

# AGENDA

## *PUBLIC HEARING*

**Tuesday, September 24, 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, September 24, 2013  
Municipal Hall, Council Chambers  
355 West Queens Road, North Vancouver

1. **OPENING BY THE MAYOR**

2. **INTRODUCTION OF BYLAW BY CLERK**

**Bylaw 8003: The District of North Vancouver Rezoning Bylaw 1299**

*Purpose of Bylaw:*

The proposed subdivision creates two 10m (33 foot) lots consistent with the prevailing lot pattern along the 1000 Block of Prospect Road.

3. **PRESENTATION BY STAFF**

Presentation: Kathleen Larsen, Community Planner

4. **PRESENTATION BY APPLICANT**

Presentation: Bill Curtis Design & Associates, Applicant

5. **REPRESENTATIONS FROM THE PUBLIC**

6. **QUESTIONS FROM COUNCIL**

7. **COUNCIL RESOLUTION**

*Recommendation:*

THAT the September 24, 2013 Public Hearing be closed;

AND THAT Bylaw 8003 "The District of North Vancouver Rezoning Bylaw 1299",  
be returned to Council for further consideration.

8. **CLOSING**

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

## **Bylaw 8003**

A bylaw to amend the 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 “The District of North Vancouver Rezoning Bylaw 1299” (Bylaw 8003). ”.

### **2. Amendments**

The following amendments are made to the “District of North Vancouver Zoning Bylaw 1965”:

- a. Part 3A Subdivision regulations is amended by adding a new row to the table in Section 310 Special Minimum Lot Sizes as follows:

Legal Description	Location	Area (square metres)	Width (metres)	Depth (metres)
Lot P, Block B, District Lot 594, Plan 1792	1075 Prospect Avenue	399m <sup>2</sup>	10.0m	39.9m

**READ** a first time this the 9<sup>th</sup> day of September, 2013

**PUBLIC HEARING** held this the

**READ** a second time this the

**READ** a third time this the

**ADOPTED** this the

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Mayor


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Municipal Clerk

Certified a true copy

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>SEPT 9, 2013</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____

 Dept. Manager	 GM/ Director.	 CAO
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## The District of North Vancouver REPORT TO COUNCIL

August 23, 2013  
File: PLN2013-00024

**AUTHOR:** Kathleen Larsen, Community Planner

**SUBJECT:** BYLAW 8003 (REZONING BYLAW 1299): 1075 Prospect Avenue  
ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)

### RECOMMENDATION:

It is recommended that Bylaw 8003, which amends the Zoning Bylaw by adding specific lot size regulations for the property at 1075 Prospect Avenue to Section 310 Special Minimum Lot Sizes:

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

### REASON FOR REPORT:

The proposed subdivision requires an amendment to the Zoning Bylaw to establish specific lot size regulations for the subject property.

### SUMMARY:

In order to create the two 10m (33 ft) lots, the site must be added to Section 310 Special Minimum Lot Sizes in the Zoning Bylaw. The proposed subdivision will create two 10m (33ft) lots that are not incompatible with the existing mix of lot widths along the 1000 Block of Prospect Road.

### EXISTING POLICY:

The subject property is designated "Residential Level 2: Detached Residential" in the Official Community Plan and for reference as "Detached Residential" in the Upper Capilano Community Plan.



**SUBJECT: BYLAW 8003 (REZONING BYLAW 1299): 1075 Prospect Avenue**  
**ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)**

August 23, 2013

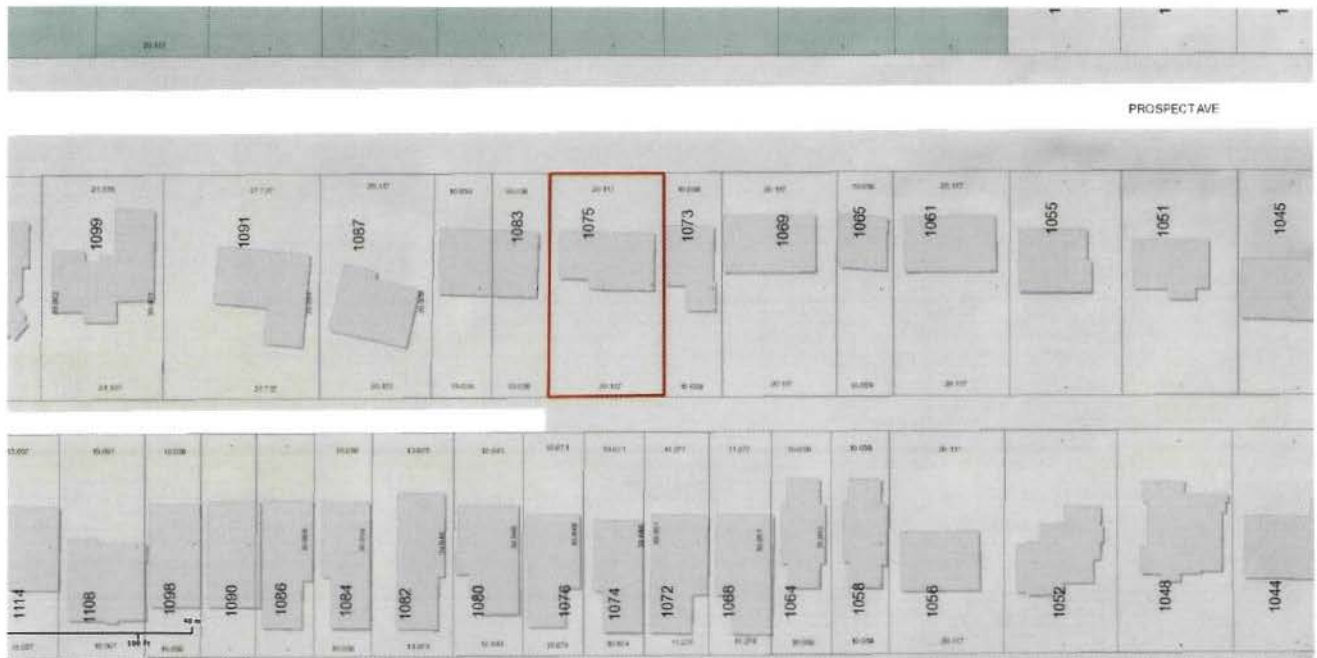
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**ANALYSIS:**

Site & Surrounding Area:

The subject lot is zoned Single-Family Residential (RS-3) and is occupied by a single family dwelling that will be demolished prior to subdivision of the property. It is not located in any Development Permit Areas.

The block face in the south side of the 1000 block of Prospect Avenue is represented by a mix of lot widths; primarily 10 m (33ft) and 20m (66ft) widths with an occasional wider lot. The proposed subdivision to create two 10m (33ft) lots is generally consistent with the variety of lot sizes in the 1000 Block of Prospect Road. The lot is also sited between two existing 10m lots directly to the west (straddled by an existing dwelling) and one 10m lot to the east.



Subdivision Proposal:

This application is to subdivide the current lot into two 10m (33 ft) lots and demolish the existing home on the property.

The following table compares the current minimum RS-3 requirements with the proposed lot sizes:

	RS-3 Zone	Proposed Lots
Lot Width	18m (59 ft)	10.0m (33.0ft)
Lot Depth	34m (112 ft)	39.9m (130.9 ft)
Lot Area	660m <sup>2</sup> (7,104 sq ft)	399m <sup>2</sup> (4,319 sq ft)



**SUBJECT: BYLAW 8003 (REZONING BYLAW 1299): 1075 Prospect Avenue  
ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)**

August 23, 2013

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To move forward with this proposal Section 310 of the Zoning Bylaw (Special Minimum Lot Size Regulations) will need to be amended to establish minimum lot size regulations as the proposed lots do not comply with the minimum RS-3 zone lot size requirements.

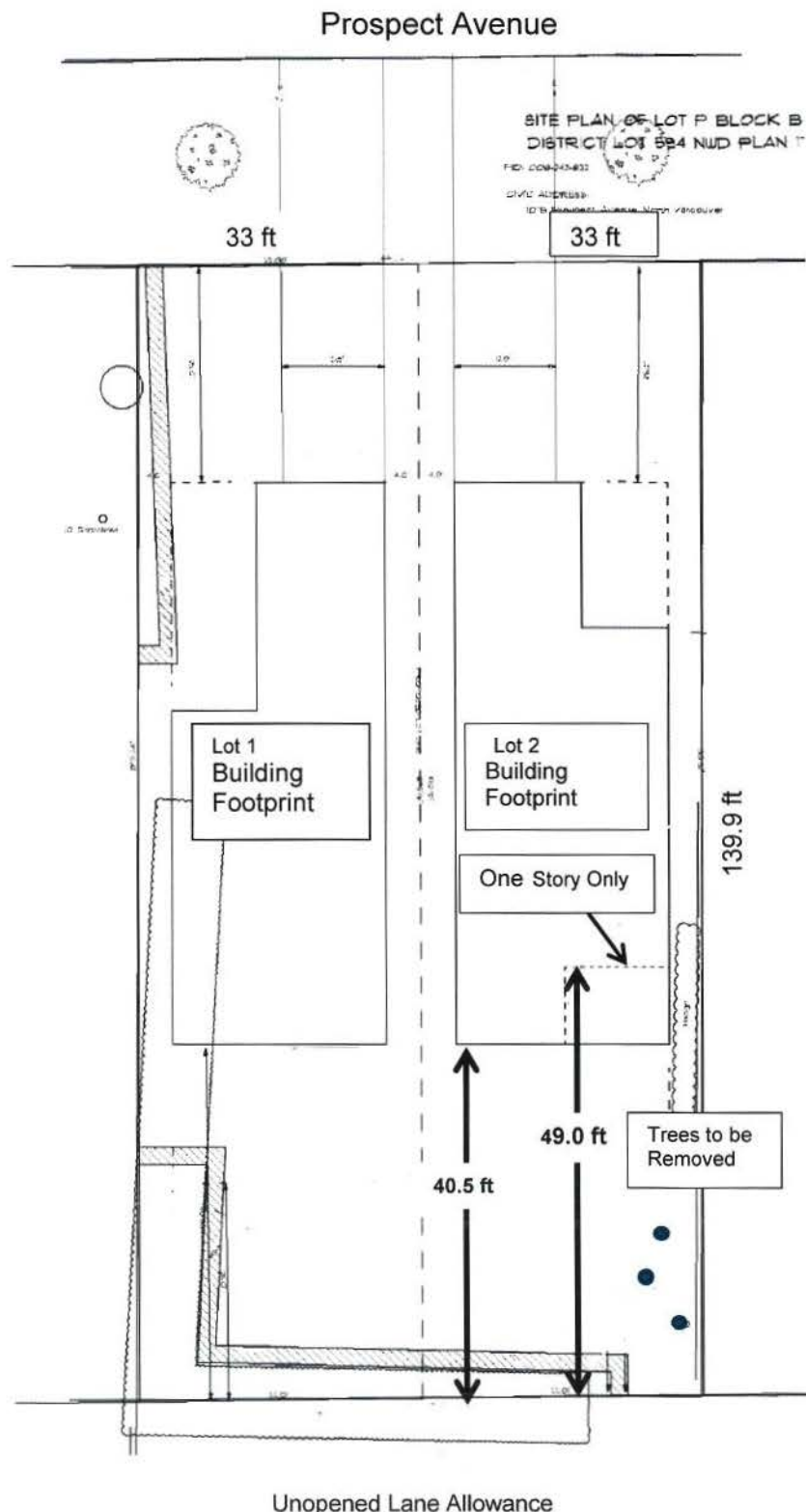
A site plan illustrating the proposed subdivision is shown :

Secondary Suites and House Design:

Covenants will be registered on the title of each of the proposed properties to prevent the construction of secondary suites as the proposed 10m (33ft) lots do not have any laneway access. The restriction is intended to address any potential increase to street parking along Prospect Avenue resulting from the new construction.

Covenants will also be required to ensure that the new houses are uniquely designed and the building permits are reviewed by the General Manager of Planning prior to issuance.

Proposed Building Areas: In response to a neighbour's concern regarding potential overshadowing, the applicant revised the proposed siting plans for both new houses to show building footprints that are setback 12.3m (40.5 ft) from the rear property line. This proposed setback is greater than the required 7.62m (25 ft) rear setback required under the RS3 Zoning regulations. The southeast corner of the building footprint on the house on the eastern lot is restricted to one storey only and set back 14.9m (49.0 ft) to allow additional sunlight infiltration into the adjacent rear yard to the east. A restrictive covenant will be registered on title prior to subdivision to ensure building setbacks and footprints as shown on the site plan.



Lane: Two neighbours directly south of the subject property expressed concerns regarding loss of the laurel hedging currently providing a privacy buffer along the south property line and unopened laneway. Stormwater connection works in the unopened lane allowance will require the removal of much of this hedging and an existing retaining wall. As a condition of subdivision the applicant will be required to provide the appropriate bonding to ensure replacement of both the hedging and retaining wall along the south property line and laneway.

Trees: Two permit trees (a Helmlock and a Cedar growing together) and a third smaller Laurel tree in the rear yard of the east lot will be removed to allow for the new construction. The replanting of two new conifers to replace the permit trees (one per lot due to the size of the lots) along with bonding will be required as a condition of subdivision. The installation of two new street trees will also be required as part of the subdivision.

#### **GREEN BUILDING REQUIREMENT:**

As implementation of this proposal will require an amendment to the Zoning Bylaw and a subdivision, compliance with the District's Green Building Strategy is required. A covenant requiring that the new homes meet or exceed an Energuide 80 energy efficiency rating and achieve a Built Green™ "Gold" equivalency will be required prior to bylaw adoption.

#### **Public Input:**

At the preliminary and detailed application stages, a notification letter was sent to the owners and occupants of properties within a 75m radius as per the Public Notification Policy. Notices were sent to adjacent owners, residents and the Edgemont/Upper Capilano Community Association. At the preliminary stage there were 3 responses from neighbours that outlined concerns related to lot pattern, increase in density related to secondary suites and the overshadowing of the yard to the east.

At the detailed application stage three neighbours directly south of the subject site sharing the rear lane allowance responded to the notification with the following comments:

- Laurel hedging along the south property line and extending into the unopened lane allowance should be retained to allow for a privacy buffer between the homes.
- Following the storm connection works the lane should be cleared and special attention be paid to ensure the maintenance of proper drainage.

To address these neighbour's concerns the replanting of hedging and replacement of the existing retaining wall both entirely on the subject site will be made a condition of subdivision. The existing lane will be re-graded and then will return to its natural state following construction.



One neighbour directly east of the subject property responded with concerns regarding:

- Overshadowing of their rear yard and potential loss of sunlight.
- Potential impacts to traffic and parking resulting from secondary suites

To respond to these concerns the applicant has provided a site plan showing both building footprints set back 40.5ft from the rear property line. The building footprint on the eastern lot is restricted to one storey in the southeast corner with a setback of 49.5 ft to allow additional sunlight into the adjacent rear yard. The adjacent neighbour has reviewed the proposed site plan with Planning Department staff.

The neighbour has also been advised that as a condition of subdivision, covenants restricting the installation of any secondary suites will be registered on the titles of both properties prior to subdivision approval.

#### **CONCLUSION:**

The proposed subdivision is compatible with the mix of lot sizes in the area and Bylaw 8003 (Attachment A) may be considered for First Reading and referral to a Public Hearing.

#### **OPTIONS:**

The following options are available for Council's consideration:

1. Introduce Bylaw 8003 and refer the proposal to a Public Hearing (staff recommendation); or
2. Defeat Bylaw 8003 at First Reading and thereby reject the subdivision.

Kathleen Larsen  
Community Plan

<b>REVIEWED WITH:</b>		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input 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"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

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Municipal Clerk

Certified a true copy



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DISTRICT

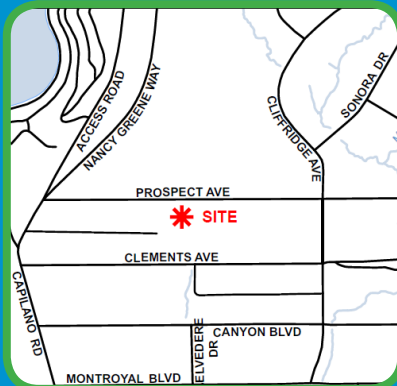
# PUBLIC HEARING

## 1075 Prospect Avenue

### Subdivision of Existing Lot

- What:** Public Hearing on proposed District of North Vancouver Rezoning Bylaw 1299 (Bylaw 8003)
- When:** 7:00p.m., Tuesday, September 24, 2013
- Where:** Council Chambers, District of North Vancouver, 355 West Queens Road

Site Map



Site Map



- What is it?** The proposed subdivision creates two 10m (33 foot) lots generally consistent with the existing lot pattern along the 1000 Block of Prospect Road.
- What Changes?** In order to create two 10m (33 foot) lots, the subject site needs to be added to Section 310 Special Minimum Lot Sizes in the Zoning Bylaw.
- When can I speak?** Please join us on Tuesday, September 24, 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?** Kathleen Larsen, Community Planner, at 604-990-2369 or [larsenk@dnv.org](mailto:larsenk@dnv.org).



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

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