

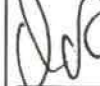


AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Oct. 4, 2021</u>
<input type="checkbox"/> Other:	Date: _____


Dept.
Manager


GM/
Director


CAO

The District of North Vancouver REPORT TO COUNCIL

September 14, 2021
Case: 08.3060.20/007.19
File: 08.3060.20/007.19

AUTHOR: Holly Adams, Planning Assistant

SUBJECT: Rezoning Bylaw 1411 (Bylaw 8524) – Rezoning for Two Lot
Subdivision at 4320 Prospect Road

RECOMMENDATION:

THAT "District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)" to amend the District of North Vancouver Zoning Bylaw be given FIRST reading;

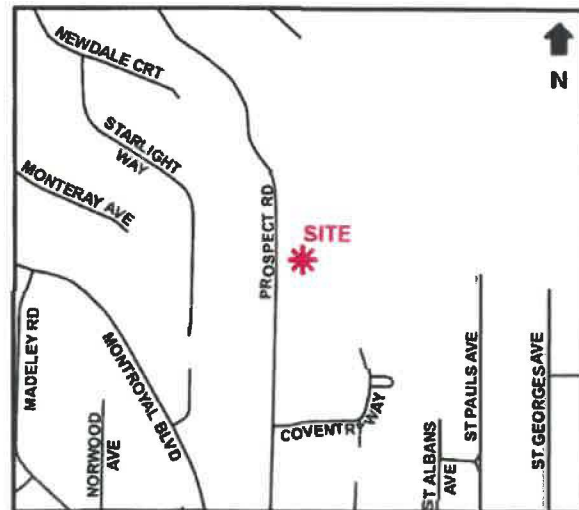
AND THAT "District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)" is referred to a Public Hearing.

REASON FOR REPORT:

Mr. James Stobie of Synthesis Design has applied on behalf of the owners of 4320 Prospect Road. The proposed subdivision requires an amendment to the Zoning Bylaw to change the zoning of the property and to establish specific lot size regulations for the proposed lots.

SUMMARY:

The applicant is proposing to subdivide the property at 4320 Prospect Road into two single family lots, each approximately 15.84 m (51.9 ft.) in width. As the proposed lots do not meet minimum area and width requirements of the site's Single Family Residential One Acre zone (RS1), a rezoning and special minimum lot width is required.



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EXISTING POLICY:

Official Community Plan:

The subject property is designated as “RES Level 2: Detached Residential” (0.55 FSR) in the Official Community Plan (OCP). The proposed rezoning complies with the land use designation in the OCP.

North Lonsdale-Delbrook Plan:

The subject property is designated as “Low Density” in the North Lonsdale-Delbrook Plan reference policy document. The North Lonsdale-Delbrook Plan provides for consideration of rezoning and subdivision in this area with the following implementation statement:

“the large private lots in the 4200 and 4300 blocks Prospect Road may be considered a potential rezoning (to RS2 and RS3) and subdivision area subject to private owners’ initiatives”.



The rezoning and subdivision proposal would create lots which are configured similarly to the properties to the south. The RS3 lots to the south at 4250 and 4260 Prospect Road were created through a rezoning in 2005. The subsequent subdivision resulted in three lots: one in a panhandle configuration to the rear and two smaller lots fronting Prospect Road (see image above showing subject property and the lots to the south). If the subject property is rezoned and subdivided into two lots, it will achieve a similar layout as that to the south.

The proposed lot areas comply with the RS3 zone minimum area requirements and generally comply with the subdivision provisions of the North Lonsdale-Delbrook Plan reference policy document.

Zoning:

The property is currently zoned RS1 (“Single Family Residential One Acre Zone”). The below table compares the two proposed lots to the current RS1 and proposed RS3 subdivision requirements:

	Lot Width	Lot Depth	Lot Area
RS1 Zone Regulations	30 m (98.43 ft.)	34 m (111.55 ft.)	4,000 m ² (43,055.6 sq. ft.)
RS3 Zone Regulations	18 m (59 ft.)	34 m (111.55 ft.)	660 m ² (7,104.2 sq. ft.)
Proposed RS3 Lots	15.84 m (51.97 ft.)	45.72 m (150 ft.)	724 m ² (7,793.1 sq. ft.)

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Subdivision at 4320 Prospect Road**

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The proposed subdivision requires an amendment to the Zoning Bylaw to rezone the property from RS1 to RS3 as the proposed lots do not comply with the RS1 minimum lot area requirements.

Bylaw 8524 also includes an amendment to Section 310 (Special Minimum Lot Size Regulations) of the Zoning Bylaw to establish specific minimum lot size regulations for the proposed lots. The proposed lots are 15.84 m (51.97 ft.) in width and do not meet the RS3 width requirement of 18 m (59 ft.)

Rezoning Bylaw 1206 (Bylaw 7524), which rezoned the lots to the south in 2005, permitted two lots of approximately 16.4 m wide which are also narrower than the RS3 zone requirements. At the time, the Approving Officer had discretion to allow a reduction in lot width of up to 10%. That discretion no longer exists and the proposed amendment to the Zoning Bylaw's Special Minimum Lot Size Table will permit a reduction in lot width for the subject lots to allow for a minimum lot width requirement of 15.84 m (51.97 ft.)

ANALYSIS:

Site and Surrounding Area:
The subject lot is 31.7 m (104 ft.) wide, 1,448 m² (15,586 sq. ft.) in area and is occupied by a single family dwelling.

The surrounding area is characterized by single-family development with a mix of RS1, RS2, and RS3-zoned properties.

The subject lot is within the Development Permit Area for Protection of Development from Hazardous Conditions (Wildfire Hazard). The new construction must meet the requirements of this Development Permit Area.



Subdivision Proposal:

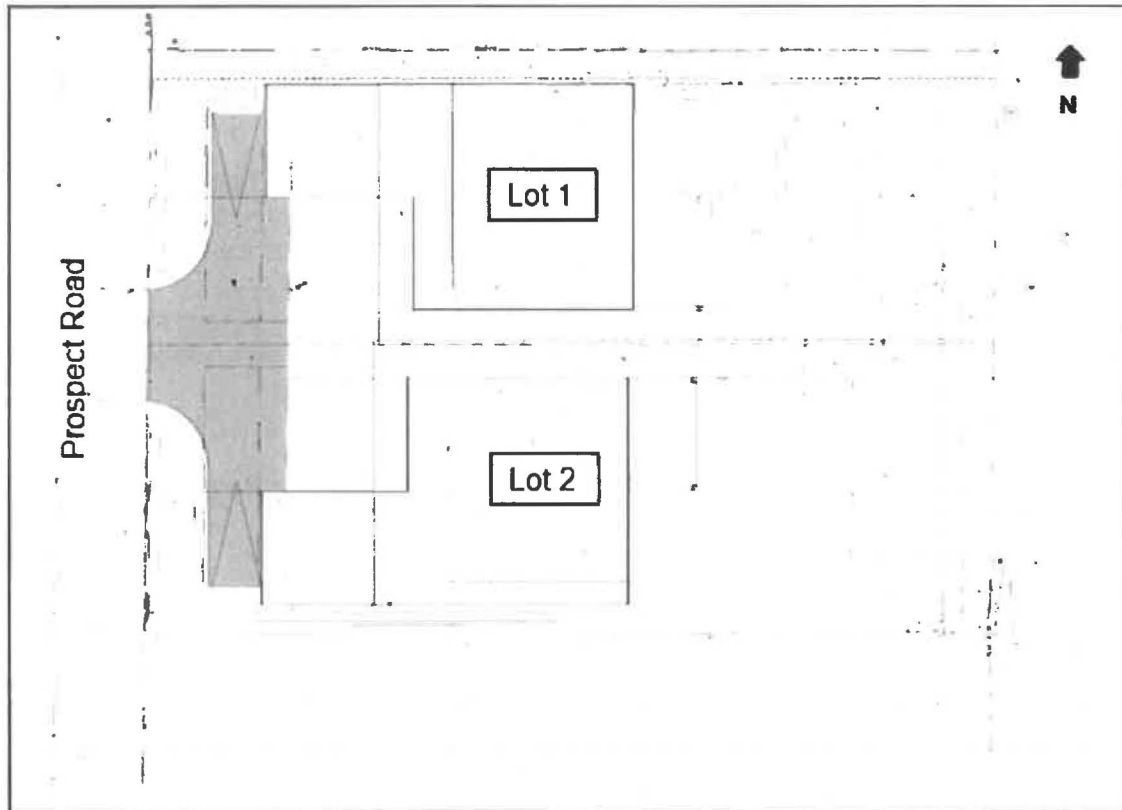
This application proposes to subdivide the existing lot into two lots. The site plan illustrating the proposed subdivision is shown on the next page. Access to the proposed lots will be from Prospect Road and it is anticipated that the two lots will share one driveway. A reciprocal access easement would be required to be registered on title to allow access over the shared portion the driveway.

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The applicant is proposing secondary suites for each new home and as such will need to provide a total of three off-street parking spaces for each lot.



Approving Officer's Best Practices:

The proposed subdivision creates two RS3-sized lots generally in compliance with the provisions of the North Lonsdale-Delbrook Plan and would continue the lot pattern found to the south. The remainder of the lots on the block are zoned RS1, RS2 and RS3, with the lot adjacent to the north being RS1 and having potential for future rezoning and subdivision under the provisions of the North Lonsdale-Delbrook Plan.

Should Council approve the rezoning and the Approving Officer grant subdivision approval, a covenant will be required ensuring the proposed new houses have unique designs.

The applicant is proposing basements and secondary suites in each of the houses and to accommodate this, a groundwater monitoring study will be required as part of the subdivision process.

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Environment:

Development Permit Area:

The site is located within the Development Permit Area for Protection of Development from Hazardous Conditions (Wildfire Hazard). The applicant has provided a preliminary Wildfire Hazard Assessment Report and new construction must meet the requirements of this Development Permit Area. A Development Permit for Wildfire Hazard will be required at the Building Permit stage to ensure compliance.

Trees

The applicant has submitted a tree survey and Arborist Report. A total of 17 on-site trees/hedges are proposed to be removed from the site (the submitted Arborist Report includes trees and hedges in the assessment). Eight trees/hedges are in conflict with the development, one tree is in conflict but also in poor health, and the remainder are recommended to be removed due to poor health, to meet Wildfire Hazard requirements, or as they will not have viable longevity due to removal of other trees.

Of the 17 trees/hedges proposed for removal, there are two trees shared with the District which will require a minimum of four replacement trees on the boulevard area. Six large diameter trees on private property are proposed for removal. The applicant has provided a tree replacement plan and a total of 18 replacement trees will be required.

There are off-site trees and hedges on neighbouring property which were surveyed and included in the submitted Arborist Report. The applicant has designed the site plan to ensure retention of these trees and hedges.



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The applicant will need to continue working with the Environment Department and the project consultants through the subdivision approval and Building Permit processes to ensure all tree replacement plans and Wildfire Hazard requirements are fulfilled.

PUBLIC INPUT:

A notification letter was sent to owners and occupants within a 75 m radius in accordance with the District's public notification policy.

A total of 5 neighbours responded. The nature of neighbour comments include:

- concern with an increase in residential density in the area;
- negative impacts to current residents who purchased in the area for space, privacy, and access to nature;
- a desire to see retention of existing trees and shrubs;
- potential visibility of cars parked on the subject property; and
- potential impacts to views as a result of new houses and trees on the subject property.

Neighbour comments have been included with this report as Attachment 2 (note some neighbours have commented a second time or have provided comments via both a telephone call and emails). Staff have responded to neighbours to answer questions about the process and have provided the applicant with redacted neighbour comments for their consideration.

To address neighbour concerns regarding privacy, visibility of cars parked on-site, and tree retention, the applicant is required to re-plant a minimum of 18 trees including four on the District's boulevard and has modified the design of their retaining wall to reduce potential impacts on trees located on neighbouring properties.

The species of trees to be re-planted will be guided by the requirements of the Wildfire Hazard Development Permit Area and must be of an approved native species.

The applicant has stated that the proposed shared driveway will aid in allowing the homes to be located closer to Prospect Road which should help reduce impacts on views for neighbouring lots, and house siting / shared access will be secured by a covenant should the subdivision application advance. The height of future houses on the site would be regulated by the proposed RS3 zoning.

The Delbrook Community Association was notified and did not comment on the proposal.

Further public notification will be undertaken should the proposal proceed to the required public hearing.

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CONCURRENCE:

The application has been reviewed by the Development Engineering, Environment, Construction Traffic Management, and Building Departments.

The Development Engineering Department is continuing to work with the applicant on revisions to the servicing plan. Acceptance of revised engineering drawings will be a condition of final subdivision approval.

CONCLUSION:

The lots in the 4200 and 4300 blocks of Prospect Road may be considered for potential rezoning to RS2 or RS3 zones under the provisions of the North Lonsdale-Delbrook Plan reference policy document. The proposed lots comply with the RS3 zone minimum area requirements and generally comply with the subdivision provisions of the North Lonsdale-Delbrook Plan reference policy document. The proposal incorporates the Approving Officer's enhanced best practices for infill subdivisions. Rezoning Bylaw 1411 (Bylaw 8524) (Attachment 1) is ready to be considered for First Reading and referral to Public Hearing.

OPTIONS:

The following options are available for Council's consideration:

1. THAT "District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)" to amend the District of North Vancouver Zoning Bylaw be given FIRST reading

AND THAT "District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)" is referred to a Public Hearing (**staff recommendation**); or
2. THAT "District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)" not be given First Reading and thereby defeat the subdivision proposal.

Respectfully submitted,



Holly Adams

Attachments:

1. District of North Vancouver Rezoning Bylaw 8524
2. Record of Public Input (Redacted)

**SUBJECT: Rezoning Bylaw 1411 (Bylaw 8524) – Rezoning for Two Lot
Subdivision at 4320 Prospect Road**

September 14, 2021

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REVIEWED WITH:		
<input type="checkbox"/> Community Planning _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Planning _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Development Engineering _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> NVRC _____
<input type="checkbox"/> Parks _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Environment _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> Real Estate _____	
<input type="checkbox"/> Human Resources _____	<input type="checkbox"/> Bylaw Services _____	
<input type="checkbox"/> Review and Compliance _____	<input checked="" type="checkbox"/> Planning <i>JL</i>	

The Corporation of the District of North Vancouver

Bylaw 8524

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

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 1411 (Bylaw 8524)".

2. Amendments

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

- a) The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from Single Family Residential One Acre Zone (RS1) to Single Family Residential 7200 Zone (RS3).
b) Part 3A Subdivision regulations is amended by adding a new row at the end of the table in Section 310 Special Minimum Lot Sizes as follows:

Table with 5 columns: (ac) Amended Lot A (Reference Plan 37777), Lot 17, Block 1, District Lot 785, Plan 4730; 4320 Prospect Road; 660 m²; 15.8 m; 45.7 m

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

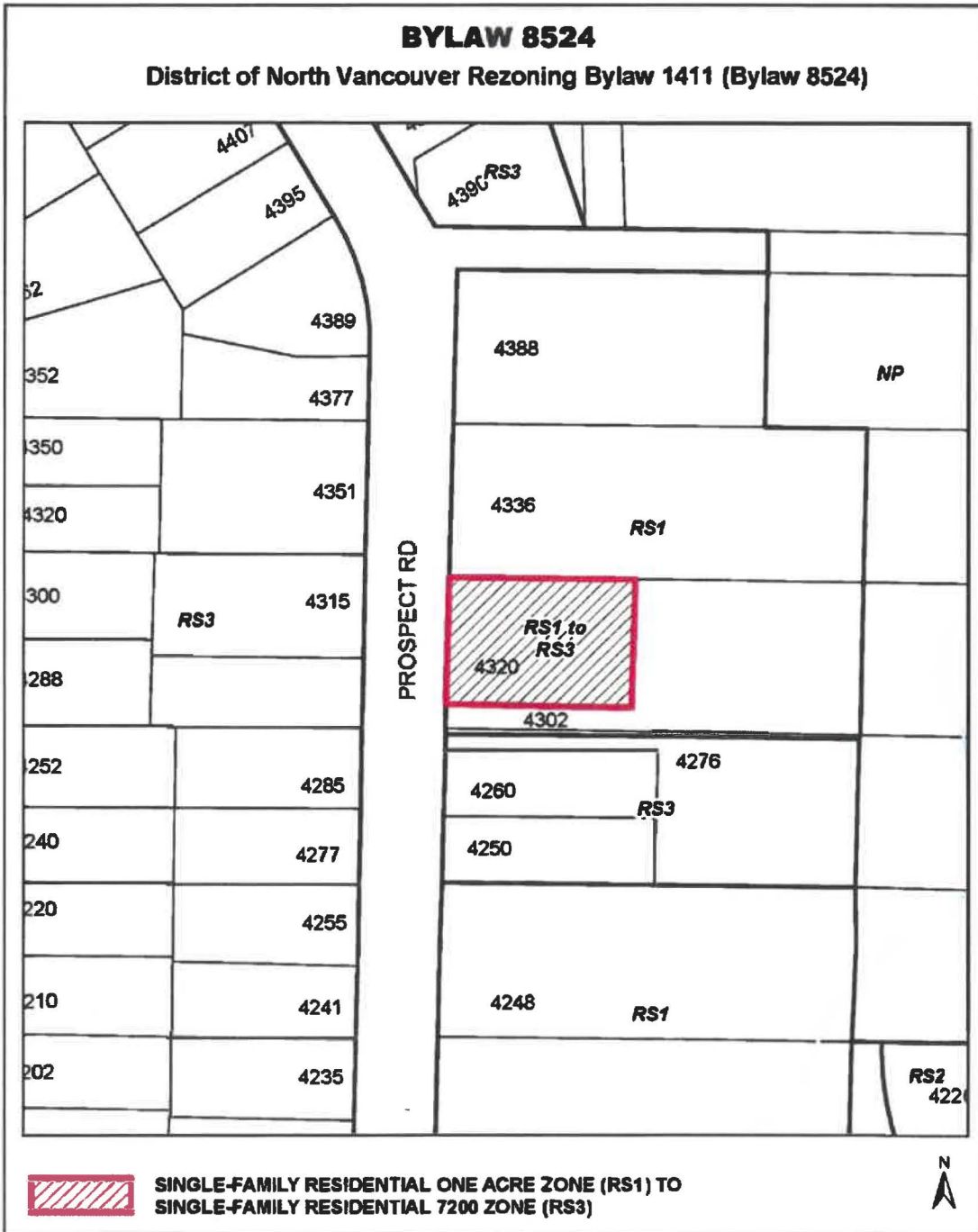
Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8524

BYLAW 8524

District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)



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June 21st, 2021

Dear Ms. Adams,

File: 08.3060.20/007.19
Case: PLN2019-00007

Thank you for forwarding the subdivision proposal application dated June 1, 2021 regarding 4320 Prospect Road.

As [REDACTED] both [REDACTED] and myself strongly object to any rezoning changes from RS1 to RS3 in this neighbourhood - which do not meet minimum requirements.

[REDACTED] which underwent stringent consultation to maintain the integrity and harmony of the environment and the neighbourhood in this new subdivision. This undertaking took a number of years in pre-development, but the acre lot division into three new homes achieved a positive result. We feel very lucky to live in nature and respect the old growth of forests and shrubs, particularly because we are situated on a mountain and are within the Wildfire Hazard and Flooding Development.

As such, we do not think rezoning should be permitted given its impact: where the lot is located, where the lot size of 4320 Prospect (15,600 square feet) is considerably smaller than the two adjacent lots (4250 and 4260 combined at 18,360 square feet) and where an easement exists for the 4302 neighbour behind. If zoning requirements are amended and change the Residential Zoning standards of this entire neighbourhood, we feel this disenfranchises many recent and long-standing owners who purchased specifically for space, privacy and nature - within current zoning minimum lot requirements.

The recent demand for larger, single family homes adhering to the standard building and zoning codes will always make this area popular for homeowners. With older homes now being renovated or demolished for newer, greener family structures, prospective subdivision that meets the current minimum lot requirements should be welcomed. In addition, respect and protection/retention for any original planting of trees and shrubbery. Any subdivision that changes the composition of a neighbourhood should not be considered in this neighbourhood. Particularly, where profit could impact the neighbourhood's environmentalism and community now and in the future.

Of Note:

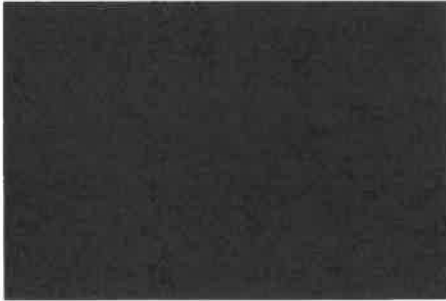
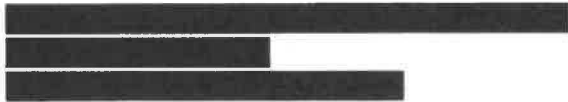
This is the second application for this property (previously 2016, I believe). Any changes and/or amendments which occur now for one homeowner affect all current homeowners and future homeowners in this hot real estate market. A number of 'plums' are still awaiting development since the old Monterey school was demolished years

ago, and many older homes are currently on the market. ReZoning at this time would reverberate through this entire area, for all property owners and residents.

After COVID and its many waves, now is the time for neighbourliness - not unrest, discord and disruption.

Thank you for the opportunity to voice our concerns.

Sincerely,

A large black rectangular redaction box covering the signature area.Three horizontal black redaction bars covering contact information.

From: [REDACTED]
To: [Holly Adams](#)
Subject: Proposed subdivision at 4320 Prospect Road
Date: June 09, 2021 9:59:46 PM

CAUTION This email originated from outside of the DNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Holly:

I am responding to your request for comments regarding the proposed subdivision at 4320 Prospect Road. We have no issue with the subdivision and rezoning for those finalized lots. Our only request is that consideration be made when re-planting trees such that, whether deciduous or coniferous, they not be species that grow to enormous heights. This would help in the preservation of important and valued viewsapes.

Thank you,

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Holly Adams](#)
Subject: 18002-SITE ANALYSIS [REDACTED] - Cross Sections.pdf
Date: June 26, 2021 8:26:59 PM
Attachments: [18002-SITE ANALYSIS \[REDACTED\] - Cross Sections.pdf](#)

CAUTION This email originated from outside of the DNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Holly, here are the drawings we were presented by the realtor. We of course would support such a development but worry that what is presented to us and what could actually be built within guide lines could be completely different. Could you tell us what heights we could expect under your guidelines and where these heights would be taken from.

We are also surprised that the architectural drawings had not been presented to you, as I thought they would represent the proposed development that the board of variance would look at.

Both [REDACTED] and I are very concerned about our views and would not support any development that would compromise that.

Thank you
[REDACTED]

From: [REDACTED]
To: [Holly Adams](#)
Subject: sub division property 4320
Date: June 23, 2021 7:26:31 PM

CAUTION This email originated from outside of the DNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Holly

I am the [REDACTED] As I mentioned in the original proposal my view is of great importance to me. The realtor representing the owner has forwarded an architectural drawing that shows in a cross-section the proposed heights of the new structures, one being at 961.6 the other at 958.7. Can these heights be used as a mandated height for future structures or will the future owners of the properties be able to build to the maximum allowable height? If the structures are as proposed by Synthesis design dated January 24, 2018 I am for a subdivision, but if the future owners can build as they wish, I see the massing of two structures rather than one a greater threat to my view.

Kindly
[REDACTED]

From: [REDACTED]
To: [Holly Adams](#)
Subject: Re: 4320 Prospect Rd- public mail-out
Date: July 06, 2021 1:13:54 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

You should also know that [REDACTED] [REDACTED] [REDACTED] when I re-sent your notice to a few of the neighbours. I repeated my concerns to [REDACTED] and told [REDACTED] that I am not against the re-development, something that, perhaps, [REDACTED] assumed was the case. [REDACTED] told me that [REDACTED] has been working with the [REDACTED] on the re-development and was also in communication with the architect.

From: Holly Adams <AdamsH@dnv.org>
Sent: July 6, 2021 12:27 PM
To: [REDACTED]
Subject: RE: 4320 Prospect Rd- public mail-out

Hi [REDACTED]

Thank-you, your comments have been recorded and will be provided to the applicant in a redacted format.

Regards,

Holly Adams MCIP, RPP
Planning Assistant



355 West Queens Road
North Vancouver, BC V7N 4N5

adamsh@dnv.org
604-990-3733



Get the latest information on the District's response to COVID-19 at [DNV.org/COVID-19](https://dnv.org/COVID-19) or visit our social media channels by clicking the icons above.

From: [REDACTED]
Sent: June 29, 2021 3:29 PM
To: Holly Adams <AdamsH@dnv.org>
Subject: Re: 4320 Prospect Rd- public mail-out

CAUTION This email originated from outside of the DNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Holly: Thanks for re-sending me the letter/plan. My biggest concern was that there would be two driveways which appears not to be the case. It would be more appealing if we couldn't see the parked cars in front of the house, therefore, I would hope that vegetation was re-planted so as to hide the cars/pavement in front of the homes.

From: Holly Adams <AdamsH@dnv.org>
Sent: June 22, 2021 3:36 PM
To: [REDACTED]
Subject: 4320 Prospect Rd- public mail-out

Hi [REDACTED]

Thank-you for the phone call today. I want to accurately summarize your concerns- if you don't mind putting an email together with your concerns once you've had a chance to use the mapping tool and re-read the notice that will allow me to have a clear, written submission from you.

I have attached the neighbour notification which was sent out to neighbours within a 75m radius as per District policy. Note there will be another opportunity to comment come the public hearing (should the application proceeds to public hearing). The point of this notification is to get a sense of public/neighbour concern and allow the applicant to make any changes they want to prior to Council considering the application.

Here is the link to our mapping tool: <http://geoweb.dnv.org/properties/>

You can type the address of the property you wish to look up into the box near the bottom of the screen. Let me know if you need any help with it.

Thanks,

Holly Adams MCIP, RPP
Planning Assistant

355 West Queens Road
North Vancouver, BC V7N 4N5

adamsh@dnv.org
604-990-3733



Get the latest information on the District's response to COVID-19 at [DNV.org/COVID-19](https://dnv.org/COVID-19) or visit our social media channels by clicking the icons above.

Neighbour input- summary of telephone call

June 25, 2021

4320 Prospect Rd.

PLN2019-00007

██████████ of application ██████████ called to ask questions about the application and to express concern.

Summary of concern:

- Concerned about views being negatively impacted. In particular whether new planted trees would grow very tall and impact views. Second, whether the future home could be built to a height which impacts views.
- Prefers to not have additional density.
- Concerned that future homes will differ from proposed architectural plans.

From: [REDACTED]
To: [Holly Adams](#)
Subject: Proposed subdivision at 4320 Prospect rd.
Date: August 16, 2021 1:54:06 PM

CAUTION This email originated from outside of the DNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Holly.

I live at [REDACTED]. In late June or early July we talked about the proposed subdivision of 4320 Prospect Rd. In early July [REDACTED] [REDACTED] met with the architect who has been designing the proposed plan. [REDACTED] and I expressed our concern that if a developer buys the the lot they are not restricted to the proposed height. We expressed our concerns that any increase in height would profoundly affect our views and quality of life. We asked [REDACTED] to ask [REDACTED] if [REDACTED] would put a height covenant on the property to restrict the houses to the proposed height. I have not had a response from [REDACTED] [REDACTED]. We would like to go on record that if the height covenant is not in place we will not approve of the subdivision. There are two main reasons for our objections. First; In principal we are not in favour of the increased density, and secondly in that there has been no response from [REDACTED] we can only assume [REDACTED] has not agreed to our proposal. I have spoken with [REDACTED] and [REDACTED] is in agreement with my opinions. I also would appreciate notice of when the proposal goes to district council to discuss the proposed plan.

Thank you

[REDACTED]