO Zone, be given First Reading; and
2. If Bylaw 7998 is given First Reading, Council give notice of its intention to waive the holding of a public hearing on Bylaw 7998 in accordance with Section 890(4) of the Local Government Act; and
3. Staff submit to Council, any building permit applications received after June 18, 2013, for properties within the PRO Zone which staff consider are in conflict with the bylaw in preparation, for consideration of a resolution that the building permit be withheld for 30 days under Section 929 of the Local Government Act.

**REASON FOR REPORT:**

Staff are seeking Council's support to amend the text of the PRO Zone to delete certain uses which are not considered appropriate in that zone for both technical and environmental reasons.

**SUMMARY:**

Most PRO-zoned properties are located in the Alpine Area, outside of the Urban Containment Boundary and staff consider that uses such as camping grounds, stadiums and trailer parks are not appropriate uses on these lands because of potential environmental impacts and they could increase the potential wildfire hazard. As well, these uses would include buildings and structures requiring building permits. However, many such PRO lots are inaccessible by road which does not allow access by fire fighting services. Without fire

**SUBJECT: REZONING BYLAW 7998 - AMENDMENT TO THE PERMITTED USES IN  
THE PARK, RECREATION AND OPEN SPACE (PRO) ZONE**

May 27, 2013

Page 2

fighting access as required by the B.C. Building Code, it is within the discretion of the Chief Building Official to issue or refuse to issue building permits. To address these issues, it is recommended that the PRO Zone be amended to delete 'camping ground', 'stadium' and 'trailer park', as permitted uses.

**BACKGROUND:**

Staff have had an inquiry regarding the potential development of a large vacant property located on Indian Arm as a possible water access only trailer park with accessory golf course use. Staff do not consider this an appropriate use on the property and are recommending that Council review the PRO Zone to exclude inappropriate uses.

**EXISTING POLICY:**

Official Community Plan:

Lands zoned for park purposes (including PRO, Special Purpose Park, Community Park, Neighbourhood Park and Natural Parkland) are designated in the OCP as 'Park, Open Space and Natural Areas' which is defined as:

*'Areas designated for parks, open space and natural areas are intended for a range of public and private uses focussed principally on the protection and preservation of ecologically important habitat areas, the regional drinking water supply, or the provision of diverse parks, outdoor recreation, or tourism opportunities.'*

These Alpine Area PRO lands are also designated as Development Permit Areas for: the regulation of the Form and Character of Development; Energy and Water Conservation and Greenhouse Gas Emission Reductions; Protection of the Natural Environment; Wildfire Hazard; and Streamside Protection. In addition, portions of these lands are designated for Slope Hazard.

Zoning:

The PRO Zone (Attachment B) permits a range of park and recreation uses on both public and privately held lands. In particular, it permits campgrounds, stadiums and trailer parks. These uses are not defined and could include inappropriate development in isolated areas.

**ANALYSIS:**

Developing lots for camping grounds, stadiums and trailer parks would involve buildings and structures and require the submission of a building permit application in compliance with the District's Building Regulation Bylaw and BC Building Code. The Building Code requires access for fire fighting purposes by way of road. However, lands zoned PRO are generally located in the Alpine Area beyond the urban containment boundary and typically, are not served by road. Without such access, the Chief Building Official would have the discretion to refuse the issuance of a building permit.



**SUBJECT: REZONING BYLAW 7998 - AMENDMENT TO THE PERMITTED USES IN  
THE PARK, RECREATION AND OPEN SPACE (PRO) ZONE**

May 27, 2013

Page 3

The establishment of camping grounds, stadiums and trailer parks also presents a host of potential environmental impacts that are in direct contrast to a number of policy guidelines when considering new development in environmental and natural hazard development permit areas. These policy guidelines set the expectation that new development within a DPA related to the protection of the natural environment is to be located and designed to minimize any damage to that natural environment.

In general the impacts that would be associated with these types of uses include:

- loss of natural forest, native understory and potential endangered species habitat;
- interruption and disturbance of the local groundwater and near surface water regime by the excavation;
- significant potential wildfire hazard and the resultant environmental impacts of a wildfire; and
- impacts associated with developing a potable water supply and sanitary sewer system.

**WAIVING OF A PUBLIC HEARING:**

Under Section 890(4) of the Local Government Act, Council may waive the holding of a public hearing on a proposed bylaw if

- (a) An official community plan is in effect for the area that is subject to a proposed zoning bylaw; and
- (b) The proposed bylaw is consistent with the plan.

The Solicitor has reviewed this matter and has concluded that the proposed bylaw is consistent with the OCP and, therefore, Council may consider waiving a public hearing on Bylaw 7998.

In terms of notification, the Bylaw would affect 10 or more properties owned by 10 or more owners and therefore, written notification of the Bylaw is not required. However, Council is obligated to provide notice of the Bylaw in accordance with Section 893 of the Act.

**WITHHOLDING PROCESS**

Section 929 of the Local Government Act allows Council to direct that a building permit application that may conflict with the bylaw under preparation be withheld if that application was submitted more than 7 calendar days from the date of the resolution to prepare the bylaw. In this case, that date would be June 18, 2013. The Act provides for an initial withholding period of 30 days and within that 30 day period, Council must consider the application and may direct that the permit be withheld for a further 60 days; or, grant the permit, but may impose conditions that would be in the public interest taking into account the bylaw being prepared. Complete building permit applications submitted within the 7 day window will be reviewed under the current regulations. If a bylaw is not adopted within the

**SUBJECT: REZONING BYLAW 7998 - AMENDMENT TO THE PERMITTED USES IN  
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May 27, 2013

Page 4

60 day period, the owners of the land are entitled to compensation for damages as a result of the withholding of a building permit.

**Timing/Approval Process:**

If Council waives the holding of a public hearing on Bylaw 7998, it could be considered for Second and Third Reading and Adoption following the required notification period in accordance with Section 893(3)(a) of the Local Government Act.

Respectfully submitted,

  
Doug Allan  
Community Planner  
attach.

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input checked="" type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks & Environment _____	<input type="checkbox"/> IPS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input checked="" type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

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

**Bylaw 7998**

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

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**READ** a first time this the

**READ** a second time the

**READ** a third time the

**ADOPTED** this the

\_\_\_\_\_  
Mayor

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

Certified a true copy

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



## **PART 9 PARK, RECREATION AND OPEN SPACE ZONE REGULATIONS**

### **900 Park, Recreation and Open Space Zone (PRO)**

#### **901 Uses:**

**ATTACHMENT B**

Permitted uses within the PRO Zone include:

#### **901.1 Principal Uses**

- (i) boat launching area;
- (ii) botanical gardens;
- (iii) camping ground;
- (iv) children's animal farm;
- (v) golf courses;
- (vi) habitat management and enhancement facilities;
- (vii) interpretive facilities;
- (viii) keeping and raising of fish, except fish farming;
- (ix) marinas;
- (x) park;
- (xi) pet care establishment;
- (xii) place of historical or geological interest;
- (xiii) recreation grounds;
- (xiv) restricted watershed areas;
- (xv) ski resorts;
- (xvi) stadiums; and
- (xvii) trailer park;

(Bylaw 7528)

#### **901.2 Accessory uses**

- (i) administrative offices;
- (ii) caretaker's residence;
- (iii) concession stands;
- (iv) equipment rentals;
- (v) golf course clubhouses, maintenance buildings and storage areas;
- (vi) off-street parking;
- (vii) park ranger facilities;
- (viii) restaurants and licensed lounges but only in conjunction with the operation of a golf course, ski resort and yacht club; (Bylaw 7443)
- (ix) retail sales of products provided that goods sold are clearly related to the principal use;
- (x) retail food services; and
- (xi) washrooms;

## **902 Size, Shape and Siting Regulations**

Buildings and structures in the PRO Zone shall comply with the following regulations:

### **902.1 Height:**

Buildings and structures shall not exceed a height of 12m (40ft.) except where exempted under section 407 of this Bylaw;

(Bylaw 6970)

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## **PUBLIC HEARING**

### **Amendment to the Permitted Uses in the Park, Recreation and Open Space (PRO) Zone**

### **District of North Vancouver Rezoning Bylaw 1296 (Bylaw 7998)**

- What:** Public Hearing on proposed District of North Vancouver Rezoning Bylaw 1296 (Bylaw 7998)
- When:** 7:00 pm, Tuesday, July 23, 2013
- Where:** Council Chambers, District of North Vancouver, 355 West Queens Road
- What is it?** The proposed text amendment to the PRO Zone deletes certain uses which are not considered appropriate in that zone for both technical and environmental reasons.
- What changes?** Bylaw 7998 amends the Zoning Bylaw to remove 'camping ground', 'stadium' and 'trailer park' as permitted principal uses in the PRO Zone.
- When can I speak?** Please join us on Tuesday, July 23, 2013 when Council will be receiving input from the public on this proposal. You can speak in person by signing up at the Hearing or by providing a written submission to the Municipal Clerk at the address below or [input@dnv.org](mailto:input@dnv.org) before the conclusion of the Hearing.
- Need more info?** The bylaw, Council resolution, staff report, and other relevant background material are available for review by the public at the Municipal Clerk's Office or online at [www.dnv.org/public\\_hearing](http://www.dnv.org/public_hearing). Office hours are Monday to Friday 8:00 am to 4:30 pm.
- Who can I speak to?** Doug Allan, Community Planner, at 604-990-2357 or [alland@dnv.org](mailto:alland@dnv.org).

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