

PUBLIC HEARING BINDER

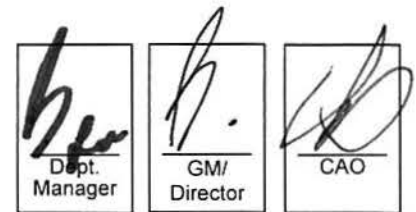
Zoning Bylaw Text Amendment for Industrial Buildings and Structures



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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Committee of the Whole	Date: _____



The District of North Vancouver REPORT TO COUNCIL

November 4, 2015
File: 06.2210.01/000.000

AUTHOR: Doug Allan, Community Planner

**SUBJECT: ZONING BYLAW AMENDMENTS RE: HEIGHT EXCEPTIONS FOR
INDUSTRIAL STRUCTURES AND EZ-I ZONE INDUSTRIAL DEVELOPMENT
REGULATIONS**

RECOMMENDATION:

It is recommended that this report be received for information.

REASON FOR REPORT:

Staff are seeking Council's direction to prepare amendments to the Zoning Bylaw related to height exceptions for specific types of industrial structures and to the development regulations in the EZ-I Zone. Included as Attachment A is a potential motion to withhold any complete building permit applications for any EZ-I zoned lot that is on, or within 250 meters of the foreshore of Burrard Inlet which may be in conflict with the proposed Zoning Bylaw amendment.

SUMMARY:

Staff are concerned that the current height exceptions for different types of industrial structures, typically located on waterfront properties, may result in significant impacts upon adjacent uses, in particular, residential uses. Staff are also concerned that the current development regulations in the EZ-I Zone may not be sufficient to adequately regulate development in this zone.

If Council supports the preparation of a bylaw to introduce zoning amendments for waterfront industrial properties, staff will forward to Council, any complete building permits which may be contrary to the bylaw under preparation.

Proposed amendments, supplemented by existing development permit area guidelines for the Form and Character of Industrial and Business Park Development, will provide a measure of protection for neighbouring residential uses without reducing the development

SUBJECT: ZONING BYLAW AMENDMENTS RE: HEIGHT EXCEPTIONS FOR INDUSTRIAL STRUCTURES AND EZ-I ZONE INDUSTRIAL DEVELOPMENT REGULATIONS

November 4, 2015

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potential of industrial lands. These amendments will apply to all waterfront industrial properties zoned Employment Zone – Industrial (EZ-I).

It should be noted that, regardless of the proposed amendments, where warranted, Council may consider variances to the industrial development regulations on a case by case basis through a development permit or a development variance permit process.

EXISTING ZONING REGULATIONS:

1. Height Exceptions

Section 407 of the Zoning Bylaw states:

“Notwithstanding any other height provisions of this Bylaw, the following buildings, structures or portions thereof shall not be subject to height limitation:

Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders.

Elevator penthouses, heating, cooling, ventilation and mechanical equipment provided they are completely screened and do not extend more than 2.4 metres above the highest point of any roof surface;

Solar collectors and associated mechanical components, subject to compliance with the regulations in Part 4C.

2. Section 750 - Employment Zone – Industrial (EZ-I)

The intent of the EZ-I Zone is to accommodate port-oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and rail corridor.

While the EZ-I Zone limits the height of principal and accessory buildings and structures to 25 m (82 ft.) unless they are excepted under Section 407, there are no other development regulations governing buildings and structures in this Zone and as such, negative impact on adjacent uses could arise.

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 Council considers is in conflict with the bylaw under preparation be withheld if that application is

SUBJECT: ZONING BYLAW AMENDMENTS RE: HEIGHT EXCEPTIONS FOR INDUSTRIAL STRUCTURES AND EZ-I ZONE INDUSTRIAL DEVELOPMENT REGULATIONS

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submitted at least 7 calendar days after the date of the resolution to prepare the bylaw. The Act provides for an initial withholding period of 30 days, which Council may extend by a further 60 days. If a bylaw is not adopted within the 90 day period, the owners of the land may be entitled to compensation for damages as a result of the withholding of a building permit.

Complete building permit applications submitted within the 7 day window will be reviewed under the current regulations.

CONCLUSION

The height exceptions under Section 407 of the Zoning Bylaw and the limited regulations within the EZ-I Zone may permit development in that zone in a form that may have a significant impact upon neighbouring uses, and in particular, residential uses. This could include negative impacts upon views due to the height, size or siting of buildings and structures.

Staff's ability to address those negative issues through the development permit process is limited. To encourage development in a manner which is compatible with surrounding uses, staff recommend that amendments to the Zoning Bylaw be prepared to revise the permitted height exceptions in Section 407 and to incorporate additional development regulations in the EZ-I Zone.

Where warranted, Council may continue to vary the development regulations through a development permit or development variance permit process on a case by case basis.

Withholding of complete building permit or business licence applications on EZ-I zoned lands for any of the types of structures proposed to be deleted from Section 407, while the bylaw is under preparation, all in accordance with the *Local Government Act*, is recommended.

OPTIONS

The following options are available for Council's consideration:

1. It is recommended that this report be received for information (staff recommendation); or,
2. It is recommended that Council consider a withholding motion for waterfront industrial properties as outlined in Attachment A to this report.

**SUBJECT: ZONING BYLAW AMENDMENTS RE: HEIGHT EXCEPTIONS FOR
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DEVELOPMENT REGULATIONS**

November 4, 2015

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Respectfully submitted,


Doug Allan
Community Planner

Attachment A - Proposed Withholding Motion

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: _____

**SUBJECT: ZONING BYLAW AMENDMENTS RE: HEIGHT EXCEPTIONS FOR
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DEVELOPMENT REGULATIONS**

November 4, 2015

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ATTACHMENT A

Draft withholding motion:

It is recommended that:

1. Council direct staff to prepare a bylaw to amend the zoning bylaw to address negative impacts to views resulting from industrial development on the waterfront, and in particular, to:
 - (a) remove the height exemption in section 407 for bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators and gas holders; and
 - (b) introduce regulations in the Employment Zone - Industrial (EZ-I) Zone relating to building orientation, the depth and width of buildings and structures, and building coverage.
2. Staff submit to Council, any complete building permit application received on or after November 17, 2015 for any lot that is zoned EZ-I and is on, or within 250 meters of, the foreshore of Burrard Inlet that staff consider are in conflict with the bylaw under preparation, for consideration of a resolution that the building permit or business licence be withheld for 30 days under Section 929 of the *Local Government Act*.

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>March 27, 2017</u>
<input type="checkbox"/> Committee of the Whole	Date: _____

 Dept. Manager	 GM/ Director	 CAO
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The District of North Vancouver REPORT TO COUNCIL

March 10, 2017
File: 08.3060.20/044.15

AUTHOR Kevin Zhang, Development Planner

SUBJECT BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES

RECOMMENDATION

THAT Staff be directed to proceed with public consultation detailed in the report prepared by Kevin Zhang dated March 10, 2017.

REASON FOR REPORT

On November 9, 2015, Council passed the following motion:

"THAT:

1. Council direct staff to prepare a bylaw to amend the zoning bylaw to address negative impacts to views resulting from industrial development on the waterfront, and in particular, to:
 - (a) remove the height exemption in section 407 for bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators and gas holders; and
 - (b) introduce regulations in the Employment Zone - Industrial (EZ-I) Zone relating to building orientation, the depth and width of buildings and structures, and building coverage.
2. Staff submit to Council, any complete building permit application received on or after November 17, 2015 for any lot that is zoned EZ-I and is on, or within 250 meters of, the foreshore of Burrard Inlet that staff consider are in conflict with the bylaw under preparation, for consideration of a resolution that the building permit or business licence be withheld for 30 days under Section 929 of the *Local Government Act*.

In response to this motion, staff have prepared draft Bylaw 8158 (Attachment A) which proposes to amend Section 407 Height Exceptions and Section 750 Employment Zone – Industrial (EZ-I).

EXECUTIVE SUMMARY

This report discusses potential changes to zoning regulations regarding height and building coverage which impact the District's waterfront heavy industrial lands (mostly zoned EZ-I). This report is in response to a November 2015 Council motion which had the intent of addressing negative view impacts resulting from industrial developments on the waterfront.

This report provides an analysis of our current inventory of industrial properties, overview of regulations of neighbouring municipalities, industry standard dimensions, and seeks Council direction moving forward.

The maps below show the properties which would be impacted by Bylaw 8158 (western portion of the DNV on the left and eastern on the right).



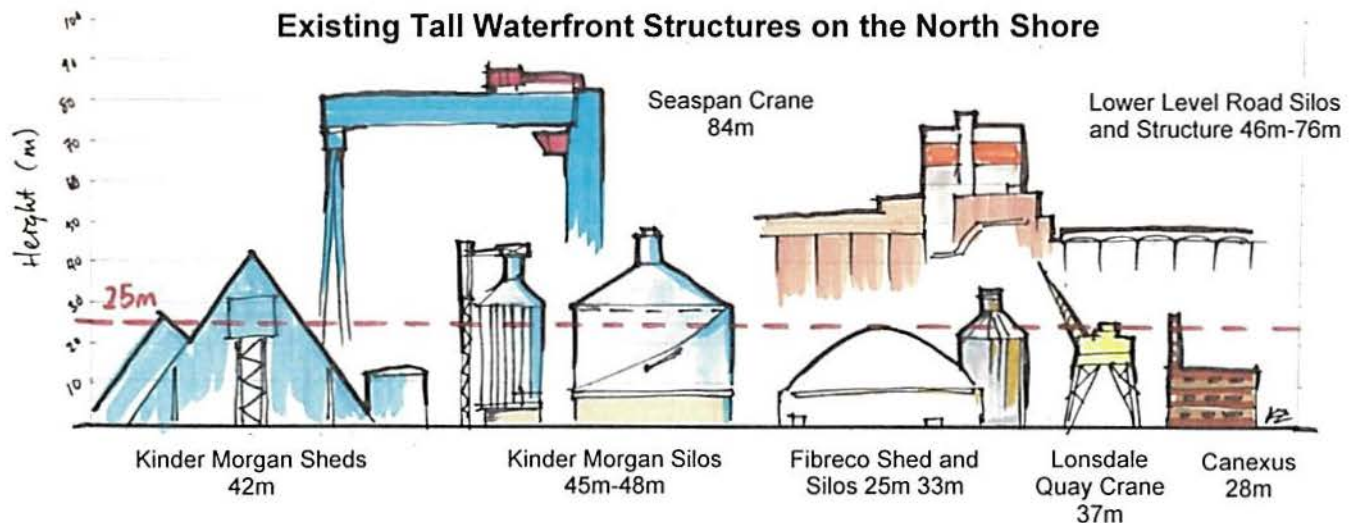
Affected Properties

Industry Standard Heights of Waterfront Industrial Structures

To assist in understanding why tanks, grain elevators, cranes and other structures are exempt from the height requirements in the zoning bylaw staff researched typical heights of these types of structures. With the exception of some liquid tanks, these structures often exceed the height limitation in the EZ-I zone of 25 m (82 ft).

Large Storage Sheds	Liquid Storage Tanks	Solids Storage Tanks	Material Elevators	Cranes and Ship Loading Infrastructure
20-40m	15-25m	30-40m	30-70m	50-100m

To help visualize the maximum 25m height in relation to known structures on the North Shore, the drawing below depicts the approximate height of the gantry crane at Seaspans, the low level road silos, the Kinder Morgan silos/sheds and other structures in relation to a 25m height line.



Current Regulations of Heavy Industrial Zones of Local Municipalities

Staff investigated how other municipalities regulate the height of these types of structures and found that they are exempt in the City of North Vancouver, Burnaby, Delta and regulated in Surrey, Richmond and Vancouver. In Vancouver the Director can vary the height regulation and in Surrey structures less than 1% of site area are exempt (note industrial sites with tanks are often quite large).

Municipality	Zone Name	Site Coverage	Max Building Height	Max Structure Height	Notes
DNV	EZ-I Employment Zone Industrial	N/A	25m	N/A (Exempt)	
CNV	W1 - Water Front Zone	70%	12m	N/A (Exempt)	
Vancouver	M2 – Industrial Zone	N/A	30m	30m (many structures >30m)	Director can vary all regulations
Burnaby	M3 – Heavy Industry	N/A	12m	N/A (Exempt)	
Delta	I – Heavy Industry	N/A	8m	N/A (Exempt)	
Surrey	IH – High Impact Industrial Zone	60%	18m	18m	Structures <1% of lot area exempt
Richmond	I – Industrial Zone	60%	12m	20m	

EXISTING POLICY

Official Community Plan

Pertaining to heavy industrial employment lands, the District's OCP goals include: protecting the employment function of employment lands, intensifying uses on employment lands, and enabling a diverse range of economic uses within employment lands.

Section 750 Employment Zone – Industrial (EZ-I)

Section 750 regulates development on industrial sites located on or in close proximity to the harbour. Aside from establishing permitted uses, EZ-I regulates the height of principal and accessory buildings and structures (unless they are exempted under Section 407).

Section 407 Height Exceptions

Section 407 of the District's Zoning Bylaw currently provides height exceptions for a variety of structures, including: towers; tanks; antennae; permanent cranes, grain elevators and gas holders, among others. Many of these structures are typically found on industrial properties adjacent to the harbour or on waterfront industrial lands leased from Port Metro Vancouver.

"Notwithstanding any other height provisions of this Bylaw, the following buildings, structures or portions thereof shall not be subject to height limitation:

Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders..."

Examples of structures currently exempted from height limitation, include: the Seaspan gantry crane, silos at Kinder Morgan and Fibreco and processing equipment at Canexus, ERCO and Terrapure (see illustration on page 3).

The intent of this exception is to provide a reasonable allowance for certain types of industrial structures which are normally and customarily associated with the uses permitted on lands zoned for the purposes of EZ-I.

Development Permit for Form and Character of Industrial Development

The development permit area guidelines for the Form and Character of Industrial Development in the District's Official Community Plan do not currently contain guidelines that specifically refer to structures such as tanks, silos, and cranes, but could be amended to require view analysis in the future, although maximum allowable heights are set in zoning standards, not the guidelines.

BACKGROUND

2009 to 2010 Industrial Zoning Review

In 2009, Staff underwent a consultation process under the direction of Council to examine industrial zoning regulations with respect to promoting economic development and job creation. Of the approximately 100 pieces of feedback received from local businesses, stakeholders and neighbours, there was consensus that the existing industrial zoning regulations were:

- too rigid;
- confusing; and
- did not accommodate fluctuating industrial demands on the land.



November 2009 Public Consultation on Encouraging Flexibility for Industries on EZ-I Lands

As a result of this initiative, Council adopted a series of bylaws in early 2010 which rezoned much of the I1, I2, I3 properties in the District to the newly created EZ-I (Employment Zone - Industrial) and EZ- LI (Employment Zone – Light Industrial) zones. These new zones were crafted based on principles of:

- using simple and consistent language;
- removing regulations when regulations are not needed;
- ensuring that zoning regulations do not unnecessarily hinder job creation; and
- protecting industrial land for industrial jobs.

The most prominent project to be approved under the new EZ-I zoning is the expansion of Seaspan Ship Yards, which has resulted in a dramatic increase in jobs to date.

2015 Council Motion to Remove Height Exemptions for Certain Structures

On November 9, 2015, with regards to concerns about the visual impact of structures which are exempted from height, Council passed the following motion:

THAT:

Council direct staff to prepare a bylaw to amend the zoning bylaw to address negative impacts to views resulting from industrial development on the waterfront, and in particular, to:

- (c) remove the height exemption in section 407 for bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators and gas holders; and
- (d) introduce regulations in the Employment Zone - Industrial (EZ-I) Zone relating to building orientation, the depth and width of buildings and structures, and building coverage.

AND THAT:

Staff submit to Council, any complete building permit application received on or after November 17, 2015 for any lot that is zoned EZ-I and is on, or within 250 meters of, the foreshore of Burrard Inlet that staff consider are in conflict with the bylaw under preparation, for consideration of a resolution that the building permit or business licence be withheld for 30 days under Section 929 of the *Local Government Act*.

ANALYSIS

In response to Council direction, staff have prepared Bylaw 8158 which:

- amends Section 407 to remove the following structures from the list of height exceptions:
 - tanks and bunkers;
 - cranes;
 - grain elevators; and
 - gas holders
- establishes new regulations in the EZ-I zone to:
 - limit individual buildings width to a maximum of 60% of the width of a property; and
 - establish a maximum building coverage of 80%.

Building orientation regulations have not been drafted at this time but would be included in any subsequent community consultation.

Affected Properties

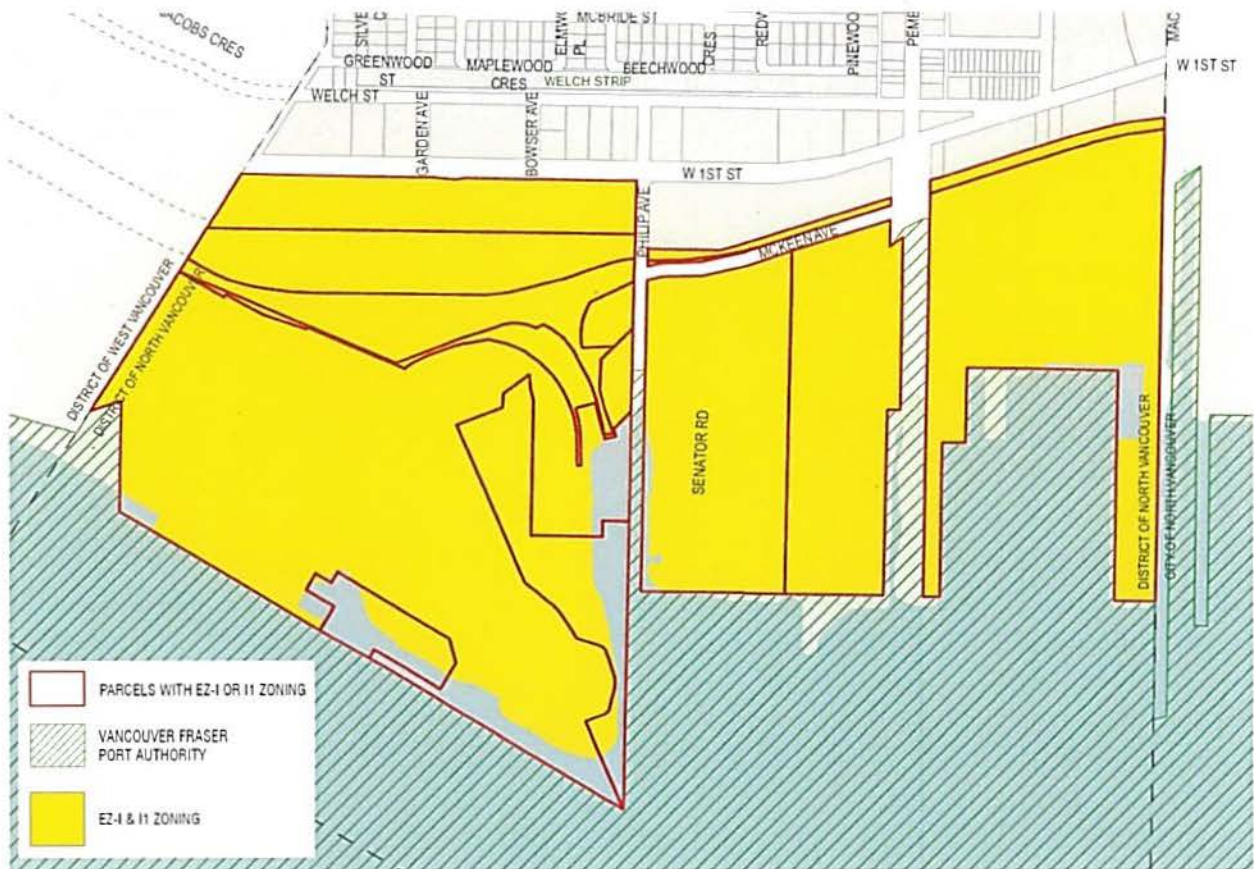
The proposed amendments would impact properties with EZ-I zoning, including: Kinder Morgan, McKeen and Wilson, Fibreco, Seaspam; a series of smaller holdings adjacent to the Lynnterm East Gate; Allied Shipyards, Canexus, ERCO Worldwide and Terrapure. The proposed amendments do not affect development on lands leased from Port Metro Vancouver, owned or administered by senior levels of government, the Squamish Nation; BC Rail, or CN Rail as these areas are not within District jurisdiction.

Given these exceptions, there are approximately 80 properties affected by the proposed amendments. The lots subject to the proposed amendments are illustrated on the following maps.

SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES

March 10, 2017

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EZ-I Zoned Parcels by the Lion's Gate Bridge



EZ-I Zoned Parcels by the Second Narrows Bridge

Industry Standard Heights of Waterfront Industrial Structures

The heights of non-building structures on port-oriented or industrial sites in general are very use specific. Their visual impacts on surrounding properties also vary depending on their width and construction. For example, a taller single grain elevator may result in less view blockage than a shorter set of storage tanks. As such, visual impact studies should be conducted on a case by case basis. The following table is derived from a survey of waterfront industrial sites in the Metro Vancouver and Seattle regions.

Structure	Typical Heights
Large Storage Sheds	20-40m
Liquid Storage Tanks	15-25m
Solids Storage Tanks	30-40m
Material Elevators	30-70m
Cranes and Ship Loading Infrastructure	50-100m

Withholding Motion

Section 929 of the *Local Government Act* allows Council to direct that a building permit application that Council considers is in conflict with the bylaw under preparation be withheld if that application is submitted at least 7 calendar days after the date of the resolution to prepare the bylaw. For Council's reference, no complete building permit applications for structures exempted under Section 407, or on EZ-I zoned lots, have been submitted since the November 17, 2015 withholding motion. A preliminary planning application for a terminal enhancement project involving 56 new silos has been submitted for the Fibreco site. These silos are 38.3m tall with covered conveyors reaching 56.3m in height.

PUBLIC INPUT

Should Council proceed with the recommended option, staff will conduct public consultation based on the following process:

1. Send mail-out invitations to businesses on, owners of, and residents adjacent to EZ-I zoned properties, Economic Partnership North Vancouver and the Industrial Waterfront User Group;
2. Hold two public open houses (one in Lions Gate and one in Lynn Creek) to gather public and industry feedback on height exemptions, building coverage, orientation, and max dimensions; and
3. Report back to Council with a summary of feedback received and recommended next steps.

CONCLUSION

In response to Council's motion to prepare a zoning bylaw amendment to address the visual impacts associated with tall industrial structures, staff have conducted research and prepared a draft bylaw. Prior to engaging impacted property owners and stakeholder groups, staff are providing the research and draft bylaw to Council for discussion and direction.

OPTIONS

The following options are available for Council's consideration:

1. Staff be directed to proceed with public consultation detailed in the report prepared by Kevin Zhang dated March 10, 2017;
2. Staff be directed to take no further action; or
3. Introduce Bylaw 8158.

Respectfully submitted,



Kevin Zhang
Development Planner

Attachments:

- A. Bylaw 8158
- B. Employment Zone – Industrial (EZ-I)
- C. Section 407 Height Exceptions

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 8158**

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 "The District of North Vancouver Rezoning Bylaw 1338, (Bylaw 8158)".

2. Amendments

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

- a) Section 407 Height Exceptions is amended by deleting the following paragraph:

"Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders."

and replacing it with the following paragraph:

"Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads; domestic radio and television antennae, mast and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; and, flag poles."

- b) Section 750.09 Building Depth and Width is amended by deleting 'Not Applicable.' and replacing it with the following:

- a) Building Width: Maximum width shall not exceed a maximum of 60% of the lot width, whichever is the lesser.

- c) Section 750.10 Coverage is amended by deleting subsection a) and replacing it with the following:

- a) Building Coverage: Maximum: 80%.

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of "Rezoning Bylaw 1338 (Bylaw 8158)" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

750 Employment Zone - Industrial (EZ-I)**750.01 Intent**

The intent of the Industrial Zone is to accommodate port oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and the rail corridor. It is expected that uses in the Industrial Zone will be industrial in character and impact.

750.02 Permitted Uses

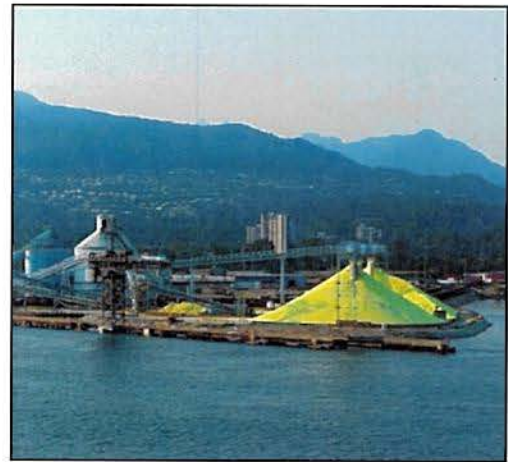
The following *principal uses* shall be permitted in the Industrial zone:

**a) Uses Permitted without Conditions:**

*manufacturing use;
port-oriented use;
service use;
transportation use;
waste and recycling use; and
warehouse use.*

(b) Conditional Uses

The following *principal uses* are permitted when the conditions outlined in section 750.03 - Conditions of Use, are met:



*office use;
residential use; and
retail use.*

750.03 Conditions of Use

- a) **Office use:** The use of land, buildings and structures for office use as a *principal use* is only permitted when the following conditions are met:
- Office use is limited to the upper floors of an industrial building, and
 - Office use may only take up as much floor area as is taken up by
- (Bylaw7831)

manufacturing, port-oriented, service, transportation, waste and recycling, or warehouse uses either singly or in combination on the lower floors, and in no case may the floor area used for office use exceed 2,500 m² (26,910 square feet).

- b) **Retail use:** The use of land, buildings, and structures for *retail* is only permitted when the following condition is met:
 - i. *Retail use* is limited to the following class of retail only: *equipment sales and rental*.
- c) **Residential use:** The use of land, buildings and structures for residential use is only permitted when the following conditions are met:
 - i. The maximum dwelling unit size is limited to 100m² (1,076 square feet);
 - ii. A maximum of one dwelling unit per lot for lots under and equal to 10,000m² (2.5 acres); a maximum of two dwelling units per lot for lots larger than 10,000 m², (2.5 acres) and less than or equal to 20,000 m² (5 acres); and a maximum of three dwelling units for lots over 20,000 m² (5 acres); and
 - iii. Where more than one dwelling unit is permitted, each dwelling unit must be located in separate buildings.

750.04 Accessory Use

- a) **Accessory uses** are permitted in a building provided that in combination they occupy, less than 25% of the floor area of the building or buildings, or in a multi-tenant building, less than 25% of the floor area occupied by the tenant.
- b) **Retail use** is limited to an *accessory use* except where expressly permitted as a conditional use.
- c) **Home occupations** are permitted in residential *dwelling units* in this zone, with the exception of day cares and schools for children.

750.05 Density

Not Applicable.

	Floor Area Ratio	Units per Hectare
Minimum Base Density	NA	NA
Maximum Base Density	NA	NA

(Bylaw 7831)

750.06 Maximum Principal Building Size

Not Applicable.

750.07 Setbacks

Setback	Principal Building or Structure	Accessory Building or Structure
Front	Minimum: 0 m Maximum: NA	Minimum: 0 m
Rear on a lane	Minimum: 1.5 m (5 ft)	Minimum: 1.5 m (5 ft)
Rear	Minimum: 0 m	Minimum 0 m
Side	Minimum: 0 m	Minimum: 0 m
Side facing a street	NA	NA
Setback to a Creek	Refer to the Streamside Development Permit Guidelines	
Setback from an Ocean Natural Boundary Line	Refer to the applicable environmental regulations and Port Metro Vancouver.	

750.08 Building Orientation

Not Applicable.

750.09 Building Depth and Width

Not Applicable.

750.10 Coverage

- a) Building Coverage: Maximum: Not Applicable.
- b) Site Coverage: Maximum: Not Applicable.

750.11 Height

- a) Principal Building or Structure: 25 m (82 feet);
- b) Accessory Building or Structure: 25 m (82 feet).

(Bylaw 7831)

750.12 Landscaping

Not Applicable.

750.13 Subdivision Requirements

a) Subdivision lot design standards are as follows:

Minimum Lot Size	Maximum Lot Size	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Width on Corner Lots
1,100m ² (11,841 sq ft)	NA	24m (79 ft)	34m (112 ft)	24 m (79 ft)

750.14 Additional Accessory Structure Regulations

Not Applicable.

750.15 Parking and Loading Regulations

- a) Parking and loading spaces shall be provided in accordance with Part 10 of this Bylaw.
- b) In cases where a development application is submitted without an identification of specific uses, parking requirements will be assessed on the basis of a minimum of one space/100m² (1,076 sq.ft.) of *gross floor area*, and the issuance of business licences for permitted uses in that building will be dependent upon the availability of parking on the lot or on an adjacent lot in accordance with Part 10 of this Bylaw.

750.16 Zone Specific Development Permit Regulations

Not Applicable.

Note: Please refer to the Official Community Plan for development permit area maps and related guidelines. You can also view the development permit areas as a layer on the District's mapping website: www.geoweb.dnv.org.

(Bylaw 7831)

- (2) where a single-family residential building containing a bed and breakfast business also includes rooms for boarders and lodgers, the rooms and the boarders and lodgers shall be included in the maximum number of rooms and patrons permitted for Class 1 and Class 2 bed and breakfast businesses; and
- (3) the person licenced to operate a bed and breakfast business must be a resident of the single-family residential building containing the bed and breakfast and any number of residents of the single-family residential building may be employees of the business. One additional non-resident employee may be engaged in the direct operation of the Bed and Breakfast at any one time.

(Bylaw 7073)

406 Conflicting Use or Siting

No parcel or area of land shall be alienated, and no use shall be initiated, and no building or structure shall be sited in a manner which thereby renders non-conforming any existing use or building or structure.



407 Height Exceptions

Notwithstanding any other height provisions of this Bylaw, the following buildings, structures or portions thereof shall not be subject to height limitation:

Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders.

(Bylaw 6767)

Elevator penthouses, heating, cooling, ventilation and mechanical equipment provided they are completely screened and do not extend more than 2.4 metres above the highest point of any roof surface.

(Bylaw 7664)


Solar collectors and associated mechanical components, subject to compliance with the regulations in Part 4C.

(Bylaw 7829)

AGENDA INFORMATION	
<input checked="checked" type="checkbox"/> Regular Meeting	Date: <u>Dec 4, 2011</u>
<input type="checkbox"/> Other:	Date: _____


Dept.
Manager


GM/
Director


CAO

The District of North Vancouver REPORT TO COUNCIL

November 22, 2017
File: 08.3060.20/044.15

AUTHOR Kevin Zhang, Development Planner

SUBJECT **BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES**

RECOMMENDATION

THAT Council provide Staff with direction relating to proposed Bylaw 8158.

REASON FOR REPORT

On March 27, 2017, Council directed staff to undertake public consultation for proposed Bylaw 8158. The consultation process has concluded. This report presents the results of the consultation and seeks further Council direction relating to proposed Bylaw 8158.

EXECUTIVE SUMMARY

As part of public consultation for proposed Bylaw 8158, Staff engaged with all affected properties, adjacent community associations, and organizations such as the Economic Partnership North Vancouver, North Shore Waterfront Liaison Committee, North Shore Waterfront Industrial Association, and the Vancouver Fraser Port Authority.

Overall, the feedback received on Bylaw 8158 was negative (Attachment C-E). Respondents believed that Bylaw 8158:

- Does not support the OCP Goal 3.2 of intensifying use of employment lands;
- Discourages investment and creates a competitive disadvantage for industrial lands under District jurisdiction;
- Prohibits some structures that are sized to industry standards;
- Negatively impacts primary jobs creation on industrial sites and secondary jobs creation in smaller related businesses; and
- Places overly restrictive siting regulations on smaller industrial sites.

SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES

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BACKGROUND

Industrial Zoning Amendment Issue Timeline

The issues of height, width, and coverage, which affect the development of heavy industrial properties in the District, have always been important to the public, Council, and the local economy. Below is a timeline of events relevant to Bylaw 8158 and this report.

July 12, 2010	Council adopts new, more flexible EZ-I zoning (Attachment F).
November 9, 2015	Council passed motion for Staff to investigate height, building width, and building coverage issues regarding industrial lands. Specifically, Council requested the removal of height exceptions for certain industrial structures (Attachment B).
Mid 2016	Staff prepared Bylaw 8158 based on November 2015 Council motion.
March 27, 2017	Council reviewed Bylaw 8158 and directed staff to proceed with public consultation.
April - June, 2017	Staff conducted consultation on Bylaw 8158.
October 2017	Staff report back to Council with public consultation results.

Bylaw 8158

In response to Council direction, staff prepared Bylaw 8158 for public consultation which:

- amends Section 407 to remove the following structures from the list of height exceptions:
 - tanks and bunkers;
 - permanent cranes;
 - grain elevators; and
 - gas holders
- establishes new regulations in the EZ-I zone to:
 - limit individual buildings width to a maximum of 60% of the width of a property; and
 - establish a maximum building coverage of 80%.

This Bylaw was then taken to the public for feedback as per Council direction on March 27, 2017.

Affected Properties and Applications in Process

The proposed amendments would impact properties within the following 3 zones: EZ-I (Employment Zone Industrial), I1 (Waterfront Industrial Zone), and I2 (General Industrial Zone). Owners or leasee of such lands include: Seaspan, Allied Shipbuilders, Vancouver Pile Driving, Fibreco, Canexus, ERCO Worldwide, Kinder Morgan, Terrapure, and a series of smaller operations adjacent to the Lynnterm East Gate. The proposed amendments do not

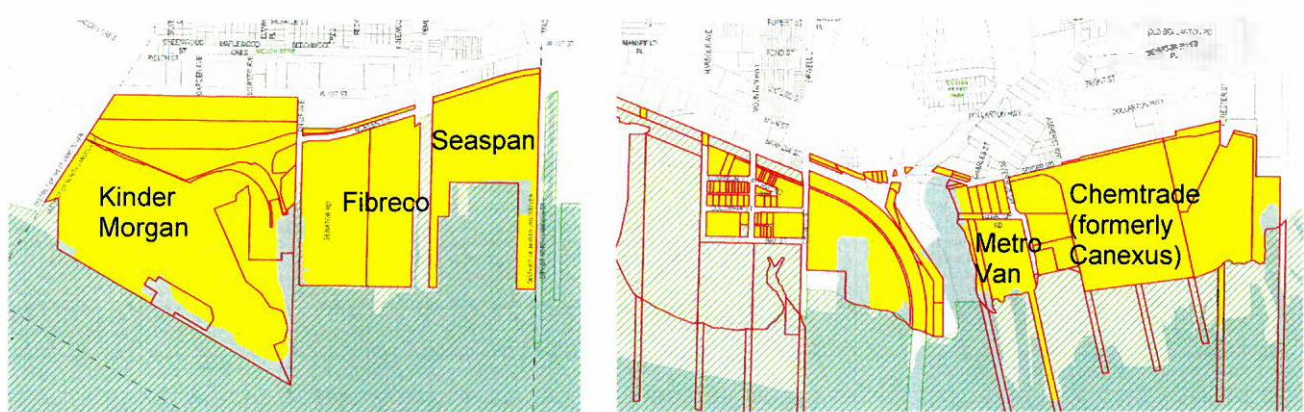
SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES

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affect development on lands leased from Port Metro Vancouver, owned or administered by senior levels of government, the Squamish Nation; BC Rail, or CN Rail.

Given these exceptions, there are approximately 80 properties affected by the proposed amendments. The lots subject to the proposed amendments are illustrated on the following maps. On these properties, approximately 25 buildings/structures would be rendered non-conforming should the proposed Bylaw be adopted by Council. Under Section 532 (1) of the Local Government Act, if such a building/structure is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the building inspector, the building/structure must not be repaired or reconstructed except for a conforming use in accordance with the bylaw. Putting these buildings/structures into a non-conforming status may lead to impacts on business operations, financing, and insurance.



Affected Properties (highlighted in yellow)

Should Council choose to introduce and subsequently adopt this Bylaw, the current Development Application at 1209 McKeen (Fibreco) would require a Council issued height variance for the proposed silos and associated infrastructure (ranging from 40m - 50m).

EXISTING POLICY AND TALL INDUSTRIAL STRUCTURES

Official Community Plan

Pertaining to heavy industrial employment lands, the District's OCP goals include:

- 3.1 - protecting the employment function of employment lands;
- 3.2 - intensifying uses on employment lands; and
- 3.3 - enabling a diverse range of economic uses within employment lands.

Section 750 Employment Zone – Industrial (EZ-I)

Section 750 regulates development on industrial sites located on or in close proximity to the harbour. Aside from establishing permitted uses, EZ-I regulates the height of principal and accessory buildings and structures (unless they are exempted under Section 407).

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Section 407 Height Exceptions

Section 407 of the District's Zoning Bylaw currently provides height exceptions for a variety of structures, including: towers; tanks; antennae; permanent cranes, grain elevators and gas holders, among others. Many of these structures are typically found on industrial properties adjacent to the harbour or on waterfront industrial lands leased from Port Metro Vancouver.

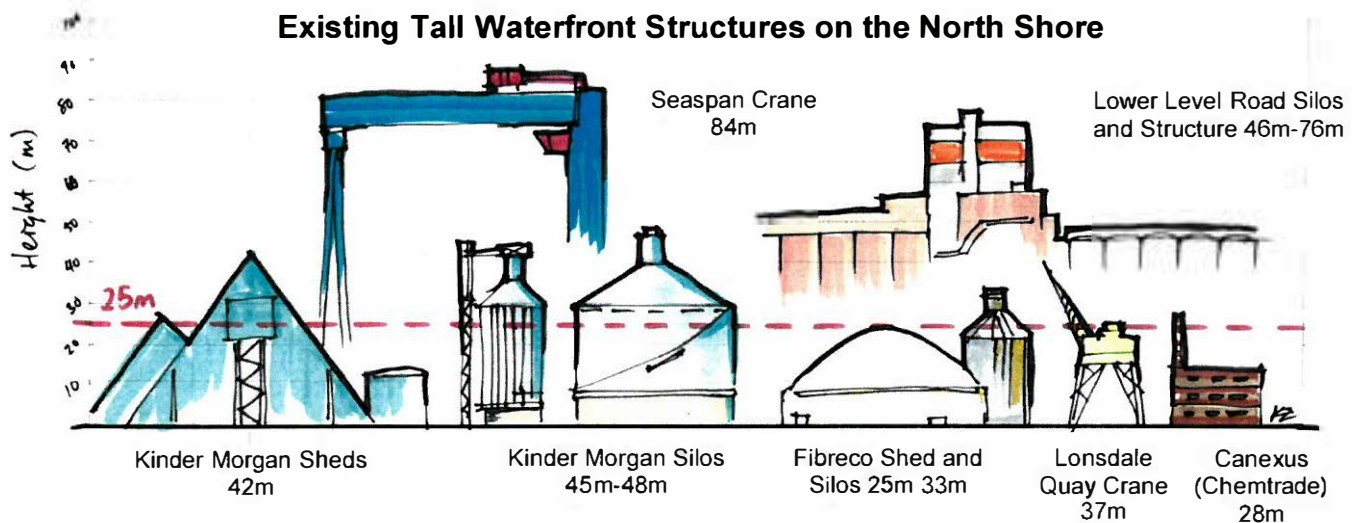
The intent of this exception is to provide an allowance for certain types of structures which are normally and customarily associated with the uses permitted on lands.

Development Permit for Form and Character of Industrial Development

The development permit area guidelines for the Form and Character of Industrial Development in the District's Official Community Plan do not currently contain guidelines that specifically refer to structures such as tanks, silos, and cranes. Staff could investigate amending the guidelines to consider view analysis in the future.

Existing Tall Waterfront Structures on the North Shore

To help visualize the maximum 25m height in relation to existing structures on the North Shore, the drawing below depicts the approximate height of the gantry crane at Seaspan, the low level road silos, the Kinder Morgan silos/sheds and other structures in relation to a 25m height line (red dotted line).



PUBLIC CONSULTATION RESULTS

Consultation Outreach

Letters seeking feedback were sent to:

- All owners and tenants of properties zoned EZ-I, I1, and I2
- Adjacent Community Associations
 - Norgate Park Community Association
 - Inter-River Community Association
 - Maplewood Community Association
- Organizations:
 - Vancouver Fraser Port Authority
 - North Shore Waterfront Liaison Committee (NSWLC) (members include citizens, business owners, and staff from all 3 municipalities and the Tsleil-Waututh Nation)
 - Economic Partnership North Vancouver (EPNV) (members include the North Vancouver Chamber of Commerce and business owners across the north shore)
 - North Shore Waterfront Industrial Association (members include 11 large industrial operators across the north shore)

In person meetings were held with:

- Economic Partnership North Vancouver on June 14, 2017; and
- North Shore Waterfront Liaison Committee on June 29, 2017.

Feedback Summary

Overall, the stakeholder feedback received for Bylaw 8158 was negative. A summary of input is as follows:

- Organizations stressed the importance of reduced regulations to facilitate industrial investment, development and job creation.
- Larger industrial properties particularly opposed the height restriction citing reduced functional and economic flexibility.
- Smaller industrial properties opposed width and site coverage restrictions citing prohibitive site limitations.
- The Norgate Community Association responded indicating they had no comments.
- The Inter-River Community Association and Maplewood Community Association did not respond.

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- General impacts of new restrictions
 - Discourage investment and development of already scarce industrial sites
- Regional importance
 - North shore industrial waterfront properties are part of a network of waterfront industrial sites that serve as the gateway of western Canada and Pacific Northwest.
- Competition
 - Potentially prohibitive regulation on north shore sites would put them at a disadvantage to other sites in Metro Vancouver.
 - Protecting industrial land for industrial requires that industrial uses be competitive against residential and commercial uses.
- Primary Jobs
 - Industrial expansion directly leads to well-paying jobs, e.g. Seaspan +1000 employees
- Secondary and tertiary jobs
 - Many smaller local businesses such as paving, metal work, service companies benefit from the operation and expansions of the large industrial operations.
- Heights are based on industry standards
 - Some equipment must be of a certain height to be functional. Reduction in height below a threshold would render some projects non-feasible. The following table is derived from a survey of waterfront industrial sites in the Metro Vancouver and Seattle regions.

Structure	Typical Heights
Large Storage Sheds	20-40m
Liquid Storage Tanks	15-25m
Solids Storage Tanks	30-40m
Material Elevators	30-70m
Cranes and Ship Loading Infrastructure	50-100m

Staff Response

In response to concerns raised by smaller industrial zoned properties regarding maximum building width and maximum building coverage, staff amended Bylaw 8158 by inserting appropriate property size triggers.

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Previous Consultations - 2009 to 2010 Industrial Zoning Review

In 2009, Staff underwent a consultation process under the direction of Council to examine industrial zoning regulations with respect to promoting economic development and job creation. Of the approximately 100 pieces of feedback received from local businesses, stakeholders and neighbours, there was consensus that the existing industrial zoning regulations were:

- too rigid;
- confusing; and
- did not accommodate fluctuating industrial demands on the land.



November 2009 Public Consultation on Encouraging Flexibility for Industries on EZ-I Lands

As a result of this initiative, Council adopted a series of bylaws in early 2010 which rezoned much of the I1, I2, I3 properties in the District to the newly created EZ-I (Employment Zone - Industrial) and EZ- LI (Employment Zone – Light Industrial) zones. These new zones were crafted based on principles of:

- using simple and consistent language;
- removing regulations when regulations are not needed;
- ensuring that zoning regulations do not unnecessarily hinder job creation; and
- protecting industrial land for industrial jobs.

The most prominent project to be approved under the new EZ-I zoning is the expansion of Seaspan Ship Yards, which Seaspan reports has resulted in an increase of over 1000 jobs to date.

CONCLUSION

Based on public feedback received, including from industry and the Vancouver Fraser Port Authority, Staff is seeking Council direction with regard to Bylaw 8158.

SUBJECT: BYLAW 8158 - ZONING BYLAW TEXT AMENDMENTS FOR INDUSTRIAL BUILDINGS AND STRUCTURES

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OPTIONS

The following options are available for Council's consideration:

1. **THAT Council provide Staff with direction relating to proposed Bylaw 8158;**
2. **THAT this report be received for information and no further action be taken; or**
Should Council take no further action, buildings and structures in heavy industrial zones would continue to be regulated by the existing Zoning Bylaw regulations and Development Permit guidelines; or
3. **THAT Bylaw 8158 be introduced and referred to a Public Hearing.**
Should Bylaw 8158 be adopted, approximately 25 existing structures would become non-conforming and any development proposal in excess of the height limit would require a Council issued variance.

Respectfully submitted,



Kevin Zhang
Development Planner
District of North Vancouver

Attachments:

- A. Bylaw 8158
- B. Council Motion to prepare zoning amendment bylaw from Nov 19, 2015 Regular Council
- C. Response from Economic Partnership North Vancouver
- D. Response from North Shore Waterfront Liaison Committee
- E. Response from Vancouver Fraser Port Authority
- F. Employment Zone – Industrial (EZ-I)
- G. Section 407 Height Exceptions

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 8158

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 the "District of North Vancouver Rezoning Bylaw 1338, (Bylaw 8158)".

2. Amendments

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

- a) Section 407 Height Exceptions is amended by deleting the following paragraph:

"Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders."

and replacing it with the following paragraph:

"Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads; domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; and temporary cranes."

- b) Section 750.09 Building Depth and Width is amended by deleting 'Not Applicable.' and replacing it with the following:
- a) For properties greater than 100m in lot width, maximum building width shall not exceed a maximum of 80% of the lot width.
- c) Section 750.10 Coverage is amended by deleting subsection a) and replacing it with the following:
- a) For properties greater than 5000m² in total lot area, total building coverage shall not exceed a maximum of 80% of the total lot area.

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of "Rezoning Bylaw 1338 (Bylaw 8158)" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Regular Meeting November 9. 2015 – Council Motion

9.9. Zoning Bylaw Amendments Re: Height Exceptions for Industrial Structures and EZ-I Zone Industrial Development Regulations

File No. 06.2210.01/000.000

MOVED by Councillor MURI

SECONDED by Councillor MACKAY-DUNN

THAT

1. Council direct staff to prepare a bylaw to amend the zoning bylaw to address negative impacts to views resulting from industrial development on the waterfront, and in particular, to:
 - a. Remove the height exemption in section 407 for bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators and gas holders; and,
 - b. Introduce regulations in the Employment Zone – Industrial (EZ-I) Zone relating to building orientation, the depth and width of buildings and structures, and, building coverage.
2. Staff submit to Council, any complete building permit application received on or after November 17, 2015 for any lot that is zoned EZ-I and is on, or within 250 meters of, the foreshore of Burrard Inlet that staff consider are in conflict with the bylaw under preparation, for consideration of a resolution that the building permit or business licence be withheld for 30 days under Section 929 of the *Local Government Act*.

CARRIED

Opposed: Councillor BASSAM

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July 7, 2017

District of North Vancouver
Attention: Kevin Zhang, Community Planner
Email: zhangk@dnv.org

Re: Stakeholder Feedback on Proposed Zoning Changes to EZ-I Zones

Dear Mr. Zhang,

In response to outreach from Charlene Grant, General Manager Corporate Services for the District of North Vancouver (the "District") on how the Economic Partnership North Vancouver (EPNV) could facilitate feedback on proposed zoning changes to properties zoned EZ-I (the "Amendments"), and further to your letter dated May 10, 2017 (received May 23, 2017) requesting comment on the Amendments, I am writing to provide the response from and position of the EPNV.

Based on our engagement to date, we do not believe the Amendments as drafted are in the best interests of the District, the larger North Vancouver community or North Vancouver businesses. A summary of our engagement process, the economic contribution of EZ-I zoned business to North Vancouver and reasoning for our position is set forth below.

1.0 Engagement Process

EPNV completed an engagement process inclusive of a variety of mechanisms and with a cross-section of potentially-affected and interested stakeholders. The process included:

1. Solicitation of feedback directly through face-to-face interviews, phone and email outreach with local EZ-I zoned businesses, their suppliers, EPNV board member organizations and other interested parties; and
2. Facilitation of a roundtable engagement session on June 14, 2017 at John Braithwaite Community Center of which the District was invited to, and did, attend.

A list of stakeholders EPNV engaged in this process is provided in Appendix A.

2.0 Economic Contribution and Importance of EZ-I Zoned Business to North Vancouver

Strong local economies require "readily available, high paying, employment-generating industrial lands"¹. North Vancouver EZ-I zoned businesses:

- Contribute more than \$800 million in GDP annually to North Vancouver;
- Contribute more than \$16 million in tax revenue annually to North Vancouver;
- Create and support over 13,000 direct, indirect and induced jobs within North Vancouver now and for the next 20-30 years²;
- Typically generate jobs that pay double the annual average compensation rate per person³;

¹ <http://www.bccchamber.org/policies/protection-industrial-lands-future-prosperity>

² Calculated based on 2016 Port of Vancouver Economic Impact Study

³ <http://www.bccchamber.org/policies/protection-industrial-lands-future-prosperity>

- Intensively invest in the community and local infrastructure (For example: Since 2014, Seaspan has spent \$109 million with 160 local North Vancouver suppliers and invested \$155 million to date on its shipyards modernization project); and
- Support Canada's largest port, a gateway for trade that is of major national significance.

3.0 EPNV Position and Reasoning

With less than a 15-year supply of trade-enabling land left for development in Metro Vancouver, industrial lands and their massive economic impacts are permanently disappearing. Dwindling supply coupled with increased demand for trade means the need to preserve industrial land for industrial use, intensify land use and attract and encourage investment is more important than ever. The Amendments do not support these needs. EPNV does not believe the Amendments are in the best interests of the District, the larger North Vancouver community, its citizens and its business community for the following reasons:

1. The Amendments do not support the District's Official Community Plan (OCP) and intended use of industrial lands.

The Amendments do not support the urgent need to protect and encourage the development of industrial land. They run contrary to the District's OCP which seeks to protect the employment function and intensification of uses on employment lands. As drafted, the Amendments: create constraints hindering effective and intensified land use; increase uncertainty and risk to potential investors; and in some cases could render valuable assets uneconomic.

2. The Amendments discourage efficient, intensified, purposeful and economic industrial land-use practices.

Industrial-zoned businesses, particularly those that support port-related activities, require specialized and substantial equipment such as cranes, elevators and conveyors, and functional structures such as silos and storage sheds ("Industrial Structures") that are essential to operations. These Industrial Structures put thousands of people to work. These Industrial Structures allow businesses the ability to build, store and/or move a variety of product and commodities on a scale and in a manner that creates enough benefit to outweigh the costs of and risks associated with investment. These Industrial Structures are essential to creating economic value.

The Amendments not only restrict height, immediately limiting ship loading efficiency and shipbuilding infrastructure, but also width and site coverage. These compounding factors make it difficult, if not economically unfeasible, to create enough energy efficiency, storage capacity and throughput necessary to supply cargo ships.

3. The Amendments discourage investment and create a competitive disadvantage for new projects.

The Amendments further compound the economic losses associated with a decreasing supply of industrial land in the region and put any new developments at a competitive disadvantage (locally and internationally) to projects developed prior to the implementation of such restrictive land use mechanisms.

Further, private companies are developing the waterfront at their cost and in doing so are ultimately driving great economic benefits for the District (as per 2.0 above). Investors have options for investing their capital. Constraints and restrictions that make investment too costly or uncompetitive will have long-term repercussions on the prosperity and sustainability of our community.

4. Industrial land developments in the District are currently consistent with industry norms.

While we understand the intent of the Amendments is to address "...negative view impacts resulting from industrial developments on the waterfront", the existing bylaw supports the expectation that "uses in the Industrial Zone will be industrial in character and impact"⁴.

To that end, current and proposed developments on District industrial lands are generally within industry norms and are purpose built and use specific. Examples of some current or proposed structures within and outside of the District are identified in Table 1 below.

Table 1: Industry Structural Height Norms & Examples of Current/Proposed Industrial Structures

Structural Type	Typical Height	Example
Cranes and Ship Loading Infrastructure	50-100m	Seaspan Gantry Crane (existing) – 84m
Solid Storage Tanks	30-40m	Fibreco silos (proposed) – 38.3m
Material Elevators	30-70m	Fibreco conveyors (proposed) – 56.3m
Storage Sheds	20-40m	Kinder Morgan Sheds (existing) – 42m Vancouver Wharves (existing) – 42m

A process that always sets Council up to receive a variance application for Industrial Structures that are both standard and necessary for the functioning of an industrial site creates an additional and unnecessary level of regulation. This is not practical, efficient or productive and it further translates into an increase in time and cost for the District, the business and the community.

5. The current development process is already inclusive and collaborative.

Throughout the District's existing planning and development process, industrial project proponents are engaged and consult with District staff and planners, Vancouver Fraser Port Authority (as applicable), the community, and other relevant and necessary stakeholders on an ongoing basis. The current process is working and is effectively engaging all relevant parties. Project plans are iterative and take into consideration the feedback received at all stages, thereby managing and mitigating potential uncertainties and risks to both the District and the business.

4.0 Conclusion

In conclusion, we reiterate our recommendation against adopting the Amendments and encourage you to continue to work collaboratively with business to create conditions that encourage investment in and development of our valuable industrial lands to the long-term and sustainable benefit of everyone in our community. We welcome the opportunity to continue to support the District's process on this and other issues.

Sincerely,



Kendra Low, MBA
Senior Program Manager
Economic Partnership North Vancouver*

⁴ District Bylaw 8158, Section 750.01

Cc: Dan Milburn, General Manager, Planning, Properties & Permits - District
Charlene Grant, General Manager, Corporate Services - District
Patrick Stafford-Smith, Chief Development Officer - EPNV
EPNV Board Members*

*EPNV Board Members are named below:

1. Arc'teryx	Jon Hoerauf	President
2. BDC Business Development Bank	Louise Fogharty	Regional Director
3. BlueShore Financial	Chris Catliff	President & CEO
4. Capilano Suspension Bridge	John Stibbard	VP, Operations
5. Capilano University	Paul Dangerfield	President
6. Carter GM	James Carter	Owner & President
7. City of North Vancouver	Larry Orr	Manager, Business Services
8. Darwin Properties	Oliver Webbe	President
9. District of North Vancouver	Charlene Grant	GM, Corporate Services
10. Neptune Terminals	Jim Belsheim	President
11. North Shore Studios	Peter Leitch	President & CEO
12. North Vancouver Chamber	David Kim	Board Chair
13. North Vancouver Chamber	Patrick Stafford-Smith	CEO
14. Port Metro Vancouver	Robyn Crisanti	Director, Public Affairs
15. Quay Property Management	Gary Mathiesen	President & CEO
16. Seaspan ULC	Frank Butzelaar	CEO
17. Squamish Nation	Chief Gibby Jacob	Executive Operating Officer
18. Tsleil-Waututh Nation	Matthew Thomas	EDO
19. Vancouver Coastal Health	Karin Olson	COO
20. Western Stevedoring	Brad Eshleman	President

Appendix A

List of Engaged Stakeholders

EPNV staff engaged with and/or reached out to the following stakeholders for input on the Amendments:

- Fibreco
- BA Blacktop
- Allied Shipbuilders
- Univar Canada
- Chemtrade Electrochem (formerly Canexus)
- Kinder Morgan Terminals
- Seaspan ULC
- Port Metro Vancouver
- Darwin Properties
- Quay Property Management
- Western Stevedoring
- Kinder Morgan Terminals
- ERCO Worldwide
- Richardson International
- Cargill
- Vancouver Pile Driving

Kevin Zhang

From: Glen Webb <glenrtwebb@gmail.com>
Sent: July 05, 2017 6:47 PM
To: Kevin Zhang
Cc: nswlc@portvancouver.com; michael evison; Tang-Graham, Frances
Subject: District of North Vancouver proposed bylaw changes - height restrictions

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: EZ-I Text Amendment

Kevin J. Zhang
Development Planner
District of North Vancouver

Kevin,

Thank you for the informative presentation on behalf of the District of North Vancouver on the proposed bylaw changes.

Following your presentation, the North Shore Waterfront Liaison Committee discussed and reviewed the implications and consequences of height restrictions. As we all know from past experience, to enact bylaws which cover all contingencies is extremely difficult. We agreed that the District is correctly focusing on well-conceived planning principles which generally will mitigate exception to the current rule guidelines.

However, we believe it is extremely important to maintain the economic vitality of our inventory of industrial lands. A number of Committee members felt that the District should focus their efforts to encourage the development and designation of additional areas suitable for industrial sites.

Thank you for the opportunity to provide feedback on the proposed bylaw.

Sincerely,
Glen Webb
Chair
Port Vancouver - North Shore Waterfront Liaison Committee



Vancouver Fraser Port Authority
100 The Pointe, 999 Canada Place
Vancouver, B.C. Canada V6C 3T4
portvancouver.com

May 31, 2017

Mr. Kevin Zhang
Development Planner
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

Dear Mr. Zhang:

**RE: Referral PLN2015-00044 – Draft Bylaw 8158
District of North Vancouver**

Thank you for providing us with an opportunity to comment on the District of North Vancouver's draft Bylaw 8158, which seeks to amend Zoning Bylaw 3210, 1965, specifically as it pertains to Height Exceptions and Building Depth, Width and Coverage in designated Industrial Zones.

We have reviewed the contents of your letter dated May, 10th, 2017 as well as the Report, dated March 10th, 2017, that was presented to Council on March 27th, 2017 and offer the following comments.

As you will be aware, industrial lands in the Metro Vancouver region continue to be converted to other uses, resulting in a significant shortage of trade-enabling industrial land in Lower Mainland. This shortage undermines employment and economic development opportunities for the region and the country as a whole. Therefore, municipal policies and bylaws relating to lands currently designated for industrial uses should seek to be sufficiently flexible to protect these lands for future growth.

Section 750 of the District's Zoning Bylaw 3210, 1965 states that "*the intent of the Industrial Zone is to accommodate port oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and the rail corridor*". However, through the introduction of Bylaw 8158, the District proposes to remove the 25m height exception clause (Section 420) for various types of structures, such as grain elevators and cranes, which are critical to support port-oriented industrial

... /2

Mr. Zhang
Referral - PLN2015-00044 - Draft Bylaw 8158
May 31, 2017
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operations. The Bylaw also introduces building width and coverage restrictions. If this Bylaw is adopted, Applicants will now be required to apply to the District for a development variance permit should they wish to construct structures that exceed these maximums within designated industrial areas.

The Council Report, dated March 10th 2017, highlighted the industry standard heights of various waterfront industrial structures, for example 30-70m for grain elevators and 50-100m for cranes and shiploading infrastructure. Development involving such structures would exceed the new 25m height restriction.

While we understand the desire for the District to review waterfront proposals for larger structures and buildings in the context of their potential view impacts, we suggest that the District's existing development permit process and zoning bylaw could be utilised to this end. Introducing new restrictions specifically targeted at industrial development may discourage those seeking to invest in and develop these scarce industrial sites.

In addition to the above, please note that the port authority rebranded in 2016 from "Port Metro Vancouver" to "Port of Vancouver."

Thank you for the opportunity to comment on the proposed Bylaw. Should you have any questions regarding our comments, please me at 604-665-9135.

Yours truly,

VANCOUVER FRASER PORT AUTHORITY



Tegan Smith
Manager, Planning

cc Dan Milburn, General Manager, Planning, Properties and Permits, DNV
Jessica Mehigan, Senior Planner, VFPA

750 Employment Zone - Industrial (EZ-I)

750.01 Intent

The intent of the Industrial Zone is to accommodate port oriented uses and general manufacturing and other industrial activities on lands adjacent to the Port and the rail corridor. It is expected that uses in the Industrial Zone will be industrial in character and impact.

750.02 Permitted Uses

The following *principal uses* shall be permitted in the Industrial zone:

a) **Uses Permitted without Conditions:**

manufacturing use;
port-oriented use;
service use;
transportation use;
waste and recycling use; and
warehouse use.

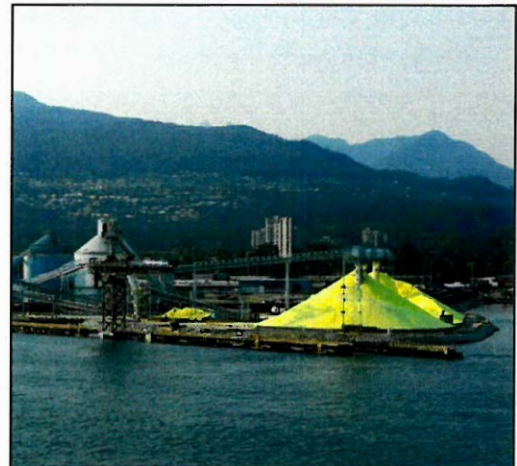
(b) **Conditional Uses**

The following *principal uses* are permitted when the conditions outlined in section 750.03 - Conditions of Use, are met:

office use;
residential use; and
retail use.

750.03 Conditions of Use

- a) **Office use:** The use of land, buildings and structures for office use as a *principal use* is only permitted when the following conditions are met:
- i. Office use is limited to the upper floors of an industrial building, and
 - ii. Office use may only take up as much floor area as is taken up by
- (Bylaw7831)



manufacturing, port-oriented, service, transportation, waste and recycling, or warehouse uses either singly or in combination on the lower floors, and in no case may the floor area used for office use exceed 2,500 m² (26,910 square feet).

- b) **Retail use:** The use of land, buildings, and structures for *retail* is only permitted when the following condition is met:
 - i. *Retail use* is limited to the following class of retail only: *equipment sales and rental*.
- c) **Residential use:** The use of land, buildings and structures for residential use is only permitted when the following conditions are met:
 - i. The maximum dwelling unit size is limited to 100m² (1,076 square feet);
 - ii. A maximum of one dwelling unit per lot for lots under and equal to 10,000m² (2.5 acres); a maximum of two dwelling units per lot for lots larger than 10,000 m², (2.5 acres) and less than or equal to 20,000 m² (5 acres); and a maximum of three dwelling units for lots over 20,000 m² (5 acres); and
 - iii. Where more than one dwelling unit is permitted, each dwelling unit must be located in separate buildings.

750.04 Accessory Use

- a) **Accessory uses** are permitted in a building provided that in combination they occupy, less than 25% of the floor area of the building or buildings, or in a multi-tenant building, less than 25% of the floor area occupied by the tenant.
- b) **Retail use** is limited to an *accessory use* except where expressly permitted as a conditional use.
- c) **Home occupations** are permitted in residential *dwelling units* in this zone, with the exception of day cares and schools for children.

750.05 Density

Not Applicable.

	Floor Area Ratio	Units per Hectare
Minimum Base Density	NA	NA
Maximum Base Density	NA	NA

(Bylaw 7831)

750.06 Maximum Principal Building Size

Not Applicable.

750.07 Setbacks

Setback	Principal Building or Structure	Accessory Building or Structure
Front	Minimum: 0 m Maximum: NA	Minimum: 0 m
Rear on a lane	Minimum: 1.5 m (5 ft)	Minimum: 1.5 m (5 ft)
Rear	Minimum: 0 m	Minimum 0 m
Side	Minimum: 0 m	Minimum: 0 m
Side facing a street	NA	NA
Setback to a Creek	Refer to the Streamside Development Permit Guidelines	
Setback from an Ocean Natural Boundary Line	Refer to the applicable environmental regulations and Port Metro Vancouver.	

750.08 Building Orientation

Not Applicable.

750.09 Building Depth and Width

Not Applicable.

750.10 Coverage

- a) Building Coverage: Maximum: Not Applicable.
- b) Site Coverage: Maximum: Not Applicable.

750.11 Height

- a) Principal Building or Structure: 25 m (82 feet);
- b) Accessory Building or Structure: 25 m (82 feet).

(Bylaw 7831)

750.12 Landscaping

Not Applicable.

750.13 Subdivision Requirements

a) Subdivision lot design standards are as follows:

Minimum Lot Size	Maximum Lot Size	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Width on Corner Lots
1,100m ² (11,841 sq ft)	NA	24m (79 ft)	34m (112 ft)	24 m (79 ft)

750.14 Additional Accessory Structure Regulations

Not Applicable.

750.15 Parking and Loading Regulations

- a) Parking and loading spaces shall be provided in accordance with Part 10 of this Bylaw.
- b) In cases where a development application is submitted without an identification of specific uses, parking requirements will be assessed on the basis of a minimum of one space/100m² (1,076 sq.ft.) of *gross floor area*, and the issuance of business licences for permitted uses in that building will be dependent upon the availability of parking on the lot or on an adjacent lot in accordance with Part 10 of this Bylaw.

750.16 Zone Specific Development Permit Regulations

Not Applicable.

Note: Please refer to the Official Community Plan for development permit area maps and related guidelines. You can also view the development permit areas as a layer on the District's mapping website: www.geoweb.dnv.org.

(Bylaw 7831)

- (2) where a single-family residential building containing a bed and breakfast business also includes rooms for boarders and lodgers, the rooms and the boarders and lodgers shall be included in the maximum number of rooms and patrons permitted for Class 1 and Class 2 bed and breakfast businesses; and
- (3) the person licenced to operate a bed and breakfast business must be a resident of the single-family residential building containing the bed and breakfast and any number of residents of the single-family residential building may be employees of the business. One additional non-resident employee may be engaged in the direct operation of the Bed and Breakfast at any one time.

(Bylaw 7073)

406 Conflicting Use or Siting

No parcel or area of land shall be alienated, and no use shall be initiated, and no building or structure shall be sited in a manner which thereby renders non-conforming any existing use or building or structure.

407 Height Exceptions

Notwithstanding any other height provisions of this Bylaw, the following buildings, structures or portions thereof shall not be subject to height limitation:

Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders.

(Bylaw 6767)

Elevator penthouses, heating, cooling, ventilation and mechanical equipment provided they are completely screened and do not extend more than 2.4 metres above the highest point of any roof surface.

(Bylaw 7664)

Solar collectors and associated mechanical components, subject to compliance with the regulations in Part 4C.

(Bylaw 7829)

The Corporation of the District of North Vancouver

Bylaw 8158

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 the “District of North Vancouver Rezoning Bylaw 1338, (Bylaw 8158)”.

2. Amendments

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

- a) Section 407 Height Exceptions is amended by deleting the following paragraph:

“Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders.”

and replacing it with the following paragraph:

“Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads; domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; and temporary cranes.”

- b) Section 750.09 Building Depth and Width is amended by deleting ‘Not Applicable.’ and replacing it with the following:
 - a) For properties greater than 100m in lot width, maximum building width shall not exceed a maximum of 80% of the lot width.
- c) Section 750.10 Coverage is amended by deleting subsection a) and replacing it with the following:
 - a) For properties greater than 5000m² in total lot area, total building coverage shall not exceed a maximum of 80% of the total lot area.

READ a first time December 4th, 2017

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of "Rezoning Bylaw 1338 (Bylaw 8158)" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

**DISTRICT OF NORTH VANCOUVER
REGULAR MEETING OF COUNCIL**

Minutes of the Regular Meeting of the Council for the District of North Vancouver held at 7:03 p.m. on Monday, November 9, 2015 in the Council Chambers of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

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

Staff: Ms. C. Grant, Acting Chief Administrative Officer
Mr. B. Bydwell, General Manager – Planning, Properties & Permits
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities
Mr. D. Milburn, Deputy General Manager – Planning & Permits
Mr. D. Desrochers, Manager – Engineering Projects & Development Services
Mr. J. Gordon, Manager – Administrative Services
Ms. J. Paton, Manager – Development Planning
Ms. S. Dale, Confidential Council Clerk

1. ADOPTION OF THE AGENDA

1.1. November 9, 2015 Regular Meeting Agenda

MOVED by Councillor MURI

SECONDED by Councillor BOND

THAT the agenda for the November 9, 2015 Regular Meeting of Council for the District of North Vancouver be adopted with the addition of item 9.9.

CARRIED

2. PUBLIC INPUT

2.1. Ms. Nicole Johnstone, 800 Block Canyon Boulevard:

- Presented a video entitled "How Can I Be the Best I Can Be"; and,
- Encouraged children to walk to school.

2.2. Ms. Kulvir Mann, 4700 Block Highland Boulevard:

- Thanked staff for traffic safety improvements made within the District; and,
- Opined that the improvements made to reduce speeding have made it safer for children to walk to school.

2.3. Ms. Amanda Frazer, 1800 Block West 2nd Street:

- Spoke in support of the North Shore Safe Routes Advocates delegation; and,
- Thanked staff for traffic safety improvements made within the District.

2.4. Ms. Brandy Hughes, 3600 Block Sunnycrest Drive:

- Spoke in support of item 9.7 regarding 3623 Sunnycrest Drive; and,
- Opined that the proposed addition is tasteful and in keeping with the character of the neighbourhood.

2.5. Mr. William Marsh, 100 Block Carisbrooke Road:

- Spoke in opposition to item 9.6 regarding 170 East Osborne Road.

2.6. Mr. Alan Armour, 100 Block East Carisbrooke Road:

- Spoke in support of item 9.6 regarding 170 East Osborne Road;
- Noted his initial concerns about losing his view were addressed by the applicant; and,
- Commented that the view from his home will likely be improved.

2.7. Ms. Sandy Armour, 100 Block Carisbrooke Road:

- Spoke in support of item 9.6 regarding 170 East Osborne Road;
- Commented that the proposed subdivision will allow the family to remain in the community;
- Opined that the proposed design is aesthetically pleasing; and,
- Noted that neighbours have been consulted and are supportive.

2.8. Ms. Jennifer Clay, 700 Block East 8th Street:

- Spoke representing the North Shore Heritage Preservation Society;
- Spoke in support of item 9.7 regarding 3623 Sunnycrest Drive; and,
- Opined that the proposed design is in keeping with the original home.

2.9. Mr. John Harvey, 1900 Block Cedarvillage Crescent:

- Spoke regarding the new District's website;
- Thanked staff for including documents on the website that date back to 2011; and,
- Spoke about the history of Remembrance Day.

2.10. Ms. Antje Wahl, 1100 Block Cloverley Street:

- Spoke regarding the North Shore Safe Routes Advocates delegation; and,
- Requested that a dedicated staff member be appointed to handle traffic management.

3. PROCLAMATIONS

3.1. Adoption Awareness Month – November 2015

4. RECOGNITIONS

Nil

5. DELEGATIONS

With the consent of Council, Mayor Walton altered the agenda as follows:

5.2. Carol Sartor & Nicole Johnston, North Shore Safe Routes Advocates
Re: Update on Safe and Active School Program

Ms. Carol Sartor, North Shore Safe Routes Advocates, provided an update on the Safe and Active School Program advising that the goal is to increase active travel through education. Ms. Sartor thanked staff for traffic safety improvements recently made within the District. Ms. Sartor also requested that a dedicated staff member be appointed to handle traffic management.

MOVED by Councillor MURI

SECONDED by Councillor BOND

THAT the delegation of North Shore Safe Routes Advocates be received.

CARRIED

5.1. North Shore Rescue

Re: Update on North Shore Rescue

Mr. Mike Danks, North Shore Rescue, provided an update on North Shore Rescue's operations in 2015. Mr. Danks noted that the team consists of approximately 40 volunteers skilled in search and rescue operations in mountain, canyon and urban settings. Mr. Danks advised that 128 search and rescue operations were performed to date in 2015 and the total number of operations have been increasing each year.

Councillor BOND left the meeting at 8:06 pm and returned at 8:07 pm.

Mr. Ron Royston, North Shore Rescue, thanked the District for their continued financial support. Mr. Royston discussed the significant costs associated with the North Shore Rescue's operations. Discussions ensued on how to ensure their funding model is sustainable going forward.

Council requested that this item be brought forward to a Committee of the Whole meeting.

MOVED by Councillor MACKAY-DUNN

SECONDED by Councillor MURI

THAT the North Shore Search and Rescue delegation be referred back to staff;

AND THAT all relevant parties meet to discuss how to move forward with a sustainable funding model.

CARRIED

6. ADOPTION OF MINUTES

6.1. October 26, 2015 Regular Council Meeting

MOVED by Councillor MURI

SECONDED by Councillor HANSON

THAT the minutes of the October 26, 2015 Regular Council meeting be adopted.

CARRIED

7. RELEASE OF CLOSED MEETING DECISIONS

Nil

8. COMMITTEE OF THE WHOLE REPORT

Nil

9. REPORTS FROM COUNCIL OR STAFF

9.1. Bylaws 8103 and 8104: 1203 and 1207 Harold Road

File No. 08.3060.20/030.14

MOVED by Councillor BASSAM

SECONDED by Councillor HICKS

THAT "The District of North Vancouver Rezoning Bylaw 1325 (Bylaw 8103)" is ADOPTED.

THAT "Housing Agreement Bylaw 8104, 2015" is ADOPTED.

CARRIED

Opposed: Councillor MURI

9.2. Development Permit 30.14 – 1203 and 1207 Harold Road 7 Unit

Townhouse

File No. 08.3060.20/030.14

MOVED by Councillor HICKS

SECONDED by Councillor BASSAM

THAT Development Permit 30.14, for a 7 unit townhouse project at 1203 and 1205 Harold Road, is ISSUED.

CARRIED

9.3. Bylaws 8101, 8102 and 8112: 1241-1289 East 27th Street – Mountain Court

File No. 08.3060.20/048.14

MOVED by Councillor BASSAM

SECONDED by Councillor HICKS

THAT "District of North Vancouver Rezoning Bylaw 1324 (Bylaw 8101)" is ADOPTED;

AND THAT "Housing Agreement Bylaw 8102, 2014 (1200 Block East 27th St.)" is ADOPTED;

AND THAT "Housing Agreement Bylaw 8112, 2015 (1200 Block East 27th St.)" is ADOPTED.

CARRIED

Opposed: Councillors MACKAY-DUNN and MURI

- 9.4. Development Permit 48.14 – 1241-1289 East 27th St – Mountain Court Phase 1**
File No. 08.3060.20/048.14

MOVED by Councillor BASSAM
SECONDED by Councillor BOND

THAT Development Permit 48.14, for two buildings on the east side of the Mountain Court project (phase one) at 1241-1289 East 27th Street, is ISSUED.

CARRIED

MOVED by Councillor MURI
SECONDED by Councillor MACKAY-DUNN

THAT staff report back on the details of the Tenant Compensation and Relocation Program as outlined in the October 29, 2015 report of the Community Planner entitled Development Permit 48.14 – 1241-1289 East 27th St – Mountain Court Phase 1;

AND THAT staff identify existing money for the Tenant Compensation and Relocation Program for the Branches development.

CARRIED

- 9.5. Bylaw 8149 (Rezoning Bylaw 1337) & Bylaw 8150 (Housing Agreement Bylaw): 14 Unit Townhouse Development at 115 & 123 West Queens Road**
File No. 08.3060.20/033.15

MOVED by Councillor BASSAM
SECONDED by Councillor BOND

THAT "The District of North Vancouver Rezoning Bylaw 1337 (Bylaw 8149)," which amends the Zoning Bylaw to rezone the properties at 115 and 123 West Queens Road from Single-Family Residential 6000 Zone (RS4) to Comprehensive Development Zone 89 (CD89) to permit a 14 unit townhouse project, is given FIRST Reading;

THAT "The District of North Vancouver Rezoning Bylaw 1337 (Bylaw 8149)" is referred to a Public Hearing;

AND THAT "Housing Agreement Bylaw 8150, 2015 (115 and 123 West Queens Road)," which authorizes a Housing Agreement to prevent future rental restrictions, is given FIRST Reading.

CARRIED

Opposed: Councillors MACKAY-DUNN and MURI

9.6. Development Variance Permit 53.14 – 170 East Osborne Road
File No. 08.3060.20/053.14

Public Input:

Ms. Elizabeth Gowan, 170 Block East Carrisbrooke Road:

- Spoke in opposition to the proposed subdivision;
- Expressed concern that the main vehicular access to the back lot will be via a narrow lane; and,
- Opined that the quality of the neighbourhood will be affected.

Mr. Doug Johnson, 900 Block West 3rd Avenue:

- Noted that he is the project architect;
- Commented that meetings with neighbours had produced changes to the project and earned neighbourhood support;
- Noted that a covenant will be required to ensure views are maintained; and,
- Opined that the proposed development fits within the character of the neighbourhood.

MOVED by Councillor BOND

SECONDED by Mayor WALTON

THAT Development Variance Permit 53.14, to enable subdivision of 170 East Osborne Road, is ISSUED.

DEFEATED

Opposed: Councillors BASSAM, HANSON, MACKAY-DUNN and MURI

9.7. Development Variance Permit 34.15 – 3623 Sunnycrest Drive
File No. 08.3060.20/034.15

Public Input:

Ms. Megan Smith, 3600 Block Sunnycrest Drive:

- Advised that her house is on the North Shore Heritage Registry;
- Commented on the compact and unusual layout of the house; and,
- Noted that the adjacent neighbours are supportive of the proposed addition.

MOVED by Councillor MURI

SECONDED by Councillor BASSAM

THAT Development Variance Permit 34.15, to allow for an addition to the existing house at 3623 Sunnycrest Drive, is ISSUED.

CARRIED

9.8. North Shore Operation Red Nose
File No.

MOVED by Councillor MURI
SECONDED by Councillor BASSAM

THAT the October 22, 2015 report from the Mayor entitled North Shore Operation Red Nose be received for information.

CARRIED

9.9. Zoning Bylaw Amendments Re: Height Exceptions for Industrial Structures and EZ-I Zone Industrial Development Regulations

File No. 06.2210.01/000.000

MOVED by Councillor MURI
SECONDED by Councillor MACKAY-DUNN

THAT

1. Council direct staff to prepare a bylaw to amend the zoning bylaw to address negative impacts to views resulting from industrial development on the waterfront, and in particular, to:
 - a. Remove the height exemption in section 407 for bulkheads, tanks and bunkers, chimney and smoke stacks, permanent cranes, grain elevators and gas holders; and,
 - b. Introduce regulations in the Employment Zone – Industrial (EZ-I) Zone relating to building orientation, the depth and width of buildings and structures, and, building coverage.
2. Staff submit to Council, any complete building permit application received on or after November 17, 2015 for any lot that is zoned EZ-I and is on, or within 250 meters of, the foreshore of Burrard Inlet that staff consider are in conflict with the bylaw under preparation, for consideration of a resolution that the building permit or business licence be withheld for 30 days under Section 929 of the *Local Government Act*.

CARRIED

Opposed: Councillor BASSAM

10. REPORTS

10.1. Mayor

Mayor Walton reported on his attendance at the 2015 Fans Distinguished Artist Awards.

10.2. Chief Administrative Officer

Nil

10.3. Councillors

Councillor Hicks reported on his attendance at the Business Excellence Awards hosted by the North Vancouver Chamber of Commerce.

10.4. Metro Vancouver Committee Appointees

Nil

11. ANY OTHER BUSINESS

Nil

12. ADJOURNMENT


MOVED by Councillor MURI

SECONDED by Councillor MACKAY-DUNN

THAT the November 9, 2015 Regular Meeting of Council for the District of North Vancouver be adjourned.

CARRIED
(9:22 pm)

Mayor



Municipal Clerk



DISTRICT OF NORTH VANCOUVER REGULAR MEETING OF COUNCIL

Minutes of the Regular Meeting of the Council for the District of North Vancouver held at 7:01 pm on Monday, March 27, 2017 in the Council Chambers of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

Present: Mayor R. Walton
Councillor R. Bassam
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. J. Paton, Manager – Development Planning
Ms. C. Archer, Confidential Council Clerk

1. ADOPTION OF THE AGENDA

1.1. March 27, 2017 Regular Meeting Agenda

MOVED by Councillor BOND

SECONDED by Councillor MURI

THAT the agenda for the March 27, 2017 Regular Meeting of Council for the District of North Vancouver is adopted as circulated.

CARRIED

2. PUBLIC INPUT

2.1. Mr. Bruce R. Lindsay, 4100 Block St. Pauls Avenue:

- Spoke in opposition to allowing backyard hens in the District;
- Commented on health and safety concerns, including the risk of avian flu, attracting predators to residential areas, and noise and smell; and,
- Commented on the abandonment of hens in other jurisdictions.

2.2. Mr. John Harvey, 1900 Block Cedar Village Crescent:

- Spoke regarding the North Vancouver Bus Depot;
- Commented on notice provided to the public for North Vancouver Community Policing Committee meetings; and,
- Provided an update on an RCMP conduct investigation.

2.3. Mr. John Miller, 1600 Block Tatlow Avenue:

- Spoke in support of item 9.6; and,
- Expressed concern about the materials changes made by the Advisory Design Panel after the public input meeting.

3. PROCLAMATIONS

Nil

4. RECOGNITIONS

Nil

5. DELEGATIONS

5.1. Mary Ellen Schaafsma, United Way of the Lower Mainland

Re: North Shore Community Profile

Ms. Mary Ellen Schaafsma, Director, Social Innovation & Research, United Way of the Lower Mainland, provided an overview of the North Shore Community Profile, highlighting population, economic and social indicators. Ms. Schaafsma noted the District has the highest proportion of families with children and the highest proportion of single-family residences of the three North Shore municipalities, as well as the lowest percentage immigrant population. Of particular concern is the 0.5% overall rental vacancy rate and 0% vacancy rate for units with three or more bedrooms.

MOVED by Councillor BASSAM

SECONDED by Councillor MACKAY-DUNN

THAT the delegation of United Way of the Lower Mainland is received.

CARRIED

6. ADOPTION OF MINUTES

6.1. March 6, 2017 Regular Council Meeting

MOVED by Councillor MURI

SECONDED by Councillor BASSAM

THAT the minutes of the March 6, 2017 Regular Council meeting are adopted.

CARRIED

7. RELEASE OF CLOSED MEETING DECISIONS

Nil

8. COUNCIL WORKSHOP REPORT

Nil

9. REPORTS FROM COUNCIL OR STAFF

With the consent of Council, Mayor Walton varied the agenda as follows:

9.5 Bylaws 8192 and 8193: 1503-1519 Crown Street File No. 08.3060.20/014.16

MOVED by Councillor BASSAM
SECONDED by Councillor HICKS

THAT "The District of North Vancouver Rezoning Bylaw 1345 (Bylaw 8192)" is ADOPTED;

AND THAT "Housing Agreement Bylaw 8193, 2016 (1503-1519 Crown Street)" is ADOPTED.

CARRIED

Opposed: Councillor MURI

9.6 Development Permit 37.16: 1700 Marine Drive File No. 08.3060.20/037.16

Public Input:

Mr. Jehan Elizeh, 700 Block Marine Drive:

- Advised he is the developer for the project; and,
- Commented on the design of the building.

MOVED by Councillor BASSAM
SECONDED by Councillor HICKS

THAT Development Permit 37.16, to allow a 33-unit mixed-use development at 1700 Marine Drive, is ISSUED.

CARRIED

9.7 Bylaw 8158 – Zoning Bylaw Text Amendments for Industrial Buildings and Structures File No. 08.3060.20/044.15

MOVED by Councillor MURI
SECONDED by Mayor WALTON

THAT staff is directed to proceed with public consultation as detailed in the March 10, 2017 report of the Development Planner entitled Bylaw 8158 – Zoning Bylaw Text Amendments for Industrial Buildings and Structures.

CARRIED

Councillor BOND declared a potential conflict of interest in the following item due to his employment with the Ministry of Transportation and Infrastructure. He left the meeting at 7:43pm.

9.8 Park Dedication Removal Bylaw 8206, 2016 (Portions of Keith-Lynn and Lynn Canyon Parks) – Alternative Approval Process Results and Adoption
File No. 01.0115.30/002/000

MOVED by Councillor MURI

SECONDED by Councillor BASSAM

THAT "Park Dedication Removal Bylaw 8206, 2016" is ADOPTED.

CARRIED

Absent for Vote: Councillor BOND

Councillor BOND returned to the meeting at 7:44 pm.

9.9 North Shore Municipal Transportation Committee
File No. 16.8620.01/021.000

MOVED by Councillor MURI

SECONDED by Councillor BASSAM

THAT Council endorse the creation of a North Shore Staff transportation committee;

AND THAT the new Committee is directed to report back to Council with a recommended list of joint North Shore transportation priorities.

CARRIED

9.10 North Vancouver Community Arts Council Request for Funding – North Shore Cultural Mapping Project
File No. 05.1930/Grants and Sponsorships/2017

Public Input:

Ms. Nancy Cottingham Powell, 300 Block Lonsdale Avenue:

- Noted that she is the Executive Director of the North Vancouver Community Arts Council;
- Commented on the economic and social impacts of project; and,
- Advised that federal grants could cover 50 to 75 percent of the overall project costs.

MOVED by Mayor WALTON

SECONDED by Councillor MURI

THAT the request for \$5,000 from the North Vancouver Community Arts Council, as detailed in the March 17, 2017 report of the Acting General Manager, Finance & Technology, entitled North Vancouver Community Arts Council Request for Funding – North Shore Cultural Mapping Project, is approved.

CARRIED

Opposed: Councillors BASSAM, HICKS and MACKAY-DUNN

9.4 Bylaws 8197 and 8198: 858, 854 & Lot 5 Orwell Street and 855 Premier Street
File No. 08.3060.20/050.15

MOVED by Councillor BASSAM

SECONDED by Councillor MACKAY-DUNN

THAT "The District of North Vancouver Rezoning Bylaw 1346 (Bylaw 8197)" is given SECOND and THIRD Readings;

AND THAT "Housing Agreement Bylaw 8198, 2016 (858, 854 + Lot 5 Orwell St. and 855 Premier St.)" is given SECOND and THIRD Readings.

CARRIED

Opposed: HANSON and MURI

9.3 Bylaws 8219, 8220 and 8221: OCP Amendment, Rezoning, and Housing Agreement: Townhouse Development at 1946-1998 Glenaire Drive
File No. 08.3060.20/044.16

Public Input:

Mr. Robert Cadez, 1000 Block West Georgia Street:

- Advised he is the applicant for the project;
- Commented on the family-oriented design of the building; and,
- Noted that developers of all the proposed projects in the area are collaborating on utility upgrades and construction management plans.

MOVED by Councillor BASSAM

SECONDED by Councillor HICKS

THAT the "District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8219, 2017 (Amendment 23)" to amend the Official Community Plan (OCP) from "Residential Level 2: Detached Residential" (RES2) to "Residential Level 4: Transition Multifamily" (RES4) is given FIRST reading;

AND THAT the "District of North Vancouver Rezoning Bylaw 1350 (Bylaw 8220)" to rezone the properties at 1946, 1958, 1970, 1984 and 1998 Glenaire Drive from "Single-Family Residential 7200 Zone" (RS3) to "Comprehensive Development Zone 100" (CD100) is given FIRST reading;

AND THAT "Housing Agreement Bylaw 8221, 2017 (1946-1998 Glenaire Drive) is given FIRST reading;

AND THAT pursuant to Section 475 and Section 476 of the Local Government Act, additional consultation is not required beyond that already undertaken with respect to Bylaw 8219;

AND THAT in accordance with Section 477 of the Local Government Act, Council has considered Bylaw 8219 in conjunction with its Financial Plan and applicable Waste Management Plans;

AND THAT Bylaw 8219 and Bylaw 8220 are referred to a Public Hearing.

CARRIED

Opposed: Councillors HANSON and MURI

9.1 Reconsideration of Bylaw 8217: Zoning Bylaw Amendment re: Temporary Use Permits

File No. 08.3060.20/007.17

MOVED by Mayor WALTON

SECONDED by Councillor HANSON

THAT "The District of North Vancouver Rezoning Bylaw 1349 (Bylaw 8217)" is given FIRST Reading;

AND THAT Bylaw 8217 is referred to a Public Hearing.

CARRIED

Opposed: Councillors BASSAM and BOND

9.2 Bylaw 8144: Development Procedures Bylaw

File No. 08.3060.20/007.17

MOVED by Councillor MURI

SECONDED by Councillor HANSON

THAT "Development Procedures Bylaw 8144, 2017" is given FIRST Reading.

CARRIED

10. REPORTS

10.1. Mayor

Nil

10.2. Chief Administrative Officer

Nil

10.3. Councillors

- 10.3.1.** Councillor Hicks reported on the replacement of the Lions Gate sewage treatment plant to be completed in 2020.

10.4. Metro Vancouver Committee Appointees

10.4.1. Aboriginal Relations Committee – Councillor Hanson

Nil

10.4.2. Housing Committee – Councillor MacKay-Dunn

Nil

10.4.3. Regional Parks Committee – Councillor Muri

Nil

10.4.4. Utilities Committee – Councillor Hicks

Nil

10.4.5. Zero Waste Committee – Councillor Bassam

Nil

10.4.6. Mayors Council – TransLink – Mayor Walton

Nil

11. ANY OTHER BUSINESS

Nil

12. ADJOURNMENT

MOVED by Councillor MACKAY-DUNN

SECONDED by Councillor BOND

THAT the March 27, 2017 Regular Meeting of Council for the District of North Vancouver is adjourned.

CARRIED
(9:03 pm)

Mayor



Municipal Clerk

