REPORT of the Public Hearing held in the Council Chamber of the District Municipal Hall, 355 WestQueens Avenue, North Vancouver B.C. on Tuesday, May 18, 1999 commencing at 7:05 p.m.

PRESENT:

Mayor: Don Bell
Councillors: Trevor Carolan, Ernie Crist, Glenys Deering-Robb, Janice Harris, Pat Munroe, Lisa Muri
Staff: Mr. D. Allan, Senior Development Planner
       Ms T. Guppy, Planning Assistant
       Ms C. Carpio, Assistant Deputy Municipal Clerk
       Ms M. Meszaros, Committee Clerk

BYLAW 7082 “Rezoning Bylaw 1104”
Applicant: The Corporation of the District of North Vancouver
Subject Land: All lands in the District of North Vancouver zoned Park, Recreation and Open Space (PRO).
Proposed Amendment: To amend the text of the PRO Zone by specifying permitted accessory uses.
Purpose: To clarify those land uses which are permitted when accessory to the principal uses in the PRO Zone.

The Assistant Deputy Municipal Clerk advised that the statutory notification and advertising requirements had been met.

The Senior Development Planner advised that the proposed Bylaw would clarify the permitted accessory uses in the PRO Zone. The permitted principal uses are reflected in two categories: governmental; and privately or governmentally operated. The Bylaw would outline which accessory uses are permitted under the use of lands for federal, provincial or municipal uses; and outline which accessory uses are permitted under the use of lands for recreation grounds.

The Senior Development Planner reported that the Advisory Planning Commission did not support the Bylaw at the April 21, 1999 meeting citing the permitted uses outlined as restrictive. The Parks Advisory Committee did support the Bylaw at the May 11, 1999 meeting, subject to restaurant facilities being a permitted use in the proposed special Purpose Park Zone.

The Assistant Deputy Municipal Clerk advised that all correspondence received prior to the close of the Hearing will be circulated to Council and will form part of the Public Hearing record.

PUBLIC INPUT:

1. Richard HANKIN, Manager
   GVRD Parks
   - Submitted letter dated May 17, 1999 as part of the record
   - Requested a 60 day deferral for GVRD Parks Department to review

Public Hearing – May 18, 1999 – Bylaw 7082
Unaware of these amendments until given first reading
The Revenue Development Sub-committee of the GVRD Parks Department is exploring ideas for sources of funding other than taxpayers dollars
Capilano River Regional Park is one of three sites which has market potential for a family-service restaurant but there is no immediate or concrete proposal for such
Discussion paper with case examples is being developed and uses data from GVRD Parks Viewpoints Survey taken 1 ½ years ago
Of 1200 survey responses, 65% supported family restaurants in regional parks
Appreciate being able to comment before Bylaw reaches the final stages of consideration

In response to a question from Councillor Crist, Mr. Hankin responded that the GVRD has long term hopes for improving transportation and encouraging tourism to the North Shore and regional parks, through a network of linear greenway corridors which would offer other ways of accessing recreation areas without cars.

In response to a question from Councillor Munroe, Mr. Hankin responded that the notification process was within the statutory limit but that in responding to the amendments there is no foreknowledge or consideration of the repercussions of the amendments, and that as the land owner affected by these changes, more time is required.

In response to a question from Councillor Deering-Robb, Mr. Hankin responded that there is a rendering of one of four concept plans showing a possible restaurant site as part of a restoration following completion of the proposed GVWD ozonation and seepage control projects. This rendering has been available at public information meetings, the next of which is set for May 25, 1999. West Vancouver Council did have a presentation by GVWD representatives and one GVRD Parks Department representative and this rendering was referred to as one possible idea, not of a proposed plan. Mr. Hankin was not certain if any presentation has been made to District of North Vancouver Council.

In response to a request from Mayor Bell, Councillor Muri reported as DNV Council representative to the GVRD Parks Board and as member of the GVRD Parks Revenue Generation Sub-committee, that the idea of a restaurant at the Capilano River Regional Park is far in the future. She assured Council that there is no plan for such a restaurant and that the issues of the community will be addressed.

In response to a question from Councillor Harris, Mr. Hankin responded that while the GVRD Parks Department has been treated well by municipalities and that revenue generation has not been a matter of survival, they know from survey information that the most requested park service, next to toilets, is food services. He added that don’t believe the City of Vancouver’s charges for the Seasons in the Park Restaurant (in Queen Elizabeth Park) are onerous and they generate $140,000 annually.

In response to a question from Councillor Carolan, Mr. Hankin responded that the presentation to West Vancouver Council was made on request of a councillor who is a member of a GVWD committee. He continued that it was possible to make a presentation to the District of North Vancouver Council which includes conceptual renderings for their information.

2. Pat NEUFELD
800 Block Old Lillooet Road

Referring to a DNV Parks Report, noted that Bridgeman Park and Seylynn Park bridges are categorized together
Wish to ensure that the two parks are separated for use
The Senior Development Planner noted that Ms Neufeld was referring to the proposed new park zones which Community Planning has in process and has recently been circulated to the community associations. He noted that this was a different issue from the matter of the public hearing.

3. **Corrie KOST**  
   2800 Block Colwood Drive
   - Opposed to user fees, particularly do not want to see fees instituted at the fish hatchery  
   - These amendments weaken the bylaw  
   - Suggest a legal opinion be solicited  
   - Queried where the municipal boundary was between North and West Vancouver in the area of the Capilano Dam  
   - Query whether an independent restaurant would require a public hearing should this bylaw be adopted  
   - Concerned that the priorities of a business enterprise would usurp the priorities of private residents of the area

The Senior Development Planner did not have the information at hand regarding where the municipal boundary was in that area. Council requested that this information be provided. The Senior Development Planner did agree that a public hearing would be held if a development permit for a restaurant was sought.

In response to a question from Councillor Munroe, the Senior Development Planner responded that the intention is to strengthen the bylaw by providing some clarity to remove the ambiguities which Planners have to deal with in interpreting this bylaw. With regard to controlling pay parking, the Senior Development Planner responded that the solicitor advises the municipality cannot control how a landowner runs the parking provisions.

Staff were requested to have a 10 min. delegation appearance by the GVRD Parks Department and the GVWD to provide a comprehensive view on concepts for the Capilano and Cleveland Dams as soon as possible.

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**DISPOSITION:**

MOVED by Councillor MURI, Seconded by Councillor HARRIS and CARRIED

THAT

1) Public Hearing on Bylaw 7082 be Adjourned and Reconvened at 7:00 p.m., July 20, 1999 in the Council Chamber;  
2) any applications for building permits for accessory uses which conflict with the intent of Bylaw 7082 be further withheld; and  
3) staff provide a report to Council on any applications that are contrary to the intent of Bylaw 7082.

Mayor BELL declared the Public Hearing in respect of Bylaw 7082 ADJOURNED at 8:25 p.m. and to be RECONVENED in the Council Chamber at 7:00 p.m. on Tuesday, July 20, 1999.

Certified correct:

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Committee Clerk
Call to order rezoning bylaw 7025, duly advertised at 8:26
Mayor read aloud purpose
Public input

Ms Guppy – relates to accessory structures only the required rear yard area, found that why bylaw being interpreted was being misleading
- combining a parking structure with space allowed for a shed or gazebo or whatever could build a larger space –
- use up to 40% of space whatever the building would have – that is the idea
- at first round of discussion, C. asked what with prevent overbuilding on the lot
- floor space ratio governs what people can build
- if wish to build larger than the amended permitted 800 sq. ft. total for accessory buildings – put a cap on
- a public meeting ensued – front yard garages with straight in entry – set back only 15’ – leads to examples of parking in front of the garage and rear bumper hangs over the sidewalk
- increased to 20’, then further increased up to 25’ – that is what is before C. tonight

Crist: what happened to ticketing for parking on sidewalks? So if increase from 15’ to 25’ they’ll still park on the sidewalk, then what? And does this allow them to park now onto the sidewalks. Making the wrong consensus.
Guppy: clarify if anyone parks over sidewalk, a bylaw officer can ticket up to $25, on a complaint basis

D-R: a long van is 16-17’ SUVs and minivans – yes

Harris: how many driveways will be non-conforming if increase from 15-25’
Guppy – no idea, but a great idea in percentage
Harris: re accessory buildings, if sq. ft. allowed can’t exceed 40% or 800 sq. ft.
Guppy – frist, everywhere you build is added up, accessory bdg. Total can’t exceed 800 sq. ft. – in the required rear yard area the max. use is 40% if you know to call it a parking structure or a combined use building

Brian Platts
3187 Beverley Cres.
at original public mtg. In the fall – I recommended go to 15’ to 20’ – subsequently another issue 1 is parking, issue 2 is bulk
parking loophole has been the side entry garage, the allowable setback is only 10’ setback, from a visual perspective from streetscape, it’s the same issue, provide same setback for side entry as well – I wouldn’t consider any structures within the first 25’ setback except for a carport – to eliminate bulk on the streetscape
- re # of nonconforming driveways right now – limiting house height bylaw etc. let neighbourhoods decide on the acceptable zoning for themselves
- its an issue of parking but also one of bulk, you should protect neighbourhoods on the issue of bulk
- in calculating a detached structure re 65’
- changing a 5’ separation from a house to a sec. Building, leave and include detached structure
- to promote parking structures in rear yard, maybe consider relaxing the setbacks if they’re in the back

Munroe: garage at rear yard – we can’t legislate
Brian – I’m just saying don’t let them put garages in the first 25’ setback for front yard – maybe promote encouragement to put garage in the rear

258 Braemar Rd
Bernard Decosse
- re increased
- this is a bylaw enforcement issue for ticketing
- a number of issues come to mind – those w/out neigh. Plan, any redevelop of existing meets height, that puts a load on the building area, part. On a slope
- so pushing the garage 10’ into the buildable area and taking out 200 sq. ft. of buildable area,
- if the driveway goes down it takes away even more from the height
- large majority are answering with a mansard roof
- it w/b a hardship in my neighbourhood
- it puts pressure on a redevelopment and it exasberates the nonwithstandig clause
- please consider carefully

secondly, the # of st. with sidewalks is limited, and there s/b items that affect a larger spectrum of homeowners, so urge you to consider who w/b pushed into a non-conforming situation
- most homes have garage in front because no so many lanes – also topography
- will see increase in side entry garages, they’re more difficult
- an envir. Aspect here too – so if regulate garages into backyard, increase pathed surfaces and affecting runoff
- BoV will find selves dealing with many more applications
- Leave well enough alone, let neighbourhoods speak – don’t further penalize

- Carolan: are you in agreement? Answer: no.
We’re interested in environmental sustainablility?
A: yes, 20x15’ driveway and 20x20 garage, and increase of side yard entry increases the turning radius and a backup space so dramatically increasing the amount of pavement – think increased by better than a third
Carolan – so we’ll see front courtyards rather than front grass yards

Harris: increase of 200 sq. ft. of surface – think it does increase the greens pace in a neighbourhood
- not only increasing hard space,
- Decosse: we’re giving impression of sloped roofs for character but people are using a façade of a shallow gable or a hipped roof
- With downward driveways all we see is roofs
- If public hearing passes this, it will further impede development on our properties and give rise to large parking lots in front yards which is not what we want, and make for more neighbourhoods of rooftops

Gary Hawthorne
2806
- photo shown – Mr. Torry was supposed to report back on this one

Allan – not aware of Mr. Torry’s report in response to this query

Gary – as uch as like to see no accessory bldg in front 25’ except for carport, then suggest limiting the number of parking structures in the front to one
- here’s two parking garages neither looks big enough to park a car in
- staff report is encouraging – missed his point re parking
- Tamsin – at last C. mtg that whole section was dropped from the bylaw

Gary – then a standard parking space 18.7 ft. long (sec. 1005)
If add 5’ then equals 25’ – if desire to change onsite parking – where a parking spot is deemed to be before the garage there s/b suficient setback for a second car to be parked there
in case of homebased business/suites, you need an additional space and in case of b&b then you need tandem parking
- 12.5’ to 19.0’ avg. 15.85 ft. cars average
- have to wrestle with decision about what is appropriate parking space size and that will leave you

Tamsin – think this is coming to sense of what is needed and what is being built – there are regulations in place how buildings are shaped, and how vehicles work –
Gary – C. itself should debate future of tandem parking – its increasingly important part. In sense with secondary suites – am drawing to your attention
- what represents an acceptable length and what is the role of garages in the real creation of parking spots?

Deering-Robb
Two matching garages – w/b like staff report to come back with dimensions asked for at the public meeting please.
- ask staff about the turning radius, its obvious there is a huge loophole that someone went thru
- the picture s/b left with mr. Allan – get copy for the record
- Tamsin – if those structures wer enot actually parking structures
- if these structures are not parking structures are they permissible?
- Tamsin: no that type of structure is not permitted in the front yard
- D-R: then legally the only stype of structure in the front yard?
- Tamsin – that’s where we’re going – as the zoning bylaw is now, not sure this defined

Gary – consider a min. dimension for a parking structure – my feeling is these don’t comply – literally there is no definition
D-R: in fact if these structures were other than for vehicles then …
Bell: staff are saying it has to be a parking structure, but we don’t define what has to be parked in it
Doug – zoning bylaw does define a structure for motorized vehicles

Harris: it seems then you would not support increase in front yard setback for straight in garage
Gary: I do support it, you have to decide whether or not regularations in part 10 are what you intended – then they have to be enforced by the buildign plan checkers – that appears not to be happening

Harris – re tandem parking a 25’ length w/not be long enough
Gary: the issue much more important after secondary suites – you’ve permitted it and now you can’t put obstacles in the way
- I’m interested n the 25’ streetscape is another important issue – if don’t provide enough parking then it’ll happen on the street – there has to be a compromise – for those who wish to have a space over and above what is historically needed
- The tradeoff is more blacktop – someone has to grapple with that

Munroe:
Gary: in case of 3 car garage in front of house, virtually all of 3 car garage is in footprint of where house would be – regulations say a max. of 400 sq. ft. but it is not done that way
Munroe: if not doing things that w/ discourage people to put in garages – then more cars w/b exposed
Gary: construction of a new home 25’ setback is not a hardship – old houses are set back significantly farther back
Munroe: talking in ft. not percentage of depth of lot – ignoring ratio of percentages on a larger or a smaller lot –
Gary – permit a carport – its not as blinding
Gary continued presentation – caution that if intend to allow variances, that s/b specially encrypted itself into the bylaw – 800 sq. ft. max rule is over-regulation cuz what is his point.

Summarize
- increase setback in front for either 25’ carport or garage
- permit carports only (at 400 st/ft) at 12’
- only one carport/parking structure in front yard
- eliminate rule permitting abutting parking structures in front yards (or take out completely)
- an exemption for steep downhill driveways where standard setbacks is not feasible (don’t know about uphill lots)
- re District Dialogue disagree combining structures to 800 sq.
- assuming you will change to 15’
- in creating nonconforming is unimportant – they’re legalling nonconforming

Don Cowan
1293 W 16th Str.
Here as director of Norgate Community Assn as well as a resident Wife wheelchair bound – no carport or garage – was looking at a structure to get her out of the weather – under the proposed changes I couldn’t have put up a structure that was meaningful to me
- drawing a conclusion that currently – asked to come tonight to voice opinion of those in Norgate who fall out of the Norgate plan (west of 15th) have no lane allowance – wanted me to convey that they feel 15’ setback is ample – if you’re going to have people abuse it enforcing tickets would get around that – we’re opposed to the first proposed amendment
- the location of structure in rear yard is bit ambiguous – with no lane allowance, my people wanted to know if required rear yard is working from existing bylaw or being put into the amendment, the setback would be difficult for them, it would be unsightly and too much hard surface, and I and my people want you to know we’re opposed to amendment #2 as well
- no comments on amendment #3 – doesn’t affect us
- asked to convey that wherever possible utilization of the existing bylaw and guidelines and resist the impulse to implement more bureaucracy – enough already – current situation can be monitored without the hardship of the extra 10’ setback and the rear yard situation

Corrie Kost
2851 Colwood Dri
800 sq. ft. stick to it
favour skeletal carport but 15’ back
hard surfaces cause water to drain – you should be responsible for absorbing themselves hardship cases can always be made eg. Sloped sites
a 20’ setback at least – if not 25’ limit only garage in front

Bernie Decosse
258 East Braemar
in process of neighbourhood zoning – please let the process work prior to the not-withstanding clause it did work

Harris: what works at norgate, may not work in braemar
A: what works in edgemont doesn’t work in my neighbourhood – suggest in braemar connector properties, if not for the 15’ setback its difficult to get cars parked there

Munroe: suitability for blanket bylaw for entire district, in view of concerns, to staff see how this could be taken care of in the neighbourhood zoning
Doug: virtually any regulations are open to discussion in any of the neighbourhood znes

D-R: are we going to close or adjourned?
Mr. Platts 3187 Pemberton Terrace
a question of Mayor, any regulations that limit amount of paving in residential?
Doug: no regulations
Brian: if concerned we s/ look at that issue – re neighbourhood zoning, C. needs to take greater interest in neigh. Zoning process – with hiring of consultants to free staff and speed up, its backfired and staff have not done anything – we need to fast track the neigh. Zoning process and C. needs to take greater interest in the process
- if garages in front cause hardship, then get going on neigh. Zoning to deal with

Bell: the neigh. Zoning plan for 99 was brought to C. Capilano and Grouse woods and additional of Queensdale – been referred back to staff – issue will return on progress

Brian – we don’t have to consider blacktop all the time, there’s options – if do lose 200 sq. ft. of living space all you’re losing is roof surface

G. Hawthoren
- my concern in two years so many DVPs were justice not servced, that Community will be harmed
- get on with the neighbourhood zoning

Hearing none
Munroe: have this returned to council, staff to provide report to return to Council

Munroe? Harris Carried
That staff report and return back to Council.

Closed public hearing at 10:05 p.m.