

AGENDA

PUBLIC HEARING

Tuesday, September 16, 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

THIS PAGE LEFT BLANK INTENTIONALLY

PUBLIC HEARING

**7:00 p.m.
Tuesday, September 16, 2014
Municipal Hall, Council Chambers
355 West Queens Road, North Vancouver**

1. OPENING BY THE MAYOR

2. INTRODUCTION OF BYLAW BY CLERK

The District of North Vancouver Rezoning Bylaw 1315 (Bylaw 8077)

Purpose of Bylaw:

The bylaw proposes to allow for a thirty seat restaurant at the Edgemont Commons commercial building.

3. PRESENTATION BY STAFF

Presentation: Erik Wilhelm, Community Planner

4. PRESENTATION BY APPLICANT

5. REPRESENTATIONS FROM THE PUBLIC

6. QUESTIONS FROM COUNCIL

7. COUNCIL RESOLUTION

Recommendation:

THAT the September 16, 2014 Public Hearing be closed;

AND THAT “The District of North Vancouver Rezoning Bylaw 1315 (Bylaw 8077)” be returned to Council for further consideration.

8. CLOSING

THIS PAGE LEFT BLANK INTENTIONALLY

The Corporation of the District of North Vancouver

Bylaw 8077

A bylaw to amend the 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 “The District of North Vancouver Rezoning Bylaw 1315 (Bylaw 8077)”.

2. Amendments

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

- a. Insert “*Restaurant*” in alphabetical sequence within Section 4B372 (b).
- b. Insert the following after (a) within Section 4B373:
 - (b) Restaurants are limited to:
 - i. only one per lot;
 - ii. no more than 30 indoor seats.
- c. Delete subsection a) within Section 4B385; and
- d. Insert in its place “Parking spaces shall be provided in accordance with Part 10 of this Bylaw except that restaurants up to 30 seats require 1 parking stall per 45m² GFA excluding any outdoor customer service area.”

READ a first time July 21st, 2014

PUBLIC HEARING held

READ a second time

READ a third time

ADOPTED

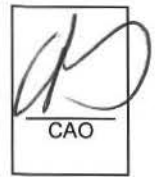
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>July 21, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

July 11, 2014

File: 08.3060.20/024.14

AUTHOR: Erik Wilhelm, Community Planner

**SUBJECT: BYLAW 8077 (REZONING BYLAW 1315): 3053 EDMONTON BOULEVARD
ZONING BYLAW TEXT AMENDMENT TO ALLOW A 30 SEAT RESTAURANT
WITHIN THE COMPREHENSIVE DEVELOPMENT 65 ZONE (CD65)**

RECOMMENDATION:

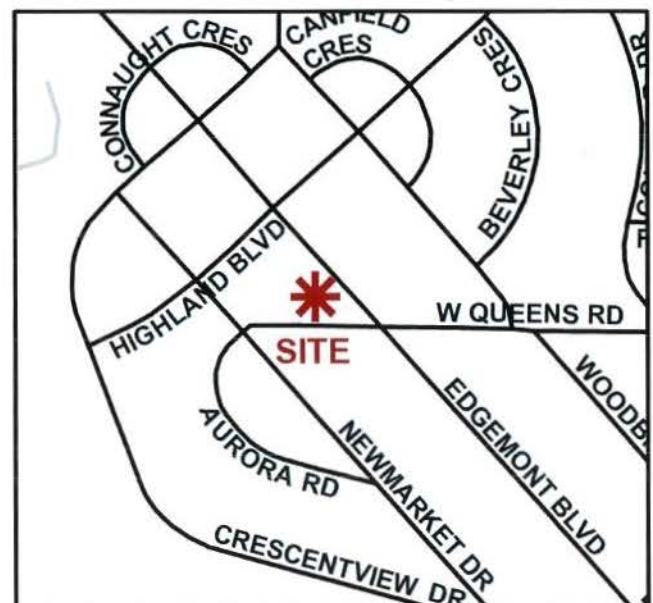
It is recommended that Bylaw 8077, which amends the CD65 Zone to allow a 30 seat restaurant at the Edgemont Commons commercial building currently under construction at Edgemont Boulevard and West Queens Road be given First Reading and referred to a Public Hearing.

REASON FOR REPORT:

The proposed restaurant requires an amendment to the Zoning Bylaw.

SUMMARY:

The Bakehouse Restaurant wishes to move to the new Edgemont Commons building under construction at 3053 Edgemont Boulevard. Bylaw 8077 proposes to amend the CD65 zone to allow the use. Bylaw 8077 permits only 1 restaurant on the lot and limits seating to no more than 30 seats.



**SUBJECT: BYLAW 8077 (REZONING BYLAW 1315): 3053 EDMONTON BOULEVARD
ZONING BYLAW TEXT AMENDMENT TO ALLOW A 30 SEAT WITHIN THE
CD65 ZONE**

July 11, 2014

Page 2

BACKGROUND AND ANALYSIS:

In December of 2012, the subject site was rezoned to permit a commercial building on the site. The 3 storey building provides for 3 ground floor commercial units; the remaining upper floors are slated for office space.

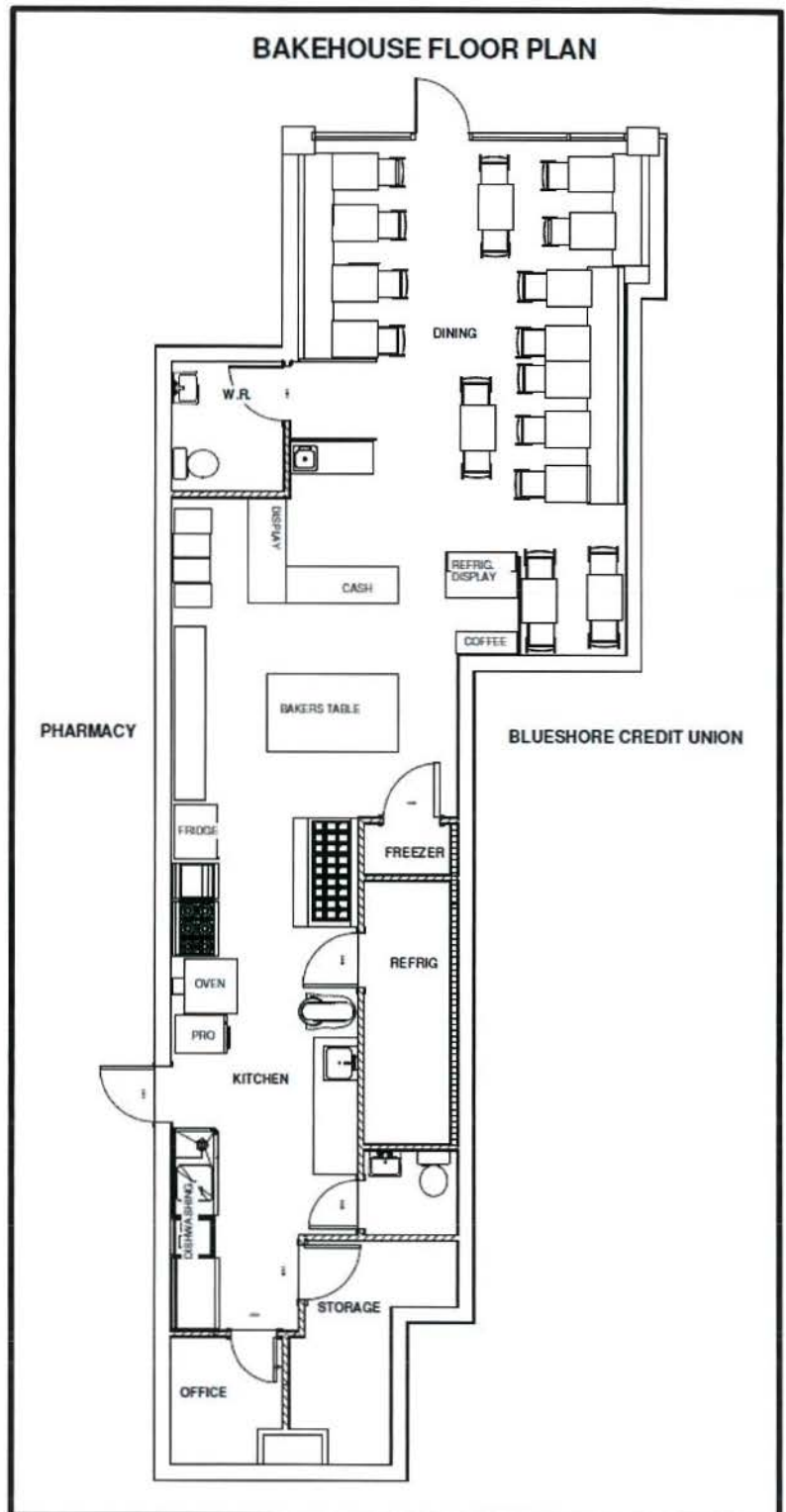
A variety of office, service and retail uses are permitted within the CD65 zone. The zone also allows *Take-out Restaurant* as a permitted use. The Zoning Bylaw permits take-out restaurants to include an indoor eating area; however, indoor seating areas are limited to not more than 10 persons.

The Bakehouse Restaurant intends to move their current operation into a ground floor unit within the building that assumes 123m² (1325 sq ft) of which 67m² (721 sq ft) will be used for restaurant seating area.

As seen in the adjacent floor plan, the Bakehouse Restaurant wishes to provide indoor seating for 30 patrons. The number of seats does not comply with the take-out restaurant regulations; therefore *Restaurant* must be added to the permitted uses within the zone to allow the proposal.

In order to limit the restaurant use on the site, the proposed amendment provides for the following changes to the CD65 zone:

- Allows for *Restaurant* as a permitted use;
- Only one restaurant is permitted on the site; and
- Limits the indoor seating capacity to no more than 30 seats.



**SUBJECT: BYLAW 8077 (REZONING BYLAW 1315): 3053 EDMONTON BOULEVARD
ZONING BYLAW TEXT AMENDMENT TO ALLOW A 30 SEAT WITHIN THE
CD65 ZONE**

July 11, 2014

Page 3

Public Input:

A total of approximately 130 notification letters were sent to owners and occupants of properties within a 75m radius. The Edgemont and Upper Capilano Residents Association and Edgemont Merchants Association were also notified of the proposal as per the Public Notification Policy.

One response in support and four responses in opposition were received. Potential late night noise and increased parking problems were outlined as the primary concerns.

Noise - The planned occupant, the Bakehouse, currently closes at 3:30 p.m. weekdays and 4 p.m. on weekends. No changes to business hours are planned.

Parking - Additional parking is required for a restaurant use in comparison to general commercial uses. A restaurant requires 1 stall per 15m² of gross floor area versus 1 stall per 45m² for general commercial uses. In this instance, the restaurant use only creates a deficiency of 3 parking stalls in comparison to the requirement for take-out restaurant or other commercial use.

All 46 underground parking stalls within the 2 level parkade are available for public use during business hours ensured through a Section 219 restrictive covenant which was a required prior to adoption of the CD65 zone. The building owner has advised that all parking will be shared by all occupants. As this is a purely commercial building and parking is to be shared, the staff feel that a small restaurant can be accommodated at the 1 stall per 45m² parking rate and Bylaw 8077 includes that provision. The Engineering and Transportation Department has reviewed the proposal and concurs that parking onsite will be sufficient.

Conclusion:

A small restaurant is well suited to the building design and compatible with the village area. The proposal will facilitate the relocation of the Bakehouse restaurant. Staff recommend introduction of Bylaw 8077 and referral to public hearing.

Options:

The following options are available for Council's consideration:

1. Introduce Bylaw 8077 and refer the proposal to a Public Hearing (staff recommendation); or
2. Defeat Bylaw 8077 at First Reading and thereby reject allowing a 30 seat restaurant at 3053 Edgemont Boulevard.

**SUBJECT: BYLAW 8077 (REZONING BYLAW 1315): 3053 EDMONTON BOULEVARD
ZONING BYLAW TEXT AMENDMENT TO ALLOW A 30 SEAT WITHIN THE
CD65 ZONE**

July 11, 2014

Page 4



Erik Wilhelm
Community Planner

Attachment:

A - Bylaw 8077

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: _____

The Corporation of the District of North Vancouver**Bylaw 8077**

A bylaw to amend the 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 "The District of North Vancouver Rezoning Bylaw 1315 (Bylaw 8077)".

2. Amendments

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

- a. Insert "*Restaurant*" in alphabetical sequence within Section 4B372 (b).
- b. Insert the following after (a) within Section 4B373:
 - (b) Restaurants are limited to:
 - i. only one per lot;
 - ii. no more than 30 indoor seats.
- c. Delete subsection a) within Section 4B385; and
- d. Insert in its place "Parking spaces shall be provided in accordance with Part 10 of this Bylaw except that restaurants up to 30 seats require 1 parking stall per 45m² GFA excluding any outdoor customer service area."

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

PUBLIC HEARINGS

Tuesday, September 16, 2014 at 7pm

District Hall
355 West Queens Rd

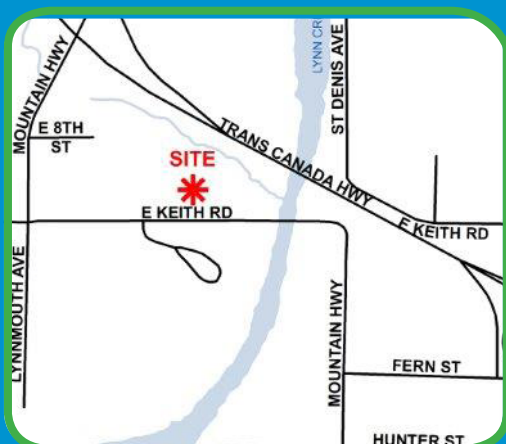
Three public hearings will be held on Tuesday, September 16 at 7pm occurring consecutively in the order noted below.

1) Rezoning of North Vancouver District Land North of East Keith Road

What: Public Hearing to allow for the rezoning of 26 undeveloped District lots currently zoned Single Family Residential (RS3) to Natural Park Land (NPL).

What changes? This proposal requires an amendment to the Zoning Bylaw.

Who can I speak to? Natasha Letchford, Community Planner, at 604-990-2378 or letchfordn@dnv.org

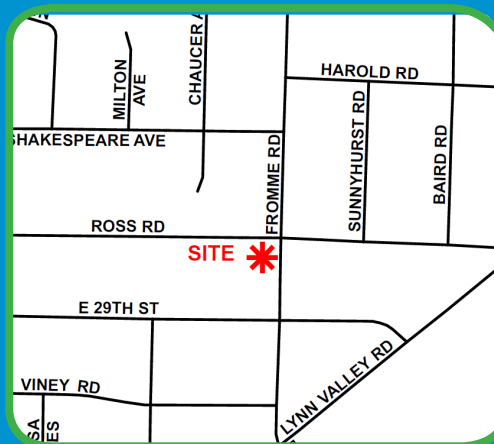


2) 2975 & 2991 Fromme Road

What: Public Hearing to facilitate the subdivision of the properties at 2975 and 2991 Fromme Road into four residential lots.

What changes? This proposal requires an amendment to the Zoning Bylaw.

Who can I speak to? Erik Wilhelm, Community Planner, at 604-990-2360 or wilhelme@dnv.org

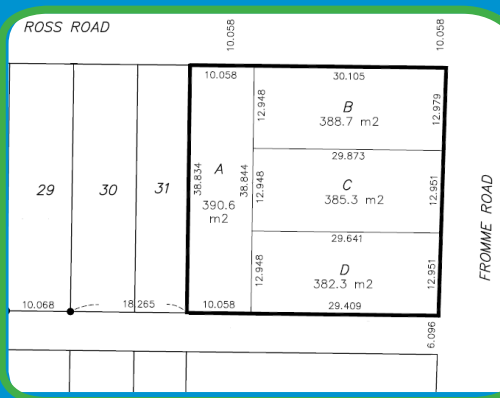
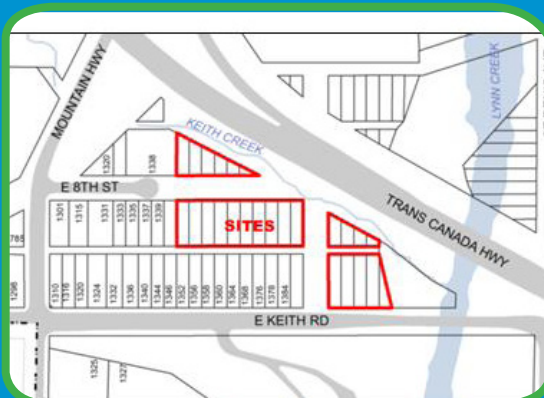
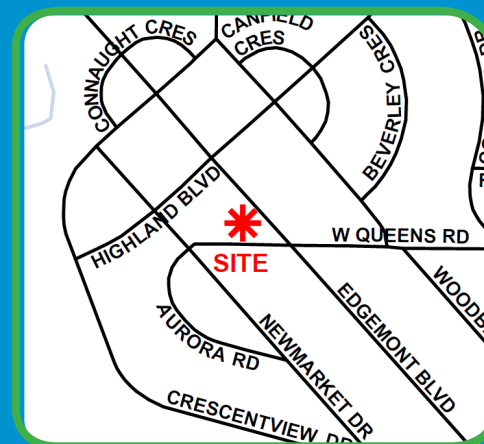


3) 3053 Edgemont Boulevard

What: Public Hearing to allow a thirty seat restaurant at the Edgemont Commons commercial building.

What changes? This proposal requires an amendment to the Zoning Bylaw.

Who can I speak to? Erik Wilhelm, Community Planner, at 604-990-2360 or wilhelme@dnv.org



When can I speak? We welcome your input **Tuesday, September 16, 2014 at 7 pm**. You can speak in person by signing up at the Hearings, or you can provide a written submission to the Municipal Clerk at input@dnv.org, or by mail before the conclusion of the relevant Hearing.

Need more info? The bylaws, Council resolutions, staff reports, and other relevant background materials are available for review at the Municipal Clerk's Office or online at dnv.org/public_hearing. Office hours are Monday to Friday 8 am to 4:30 pm.



facebook.com/NVanDistrict

dnv.org/public_hearing



@NVanDistrict

THIS PAGE LEFT BLANK INTENTIONALLY