

AGENDA

SPECIAL MEETING OF COUNCIL

Monday, April 14, 2014

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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7:00 p.m.
Monday, April 14, 2014
Council Chamber, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

BROADCAST OF MEETING

- Broadcast on Shaw channel 4 at 9:00 a.m. Saturday
- Online at www.dnv.org

1. REPORTS FROM COUNCIL OR STAFF

- 1.1. Bylaw 8057: Financial Plan Approval Bylaw** p. +!,
File No. 05.1715.41/006

Recommendation:

THAT Bylaw 8057 cited as the “2014 – 2018 Consolidated Financial Plan Approval Bylaw” is given FIRST, SECOND and THIRD reading.

- 1.2. Rezoning of 5020 Capilano Road, 1180 Clements Avenue** p. - !%
and 4710-4740 Capilano Road
File No. 08.3030.01/000.000

Recommendation:

THAT

1. Council direct staff to prepare new commercial zoning bylaws for 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road; and
2. Staff submit to Council, any building permit application received after April 22, 2014 for 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road which staff consider are in conflict with the bylaws in preparation, for consideration of a resolution that the building permit be withheld for 30 days under Section 929 of the Local Government Act.

2. ADJOURNMENT

Recommendation:

THAT the April 14, 2014 Special Meeting of Council for the District of North Vancouver be adjourned.

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REPORTS



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Bylaw 8057: Financial Plan Approval Bylaw
File No. 05.1715.41/006

Report to be inserted

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>April 14. 14</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____

	1.2	
Dept. Manager	 GM/ Director	 CAO

The District of North Vancouver REPORT TO COUNCIL

April 7, 2014
File: 08.3030.01/000.000

AUTHOR: Erik Wilhelm, Planner

**SUBJECT: REZONING OF 5020 CAPILANO ROAD, 1180 CLEMENTS AVENUE AND
4710 - 4740 CAPILANO ROAD**

RECOMMENDATION:

It is recommended that:

1. Council direct staff to prepare new commercial zoning bylaws for 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road; and
2. Staff submit to Council, any building permit application received after April 22, 2014 for 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road which staff consider are in conflict with the bylaws 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 direction to prepare new zoning regulations for two commercially zoned properties at (1) 5020 Capilano Road, 1180 Clements Avenue; and (2) 4710-4740 Capilano Road.

SUMMARY:

Staff are concerned that the development potential of 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road under the existing commercial zoning may have significant impacts upon the adjacent land uses, in particular, residential land uses. If Council supports the preparation of rezoning bylaws, staff will forward any complete building permit applications which may be contrary to the rezoning bylaws received after April 22, 2014 to Council to consider whether to withhold the application, in accordance with the Local Government Act.

capacity onsite. Site lines and access may also be of concern given the property's location on a corner apex along Capilano Road.

b) 4710-4740 Capilano Road

The site is occupied a ground level commercial building (Grouse Woods Plaza) which includes a convenience store, drycleaner and two restaurants. A ground oriented townhouse development is located east and north of the site. Single family uses are to the south and west of the site. The site is 1132 m² (12,184 ft²) in area.



Similar to the other site, development issues relate to the potential height and bulk of buildings adjacent to the neighbouring ground oriented townhouse development and single family uses. This is coupled with a desire to maintain small scale commercial activities with limited residential capacity onsite.

EXISTING ZONING:

The following table identifies the development potential within the General Commercial Zone 2. The table generally specifies the potential building bulk/massing allowed within the zone:

Zone	Height	Building Coverage	Site Coverage	FSR
C2	12 metres (40 ft.)	50%	85%	1.75

The zone does not include specific setback regulations which are established through the development permit process.

Residential uses are permitted within the C2 zone subject to the following conditions: the units must be located above the ground floor; have a separate entrance from the ground level; and have a minimum area of 55.7m² (600ft.²) plus an additional 9.3m² (100ft.²) of floor area for each bedroom.

Withholding Process

If Council passes a resolution directing staff to prepare a bylaw, 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. 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

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

Conclusion:

The current general commercial zoning on the subject properties may permit development in a form which could have a significant impact on adjacent properties, in particular, single family and townhouse properties. Staff's ability to address those issues through the development permit process is limited. To encourage redevelopment in a manner which creates a sensitive transition to adjacent properties, new commercial zoning regulations should be created. Withholding of complete building permit applications in these areas while bylaws are under preparation, in accordance with the Local Government Act is recommended.

Options:

The following options are available for Council's consideration:

Option A:

1. Council direct staff to prepare new commercial zoning bylaws for 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road; and
2. Staffs submit to Council, any building permit application received after April 22, 2014 for 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road which staffs consider are in conflict with the bylaws in preparation, for consideration of a resolution that the building permit be withheld for 30 days under Section 929 of the Local Government Act. (Staff Recommendation); or

Option B:

1. Receive this report as information and leave the zoning at 5020 Capilano Road, 1180 Clements Avenue and 4710-4740 Capilano Road unchanged.

Respectfully submitted,



Erik Wilhelm
Planner

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4710 - 4740 CAPILANO ROAD**

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REVIEWED WITH:		
<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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