

REPORT of the **Public Hearing** held in the Council Chamber of the District Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, May 19, 2009 commencing at 7:00 pm.

PRESENT:

Mayor: Richard Walton

Councillors: Roger Bassam, Robin Hicks, Mike Little (7:03 pm), Doug Mackay-Dunn, Alan Nixon

Absent: Lisa Muri

Staff: Mr. J. Gordon, Manager, Administrative Services
Ms. J. Paton, Section Manager – Development Planning
Mr. D. Allan, Community Planner
Ms. L. Brick, Council Clerk

BYLAW 7734 **The District of North Vancouver Zoning Bylaw, 1965, Amending Bylaw 1238**

Applicant: Bob Heaslip, Development Planning Strategies on behalf of the owners.

Subject Land: 3707, 3715 and 3739 Dollarton Highway, legally described as:

- 1) That part of Lot 1 lying west of a line drawn parallel to the west boundary thereof and which line bisects the north boundary of said lot, Block K, District Lot 230, Plan 7990 (PID: 010-290-826); and,
- 2) Lot 1, except that part lying west of line drawn parallel to the west boundary thereof and which line bisects the north boundary of said lot, Block K, District Lot 230, Plan 7990 (PID: 010-291-741); and,
- 3) Lot 2, Block K, District Lot 230, Plan 7990 (PID: 010-291-938)

Proposed Amendments: To rezone the subject land from Single Family Residential One Acre Zone (RS1) to Single Family Residential 7200 (RS3) Zone and Natural Parkland (NPL) Zone.

Purpose: To rezone the properties to allow subdivision into 1 fee simple lot and 6 bare land strata lots and an additional lot along the waterfront to be transferred to the Municipality for shoreline protection and construction of a public pathway.

1. INTRODUCTION

Mayor Walton welcomed everyone and advised that the purpose of the Public Hearing was to receive input from the community, staff and applicant on the proposed rezoning of the properties as outlined in the Notice of Public Hearing.

Mr. James Gordon, Municipal Clerk, introduced the proposed bylaw.

2. STAFF PRESENTATION

Mr. Doug Allan, Community Planner, spoke to the PowerPoint presentation entitled “3707 – 3739 Dollarton Highway” advising:

- The application involves the subdivision of three large lots into 6 bare land strata lots and one fee simple lot and issuance of a development permit for the protection of the riparian area around the stream on the property and along the waterfront;
- The proposal will see the creation of a separate lot along the waterfront which will be conveyed to the District within which the developer will construct a waterfront walkway, the provision of four parking bays on Dollarton Highway, and public art installation; and,
- The proposal is consistent with the District OCP and the Seymour Local Plan both of which designate the property for residential use and support development in harmony with the natural environment through good design and protective measures and the creation of an extensive system of public parks, viewpoints and sea-walks on the waterfront.

Mr. Allan advised that a Public Information Meeting was held on June 24, 2008 and questions relating to the following issues were raised:

- vehicular and pedestrian access;
- provision of additional parking on Dollarton Highway;
- height of street trees/impact on views; and,
- house design.

Mr. Allan advised that the Seymour Community Association reported that they support the reduction in driveways onto Dollarton Highway and the provision of the public pathway as a community benefit. Mr. Allan further advised that the Tsleil-Waututh Nation has expressed opposition to the pathway along the road allowance abutting the Tsleil-Waututh Nation lands citing concerns about trespass on their property.

Following approval by Council, the next steps will be consideration of a Development Permit including the development of design guidelines for the new homes, creation of lot landscaping and lot grading. Subdivision completion will require a series of legal agreements including transfer of title, restrictive covenants and easements for pedestrian access.

3. REPRESENTATIONS FROM APPLICANT

Mr. Bob Heaslip, Development Planning Strategies, spoke on behalf of the owners and introduced the design team in attendance.

Mr. Heaslip advised:

- Discussions regarding the Metro Vancouver expanded right of way have been concluded;

- Have addressed the access/egress points issue by reducing the number of driveways from the site to two which will be located at the optimal points for safety;
- Created on-street improvements by changing the garage locations, creation of onsite retaining walls which will be stepped and planted, and retention of the single family home at the west end of the subject property;
- Will be working with the District to create design guidelines for the homes and landscaping as well as grading for the individual lots;
- Pulled the pathway further away from the edge of the property to reduce potential for trespass on the Tsleil-Waututh Nation land; and,
- Addressed sight line concerns noting that there is a 12 foot difference between the neighbouring property across the street and the top of the highest home on the site.

Mr. Bill Harrison, Forma Design Inc, Landscape Architect, spoke to the landscape design and storm water management on site, advising:

- Bioswales will be incorporated on either side of the property;
- Riparian area plan has been approved and endorsed by an environmental engineer;
- Have consulted extensively with the District regarding the tree retention and replacement plan for the site; and,
- Opined that the tile mosaic art feature similar to that at Noble Cove would be the safest art form as the site is remote and could be a target for vandalism.

COUNCIL DISCUSSION

In response to a query from Council, the applicant advised that the proposed onsite parking provisions of double garages would be sufficient for the site.

The applicant advised that the finishing material on the major driveway thru the site would be asphalt with bioswales on each side and the cul-de-sac would be finished in permeable interlocking pavers.

In response to a query from Council regarding the existing dock, the applicant advised that the permit for the dock has expired and Port Metro Vancouver currently has a moratorium on dock applications. If in the future there is an opportunity for the owners to apply for a dock permit they do intend to do so.

Staff advised they have talked with the owners of the adjacent property who have opted not to be part of this project, however, an access point has been provided to the proposed driveway to enable an improved connection in the event the property is redeveloped in the future.

Council suggested staff discuss the possibility with the adjacent owners to see if there are any opportunities to create a pathway that links the proposed development with the Noble Cove walkway.

4. PUBLIC INPUT

1. Mr. John Addie **OPPOSED**
3700 Block Dollarton Highway

- Lives across the street from the proposed development and will be greatly impacted by the loss of mature trees in the area, further expressing concern over the siting of the house on Strata Lot 1;
- Expressed concern with the process and limited opportunities for input from the neighbours;
- Expressed concern about increased traffic and suggested that the location of the four on street parking spots could be a hazard, urged that they be relocated, queried if a traffic study had been conducted for the area;
- Expressed concern that the on-street parking would be used as visitor parking;
- Advised that the creek has always been present and was impacted by the Raven Woods Development, further advising that a significant amount of water flows from this creek during the winter;
- Suggested that the history of the Matsumoto family be incorporated into the proposed walkway;
- Suggested that the proposal would spoil the untouched waterfront; and,
- Suggested this project represented too much development on a difficult site and urged Council to vote against the proposed motion.

2. Dr. Corrie Kost **COMMENTING**
2800 Blk Colwood Drive

- Expressed concern that the proposed bare land strata subdivision approach may have a larger impact in other areas of the District;
- Queried the sizing of the various lots and noted that they are lower than the minimum required amounts allowed; and,
- Urged council to consider the implications for the rest of the community and seek clarity on bare land strata subdivisions before proceeding.

Mr. Heaslip, clarified points raised by the previous speakers, suggesting:

- Under District regulations this project is considered minor, the public input meeting was voluntarily held by the applicant and notification was hand delivered to each of the eleven homes adjacent to the property;
- The creek restoration is subject to the proposed plan and will be replanted and improved, armouring at the bottom and redirecting the water at the foreshore to save the riparian area; and,
- The proposed houses will be at or below the elevation of Dollarton Highway and new street trees being planted will create a green vista for neighbours, but will not grow to impede any views.

5. COUNCIL DISCUSSION

In response to a query by Council regarding the discounting of Lot 6, staff advised the surveyors calculations referenced in the report refer to the gross area of Lot 6, but will reconfirm the figures.

Staff advised that following consultation with the owner the bare land strata with two driveways option was chosen as the preferable choice over a straight fee simple subdivision with panhandles and individual driveways onto Dollarton Highway.

Staff confirmed that while subdivision approval is within the purview of the Approving Officer, the public hearing is held to determine if Council supports the creation of smaller lots on this property and support of such does not mean an automatic approval of the Development Permit. This project will be subject to design guidelines for the homes; and, as several of the strata lots lack width and depth, the Development Permit will include variances that will have to be approved by Council.

In response to a Council query regarding the public process, staff advised that a public input session was held by the developer, adjacent property owners were notified by mail of the public hearing and ads were placed in two consecutive notices of the North Shore News. The neighbours will be further advised when the application is scheduled to be brought forward for the Development Permit process.

In closing, staff advised Bylaw 7734 will be returned to council for second and third reading in the near future and the Development Permit will be brought forward on either June 15 or the first meeting in July.

DISPOSITION:

MOVED by Councillor NIXON Seconded by Councillor LITTLE and CARRIED

THAT the Public Hearing be CLOSED and that Bylaw 7734 be returned to a Regular Meeting of Council for further consideration.

MAYOR WALTON declared the Public Hearing in respect of Bylaw 7734 CLOSED at 8:22 p.m.

CERTIFIED CORRECT:

Committee Clerk