

# AGENDA ADDENDUM

## *REGULAR MEETING OF COUNCIL*

**Monday, July 4, 2022**

**7:00 p.m.**

**Skyline Meeting Room, Municipal Hall**

**355 West Queens Road**

**North Vancouver, BC**

**Watch at <https://dnvorg.zoom.us/j/67910218298>**

**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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355 West Queens Road, North Vancouver  
Watch at <https://dnv.org.zoom.us/j/67910218298>

## AGENDA ADDENDUM

### THE FOLLOWING LATE ITEMS ARE ADDED TO THE PUBLISHED AGENDA

#### 8. REPORTS FROM COUNCIL OR STAFF

**8.6.1 Neighbourhood Response to Development Variance Permit 61.21 p.7-21  
Being Considered July 4, 2022 (3988 Phyllis Road)**  
File No. 08.3060.20/061.21

Report: Planning Assistant, June 30, 2022  
Attachment 1: Redacted Public Input

*Recommendation:*

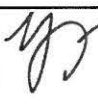
THAT the June 30, 2022 report of the Planning Assistant entitled Neighbourhood Response to Development Variance Permit 61.21 Being Considered July 4, 2022 (3988 Phyllis Road) is received for information.


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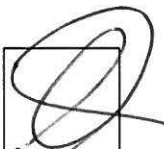
## REPORTS

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>July 4, 2022</u>
<input type="checkbox"/> Other:	Date: _____
<input type="checkbox"/> Addendum:	Date: _____

  
Dept.  
Manager

  
GM/  
Director

  
A/CAO

## The District of North Vancouver REPORT TO COUNCIL

June 30, 2022  
Case: PLN2021-00061  
File: 08.3060.20/061.21

**AUTHOR:** Holly Adams, Planning Assistant

**SUBJECT:** Neighbourhood Response to Development Variance Permit 61.21  
Being Considered July 4, 2022 (3988 Phyllis Road)

### RECOMMENDATION:

THAT the June 30, 2022 report of the Planning Assistant entitled Neighbourhood Response to Development Variance Permit 61.21 Being Considered July 4, 2022 (3988 Phyllis Road) is received for information.

### REASON FOR REPORT:

In accordance with Council's request to receive an indication as to the number of residents receiving notification, and being in support or in opposition, the following information is submitted for the Development Variance Permit being considered on July 4, 2022.

### DISCUSSION:

As of 10:00 a.m. on June 30, 2022:

#### Development Variance Permit 61.21 – 3988 Phyllis Road

Thirteen (13) notices were sent to adjacent property owners/residents. The Lynn Valley Community Association was sent a notice via email.

One response was received in support.

Two responses were received, from one household, in opposition. The first response includes a third party review of the retaining wall as constructed currently. The second response includes questions related to a photograph included in the Report to Council, tree removal, neighbour notification responses, and asking for the third party review to be included in the record of public input.

**SUBJECT: Neighbourhood Response to Development Variance Permit 61.21 Being  
Considered July 4, 2022 (3988 Phyllis Road)**

June 30, 2022

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Staff responded to the concerned neighbours to acknowledge receipt of the third party review and to explain the wall re-construction must be done with professional reports and assurances. Separately, staff responded to the neighbours' additional questions and explained the following:

- The photograph was submitted as part of the applicants' submission package and has not been altered by staff;
- To ask further questions about the history of the tree removal and to explain the District Environment Department will be engaged;
- To explain any neighbour may submit response under the District's notification policies for inclusion in the public input record; and
- To confirm the third-party review will be included in the public input record.

Respectfully submitted,



Holly Adams  
Planning Assistant

Attachment:

1. Redacted Public Input



**SUBJECT: Neighbourhood Response to Development Variance Permit 61.21 Being  
Considered July 4, 2022 (3988 Phyllis Road)**

June 30, 2022

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REVIEWED WITH:		
<input type="checkbox"/> Community Planning _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Planning _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Development Engineering _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> NVRC _____
<input type="checkbox"/> Parks _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Environment _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> Real Estate _____	
<input type="checkbox"/> Human Resources _____	<input type="checkbox"/> Bylaw Services _____	
<input type="checkbox"/> Review and Compliance _____	<input checked="" type="checkbox"/> Planning _____	

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**From:** [REDACTED]  
**To:** [Holly Adams](#)  
**Subject:** Re: Development Variance Permit DVP 61.21 – 3988 Phyllis Road  
**Date:** June 29, 2022 2:24:30 PM

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CAUTION: This email originated from outside of the DNV. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor and Council Members,

My name is [REDACTED]. I am the [REDACTED]. Unfortunately, I am not able to attend the council meeting scheduled on July 4<sup>th</sup>, but I would like to share my perspective on an incredibly distressful situation for Curtis and Alexia. I have written a prior email on the topic and can only reiterate my thoughts and provide a character reference for them, as I believe it is my duty as a member of our cherished community.

Curtis and Alexia moved almost [REDACTED] years ago at 3988 Phyllis Road. I knew neither of them prior to their move. Since then, they have proven to be wonderful neighbours and incredible members of our street community. Their outgoing pleasant personalities as people who care and look out for others is just heart-warming. You will often find [REDACTED] spontaneously knocking at their door [REDACTED] with them or to find a helping hand with a [REDACTED] or anything else [REDACTED] might need. Alexia and Curtis always do their absolute best to respond to [REDACTED] impromptu requests. (I am adding to this mail some words [REDACTED] has chosen to write to support this request.)

My trust in them is unwavering. They help in whatever way they can and are good to their word. We have had [REDACTED] work done on [REDACTED] hedge and they had no issue [REDACTED].

They have only ever demonstrated to me that if there is something that needs to be done, they do it. And there is no question in my mind that they are straightforward and they do things right. Regarding the work done on their property, I have no doubt it was done with the utmost attention and diligence.

Overall, it is my belief that the particular situation they are facing is beyond any understanding and has been the cause of much distress for both of them and for our neighbourhood at large.

For this reason, it is my hope that you will support them in finding a peaceful resolution to a matter that has lasted for far too long and that seems beyond comprehension.

Thank you for your time.

Kind regards,

[REDACTED]

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These are my [REDACTED] words....

Mr. Mayor,

Curtis and Alexia are our neighbours. They are kind and good to me [REDACTED]. I  
[REDACTED] in their front yard or just roam around [REDACTED].

[REDACTED] and sometimes when I have friends over we all [REDACTED]  
[REDACTED] together.

[REDACTED] but make time for me when they can.

I never knew the people who lived in their house before, but since they moved in, we have  
all become friends. I like having them as my neighbors. They are wonderful people.

Please help them with their yard and house problems.

[REDACTED]

**From:** [REDACTED]  
**To:** [Holly Adams](#); [REDACTED]  
**Subject:** Meeting and Report  
**Date:** June 29, 2022 11:50:55 AM  
**Attachments:** [REDACTED]

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Hi Holly,

Thanks for taking the time to meet today. I have attached the engineers report for inclusion for the council Meeting on Monday.

Best Wishes,

[REDACTED]



Attn: [REDACTED]  
Address: [REDACTED]  
North Vancouver, BC

June 20<sup>th</sup> 2022

**Subject: Retaining wall inspection**

Dear [REDACTED]

Further to our meeting at your property [REDACTED] Phyllis Rd on June 18<sup>th</sup> 2022 following your request to inspect the recently constructed retaining wall between your property and your neighbor as you have some concerns regarding the stability of the wall beside the obvious discomfort as a result of the wall height and resulting limited view.

The following provides a short personal introduction, a summary of my understanding, my observations, analysis and recommendations from a professional perspective.

**Personal background:**

I am a 1999 civil engineering graduate from the National Institute of Applied Science in France and have practiced geotechnical engineering/contracting my entire career to provide solutions in foundation bearing capacity, settlement control, liquefaction and slope stability.

My experience extends to working in 16 countries around the world and 12 years in Canada as a manager and ground improvement specialist.

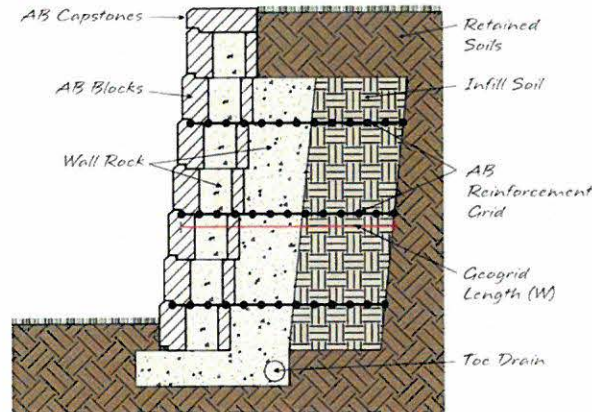
I currently hold the position of Ground Improvement Specialist with a renowned International Foundation group where my work involves the construction of foundation and slope stability solutions in a variety of industries including buildings, warehouses, plants, tanks mining and infrastructure to name a few.

**Summary of understanding:**

- A retaining wall was recently built between the properties located at [REDACTED] and 3988 Phyllis Rd as illustrated in red line below:

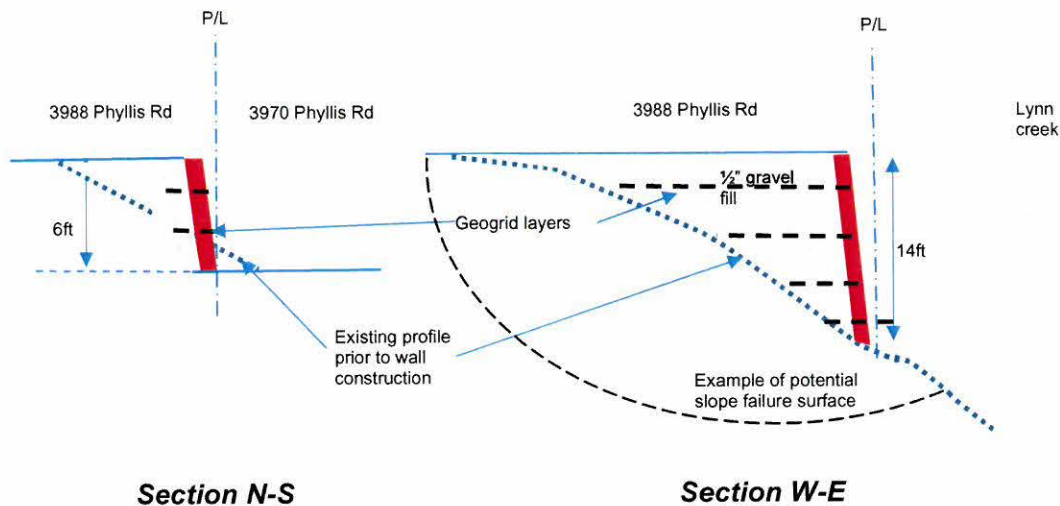


- The purpose of the wall was to provide a levelled backyard while optimizing the use of available backyard space to your neighbor's property at 3988 Phyllis Rd
- The retaining wall was built using a prefabricated mechanically stabilized solution consisting of *Allan block wall*.
- A typical cross section of the wall is provided below as available on the above manufacturer's website:



Source: [grid-reinforcement2.jpg \(600×432\) \(allanblock.com\)](#)

- Following our discussions, the following sections are meant to provide a general understanding of the slope profiles along the sections indicated above. The sections are provided with estimated dimensions and are not at scale:



*Note: the above sections may not be accurate as some of the gravel fill may have been replaced with soil.*

- No as-built drawing of the retaining wall were provided and is assumed to be built as per manufacturer's recommendations. However, it is understood that the wall was built without project's approved plan, which suggests that the length of the geogrid may not have been adequately verified by the necessary registered professional.

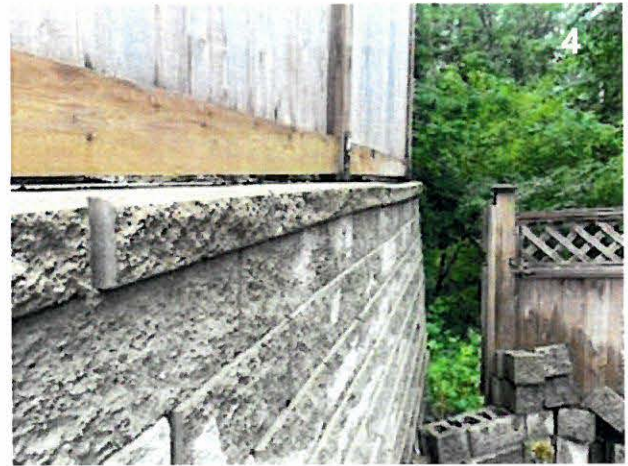


- According to the manufacturer's specifications, a geogrid is required between each level of block wall. However, the number of geogrid in the sections are provided as conceptual rather than representing of the as-built wall.
- I understand that no geotextile was placed to separate the soils from the free draining gravel fill.

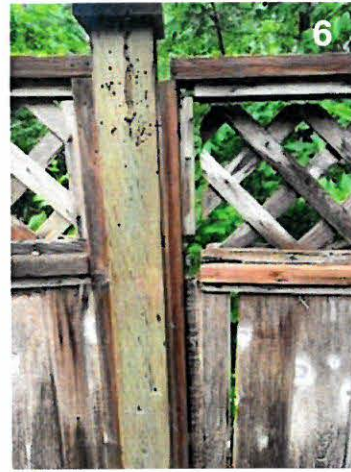
### Observations:

During my visit, the following observations were made:

- A public trail is located at the bottom of the cliff, downstream of the W-E wall section
- The wall is undergoing deformation as a result of the weight addition onto the foundation soil. This includes vertical and lateral movements as observed from the gaps opening between the blocks and vertical alignment. The following pictures are provided to illustrate the deformation observed:







Wall pictures dated 18 June 2022:

1. Gap opening between blocks
2. Wall vertical movement
3. S-N view of retaining wall
4. Top of wall with multiple gaps of up to 1" wide
5. Fence disconnection as a result of lateral movement towards the wall
6. Fence disconnection at 13' distance from rear of the property
7. & 8: South Facing wall gaps between blocks

#### Analysis:

Upon review of the available information and observations, please find below an overall assessment of the wall construction works:

- Considering the proximity to the Lynn Creek cliff located to the east of the wall, my first reaction was to question the stability of the wall, as a slope failure could lead to catastrophic consequences, including potential harm to trail visitors in addition to a portion of the backyard from your property that would go along with a slope failure
- The Allan Block Wall is designed to provide a Mechanically Stabilized Earth (MSE) wall solution to the internal stability of the wall. In other words, the wall design assumes that



the ground below has the necessary bearing capacity. This is typically assessed by a professional engineer based on the required information related to ground water, wall height and overall stability in consideration of the existing slope.

- The wall design assumes that no water pressure builds up behind the wall which is the reason for the presence of the gravel fill and the associated drain at the bottom. Considering the existing slopes, it appears that rain water tends to flow towards the creek. In the absence of geotextile, fine particles from the soil may migrate into the fill and fill the voids in the long term. This could undermine the design assumptions of free draining fill and add water pressure to the wall leading to a potential instability of the wall from an internal perspective.
- The wall is located at the top of a steep slope, leading to Lynn Creek which raises the concern of overall stability of the land by means of insufficient bearing capacity of the ground. This should have been assessed by a locally registered professional engineer to evaluate the bearing capacity of the ground and ensure that the minimum factor of safety (1.3 and 1.5 for the short and long term respectively) are met prior to undertaking such works.
- While the upstream side of the wall does not show significant movement, it appears that there are two section of the wall undergoing movement.
- Wall movement towards the cliff indicate that there are three sections:
  - o The SW part appears to be stable with little movement
  - o The section facing East indicates that vertical and lateral displacement have been taking place over time and may continue to increase.
  - o The transition section located between the above suggest that the geogrid are being mobilized to their full extent, which may be up to the original slope face.

#### **Conclusions and recommendations:**

The wall is undergoing continuous movement that may be due to various factor such as underlying ground settlement and lateral displacement. While settlement should normally stabilize overtime, an increase in lateral displacement could be a sign of limit of stability state where the Factor of Safety required by engineering practice may not be met. In case of failure, the potential consequences include loss of land for both properties, harm to trail visitors.

It is my opinion that a professional Engineer should be consulted with the following objectives:

- Assessment of the factor of safety towards overall stability taking into account the existing grades, wall characteristics and added pressures
- An evaluation of the absence of the geotextile to prevent fines migration into the gravel fill to ensure the long term free draining characteristics of the gravel fill.

I hope the above provides you with the necessary information to take the right measures and avoid any failure of the wall.

Sincerely,



Dominique Jullienne, B.Sc.  
North Vancouver  
[djullienne@gmail.com](mailto:djullienne@gmail.com)

**From:** [REDACTED]  
**To:** [Holly Adams](#)  
**Subject:** Council meeting Agenda  
**Date:** June 29, 2022 1:49:18 PM

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Hi Holly,

I printed off the agenda for the council Meeting for the 4th July and [REDACTED] and I have a few concerns.

1. Page 2 of the proposal shows a picture [REDACTED] prior to the construction of the [REDACTED] Wall. The picture has been [REDACTED], that were only placed there to stop further soil displacement from 3988 Phyllis Road. Why was the picture [REDACTED]? Why has it not been redacted seeing it shows our [REDACTED]? and lastly. Who took this picture as it is [REDACTED]?  
[REDACTED]. However it does show that whoever took this picture has [REDACTED]. I have attached a pictures clearly showing that there was a tree within [REDACTED], that in the Council report is not there. Wonder WHY??

2. The responses from Neighbours showing approval. Who was sent letters? Surely only people that were sent letters from DNV should be allowed to comment as to how it affects them and not anyone who [REDACTED] neighbour has begged to write in. Not once has any [REDACTED] asked to come into [REDACTED] garden to see the Illegal wall [REDACTED] and how it affects us, our properties or district land should the wall fail.

3. I would like our report included in the meeting as Public Record. You already have a copy of the report. Please confirm all above points including in Council report that the picture on page 2 has been modified.



