

**From:** Bill Curtis <[billcurtisdesign@gmail.com](mailto:billcurtisdesign@gmail.com)>

**Sent:** December 22, 2020 9:50 AM

**To:** Building <[building@dnv.org](mailto:building@dnv.org)>

**Subject:** Re: District of North Vancouver - Single Family Regulations letter to consultants and contractors

Thank you for asking me my opinion.

I am in support of the provision to allow retaining wall heights to exceed 4' in height when contained within the volume of the lot. I am not in support of reducing the height of retaining walls on property lines from 4' to 3' in height.

Considering the unchanged definitions of maximum eave height and lower floor net area calculations this proposal is counterproductive when considering an intent of reducing visible building bulk. Nor am I in support of reducing the exposed wall plane envelope from 45 to 35 degrees.

This may appear to work in a front or rear yard but it is difficult when applied to side yards. In my view, the 45 degree envelope is very effective and simple.

Applying a limit to accessory wall "retaining wall" heights is problematic too. If implemented It will most likely create an added load to the variance process with added applications.

Thanks again, and Merry Christmas,  
Bill Curtis



**Bill Curtis**  
Designer  
Bill Curtis & Associates Design Ltd.

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A Suite 500, 224 West Esplanade  
North Vancouver, B.C. V7M 3M6  
P (604) 986-4550  
F: (604) 986-4555  
E [billcurtisdesign@gmail.com](mailto:billcurtisdesign@gmail.com)

W [www.billcurtishomedesign.com](http://www.billcurtishomedesign.com)



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January 7<sup>th</sup>, 2021

Re: Proposed Changes to Single Family Regulations – Retaining Walls and Accessory Buildings and Structures

To Brett Dwyer,

Thank you for including us in the Proposed changes to the bylaws, below you will find our comments on the proposed changes.

**Retaining Walls:**

**DNV Proposal:**

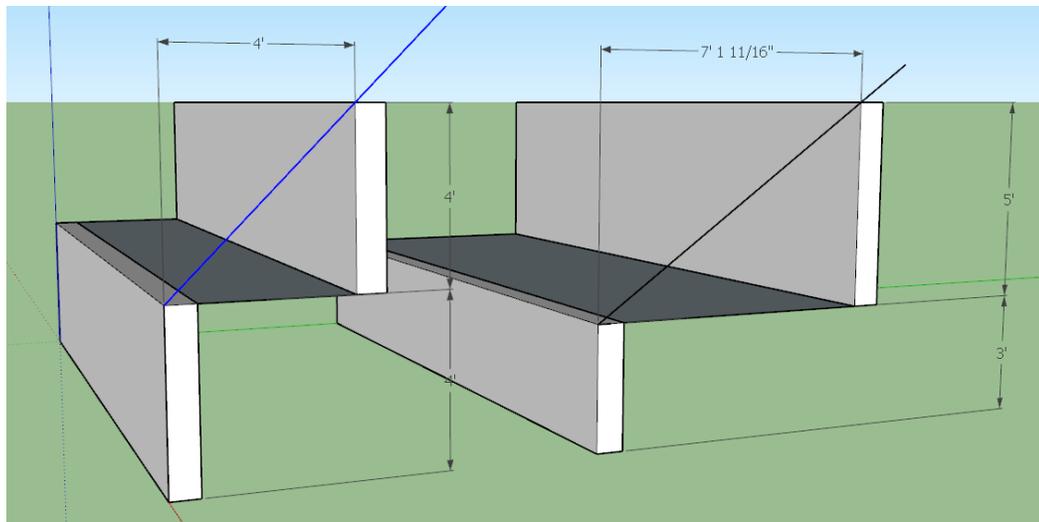
The District is proposing to amend the Zoning Bylaw to limit the first retaining wall in a required setback to 3 ft. in height with subsequent retaining walls to be contained within a height plane of 35° and to a maximum height of 8 ft. This proposed regulation would result in a lower first retaining wall and lower secondary retaining walls setback further from adjacent property lines.

**Synthesis Response:**

While we applaud the DNV’s aim at reducing heights of retaining walls especially on steep slope sites, the response by reducing the angle down to 35° and reducing the maximum height to 8’ will seriously impede in the usability of the site.

Existing setbacks within the DNV are already stringent and reduce buildable areas of houses significantly. By adding even more stringent controls on the heights of retaining walls, we will be adding additional stress on developers and property owners on steep slope sites due to the reduced yard space. Coupled with the fact that we typically use stepped retaining walls to retain grade to establish usable yard space for the homeowner, the changing of this bylaw has the potential of creating sub-standard yard space.

A quick example of the changes that are proposed for a simple retaining wall aiming to retain up to 8’ of grading:



*Figure 1: 45 degree angle on left / 35 degree angle on right*

To ensure we can retain 8’ of grading, instead of only setting the 2<sup>nd</sup> retaining wall 4’ away from the property line such as shown on the left, we would now have to setback the 2<sup>nd</sup> retaining wall over 7’ away from the Property Line, an increase of 56%. An additional

consideration with this; the space between the 2 retaining walls is typically difficult to access and unusable for yard space, thus increase unusable yard space without providing any additional benefits.

Our recommendation is to the leave the bylaw as is.

**Accessory Structures:**

**DNV Proposal:**

The District is proposing to amend the Zoning Bylaw to require accessory buildings and structures (including garages) to be measured from the floor level to the highest point of the building or structure, but in no case shall the floor level of the structure be more than 4 ft. above natural grade at any point.

**Synthesis Response:**

We understand that the intention of this change is to reduce the height of the accessory buildings in an aim to reduce the imposition of the buildings on neighbouring properties.

Our concern with this change is 3-fold, firstly, it has the potential to increase costs for simple accessory buildings. Secondly, it forces negative drainage towards the accessory buildings and finally, additional time/cost going through Board of Variances and Council.

As shown by the SketchUp provided, you have not only increased the concrete requirement towards the front and side of the accessory building, but there is also an increase in concrete requirement for the retaining walls leading up to the garage doors. This additional concrete has an affect on 2 proponents of the accessory building, cost, and access. By installing the concrete retaining walls, the turning circle access to the garage door is significantly affected especially if this was rear lane access only. An additional consideration is that to maintain that concrete curb, excavation for a footing will have to be completed which is not allowed to encroach into the rear lane (public property) further complicating the process.

By creating negative drainage towards the garage door, you are increasing the potential chances of water damage and drainage issues. Yes, to counteract water ingress at garage doors, a drainage grate is installed. One of the fundamental grading requirements of buildings, is to create positive drainage away from buildings to reduce the potential of water ingress. By creating bylaws that force buildings into the ground with negative slopes, you are increasing maintenance requirements and potential problems.

The Permitting process for Accessory buildings is already lengthy considering the simplicity of the building; by adding required Board of Variances or Council meetings, this not only adds additional municipal costs for clients, but it also exacerbates the timing for permits significantly by adding several weeks and months to the process. We applaud the concept of the Good Neighbourhood Program that has been envisaged by the North Shore municipalities, however, adding additional controls of accessory buildings by neighbour on neighbours will have negative affect on relationships.

Our recommendation is to the leave the bylaw as is.

Kind Regards,



James Stobie  
Director

**From:**

**To:**

**Subject:**

INPUT: Proposed Changes to Single Family Regulations Retaining Walls and Accessory Buildings and Structures

**Date:**

January 18, 2021 4:58:22 PM

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RE: Proposed Changes to Single Family Regulations – Retaining Walls and Accessory Buildings and Structures.

Dear Sir,

In my opinion the proposed changes make a lot of good sense in a safe and esthetic way.

But should the wall vertical angle be mentioned if regulated?

And would it be appropriate if the measurements be also in metric as it is an official document.

Thank you.

Mr. Gabriel Mazoret  
Lynn Valley Resident

**From:** [Erin MacNair](#)  
**To:** [DNV Input](#)  
**Subject:** jan 26 meeting  
**Date:** January 23, 2021 4:06:39 PM

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Hello council, Mayor Little,

I'd like to ask a question that may be pertinent to the needs of district taxpayers. I'm curious to know why free standing outbuildings and sheds cannot be erected with the intent of using them as a studio or office space. If the outbuilding in question conforms to the size and height requirements, why can't people use them as they like? Why must they only be for garden tools? I think there are a great many that would love a small space to work in, create art in, use as a reading getaway- whatever they need it for. So why the restrictions on use? Especially during Covid. Some don't have the luxury of an extra room in their house, but they might have an unused space in their backyard, away from neighbours, that would be the perfect place. I've always wondered why this is, and would love more input on the matter.

Thank you,  
Erin MacNair

**From:** [Barry Payne](#)  
**To:** [DNV Input](#)  
**Subject:** Proposed Bylaw 8472  
**Date:** January 24, 2021 2:51:35 PM

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I do not support adoption of this bylaw and I have summarised below a selection of multiple concerns:

- We reside in a challenging terrain where retaining walls are a reality.
- Staff identified some other areas have no bylaw at all and we should be providing home owners easier options not legislating more restrictive requirements
- As staff identified most applications for retaining walls are accompanied by professional design and we should not impact their creativity with these proposed restrictions
- These restrictions will reduce District tax revenue as new construction will have a reduction in built sq footage.
- These proposed regulations will result in many more variance applications and create more cost to our residents and increasing staff time to process.
- the photograph below demonstrates that under the proposed bylaw this retaining garden wall would in future require a variance!



I believe that the current bylaw covering retaining walls is sufficient and that the proposed bylaw demonstrates over regulation, and it's approval will not benefit either our residents or the District of North Vancouver

Sincerely yours,  
Barry R. Payne

North Vancouver

**From:** [Louise Simkin](#)  
**To:** [DNV Input](#)  
**Subject:** FW: Public Hearing final version by C. Kost for Jan 26  
**Date:** January 27, 2021 10:01:45 AM  
**Attachments:** [Comments on changes to Single Family Regulations -final.pdf](#)

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-----Original Message-----

From: Lydia Kost [REDACTED] >  
Sent: January 26, 2021 7:50 PM  
To: Mayor and Council - DNV <Council@dnv.org>  
Subject: Public Hearing final version by C. Kost for Jan 26

Your Worship & Members of Council,

Please see attached for final version.

Yours truly,  
Corrie Kost

# Comments on changes to Single Family Regulations

By Corrie Kost [REDACTED], North Vancouver –Public Hearing of Jan26/2021

## On Bylaw 8472 (1404) – Attachment C

- Not supportive of reducing the retaining walls on property lines from 4ft to 3ft in height, nor the change from 45 degrees to 35 degrees – especially for the side yards.

### Rationale:

- Many (number appears not to have been provided in staff reports) existing properties will become non-conforming.
- 45 degrees (1:1) is far easier to measure than 35 degrees (0.7:1)
- Yard space could be substantially reduced for lots on sloping terrain.

Please retain the existing bylaw as illustrated on page 16 of the council package **or** the option shown on page 17 section 2) leaving the side yard regulation unchanged. Alternatively, simply change the vertical dimension of 3ft to 4ft and 35 Degrees to 45 Degrees wherever it occurs in the proposed bylaw.

**If this change to 3ft is retained then I suggest more details be provided, in writing, to the public, that inform them that despite the new regulations they can repair and maintain the non-conforming walls without permits etc.**

## On Bylaw 8476 (1405) – Attachment D

Basically this bylaw changes the definition of “height” in Part 2 of Bylaw 3210.

**Why it does not show side-by-side comparison of this definition – before-after – with sample diagrams, is beyond me.**

For this case it turns out that the new definition is almost the same as before – except it added the phrase in red *“with respect to a building or structure in a single family residential zone the greatest vertical distance measured from the building height base line to the topmost part of the building or structure, except that in the case of an accessory building or structure it shall be the vertical distance measured from the floor level to the highest point of the building or structure **except in no case shall the floor level of the structure be more than 4 feet above natural grade at any point.**”*

## **On Bylaw 8473 (7325) (Nuisance Abatement) Attachment E**

### **Lighting:**

First I suggest we require all **regular** outdoor lighting to be set to be controlled by a **motion-sensor** at least 1 hr after sunset to 1 hour before sunrise.

*Amendments Part 2. (b) (a) Christmas or holiday lights between November 15 and January 15, Halloween lights between October 1 and November 7, provided such lighting is turned off by 11 :00 p.m. each day and remains off overnight until the following day;*

**The above should contain some phrase to relax this restriction for Christmas**

### **Noise:**

“Point of Reception” mentioned on pages 9&28 of council package (page 8&15 of staff report) was not defined. For example in CNV<sup>(1)</sup> (section 201.29) it is defined typically as *“for residential uses any place on individual residential premises where sound originating from any source, other than a source of the same individual residential premises, is received”*

(1) <https://www.cnv.org/-/media/city-of-north-vancouver/documents/bylaws/consolidated/5819-c.ashx>

## **On Bylaw 8474 (7458) (Nuisance Abatement – Fines) Attachment F**

The table of fines published on page 56 of the council package (First page of Attachment F) is basically a repeat of those on page 53 of the council package (page 2 of Attachment E) of the list of fines published in Bylaw 8473 – except they are not quite the same!

For example the fine for “Causing a nuisance” is \$300 in Bylaw 8473 but is \$200 in Bylaw 8474. I suggest the list of fines occur in only one place.