

**DISTRICT OF NORTH VANCOUVER  
PUBLIC HEARING**

**1565 – 1589 Rupert Street  
Official Community Plan and Zoning Bylaw Amendments**

REPORT of the Public Hearing held on Tuesday, March 1, 2022 commencing at 7:00 p.m. in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

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

**Absent:** Councillor L. Muri

**Staff:** Mr. D. Milburn, General Manager – Planning, Properties and Permits  
Ms. J. Paton, Assistant General Manager - Planning  
Mr. M. Hartford, Manager – Development Planning  
Ms. G. Lanz, Deputy Municipal Clerk  
Ms. E. Nordin, Development Planner  
Ms. C. Archer, Confidential Council Clerk  
Ms. S. Clarke, Committee Clerk

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**1. OPENING BY THE MAYOR**

Mayor Little 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* and is being held in a hybrid format with members of Council and staff participating both online and in person.

Mayor Little 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 bylaws, which Council has received and which members of the public are welcome to review, available online at [DNV.org/agenda](http://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; and,
- Members of Council, staff, and the public are participating in person and via Zoom.

## **2. INTRODUCTION OF BYLAWS BY CLERK**

Ms. Genevieve Lanz, Deputy Municipal Clerk, introduced the proposed bylaws, stating that Bylaw 8526 proposes to amend the Official Community Plan (OCP) land use designation of the subject site from Residential Level 5: Low Density Apartment (RES5) to Commercial Residential Mixed-Use Level 3 (CRMU3) in the eastern portion of the site and to Parks, Open Space, and Natural Areas (POSNA) in the western portion of the site. She further stated that Bylaw 8527 proposes to amend the District's Zoning Bylaw by rezoning the subject site from Single Family Residential 6000 zone (RS4) to Comprehensive Development Zone 138 (CD138) in the eastern portion of the site and to Neighbourhood Park (NP) in the western portion of the site. The CD138 Zone addresses permitted and accessory uses and zoning provisions such as density, amenities, setbacks, height, building and site coverage, landscaping and storm water management, flood construction requirements and parking, loading and service requirements.

## **3. PRESENTATION BY STAFF**

Ms. Emel Nordin, Development Planner, provided an overview of the proposal elaborating on the introduction by the Deputy Municipal Clerk. Ms. Nordin advised that:

- The proposed development is a six-storey, 95-unit rental building;
- The property is approximately 25,000 square feet in size and is located in the Lynn Creek Town Centre;
- Surrounding land uses to the north, south and west is single-family residential, which is designated in the Official Community Plan for low-density apartment development;
- The Squamish Nation Seymour Creek Reserve is located to the east of the site;
- A Development Permit was recently issued for a 26-unit townhouse development to the west of the site at 342 Mountain Highway;
- A portion of the site is proposed to be designated as park space to contribute a portion of the Green Spine linear park contemplated in the Lower Lynn Implementation Plan and Lynn Creek Town Centre Public Realm Design Guidelines;
- The site is designated in the OCP as Residential Level 5: Low Density Apartment, which allows a density of up to 1.75 FSR and multifamily residential use:

- The proposed bylaw amendment would designate the site as Commercial Residential Mixed-Use Level 3 (CRMU3) which allows for a maximum density of up to 3.5 FSR, which would accommodate the proposed density of 2.88 FSR;
- A portion of the site is proposed to be designated as Parks, Open Space and Natural Areas (POSNA) to accommodate the Green Spine Linear Park contribution;
- The CRMU3 designation allows commercial, residential or a mix of both uses and the proposal is for residential use only;
- The site is currently zoned Single Family Residential RS4;
- The site is proposed to be rezoned to a new Comprehensive Development Zone (CD138) and Neighbourhood Park (NP) to allow the residential rental building and linear park;
- The proposed CD138 zone prescribes permitted uses and zoning provisions such as a maximum density, height, setbacks, and parking requirements
- The CD138 zone will restrict the maximum permitted density for this site to 2.88 FSR and the permitted use as residential only;
- Housing Agreement Bylaw 8528 would secure 95 rental units and 19 non-market rental units in the development;
- Bylaw 8529 reduces the Development Cost Charges (DCC) for the non-market rental units to zero;
- The following developments of similar size and density have been approved in the area, including amendments to the OCP:
  - The Creekstone Care Centre seniors' care facility to the southwest at the corner of Oxford Street and Mountain Highway has a density of approximately 3.1 FSR and height of seven storeys;
  - Pivot, an 88-unit market rental apartment development currently under construction to the south of the site on Oxford Street with density of approximately 3.09 FSR and height of six-storeys;
  - The Salal Apartments, a 90-unit non-market rental building, which has received a demolition permit and will soon begin construction to the south of the site at the corner of Orwell Street and Oxford Street with a density of approximately 2.65 FSR and height of six storeys;
  - Lynn Creek Apartments, a 98 unit market rental apartment development to the south of the site has a density of approximately 3.02 FSR and height of six storeys.
- The project has been reviewed against the OCP and addresses the following goals and policies:
  - Encourages the retention and development of existing and new rental units;
  - Reflects District housing priorities through an appropriate mix, type and size of affordable housing;
  - Encourages pedestrian-friendly features, public realm improvements, and accessibility for people of all abilities in the design of major developments;
  - Applies incentives including density bonusing and reduced parking requirements to encourage the development of affordable housing.
- The project has been reviewed against the Targeted Official Community Plan Review Action Plan and addresses the following Priority Actions:
  - Priority Action #1: Achieves compact Town and Village Centres;
  - Priority Action #3: Prioritizes rental housing contributing to an increased range of housing options;

- Priority Action #5: Increases housing diversity and accessible housing within Town and Village Centres;
- Priority Action #6: Creates a connected network of walking and cycling routes; and
- Priority Action #8: Reduces greenhouse gas emissions from buildings and transportation.
- The project addresses social equity through the inclusion of accessible housing units;
- The project has been reviewed against and is consistent with the Lower Lynn Implementation Plan and the Lynn Creek Town Centre Public Realm Guidelines;
- The Lynn Creek Implementation Plan envisions a five- to eight-storey multi-family residential development on this block, dedication of land on the west side of the site toward the future Green Spine linear north-south park, and a future park to the southwest;
- The proposal is for one six-storey building with 95 rental units;
- Access to the underground parking is at the north side of the site via Rupert Street;
- The primary pedestrian entrance, including an accessible ramp are also via Rupert Street;
- Additional pedestrian connections are provided from Orwell Street to the east and from the future Green Spine linear park to the west, including an accessible ramp;
- An indoor amenity room is located in the southwest corner of the ground floor of the building;
- The conceptual landscape plan submitted as part of this application includes a shared outdoor amenity area in the south portion of the property of measuring approximately 2,600 square feet, proposed to include a variety of landscaped areas with planters, paved pathways, a children's play area, seating, a patio with direct access to the indoor amenity room, and an accessible ramp connecting the outdoor amenity area to the linear park;
- Perimeter planting is proposed to screen the parking entrance and unit entries and to provide a landscaped edge between the building, public realm and adjacent sites;
- To the west, the site will front the future Green Spine north-south linear park envisioned in the Lynn Creek Plan as a pedestrian and cycling connection in the Lynn Creek Town Centre;
- The project proposes to dedicate five metres of the west portion of the site and construction costs towards the Green Spine, which will be constructed to a temporary condition with a two metre wide paved pathway and planted borders until the site to the west is redeveloped and provides the remaining land for that portion of the Green Spine;
- There is no active application for the site to the west at this time;
- Should the proposal proceed, a more detailed review of the landscape plan would be included in the Development Permit report;
- The proposed rental apartment building has been reviewed against the District's Rental and Affordable Housing Strategy and the project meets several goals including:
  - Expanding the supply and diversity of housing;
  - Expanding the supply of new rental housing; and,
  - Minimizing impacts to tenants.
- The proposal includes 95 rental units comprised of 80% market rental units and 20% non-market rental units;

- The proposed units include studio, one-, two- and three-bedroom layouts ranging in size from approximately 420 to 1,100 square feet;
- Approximately 41% of the units are two- and three-bedroom layouts suitable for families;
- The non-market rental units proposed meet the District housing objective to help address housing challenges for low- to moderate- income households with pre-tax incomes from \$30,000 to \$85,000;
- The 19 non-market rental units include 12 one-bedroom units, six two-bedroom units and one three-bedroom units;
- The proposed Housing Agreement Bylaw 8528 would establish the 2022 rents for the non-market rental units at \$1,280 for a one-bedroom unit, \$1662 for a two-bedroom unit, and \$1,825 for a three-bedroom units;
- The Housing Agreement would secure all the units in the proposed development as rental housing and secure the rental rates and eligibility criteria for the non-market units;
- The proposal includes 69 residential parking spaces, including 10 visitor spaces and a parking rate of 0.73 spaces per unit, which complies with the District's Alternative Vehicle Parking Rates policy;
- Bicycle parking includes 162 spaces for residential use, allowing for just under two bike spaces per unit as well as an additional 12 visitor bicycle parking paces for a total of 174 total bicycle parking spaces, which complies with the District's Bicycle Parking and End of Trip Facilities Policy;
- The proposal includes features intended to reduce private vehicle travel, including sidewalk, lighting and road improvements on Rupert Street and Orwell Street, contributions to the Green Spine north-south linear park connection, wayfinding signage, bicycle parking and a bicycle repair room;
- A virtual Public Information Meeting for the project was held between November 20 and December 8, 2020;
- Approximately 760 notices were delivered in the neighbourhood and no comments or questions were received in response;
- The proposed development meets Step 3 of the BC Energy Step Code and includes a Low Carbon Energy System (LCES);
- A fossil fuel-free mechanical design is proposed to minimize greenhouse gas (GHG) emissions;
- The proposal includes Level 2 electric vehicle charging outlets in all residential parking spaces and Level 1 electric charging outlets in all bicycle storage rooms;
- The project is proposed to contribute the following off-site works, land, DCCs, and amenities:
  - The 95 unit rental building, including 19 non-market rental units would be secured in perpetuity through a housing agreement as an in-kind community amenity contribution. The District's Community Amenity Contribution (CAC) Policy includes a list of potential in-kind contributions that can be considered in lieu of a cash CAC including "provision of affordable or rental housing;"
  - A cash contribution of approximately \$210,000 towards the future construction of the Green Spine;
  - An on-site public art amenity contribution valued at approximately \$25,000;
  - Off-site works currently estimated at \$1.2 million including improved street frontages with street tree plantings and streetlight upgrades, sidewalks, pedestrian lighting, and paving improvements along Rupert Street and Orwell Street; and storm sewer, water main and sanitary main upgrades;

- Development Cost Charges on the 76 market rental units estimated at \$563,000;
- Five meters of the west portion of the site measuring approximately 190 square metres dedicated to the future Green Spine linear park;
- A small road dedication at the corner of Rupert and Orwell Street to improve sight lines.

#### **4. PRESENTATION BY APPLICANT**

##### **4.1. Mr. Reza Salehi, Salehi Architect Inc.:**

- Commented on the location of the subject property;
- Noted that the Lynn Creek Town Centre Implementation Plan and Lynn Creek Town Centre Public Realm Guidelines both call for the Green Spine Linear Park;
- Advised that the site has access to parks and transit via Phibbs Exchange;
- The proposal features a multiuse path, public art and generous planting;
- Access to parking at the site is proposed via Rupert Street;
- There are 69 parking spaces in the proposal;
- The proposal encourages the use of alternative forms of transportation by including:
  - Five secure class 2 bicycle parking spaces;
  - 174 spaces for bicycle parking;
  - Energized outlets at all vehicle parking spaces to allow for electric vehicles;
- Commented on the proposed unit mix, noting there are 95 units proposed in a variety of sizes to meet different needs as well as 20 percent non-market units;
- Noted that all units meet basic accessibility standards;
- Commented on the proposed amenities including a covered patio and children's play area on site;
- Advised green building design and energy conservation to Step 3 of the BC Energy Step Code are proposed; and,
- Energy and water conservation measures proposed include LED lighting, storm water retention for irrigation use, low-flow fixtures and the use of durable, locally sourced materials for construction.

##### **4.2. Mr. Davoud Mirtaheri, Baron Projects:**

- Advised that he represents the property owners;
- Advised that the owners have operated a business in North Vancouver since 2005 and have been investing in construction and development across the North Shore since then;
- Commented on industrial property uses in the area;
- Opined that the proposal meets the needs of the community and meets OCP housing goals;
- Commented on the walkability, connections to transit and local services and amenities in the area;
- Advised that the proposal is for a six-storey, 95 unit development with 19 non-market units secured through a Housing Agreement;
- Noted that the owners are in discussions with potential operators for the non-market rental units;

- Commented on the need for affordable housing in the District and the proposal's fit with the District's Rental and Affordable Housing Strategy;
- Noted the proposal includes off-site improvements including street trees, street lighting, storm sewer, sanitary sewer and watermain upgrades;
- Advised that alternative transportation incentives are proposed to be provided to residents including three-month transit passes for the non-market units and secure on-site bicycle parking;
- Noted the proposed land and construction cost contribution to the Green Spine Linear Park; and,
- Advised that Squamish First Nation art is incorporated into the proposal.

## **5. REPRESENTATIONS FROM THE PUBLIC**

### **5.1. Mr. Brian Saadatmandi:**

- Spoke in support of the proposal;
- Advised that he has a background in construction and knows the developer; and,
- Commented that the proposed development is consistent with the District's growth strategy.

### **5.2. Ms. Farnood Ghaffari:**

- Spoke in support of the proposal;
- Advised that he is the owner of a North Vancouver business;
- Commented in the difficulty North Vancouver employers face hiring and retaining staff due to a lack of affordable rental units and long commute times for those who live outside the North Shore;
- Opined that newer developments work well for younger workers in the process of building their careers;
- Commented on the proposed bicycle parking, noting some of his staff bike to work; and,
- Noted the site's proximity to transit.

### **5.3. Ms. Maria Nava:**

- Spoke in support of the proposal;
- Advised that she is an interior designer working in North Vancouver;
- Noted the difficulty renters face finding affordable housing;
- Commented on the site's location and proximity to Phibbs Exchange; and,
- Opined that the proposed rental rates are reasonable.

### **5.4. Mr. Roberto Mosqueda:**

- Spoke in support of the proposal;
- Advised that he works in North Vancouver; and,
- Commented on the site's proximity to services and suitability for families.

### **5.5. Mr. Juan Palacio:**

- Spoke in support of the proposal;
- Expressed support for the development of affordable housing;
- Advised that he grew up in North Vancouver;

- Advised that he would like to stay in the community but cannot afford market rental housing rates;
- Noted the site's proximity to Phibbs Exchange; and,
- Commented on the bicycle parking included in the proposal.

**5.6. Mr. Corrie Kost:**

- Commented on the proposal;
- Expressed concern regarding the reduced parking rate, citing the need for seniors to travel by private vehicle and the lower use of transit during the COVID-19 pandemic;
- Opined that travel by private vehicle is more popular and sustainable than other methods;
- Opined that the increased FSR and reduced parking rate should provide sufficient benefit to the applicant and that DCCs should not have been waived for the non-market rental units;
- Opined that the District could have negotiated a better agreement;
- Noted that if rents were based on after-tax income, they would be closer to 40 percent of income;
- Queried when the development would be ready for occupancy, if approved;
- Commented on sites that have been rezoned and then not developed within a reasonable timeframe; and,
- Recommended making rezoning conditional on completing construction without delay.

**6. COUNCIL RESOLUTION**

**MOVED by Councillor BACK**

**SECONDED by Councillor HANSON**

THAT the March 1, 2022 Public Hearing is closed;

AND THAT "District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8526, 2021 (Amendment 45)" is returned to Council for further consideration;

AND THAT "District of North Vancouver Rezoning Bylaw 1413 (Bylaw 8527)" is returned to Council for further consideration.

**CARRIED**  
(7:47 p.m.)

**CERTIFIED CORRECT:**

  
Confidential Council Clerk