

**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

**4320 Prospect Road
Zoning Bylaw Amendments**

REPORT of the Public Hearing held on Tuesday, November 16, 2021 commencing at 7:02 p.m. 2021 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

Present: Acting Mayor J. Back
Councillor M. Bond
Councillor M. Curren (via Zoom)
Councillor B. Forbes (via Zoom)
Councillor J. Hanson

Absent: Mayor M. Little
Councillor L. Muri

Staff: Mr. D. Milburn, General Manager – Planning, Properties & Permits
Ms. J. Paton, Assistant General Manager - Planning
Mr. J. Gordon, Manager – Administrative Services
Mr. D. Veres, Senior Development Planner
Ms. A. Reiher, Council Liaison / Support Officer
Mr. A. Norton, Development Planner
Ms. C. Archer, Confidential Council Clerk
Ms. H. Adams, Planning Assistant
Ms. K. Hebron, Committee Clerk

1. OPENING BY THE MAYOR

Acting Mayor Back welcomed everyone and advised that the purpose of the Public Hearing was to receive input from the community and staff on the proposed bylaws as outlined in the Notice of Public Hearing.

He further noted that this Public Hearing is being convened pursuant to Section 464 of the *Local Government Act*.

Acting Mayor Back stated that:

- Council will use the established speakers list. At the end of the speakers list, the Chair may call on speakers from the audience;
- Each speaker will have five minutes to address Council for a first time and should begin remarks to Council by stating their name;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute presentation;
- Any additional presentations will only be allowed at the discretion of the Chair;
- Please do not repeat information from your previous presentations and ensure your comments remain focused on the bylaws under consideration this evening;

- If a written submission has been provided, there is no need to read it as it will have already been seen by Council. It can be summarized, ensuring that the comments are pertaining to the bylaw under consideration at this hearing;
- All members of the audience are asked to be respectful of one another as diverse opinions are expressed. Council wishes to hear everyone's views in an open and impartial forum;
- Council is here to listen to the public, not to debate the merits of the bylaw;
- Council may ask clarifying questions;
- The Municipal Clerk has a binder containing documents and submissions related to the bylaw, which Council has received and which members of the public are welcome to review, available online at DNV.org/agenda;
- Everyone at the hearing will be provided an opportunity to speak. If necessary, the hearing will continue on a second night;
- At the conclusion of the public input Council may request further information from staff, which may or may not require an extension of the hearing, or Council may close the hearing, after which Council should not receive further new information from the public; and,
- The Public Hearing is being streamed live over the internet and recorded in accordance with the *Freedom of Information and Protection of Privacy Act*.

2. INTRODUCTION OF BYLAW BY CLERK

Mr. James Gordon, Municipal Clerk, introduced the proposed bylaw, stating that Bylaw 8524 proposes to amend the District's Zoning Bylaw by rezoning the subject site from Single Family Residential One Acre Zone (RS1) to Single Family Residential 7200 Zone (RS3) to establish specific lot size requirements for a proposed two-lot subdivision.

3. PRESENTATION BY STAFF

Ms. Holly Adams, Planning Assistant, provided an overview of the proposal elaborating on the introduction by the Municipal Clerk. Ms. Adams advised that:

- The proposal is for a rezoning to allow for consideration of a two-lot subdivision;
- The site is located in the Upper Delbrook neighbourhood, on the east side of Prospect Road, sloping downward to Prospect Road;
- St. Alban's Park is located to the east and north of the subject property;
- The site is in a Wildfire Development Permit Area;
- The application is consistent with the current Official Community Plan (OCP) designation of Residential Level 2 (RES2);
- The North Lonsdale – Delbrook Reference Policy Document allows large lots in this block to be considered for rezoning to RS2 or RS3, and for subdivision of the lots to be initiated by owners;
- The applicant is requesting a reduction in the minimum lot width below that which is permitted in the RS3 Zone;
- The proposed lot width is 15.84 metres, which is 2.16 metres below the minimum lot width for the RS3 Zone;
- The lots are 45.72 metres in depth, which exceeds the minimum lot depth requirements for the RS3 Zone by 11.72 metres;

- A special minimum lot size would be required to be added to the Zoning Bylaw for this site to allow the proposed subdivision;
- If approved, the new lots would measure 724 square metres in area, which exceeds the minimum required size by 64 square metres;
- The proposed lots would be a similar size to those previously subdivided directly south of the subject property;
- If the bylaw is adopted by Council, the Approving Officer could consider subdivision of the property with the following requirements:
 - An easement for shared driveway access between the two proposed lots;
 - On-site vehicle parking on each lot;
 - A covenant requiring unique house designs;
 - A Development Cost Charge contribution to the District of approximately \$28,000;
 - Four replacement street trees to compensate for the removal of two existing trees shared with the District boulevard; and,
 - Construction compliant with Step 5 of the BC Energy Step Code or Step 3 with a Low Carbon Energy System.
- In response to public notification undertaken as part of the rezoning process, public input has been received including comments regarding increased density, space, visibility of vehicles on the property, privacy and access to nature, as well as retention of existing trees;
- Questions were received regarding parking on the property, and the impact of future homes on neighbouring views; and,
- The applicant provided neighbourhood signatures of support.

4. PRESENTATION BY APPLICANT

4.1. Mr. James Stobie, Director, Design and Operations, Synthesis Design:

- A preliminary application for the proposed subdivision was submitted to the District in 2016, followed by a detailed application in 2018 and a final, revised application in January 2021;
- The lot is currently 15,586.6 square feet in area;
- The proposed subdivision is for two 7,793.3 square foot lots, each with a buildable footprint of 3,996 square feet;
- There is an existing right of way on the north end of the property and an easement providing driveway access to the property at 4302 Prospect Road at the south end of the property; neither would be affected by the proposed subdivision;
- Rezoning the property to RS3 would be consistent with many other properties in the area, with 20 properties currently zoned RS3 and five, including the subject property, zoned RS1;
- The proposed lots would have similar frontages to several other properties in the area;
- The proposal was revised to include a single shared driveway access in response to neighbourhood input in order to avoid increasing the number of driveways on the street and to increase the opportunity for planted areas;

- Parking areas at the front of the site allows for the buildings to be constructed toward the front of the property, at the lower natural grade, thereby reducing building heights;
- Large rear yards allow for more replanting and stormwater management opportunities;
- Homes on the two lots would each have a unique design, in compliance with District requirements for non-mirrored housing;
- The proposed roof heights are lower than that of the current house;
- If a new house were to be constructed on the current single site, it would be larger than the two houses on the proposed subdivided site, built at a greater height, further back on the property, require more trees to be removed and have less space for planting and stormwater management;
- The proposal includes four rain gardens as the property cannot use the District's stormwater system;
- Retaining walls are proposed to maintain the grade between the two proposed sites as well as neighbouring properties;
- Trees to be removed as part of the proposed subdivision and construction are within the planned building envelope, unsuitable to be moved, or have been assessed as in poor condition;
- The replanting plan contains only deciduous trees to comply with Wildfire Development Permit Area requirements and FireSmart guidelines, including oak, beech, magnolia and laurel;
- Tree removal and replanting plans have been completed in consultation with the District's Environmental Services Department, including the District Arborist;
- The neighbourhood was notified of the application and canvassed regarding their feedback; and,
- Neighbourhood responses to the application indicated that 17 are in support, five are in support with conditions, two are opposed and there were no responses from five of the property owners.

5. REPRESENTATIONS FROM THE PUBLIC

5.1. Mr. Adrian Swanton:

- Spoke in opposition to the proposal;
- Noted that he lives adjacent to the subject property;
- Commented on the quiet character of the neighbourhood;
- Expressed concern about the loss of RS1 zoned properties and that approval would set a precedent;
- Commented regarding the impact on the local ecosystem and District infrastructure;
- Noted another RS1 zoned house in the neighbourhood is for sale at a high price and could be a prospect for subdivision;
- Expressed concern regarding tree loss and commented on the positive impact trees have on stormwater management, air quality, other trees, and wildlife; and,
- Encouraged Council not to proceed with the bylaw.

5.2. Mr. Philip Rueben:

- Spoke in opposition to the proposal;
- Noted that he lives adjacent to the subject property;
- Commented on the peaceful character of the neighbourhood;
- Expressed concern about noise, traffic and possible impacts to his view and privacy;
- Expressed concern regarding tree loss;
- Acknowledged the proposed design includes lower roof heights, but expressed concern that future construction on the property could increase the roof height;
- Recommended a restrictive covenant be placed on the property to restrict the height;
- Commented on the average house size in the RS3 Zone;
- Noted the neighbour to the north of the subject property has taken steps to preserve wooded lands; and,
- Opined that there is no hardship to justify rezoning the property.

5.3. Mr. Rene Gourley:

- Spoke on behalf of the Delbrook Community Association;
- Commented on additional traffic and pollution in upper Delbrook;
- Noted that there are no services or shops north of Montroyal Boulevard;
- Opined that one subdivision will not have a significant impact; and,
- Recommended adding a village centre in the future.

5.4. Ms. Judith Brook:

- Spoke in support of the proposal;
- Commented on the climate impact of construction;
- Noted the proposal conforms to Step 5 of the BC Energy Step Code;
- Recommended the use of low-carbon cement for basements and secondary suites;
- Recommended fossil-free heating and the use of heat pumps;
- Commented on the impact of indoor fireplaces on indoor air quality; and,
- Noted that removing conifer trees has a positive impact on wildfire safety.

In response to a question from Council, staff advised that under the current zoning, the existing site measuring 1,419.11 square metres could be developed with a house up to 529.19 square metres in area, noting that a basement would be all or partially exempt from the maximum Floor Space Ratio (FSR). The maximum roof height for the site would be between 22 and 28 feet, depending on the roof pitch. The lower roof height would be the maximum for a flat roof and the highest for a 6 in 12 pitched roof.

The two proposed subdivided lots would measure 724 square metres and the maximum house size on these lots would be 285.9 square metres, with the basements all or partially exempt from this measurement.

6. COUNCIL RESOLUTION

MOVED by Councillor HANSON
SECONDED by Councillor BOND

THAT the November 16, 2021 Public Hearing be closed;

AND THAT "District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)" be returned to Council for further consideration.

CARRIED
(7:44 p.m.)

CERTIFIED CORRECT:


Confidential Council Clerk