

# AGENDA ADDENDUM

## *REGULAR MEETING OF COUNCIL*

**Monday, April 28, 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



[www.dnv.org](http://www.dnv.org)

THIS PAGE LEFT BLANK INTENTIONALLY

## **REGULAR MEETING OF COUNCIL**

**7:00 p.m.  
Monday, April 28, 2014  
Council Chamber, Municipal Hall  
355 West Queens Road, North Vancouver**

### **AGENDA ADDENDUM**

#### **THE FOLLOWING LATE ITEMS ARE ADDED TO THE PUBLISHED AGENDA**

##### **9. REPORTS FROM COUNCIL OR STAFF**

##### **9.2 Development Variance Permit 51.13: 3838 Delbrook Avenue** File No. 08.3060.20/051.13

*Recommendation:*

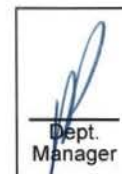
THAT the April 24, 2014 report of the Community Planner be received for information.

THIS PAGE LEFT BLANK INTENTIONALLY

## REPORTS

THIS PAGE LEFT BLANK INTENTIONALLY

COUNCIL AGENDA/INFORMATION		
<input type="checkbox"/> In-Camera	Date: _____	Item # _____
<input type="checkbox"/> Regular	Date: _____	Item # _____
<input type="checkbox"/> Info Package	Date: _____	Item # _____
<input checked="" type="checkbox"/> Agenda Addendum	Date: <u>April 28 '14</u>	Item # _____



## The Corporation of the District of North Vancouver

### REPORT TO COUNCIL

File: 3060.20/051.13  
April 24, 2014

**AUTHOR:** Erik Wilhelm, Community Planner

**SUBJECT: NEIGHBOURHOOD RESPONSE TO DEVELOPMENT VARIANCE PERMIT  
51.13 BEING CONSIDERED APRIL 28, 2014**

**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 the development variance permit being considered on April 28, 2014.

#### DISCUSSION:

As of 10:00 a.m. on April 24, 2014:

#### Development Variance Permit 51.13 – 3838 Delbrook Avenue

7 notices were sent out to adjacent property owners/residents and the Delbrook Community Association. Neighbouring property owners at 549 and 561 Croydon Place provided comment on the proposal (Attachments 1 and 2). The property owner at 3788 Delbrook Avenue discussed the application with planning staff and reiterated similar concerns as outlined in the comments received. All comments received outlined parking concerns within Croydon Place. The neighbours indicated a preference for either the installation of a second driveway to the property off Delbrook Avenue or installation of a third parking stall east of the existing garage.

Delbrook Avenue is classified as a minor arterial road and Croydon Place is classified as a local road. The Development Servicing Bylaw requires access of the lower classification of road which in this case is Croydon Pl. Staff does not support the creation of a second driveway off of Delbrook Avenue.

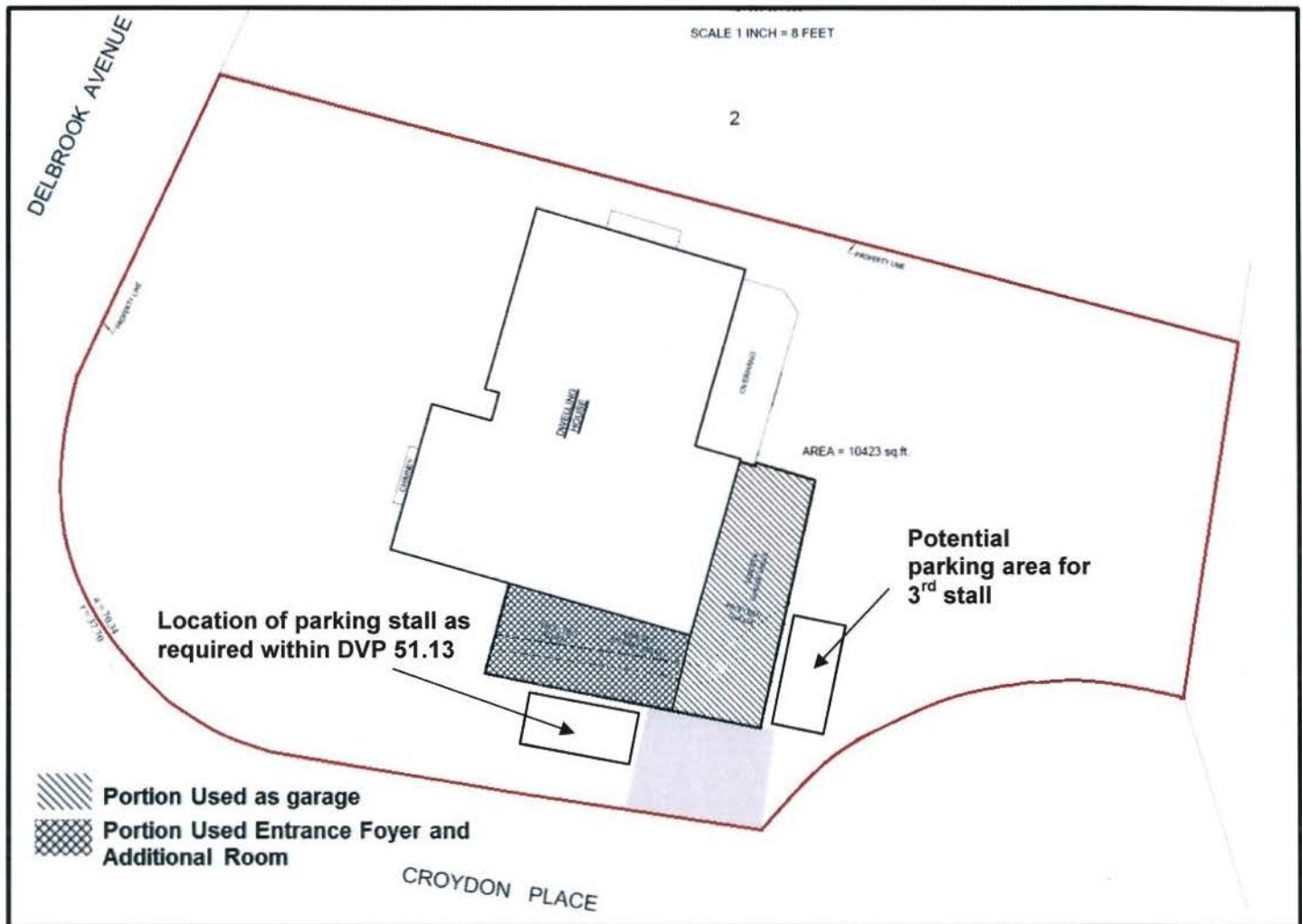
The proposal will have two off-street parking stalls, one within the enclosed garage and a second on a parking pad between the house and Croydon Pl. The neighbours are concerned that a secondary suite may either exist in the house now or be installed in the

**SUBJECT: NEIGHBOURHOOD RESPONSE TO DEVELOPMENT VARIANCE PERMIT  
51.13 BEING CONSIDERED APRIL 28, 2014**

April 24, 2014

Page 2

future. District records do not indicate there is an existing secondary suite and DVP 51.13 specifically states that a secondary suite may not be installed until a third parking stall is provided on the lot in accordance with the zoning bylaw requirements. There will be a building permit process and inspections for the work done without permit and if staff discover a secondary suite then a third parking stall with unencumbered access will be required. Given the constraints of the site, a 3<sup>rd</sup> parking stall will likely need to be installed east of the garage/residence as indicated in the neighbourhood comments.



**CONCLUSION:**

DVP 51.13 will permit the applicant to apply for building permits for the enclosure of the garage. Through the BP process, staff will ensure that off-street parking is provided in accordance with the zoning bylaw requirements.



**SUBJECT: NEIGHBOURHOOD RESPONSE TO DEVELOPMENT VARIANCE PERMIT  
51.13 BEING CONSIDERED APRIL 28, 2014**

April 24, 2014

Page 3

Respectfully submitted,



Erik Wilhelm  
Community Planner

Attachment 1 and 2 – neighbour input  
Attachment 3 – staff report and DVP 51.13

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: _____

**Attachment 1**

Re: Development Variance Permit 51.13  
3838 Delbrook Ave.

My wife [REDACTED] and I reside at 549 Croydon Place (along with our two teenage children), directly across the cul-de-sac from 3838 Delbrook Ave. We are very concerned regarding the parking situation in our cul-de-sac if the development proposed for 3838 Delbrook is allowed to continue without any changes to the current available off-street parking spaces. As our neighbour, [REDACTED], has noted, there is only room currently for 2 off-street parking spaces, both of which are occupied by owner's vehicles. There is also usually at least 1 tow truck parked in the cul-de-sac (sometimes more).

If the main floor does become rental space then there will certainly be more vehicles in the cul-de-sac, especially if the garage has indeed been converted into living space. That would be consistent with what we have seen so far as I don't believe a vehicle has been parked in the garage since the renovation began.

We are in favour of Mr. [REDACTED]'s suggestion of building a half-circle driveway in front of the house to provide more off-street parking. As he also mentioned, there is also ample space in the backyard which could be converted to do the same.

Sincerely,

[REDACTED]  
549 Croydon Pl.  
North Vancouver, B.C.  
[REDACTED]

**Attachment 2**

Re: Development Variance Permit 51.13  
3838 Delbrook Avenue

Our concern about this proposal is the loss of parking space, particularly concerning the change of use that the property will undergo.

There used to be room for 3 vehicles to park in the area which has now been totally enclosed and converted into living space. At the same time as these parking spaces have been effectively removed, the house and in-law suite have been expanded. This work is almost complete. The owner tells me that his intention is to live in the newly expanded suite, and to rent out the main house.

The information we received in the mail from the DNV indicated that the newly enclosed "garage" will provide parking for one vehicle. This does not appear to be the case, as it has been completely finished inside, including laminate flooring. The proposal is to provide "an additional parking stall adjacent to the garage door". It would thus appear that there will be parking provided for perhaps 2 vehicles, one in this stall and one in front of the garage door.

The owner currently parks one tow truck (sometimes two) in Croydon Place itself, and 1 vehicle and 1 large utility trailer in front of the garage door. This effectively blocks off the access to the proposed new parking stall, rendering it almost useless. When the main house is rented out, the renters are sure to have at least 2 vehicles. Where will they park? We are concerned that Croydon Place will be filled up with vehicles associated with 3838 Delbrook Avenue.

Since the entrance to this house is facing Delbrook Avenue, why not also put a semi-circular driveway in the front of the house, entering and exiting from Delbrook Avenue? This would also make a lot more sense for those people renting the house, who would be entering via the front door (facing Delbrook Avenue). Alternatively, two more parking stalls could be located directly to the East of the existing "garage". The back yard is very large, and could accommodate this very easily.

Sincerely,


[REDACTED]  
561 Croydon Place  
[REDACTED]



## AGENDA INFORMATION

- ☒ Regular Meeting  
☐ Workshop (open to public)

Date: APRIL 28, 2014  
 Date: \_\_\_\_\_

  
 Dept.  
 Manager

  
 GM/  
 Director

  
 CAO

## The District of North Vancouver REPORT TO COUNCIL

April 8, 2014

File: 08.3060.20/051.13

**AUTHOR:** Erik Wilhelm, Planner

**SUBJECT:** Development Variance Permit 51.13 – 3838 Delbrook Avenue

### RECOMMENDATION:

It is recommended that Council issue Development Variance Permit 51.13 (Attachment A) to allow for enclosure of the area beneath the existing front deck at 3838 Delbrook Avenue.

### REASON FOR REPORT:

The applicant has applied for variances to the zoning bylaw that require Council's approval.

### SUMMARY:

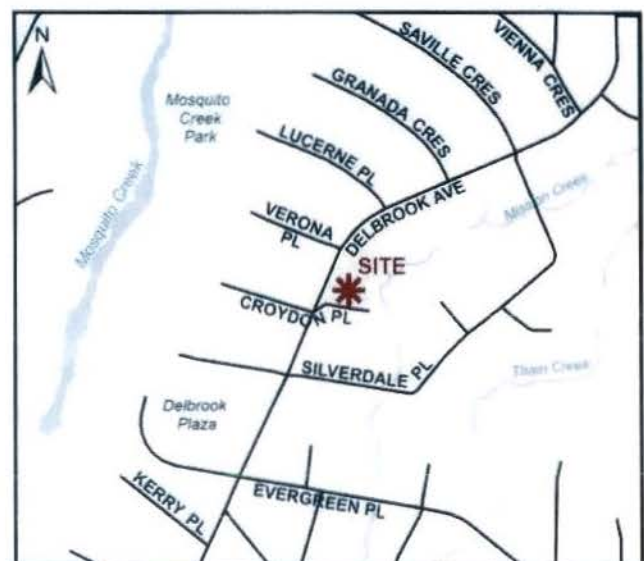
The applicant has applied for variances for work already completed including enclosing a carport and area under an existing deck to create a garage and interior living space, in association with the renovation of the existing home. The application requires variances to the flanking street and parking structure setbacks, as well as roof projection setback.

### BACKGROUND:

The subject property is located at 3838 Delbrook Avenue. The site and surrounding residential neighbourhood is zoned Residential Single-Family Delbrook (RSD).

There are no previous development applications concerning the subject property.

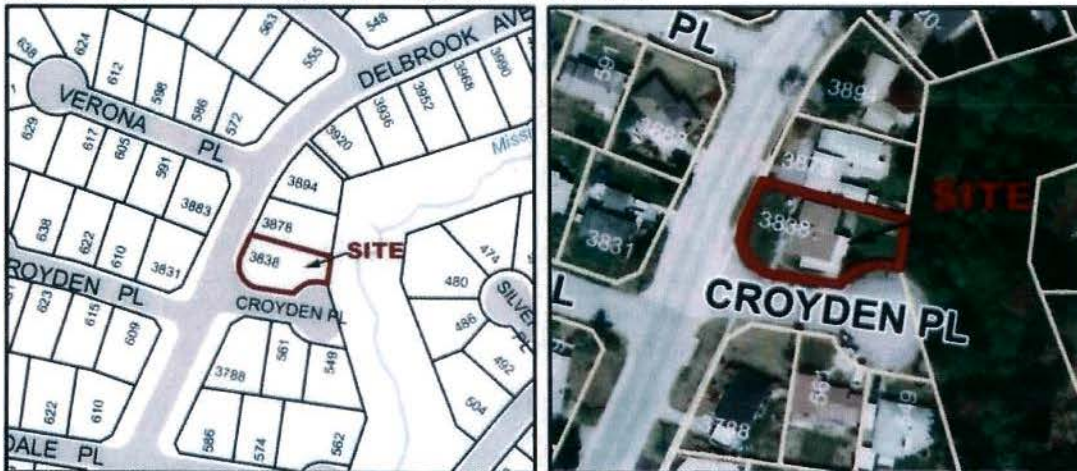
The property owner began construction activities to enclose the existing carport and storage area (facing the Croydon Place cul-de-sac) underneath the existing



front deck. The District became aware of the work without a building permit and instructed the property owner to cease activities. Accordingly, the property owner retained a house designer (the applicant) to obtain the requisite building permit. It was subsequently determined that any enclosure of the space would require a Development Variance Permit to address setback requirements. As construction activities commenced without a building permit, a double fee for the variance application has been levied and increased fees will be applicable at the building permit stage.

District records indicate that the deck (with carport and unenclosed storage beneath) was built as part of the original construction of the house in 1961 and attained the minimum setback requirements at that time. Subsequently, the setbacks in the Zoning Bylaw have changed rendering the existing deck legally non-conforming. Accommodating the enclosure of the carport and area under the deck requires the issuance of variances.

Below is a context map and air photo of the site.



The following pictures depict the changes made to the residence facing Croydon Place.





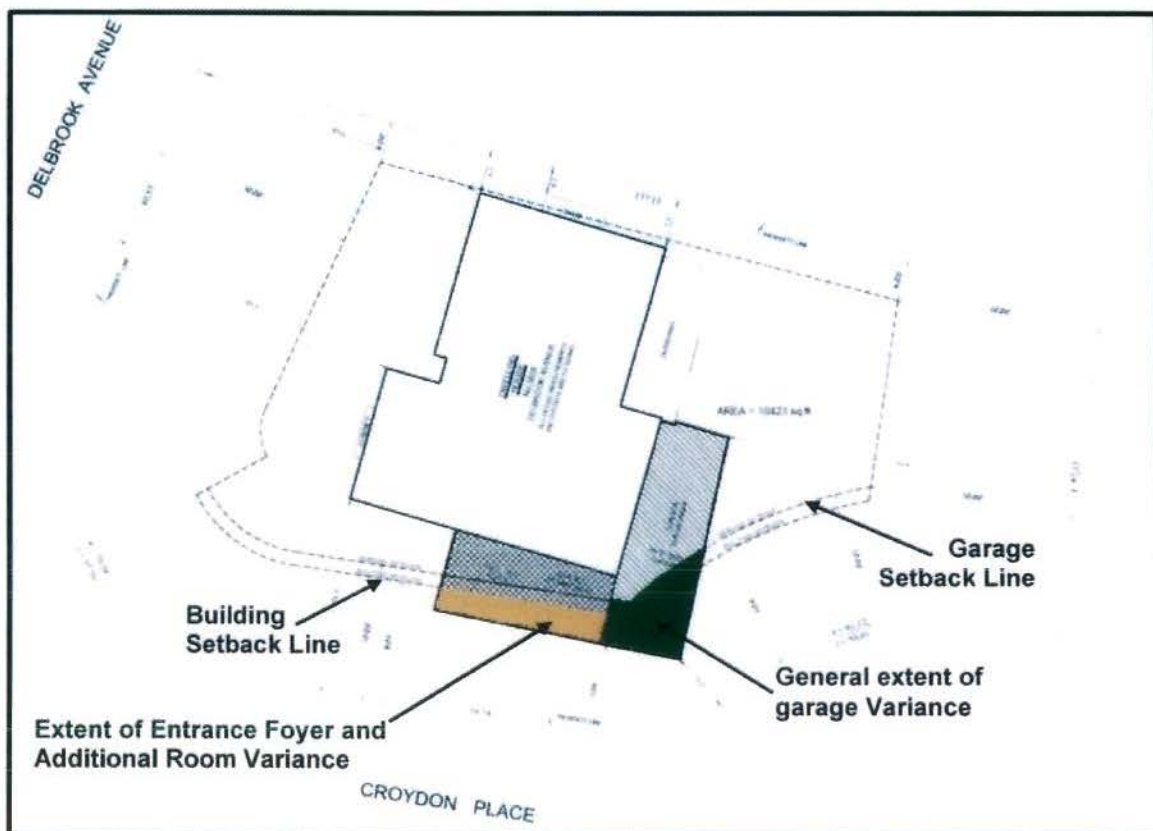
**ANALYSIS:**

Zoning Bylaw Compliance:

The following table outlines the zoning bylaw variances required as part of this application:

Variance Number	Regulation	Required/ Permitted	New Work	Variance
1	Single-Family Residential Building Flanking Street Setback	5.55m 18.2ft	4.3m 14.1ft	1.25m 4.1ft
2	Parking Structure Straight-in Entry Setback	6.1m 20.0ft	2.8m 9.2ft	3.3m 10.8ft
3	Maximum 4' Roof Projection Setback	4.88m 16.0ft	2.8m 9.2ft	2.08m 6.8ft

The following site plan depicts the portion of structure in question and the proposed uses for those areas requiring variances.



As the property fronts onto two streets, the area beneath the existing deck (to be used as a garage, entrance foyer and additional room) requires setback variances. The deck (with carport and unenclosed storage beneath) was built in 1961 in accordance with the R-7500 zone applicable at the time. Zoning bylaw changes in 1965 and in 1995 (to the current RSD zoning) rendered the deck legally non-conforming and precluded enclosure of the area underneath the deck.

Given that the proposal is not increasing the footprint of the existing building, the majority of the enclosed area is buffered from view from the street and staff has received no neighbour objections, staff supports the setback variances.

**Required Parking:**

The zoning bylaw requires that each single family home provides for two off-street parking stalls. Previously, when the area below the deck was unenclosed, two cars could readily be parked beneath the deck. As proposed, the length of the parking area will be reduced given that the garage door will no longer allow two conventional cars to fit within the enclosed area for parking. Accordingly, the applicant will be providing an additional exterior parking stall adjacent to the garage door. Development Variance Permit 51.13 (Attachment A) depicts the general location of the new parking stall to be provided.

Neighbourhood Character:

Despite a number of recent renovations and newly constructed homes in the area, the existing neighbourhood is characterized by homes primarily built in the 1950s and 1960s. As seen in the before and after photos, the overall character of the home has been maintained and as the improvement integrates suitably with the general character of the surrounding homes it is supportable by staff.

**Environment:**

Mission Creek is located east of the property and the property is within the Streamside Protection Development Permit Area (DPA). As the development activities are outside the 15 metre (49.2 ft) streamside protected area, the application is exempt from Streamside Protection DPA requirements.

The property is also within the buffer zone of the Creek Hazard DPA. As all work is outside the buffer area and not increasing the building footprint, the application is exempt from Creek Hazard DPA requirements.

**Concurrence:**

The District's Engineering and Building Departments have reviewed the proposal.



**Public Input:**

An information letter outlining the application was mailed to adjacent neighbours and the Delbrook Community Association. There were no responses received from any neighbours or the community association.

Municipal notification advising that Council will be considering whether to issue a Development Variance Permit will be sent. Response to the notification will be provided to Council prior to consideration of this application.

**Conclusion:**

Issuance of proposed Development Variance Permit 51.13 will allow the home to integrate well with the surrounding streetscape and allow enclosure of space beneath a deck which previously met zoning bylaw requirements (circa 1961). The improvements will not adversely affect the neighbourhood or surrounding properties; therefore, it is recommended that Council issue Development Variance Permit 51.13.

**Options:**

The following options are available for Council's consideration:

1. Issue Development Variance Permit 51.13 (Attachment A) to allow for enclosure under the existing front deck at 3838 Delbrook Avenue (staff recommendation); or
2. Deny Development Variance Permit 51.13.

Respectfully submitted,



Erik Wilhelm  
Planner

Attach

Attachment A – DVP 51.13

REVIEWED WITH:		
<input checked="" 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 checked="" 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: _____



**THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER**

**DEVELOPMENT VARIANCE PERMIT 51.13**

This Development Variance Permit 51.13 is hereby issued by the Council of The Corporation of the District of North Vancouver to Ali Reza Shokri Ghassabeh to allow enclosure of the area beneath the deck on the property located at 3838 Delbrook Avenue legally described as Lot 1, Block 4, District Lots 577 and 578, Plan 9261 (PID: 009-684-956), subject to the following terms and conditions:

- A. The following Zoning Bylaw regulations are varied under subsection 922(1)(b) of the Local Government Act:
1. The minimum setback for a Flanking Street Setback is decreased from 5.55 metres (18.2 feet) to 4.3 metres (14.1 feet);
  2. The minimum setback for a straight in entry parking structure is decreased from 6.1 metres (20.0 feet) to 2.8 metres (9.2 feet);
  3. The minimum setback for a roof projection is decreased from 4.88 metres (16.0 ft) to 2.8 (9.2 ft.)
  5. The relaxations above apply only to the proposed single-family dwelling as illustrated in the attached drawing (DVP 51.13A).
- B. The following requirement is imposed under subsection 926(1) of the Local Government Act:
1. Substantial construction as determined by the Manager of Permits and Licences shall commence within two years of the date of this permit or the permit shall lapse;
  2. Prior to the issuance of a Building Permit, an unenclosed parking stall must be provided, and screened with appropriate landscape plantings, in the location indicated on the attached drawing DVP 51.13A; and
  3. The residence is not permitted a secondary suite until at least at total of three (3) parking stalls are provided on-site.

\_\_\_\_\_  
Mayor

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

Dated this the      day of      , 2014.

DVP 51.13A

