

**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

**1210 – 1260 West 16th Street
Zoning Bylaw Amendments**

REPORT of the Public Hearing held on Tuesday, November 16, 2021 commencing at 7:45 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. H. Adams, Planning Assistant
Ms. C. Archer, Confidential Council Clerk
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 bylaw 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 bylaw 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;
- 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 8459 proposes to amend the District's Zoning Bylaw by rezoning the subject site from Single Family Residential 6000 Zone (RS4) to a new Comprehensive Development Zone 131 (CD131). The CD131 Zone addresses permitted and accessory uses and zoning provisions such as density, amenities, setbacks, height, building and site coverage, landscaping, storm water management, and parking requirements.

3. PRESENTATION BY STAFF

Mr. Andrew Norton, Development Planner, provided an overview of the proposal elaborating on the introduction by the Municipal Clerk. Mr. Norton advised that:

- The proposal is for a 31-unit market rental building and a 31-unit strata residential building;
- Bylaw 8459 proposes to create a CD131 Zone, specific to this proposal;
- The proposal also includes two Housing Agreement bylaws to secure the market rental units in perpetuity and prohibiting rental restrictions on the strata units;
- The site is designated Residential Level 5: Low Density Apartment (RES5) in the Official Community Plan (OCP) and the proposal's density is compliant with this designation at 1.75 FSR;
- The proposal is compliant with Development Permit Area guidelines for Form and Character for Multi-Family Housing and Energy and Water Conservation and Greenhouse Gas Emission Reduction;
- The subject site is just under 31,700 square feet in area and is located on the north side of West 16th Street within the Lower Capilano / Marine Drive Frequent Transit Development Area;

- Surrounding property uses include commercial and mixed-use residential uses to the north and east, single-family dwellings and a duplex residential development to the south, and a four-storey seniors' building to the west;
- A concern was previously raised by Council about the potential impact on light industrial uses; these uses are located further south along Pemberton Avenue and would not be impacted by the proposed development;
- The site is currently occupied by six single-family dwellings, which are currently tenanted;
- The existing tenants are aware of the application and, should the bylaws be adopted, will be provided with four months notice and compensation of \$2,000 for long-term tenants and \$1,000 for short-term tenants;
- Three rental units and three strata units would be set aside in the new development for existing tenants at a 10% discount;
- There are no preliminary Planning applications, no other detailed rezoning applications or projects under construction within the Marine Drive Corridor; three applications are currently at the Development Permit stage;
- The proposal includes one rental building and one strata building, each with 31 units for a total of 62 units. Both buildings have nearly identical floor layouts;
- The proposal includes one level of underground parking and three car share spaces, which is accessed from the lane to the north of the site;
- Access to the lobby areas is via West 16th Street;
- All units include private balconies or patios;
- The proposal includes communal amenity rooms and a shared play area;
- The site is surrounded by landscaping and new street trees on West 16th Street;
- The proposed building design and scale responds to the visual character of the Marine Drive Corridor;
- The proposal includes two buildings to enable appropriate building massing within the low-density residential streetscape on West 16th Street;
- All of the units will meet the Basic Accessible Design criteria and four will meet the Enhanced Accessible Design criteria, which exceeds the minimum requirements of the Accessible Design Policy for Multi-Family Housing;
- A landscaping plan is proposed to create a low-density residential streetscape along West 16th Street.
- The proposed design has been reviewed by the Advisory Design Panel, which recommended approval subject to minor revisions, which have been made;
- In accordance with the Rental and Affordable Housing Strategy, the proposal provides a range of unit sizes and tenures to address different housing needs, including 18 one-bedroom units, 32 two-bedroom units and 12 three-bedroom units;
- A total of 44 of the proposed units are two- or three-bedroom units, suitable for families;
- Access to a single level underground parkade is proposed via the lane located to the north of the site, with primary access via the intersection of Marine Drive and Bridgman Avenue, with secondary access via Pemberton Avenue and Marine Drive via existing lanes;
- Council previously inquired about access to the site from the adjacent lanes, particularly the north-south lane connecting to Marine Drive. The Development Engineering Department has reviewed the proposal and the dimensions of the lane, and found it is viable for bidirectional vehicular movement;

- It is expected that most residents would use the intersection of Bridgman Avenue and Marine Drive to access the lane;
- There is no access to the site between West 16th Street and Pemberton Avenue proposed;
- A total of 79 parking spaces are included in the proposal, including 70 resident spaces, six visitor spaces and 3 car share spaces, six of which will be accessible spaces.
- The proposed parking ratio of 1.27 spaces per unit has been reduced from the original proposal, with Transportation Demand Management (TDM) measures proposed in accordance with the Alternative Vehicle Parking Rates Policy, including:
 - Three car share spaces;
 - Car share memberships provided to residents at occupancy;
 - Unbundled parking for both rental and strata units;
 - A display screen showing real-time transit information; and,
 - Six shared bicycle spaces and bicycle repair workspaces.
- In compliance with the Electric Vehicle Charging Infrastructure Policy, the proposal includes energized outlets capable of providing Level 2 for all resident parking spaces;
- In compliance with the Bicycle Parking and End-of-Trip Facilities Policy, a total of 134 bicycle parking spaces are proposed, including 116 resident spaces, 12 visitor spaces, and six visitor spaces with electric charging points;
- Green building measures proposed for the development include:
 - Exceeding Step 3 of the BC Energy Step Code with a low carbon energy system (LCES);
 - Fossil-free building operation, completely powered by electricity;
 - Heat recovery ventilation;
 - Centralized hot water using heat pumps; and,
 - Designed to accommodate future solar panels.
- Proposed infrastructure improvements proposed include:
 - Installation of ducting for future undergrounding of power lines and new paving for the lane to the north of the site;
 - Cul-de-sac widening, storm drainage improvements, removal of overhead power lines and new paving on West 16th Street;
 - Site landscaping and new boulevard and street tree planting;
 - Land dedications at the northeast corner to improve service vehicle turning at the southeast corner and to allow for any future road connection to Pemberton Avenue, and on West 16th Street to allow widening of the street's cul-de-sac bulb to provide adequate access for service and emergency vehicles.
- The project includes a Community Amenity Contribution (CAC) of \$1,002,795, estimated Development Cost Charges (DCC's) of \$495,000 and off-site works estimated at approximately \$600,000, with the final amount to be determined at the building permit stage.

4. PRESENTATION BY APPLICANT

4.1. Mr. Simon Richards, Partner, Cornerstone Architecture:

- Advised that he is the architect for the project;
- Commented on the level of development in the area;

- Noted that there is significant existing infrastructure and many services in the area, making it suitable for higher density development;
- Commented on the green building measures, noting that the building would have zero carbon emissions and be powered entirely by electricity;
- Noted that the ground-level units have individual entrances;
- Commented that the planned design and materials are in keeping with the existing buildings in the area;
- Noted that the Advisory Design Panel and Urban Planner approved the proposal;
- Opined that the development should not be controversial;
- Commented on public input regarding parking and traffic concerns;
- Noted that the developer has responded to concerns expressed by District staff, Council and residents;
- Advised that the proposal is consistent with all relevant District policies and the OCP;
- Noted that the accessible units exceed District requirements;
- Advised that the proposed development includes half rental units and does not include any subsidies; a fully rental development would have included subsidies such as a CAC waiver and density bonus;
- Noted that the proposal includes extensive offsite works, including undergrounding of overhead power lines;
- Commented on the lane connecting to Marine Drive, noting that it will be an appropriate size to accommodate large vehicles;
- Speed humps are proposed to deter drivers seeking alternative routes to avoid main streets;
- Commented on the TDM measures included in the proposal;
- Advised that the developer sought a balance between parking reductions to encourage alternate transportation and avoid climate impacts, and sufficient parking to avoid adding pressure to already busy street parking; and,
- Noted that the proposal includes staggered construction for the two buildings and maintaining staging and crew parking on the site.

5. REPRESENTATIONS FROM THE PUBLIC

5.1. Ms. Margaret Tutt:

- Spoke in opposition to the proposal;
- Advised that she lives adjacent to the subject property;
- Commented on street parking pressures due to local businesses, noting that parking has been negatively impacted by the recent opening of an ICBC office on Marine Drive and that there is often no available parking during the day;
- Noted that many residents of the adjacent building have impaired mobility and are having difficulty accessing vehicles, including HandyDart;
- Commented on usage of the lane, noting there are safety concerns and that it is frequently blocked by trucks; and,
- Questioned if the area is able to accommodate more residents and vehicles.

5.2. Mr. Amir Mansorri:

- Spoke in opposition to the proposal;
- Noted that the proposal exceeds the maximum density designated for the site in the Lower Capilano Local Plan;
- Expressed confusion regarding the relationship between Local Plans and the OCP, noting staff has said the OCP supersedes Local Plans but that they are used as reference documents;
- Commented on existing infrastructure and the cost of capital projects;
- Commented on the liveability of the area and the impact of the proposed development on existing residents; and,
- Recommended allowing the development to the maximum of 40 units allowed by the current Zoning.

5.3. Ms. Samaneh Hashemi:

- Spoke in opposition to the proposal;
- Commented on street parking issues and the impact of local businesses;
- Opined that the proposal is not compliant with OCP Design Guidelines for Multi-Family Housing;
- Commented on the scale and height of the proposed development compared to neighbouring buildings; and,
- Requested that the development employ cascading heights to better transition between neighbouring building heights.

5.4. Ms. Judith Brook:

- Commented on the need for more affordable housing in the District and queried if any of the rental units could be subsidized;
- Encouraged Council to consider all building decisions through a climate lens;
- Recommended the use of low carbon cement for the buildings;
- Commended the proposal's compliance with Step 3 of the BC Energy Code; and,
- Recommended the use of air source heat pumps and that no gas lines be connected to the buildings.

Councillor BOND left the meeting at 8:21 p.m. and returned at 8:26 p.m.

5.5. Ms. Nancy Whiteley:

- Spoke in support of the proposal;
- Commented that residential buildings would be an improvement over the trailers and recreational vehicles currently occupying the street;
- Queried if Norgate Plaza should be required to provide on-site parking for staff and visitors, noting their parking is leased to a local car dealership and not available to their tenants;
- Expressed concern that access to the lane would be frequently blocked by McDonalds drive-through customers;
- Commented on the size of the lane;
- Noted construction and worker parking will impact the area; and,
- Advised that the parking and traffic studies were completed prior to ICBC moving into the plaza.

5.6. Ms. Rian Tan:

- Spoke in opposition to the proposal;
- Advised that she lives on West 16th Street;
- Expressed concern regarding street parking, noting that it is often full from 7:00 a.m. to 7:00 p.m.
- Noted that street parking is used by employees and customers of local businesses as well as by transit users as a park and ride area; and,
- Commented on quality of life impacts.

5.7. Mr. Corrie Kost:

- Queried how the proposal meets affordable housing goals, noting that there are no affordable units proposed;
- Opined that the proposal is not consistent with the OCP when considered as a whole and does not address priority goals regarding non-market housing needs;
- Commented on a large development that was originally proposed as strata units and revised to rental units without additional considerations from the District;
- Opined that more rental units are needed;
- Questioned how the proposal meets priority action items from the Targeted OCP Review Action Plan regarding affordable housing; and,
- Encouraged Council not to approve the proposed development.

5.8. Mr. Mahmoud Kamyab:

- Spoke in opposition to the proposal;
- Commented on traffic and parking issues on the street;
- Opined that the proposal adds too many units, residents and vehicles to the area;
- Commented on the size of the lane, noting that it is used by a local car dealership to store vehicles; and,
- Commented on safety considerations.

5.9. Ms. Rian Tan SPEAKING FOR A SECOND TIME:

- Advised that parking issues contribute to daily stress for local residents;
- Recommended reducing the size of the development and increasing on-site resident and visitor parking in order to reduce the impact on existing residents; and,
- Requested that resident-only parking be considered for the street.

5.10. Mr. Art McGillivray:

- Spoke on behalf of the Norgate Park Community Association; and,
- Commented on the impact the new ICBC office has had on the area, noting that staff and customer parking overflows onto surrounding streets and vehicles are often parked in no-parking, no-stopping and time-limited spaces all day.

5.11. Ms. Samaneh Hashemi SPEAKING FOR A SECOND TIME:

- Commented on local businesses using street parking;
- Questioned if the developer has considered the current parking conditions; and,
- Commented on the proposal's impact on infrastructure such as sewers.

5.12. Mr. Amir Mansorri SPEAKING FOR A SECOND TIME:

- Commented on the relationship between local plans, the OCP and neighbourhood infill plans;
- Commented on different parking requirements at nearby approved developments compared to this proposal; and,
- Expressed concern regarding the reduced parking rates proposed for this development.

5.13. Mr. Simon Richards:

- Commented on population growth in the community;
- Expressed support for increasing density and using properties to their highest and best use;
- Reiterated that the proposal is consistent with District policies;
- Advised that the lower parking rates in the proposed development improve affordability;
- Noted that District policies have moved from imposing minimum parking rates to maximum parking rates;
- Commented on the subject site's proximity to arterial transportation and access to transit;
- Commented on the proposed setbacks;
- Noted that the proposed height is consistent with the site's current OCP designation;
- Acknowledged there are street parking issues in the immediate area and suggested a Resident Parking Only zone may be needed;
- Opined that the density is not higher than other developments in the area; and,
- Noted that the proposed design is in character with the surrounding neighbourhood.

5.14. Mr. Corrie Kost SPEAKING FOR A SECOND TIME:

- Encouraged Council to prioritize disadvantaged residents when making development decisions.

5.15. Ms. Rian Tan SPEAKING FOR A THIRD TIME:

- Requested information on the proposed construction timeline and traffic and parking mitigation measures during construction.

5.16. Ms. Samaneh Hashemi SPEAKING FOR A THIRD TIME:

- Commented regarding the proposed setbacks and heights; and,
- Recommended using transitioning heights to better fit with the existing neighbourhood.

In response to a question from Council, the applicant advised that no gas lines would be connected to the buildings. Both buildings are proposed to be run on electric power and no fossil fuels.

In response to a question from Council, the applicant advised that the 10% discounted rates for current tenants will be in keeping with market rates and that the developer will set rates in the housing agreement.

In response to a question from Council, the applicant advised that the estimated construction time would have been 16 to 18 months before the COVID-19 pandemic and a projected timeline is not available at this time. He noted that construction parking would be at a neighbouring site once their parkade is completed.

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 1403 (Bylaw 8459)" be returned to Council for further consideration.

CARRIED
(9:08 p.m.)

CERTIFIED CORRECT:


Confidential Council Clerk