

AGENDA

PUBLIC HEARING

Tuesday, October 8, 2019

7:00 p.m.

**Council Chamber, Municipal Hall
355 West Queens Road,
North Vancouver, BC**

Council Members:

Mayor Mike Little

Councillor Jordan Back

Councillor Mathew Bond

Councillor Megan Curren

Councillor Betty Forbes

Councillor Jim Hanson

Councillor Lisa Muri



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PUBLIC HEARING

**7:00 p.m.
Tuesday, October 8, 2019
Municipal Hall, Council Chambers
355 West Queens Road, North Vancouver**

AGENDA

**909 Clements Avenue
Zoning Bylaw Text Amendment**

- 1. OPENING BY THE MAYOR**
- 2. INTRODUCTION OF BYLAW BY CLERK**

District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396)

Purpose of Bylaw:

Bylaw 8396 proposes to amend the District's Zoning Bylaw by establishing specific lot size regulations for the subject property to allow a two lot subdivision.

- 3. PRESENTATION BY STAFF**
- 4. REPRESENTATIONS FROM THE PUBLIC**
- 5. QUESTIONS FROM COUNCIL**
- 6. COUNCIL RESOLUTION**

Recommendation:

THAT the October 8, 2019 Public Hearing be closed;

AND THAT "District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396)" be returned to Council for further consideration.

- 7. CLOSING**

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Sept. 9, 2019</u>
<input type="checkbox"/> Other:	Date: _____



The District of North Vancouver REPORT TO COUNCIL

August 29, 2019
File: 08.3060.20/062.18

AUTHOR: Robyn Hay, Development Planner

SUBJECT: Bylaw 8396 - Rezoning for a two lot subdivision at 909 Clements Avenue

RECOMMENDATION:

THAT the "District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396)" to amend the District of North Vancouver Zoning Bylaw be given FIRST reading;

AND THAT the "District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396)" is referred to a Public Hearing.

REASON FOR REPORT:

The proposed subdivision requires an amendment to the Zoning Bylaw to establish specific lot size regulations for the subject property.

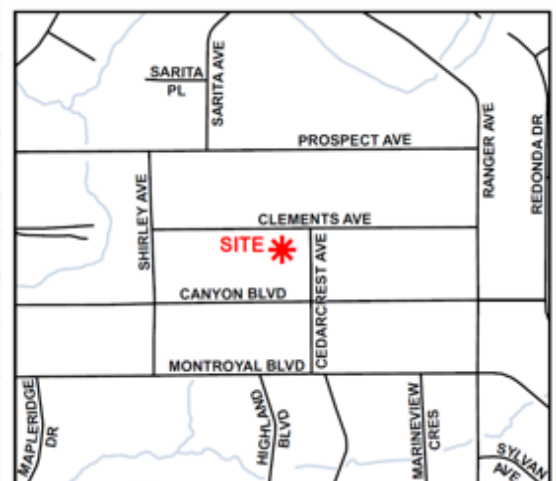
SUMMARY:

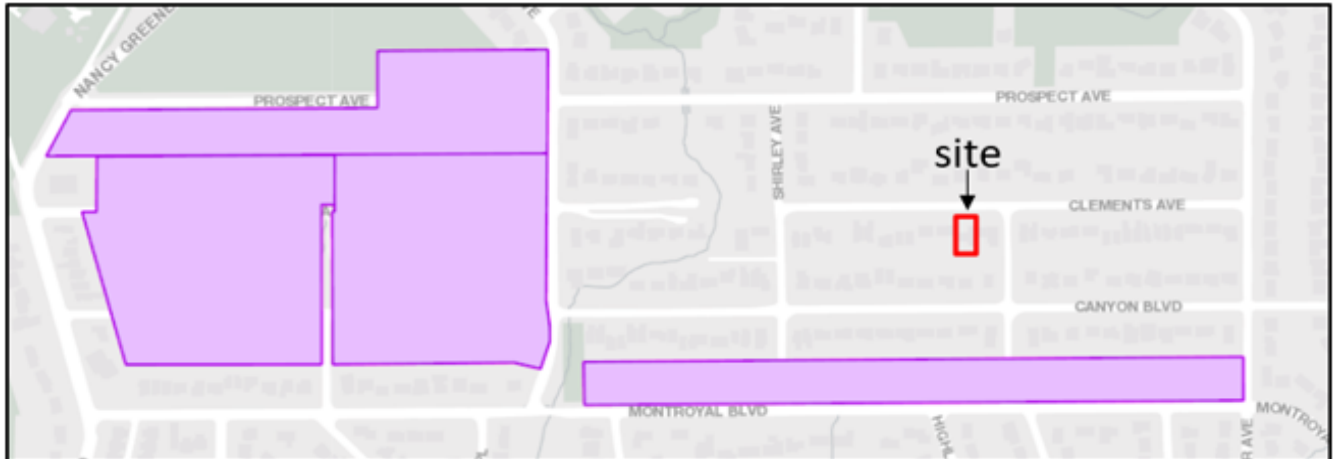
The applicant proposes to subdivide the property located at 909 Clemens Avenue into two single family lots, each 10 m (33 ft.) in width. As the resulting lots do not meet minimum area and width requirements of the Single Family Residential 7200 Zone (RS3), a rezoning (Bylaw 8396) is required to amend the table in Section 310 (Special Minimum Lot Sizes) of the Zoning Bylaw.

BACKGROUND:

The subject property is designated Residential Level 2: Detached Residential (RES2) in the Official Community Plan which allows for detached housing with secondary suites.

The subject site is not within a SLIA. See the map on the following page showing the location of nearby SLIAs.





Map – SLIAs outlined in pink

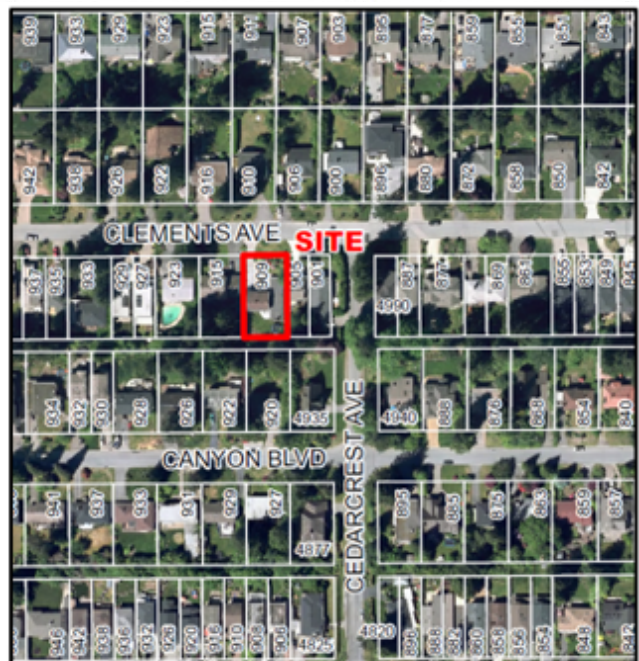
ANALYSIS:

Site and Surrounding Area

The site and surrounding lots are zoned Single Family Residential 7200 Zone (RS3) as seen in the below context map. The property slopes down by approximately 1.85 m (6.1 ft.) from north to south towards an unopened lane at the rear of the property. The site is not within any Development Permit Areas.



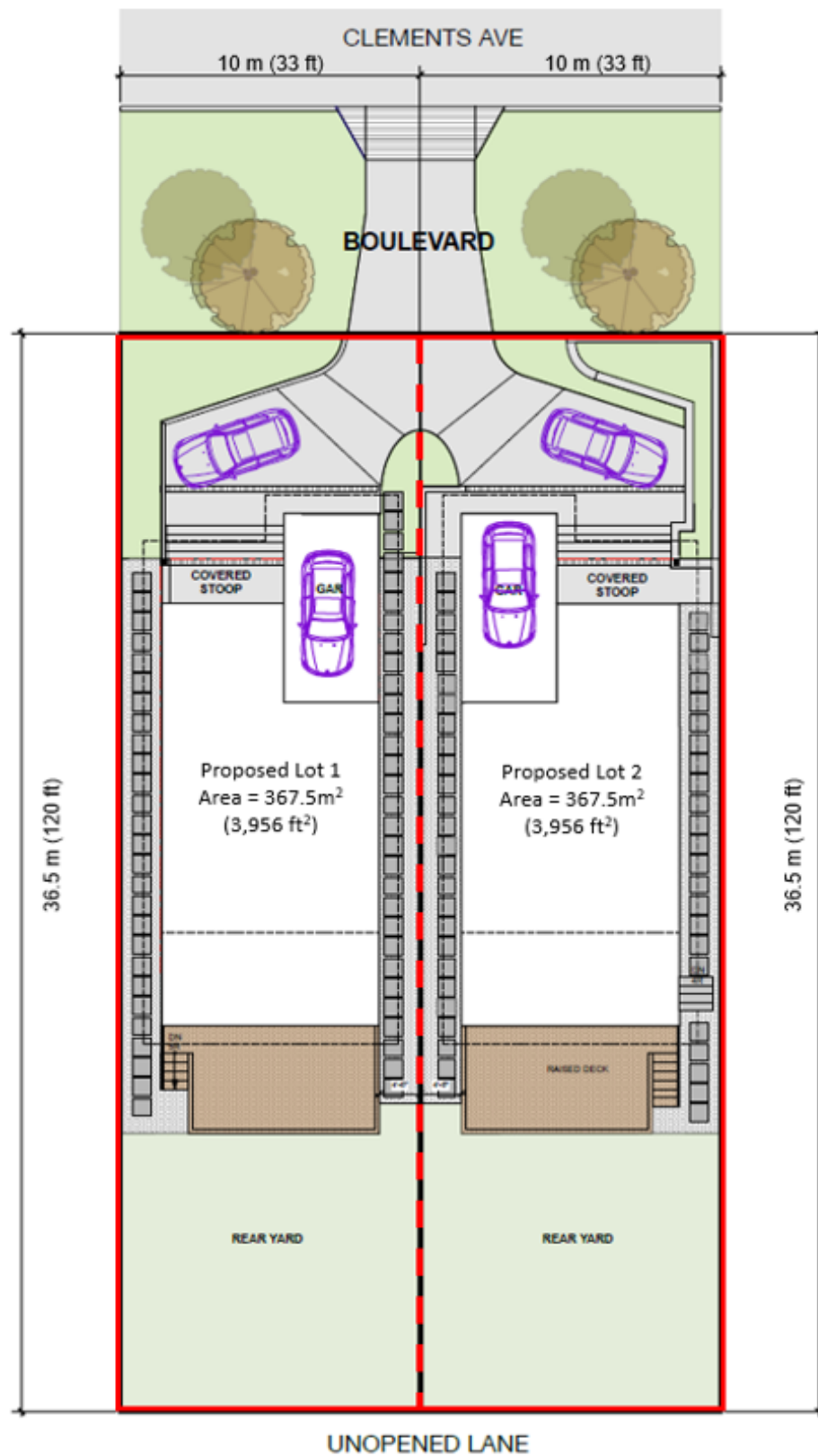
Context Map



Air Photo

Subdivision Proposal

The subdivision plan on the next page illustrates the proposed subdivision and indicative locations for the houses and parking arrangement.



Proposed Subdivision Plan

Zoning

The property is currently zoned Single Family Residential 7200 Zone (RS3).

	RS3 ZONE REQUIREMENTS	PROPOSED LOTS
Lot Width	18 m (59 ft.)	10 m (33 ft.)
Lot Depth	34 m (111.5 ft.)	36.5 m (120 ft.)
Lot Area	660 m ² (7,104 sq.ft.)	367.5 m ² (3,956 sq.ft.)

As indicated in the above table, the proposed lots do not comply with the RS3 zone minimum lot area and width requirements outside of an adopted SLIA. To proceed with this proposal, Section 310 (Special Minimum Lot Size Regulations) of the Zoning Bylaw will need to be amended to establish specific minimum lot size regulations for this site. It is standard practice to include proposed narrow lots in the special minimum lot size table in order to retain consistent zoning in a neighbourhood.

Parking and Access

Access to the lots is proposed via a shared driveway from Clements Avenue in order to maximize on street parking along the frontage. Opening of the rear laneway was explored by District staff however, it was considered impractical given grading issues and the abundance of mature vegetation.

Two parking spots are proposed on each lot in a non-tandem arrangement. If rezoning is successful, a shared access easement will be registered on the title of each lot to allow turning movements on each other's driveways. Auto-turn analysis confirms that vehicles can manoeuvre on site in order to exit in a forward-facing direction.

Approving Officer's Best Practices

According to the Approving Officer's Best Practices, if 50% or more of the block face is developed as small lots (i.e. 13.875 m (45 ft.) or less in width), consideration can be given to a small lot subdivision on that block face. On the Clements Avenue block face between Shirley Avenue (to the west) and Cedarcrest Avenue (to the east) eight of the 14 properties (57%) are small lots.

If rezoning is successful, a covenant will be required prohibiting secondary suites in the new houses because there is no rear lane access. The covenant would also prohibit exterior basement access to prevent basements being unlawfully converted to secondary suites. An additional covenant will be required ensuring the new houses have unique designs. Both covenants are in accordance with the Approving Officer's Best Practices.

Development Engineering

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

Tree Removal and Replanting

An Arborist Report prepared by Burley Boys Tree Services dated July 5, 2018 identified two trees on or near the property for assessment. All other trees/shrubs are undersized in accordance with the Tree Protection Bylaw and were not included in the report. The District Arborist has reviewed the arborist report submitted with the application and deemed the report as a fair assessment of the tree resources and general impact of the proposed development.

The "Stewartia" tree (deciduous camellia) located on the District boulevard is the only tree proposed to be removed, as it conflicts with the location of the proposed driveway. Two replacement boulevard trees will be required to be planted in accordance with the District's Tree Protection Bylaw.

The hemlock tree in the unopened lane at the rear will be protected during construction. The applicant will be required to submit a tree protection plan at the Building Permit stage.

Public Input:

A notification letter was sent to the owners/occupants within a 75 m radius of the site as per the Development Procedures Bylaw. Six responses were received: three were in support based on perceived increased affordability of smaller homes and compliance with the Approving Officer's Best Practices and three were opposed based on street parking concerns, increased density, and perceived unfairness that all the 'large' lots in the neighbourhood are not eligible for subdivision. Staff acknowledged all input and offered to answer any questions.

Conclusion:

The proposed Zoning Bylaw amendment will allow the District's Approving Officer to consider subdivision of the subject property to create two lots in a block of mixed lot sizes. Subject to the required covenants (no secondary suite / no exterior basement access and unique housing design) the subdivision is consistent with the Approving Officer's Best Practices. The proposal is now ready for Council's consideration.

Options:

The following options are available for Council's consideration:

1. Provide First Reading to District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396) and refer the bylaw to a Public Hearing (staff recommendation); or,
2. Defeat District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396) at First Reading and thereby defeat the subdivision proposal.

Respectfully submitted,

RHay

Robyn Hay
Development Planner

Attachment:

- A. District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396)

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	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Real Estate	_____		

The Corporation of the District of North Vancouver

Bylaw 8396

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

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1. This bylaw may be cited as “District of North Vancouver Rezoning Bylaw 1387 (Bylaw 8396)”.

Amendments

2. District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:
 - a. Part 3A Subdivision regulations is amended by adding a new row at the end of the table in Section 310 Special Minimum Lot Sizes as follows:

(ab) Lot C, Block 4, District Lot 594, Plan 3670	909 Clements Avenue	367 m ²	10 m	37 m
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READ a first time September 9th, 2019

PUBLIC HEARING held

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

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PUBLIC HEARING

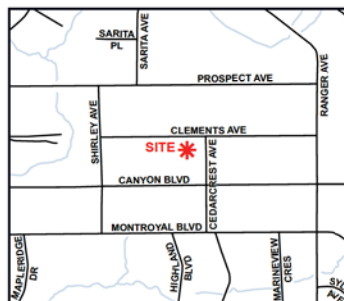
909 Clements Avenue

ZONING BYLAW TEXT AMENDMENT

What: A Public Hearing for Bylaw 8396, a proposed text amendment to the Zoning Bylaw, to establish specific lot size regulations for the subject property to allow a two lot subdivision.

When: 7 pm, Tuesday, October 8, 2019.

Where: Council Chambers, District of North Vancouver Municipal Hall, 355 West Queens Road, North Vancouver, BC



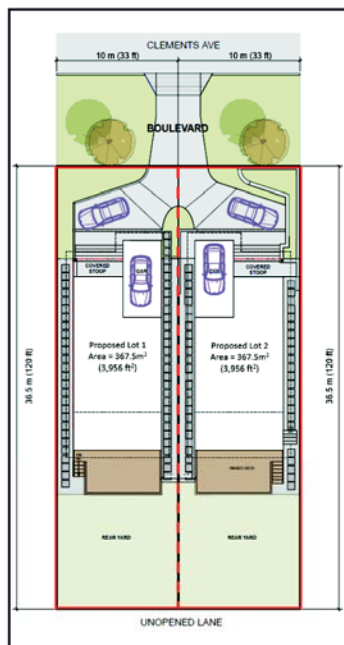
What changes?

Bylaw 8396 proposes to amend the District's Zoning Bylaw to by adding a special minimum lot size regulation for the subject property.

When can I speak?

We welcome your input Tuesday, October 8, 2019, at 7 pm. You can speak in person by signing up at the hearing, or you can provide a written submission to the Municipal Clerk at input@dnv.org or by mail to Municipal Clerk, District of North Vancouver, 355 West Queens Road, North Vancouver, BC, V7N 4N5, before the conclusion of the hearing.

Please note that Council may not receive further submissions from the public concerning this application after the conclusion of the public hearing.



*proposed subdivision

Need more info?

Relevant background material and copies of the bylaws are available for review at the Municipal Clerk's Office or online at DNV.org/public_hearing from September 24 to October 8, 2019. Office hours are Monday to Friday 8 am to 4:30 pm, except statutory holidays.

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