

**DISTRICT OF NORTH VANCOUVER
COUNCIL WORKSHOP**

Minutes of the Council Workshop held at 5:05 p.m. on Monday, January 30, 2017 in the Committee Room of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

Present: Mayor R. Walton
Councillor R. Bassam (via telephone)
Councillor M. Bond
Councillor J. Hanson
Councillor R. Hicks
Councillor D. MacKay-Dunn
Councillor L. Muri

Staff: Mr. D. Stuart, Chief Administrative Officer
Ms. C. Grant, General Manager – Corporate Services
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities
Mr. D. Milburn, General Manager – Planning, Properties & Permits
Mr. A. Wardell, Acting General Manager – Finance & Technology
Mr. J. Gordon, Manager – Administrative Services
Ms. C. Archer, Confidential Council Clerk
Mr. D. Veres, Development Planner

1. ADOPTION OF THE AGENDA

1.1. January 30, 2017 Council Workshop Agenda

MOVED by Councillor MURI

SECONDED by Councillor HICKS

THAT the agenda for the January 30, 2017 Council Workshop is adopted as circulated.

CARRIED

2. ADOPTION OF MINUTES

Nil

3. REPORTS FROM COUNCIL OR STAFF

**3.1. Temporary Use Permits Bylaw and Development Procedures Bylaw
Amendment Updates**

File No. 09.3900.30/081.94

Mr. Dan Milburn, General Manager – Planning, Properties & Permits, reported that the purpose of the workshop is to discuss possible changes to Temporary Use Permits (TUP's) and to update Council on proposed changes to the Development Procedures Bylaw.

3.1.1 Temporary Use Permits

Mr. Milburn reported that the TUP is one of the tools available to the municipality in addressing the issue of industrial land use change as it allows a variance in land use on a temporary basis, unlike a Development Variance Permit which does not allow for land use or density to be varied. It also provides the flexibility to test the suitability of a site for different uses on a time-limited basis without permanent rezoning. Other uses such as liquor primary establishments could be tested in areas where the fit with the local community is uncertain.

The possibility of expanding the use of TUP's was raised during discussions regarding preserving and protecting industrial land in the District. It was noted that light industries displaced by heavy industry expansion and residential redevelopment in Town Centres could be temporarily relocated using TUP's while planning processes are completed for new light industrial areas, such as within the Maplewood area.

Mr. Milburn reported that areas where TUP's may be used must be designated by the Official Community Plan or Zoning Bylaw and that they are currently available in two very small designated areas in the Zoning Bylaw. He advised that staff are recommending the entire District be designated a TUP area in order to allow more flexibility for Council and staff. It was noted that decision-making on the issuance of individual TUP's is discretionary. The maximum length of a TUP is restricted under the *Local Government Act* to three years, with one additional three year renewal period. Notification requirements are similar to those for Public Hearings.

Mr. Milburn presented options for staff delegation of authority to issue Temporary Use Permits, noting that authority is delegated to staff under the current bylaw:

1. Staff delegation with authority to refer to Council; and,
2. Staff delegation with conditions:
 - Issuance but not renewals (to allow for checking-in with the community before renewal);
 - Time-limited permits such as one year or less; or,
 - Staff delegation for properties zoned or designated for more intensive uses (industrial, commercial, institutional or mixed use).

In response to a question from Council, Mr. Milburn advised that higher risk applications, such as those close to, or located within, residential areas or where traffic, noise or public safety would be affected would be referred to Council.

In response to a question from Council, Mr. Milburn reviewed TUP application requirements, noting they are similar to those for development applications, including details such as parking and landscaping. Any conditions are rigorously defined in the TUP and may be subject to penalties for non-compliance. He further noted that the property would need to be in a condition for a use consistent with the OCP at the end of the permit period, which could require the removal of buildings or other changes. If the property

is in a Development Permit Area (DPA), those conditions would also need to be met before the application could be considered.

Council discussion ensued and the following comments and concerns were noted:

- Commented on the flexibility afforded by the use of TUP's;
- Expressed support for delegating authority to staff with authority to refer to Council;
- Expressed concern about the restoration of properties where significant tree removal has taken place;
- Queried if TUP's could be issued for a longer period;
- Requested that regular updates on issued TUP's be provided to Council if the proposed changes are implemented;
- Remarked that TUP's could provide evidence of suitability before permanent rezoning; and,
- Commented on the inclusion of multi-family residential areas.

In response to a question from Council, Mr. Milburn advised that zones could be designated where TUP's are not available, or specific applications within certain zones could automatically be referred to Council. He further noted that changes to the areas where TUP's are available would require amendments to the Zoning Bylaw, which would require a Public Hearing.

3.1.2 Development Procedures Bylaw Amendments Update

Mr. Milburn provided an update on the Development Procedures Bylaw, addressing questions raised by Council at the January 18, 2016 Council Workshop regarding public notification, publicly accessible information on development applications and the visibility of Public Hearing signs.

Mr. Milburn reported that notification of a Public Hearing is currently required for all property occupants and owners within a 75 metre radius of the subject property. Staff uses discretion to extend this area where it makes sense to do so.

An amendment to the Development Procedures Bylaw is proposed which would increase the notification area to a 100 metre radius for all applications except single family subdivisions; the single family subdivision notification area would remain at a 75 metre radius. As with current practice, staff would retain the discretion to notify additional owners and residents to avoid excluding anyone who would be directly affected by the development. In response to a question from Council, Mr. Milburn advised that expanding the notification area too much could upset those in closer proximity to the subject property as they feel they are more directly impacted.

In response to a question from Council, Mr. Milburn advised that the *Local Government Act* requires notification of those subject to the rezoning and leaves individual municipalities to set additional notification requirements by bylaw. Different municipalities have different requirements based on their density and geography.

Mr. Milburn reported that the *Local Government Act* specifies public notice be given no fewer than three and no more than ten days before the Public Hearing. In response to a question from Council, Mr. Milburn advised that more than one sign may be posted on the subject property if it fronts more than one road. It is standard practice to have one sign where a property fronts one road.

In response to a question from Council regarding social media and electronic notification, staff advised that options are being explored to add value for District residents and owners above the minimum requirements set by bylaw. It was noted that an online tool is in development which will provide updates and notifications to those who sign up.

In response to a question from Council regarding providing clear and consistent materials to residents during the development application process, Mr. Milburn advised that changes have been made by incorporating Council feedback on notification procedures for public information meetings for preliminary applications. He noted that the perception that applications have a predetermined outcome is common and so more detail about the application process, how to provide input and the role of the public and Council are now being provided to the public.

Council commended staff for the development application flowchart included in the report to Council and noted it would be of use to clarify the process and opportunities for input by the public.

Councillor BASSAM left the meeting at 6:31 p.m. and returned at 6:34 p.m.

MOVED by Councillor MURI

SECONDED by Councillor MACKAY-DUNN

THAT the January 20, 2017 report of the General Manager – Planning, Properties and Permits entitled Temporary Use Permits Bylaw and Development Procedures Bylaw Amendment Updates is received for information.

CARRIED

4. PUBLIC INPUT

4.1. Mr. Corrie Kost, 2800 Block Colwood Drive:

- Commented on decisions regarding land use;
- Queried if the bylaw changing the designated areas for Temporary Use Permits requires a Public Hearing;
- Suggested Temporary Use Permits only be permitted in industrial areas; and,
- Expressed concern regarding the length of Temporary Use Permits.

5. ADJOURNMENT

MOVED by Councillor MACKAY-DUNN
SECONDED by Councillor BOND
THAT the January 30, 2017 Council Workshop is adjourned.

CARRIED
(6:50 p.m.)



Mayor



Municipal Clerk