



**AGENDA FOR THE REGULAR MEETING OF COUNCIL TO
COMMENCE AT 6:00 PM, IN THE COUNCIL CHAMBER, CITY
HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON
MONDAY, JULY 22, 2019**

**MONDAY, JULY 22, 2019
COUNCIL MEETING – 6:00 PM**

“Live” Broadcast via City Website www.cnv.org/LiveStreaming
Complete Agenda Package available at www.cnv.org/CouncilMeetings

CALL TO ORDER

APPROVAL OF AGENDA

1. Regular Council Meeting Agenda, July 22, 2019

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, July 15, 2019
3. Special Regular Council Meeting Minutes, July 17, 2019

PROCLAMATION

Pride Week – July 29 to August 5, 2019

PUBLIC INPUT PERIOD

CONSENT AGENDA

Items *4, *5, *6 and *7 are listed in the Consent Agenda and may be considered separately or in one motion.

BYLAWS – ADOPTION

- *4. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8636”
(Michael Fournogerakis / Raymond Letkeman Architects Inc., 117-125 West 23rd
Street, CD-713)
- *5. “Highway Closing Bylaw, 2019, No. 8712” (Closing and removal of highway
dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue)
- *6. “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw,
2019, No. 8731”
- *7. “Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw,
2019, No. 8732”



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CORRESPONDENCE

8. Livable Cities Forum, October 28-30, 2019

BYLAWS – ADOPTION

9. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8618”
(Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702)
10. “Housing Agreement Bylaw, 2018, No. 8622” (Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702, Rental Housing Commitments)
11. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8665”
(GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street, CD-715)
12. “Housing Agreement Bylaw, 2018, No. 8666” (GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street, CD-715, Rental Housing Commitments)

REPORT

13. 2018-2022 Council Strategic Plan

PUBLIC HEARING – 1126 Heywood Street – 7:00 PM

BYLAWS – THIRD READING

14. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8729”
(Behrouz Aghai / Bill Curtis & Associates Design Ltd., 1126 Heywood Street)
15. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8727”
(DA Architects + Planners, 230 West Keith Road, CD-558 Text Amendment)

Public Hearing waived.

MOTION

16. Development Variance Permit No. DVP2019-00003 (230 West Keith Road)

Public Meeting waived.



REPORT

17. Rezoning Application: 2205 St. Andrews Avenue (Morez Design Inc., RT-1)

Item 18 refers.

BYLAW – FIRST AND SECOND READINGS

18. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8728”
(Morez Design Inc., 2205 St. Andrews Avenue, RT-1)

REPORT

19. A Bylaw to Repeal Air Pollution Control Bylaw, 1971, No. 4303

Item 20 refers.

BYLAW – FIRST, SECOND AND THIRD READINGS

20. “Air Pollution Control Bylaw, 1971, No. 4303, Repeal Bylaw, 2019, No. 8734”

REPORTS

21. Library Terrace Enclosure Project – Funding Reallocation
22. Permissive Tax Exemption Policy Update and Review
23. Request to Abandon “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714” (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721)

NOTICE OF MOTION

24. Mobility Lanes

PUBLIC CLARIFICATION PERIOD

COUNCIL INQUIRIES

NEW ITEMS OF BUSINESS

NOTICES OF MOTION

ADJOURN



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CALL TO ORDER

APPROVAL OF AGENDA

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PROCLAMATION

Pride Week – July 29 to August 5, 2019

PUBLIC INPUT PERIOD

The Public Input Period is addressed in sections 12.20 to 12.28 of “Council Procedure Bylaw, 2015, No. 8500.”

The time allotted for each speaker appearing before Council during the Public Input Period is two minutes, with the number of speakers set at five persons. Speakers’ presentations will be audio and video recorded, as well as live-streamed on the Internet, and will form part of the public record.

To make a submission to Council during the Public Input Period, a person must complete the Public Input Period sign-up sheet at City Hall prior to the Regular Council Meeting. A person who fails to complete, or only partially completes, the Public Input Period sign-up sheet will not be permitted to make a submission to Council during the Public Input Period. The sign-up sheet will be available on the table in the lobby outside the Council Chamber from 5:30 pm until 5:55 pm before a Council meeting.

When appearing before Council, speakers are requested to state their name and address for the record. Speakers may display materials on the document camera at the podium in the Council Chamber and provide written materials to the City Clerk for distribution to Council, only if these materials have been provided to the City Clerk by 4:00 pm on the date of the meeting.

The Public Input Period provides an opportunity for input only, without the expectation of a response from Council, and places the speaker’s concern on record.

Speakers must comply with the General Rules of Conduct set out in section 5.1 of “Council Procedure Bylaw, 2015, No. 8500” and may not speak with respect to items as listed in section 12.25(2).

Speakers are requested not to address matters that refer to items from a concluded Public Hearing/Public Meeting and to Public Hearings, Public Meetings and Committee meetings when those matters are scheduled on the same evening’s agenda and an opportunity for public input is provided when the particular item comes forward for discussion.

Please address the Mayor as “Mayor, followed by his/her surname” or “Your Worship”. Councillors should be addressed as “Councillor, followed by their surname”.



CONSENT AGENDA

Items *4, *5, *6 and *7 are listed in the Consent Agenda and may be considered separately or in one motion.

RECOMMENDATION:

THAT the recommendations listed within the “Consent Agenda” be approved.

START OF CONSENT AGENDA

BYLAWS – ADOPTION

- *4. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8636”
(Michael Fournogerakis / Raymond Letkeman Architects Inc., 117-125 West 23rd Street, CD-713)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8636”
(Michael Fournogerakis / Raymond Letkeman Architects Inc., 117-125 West 23rd Street, CD-713) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

- *5. “Highway Closing Bylaw, 2019, No. 8712” (Closing and removal of highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue)

RECOMMENDATION:

THAT “Highway Closing Bylaw, 2019, No. 8712” (Closing and removal of highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

- *6. “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731”

RECOMMENDATION:

THAT “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731” be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.



CONSENT AGENDA – Continued

BYLAWS – ADOPTION – Continued

- *7. “Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw, 2019, No. 8732”

RECOMMENDATION:

THAT “Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw, 2019, No. 8732” be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

END OF CONSENT AGENDA

CORRESPONDENCE

8. Livable Cities Forum, October 28-30, 2019 – File: 01-0400-01-0001/2019

Re: Livable Cities Forum, October 28-30, 2019, Victoria, British Columbia

RECOMMENDATION:

PURSUANT to the correspondence received July 10, 2019, from the City of Victoria, regarding the “Livable Cities Forum”:

THAT Council members be authorized to attend the Livable Cities Forum, to be held October 28-30, 2019, in Victoria, British Columbia;

THAT expenses be paid in accordance with City Policy;

AND THAT funds be provided from the Conference Education Travel Account.



BYLAWS – ADOPTION

9. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8618”
(Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8618”
(Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road,
CD-702) be adopted, signed by the Mayor and City Clerk and affixed with the
corporate seal.

10. “Housing Agreement Bylaw, 2018, No. 8622” (Urban Systems / IMH 151 E Keith
Apartments Ltd., 151 East Keith Road, CD-702, Rental Housing Commitments)

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8622” (Urban Systems /
IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702, Rental Housing
Commitments) be adopted, signed by the Mayor and City Clerk and affixed with
the corporate seal.

11. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8665”
(GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street, CD-715)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8665”
(GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street,
CD-715) be adopted, signed by the Mayor and City Clerk and affixed with the
corporate seal.

12. “Housing Agreement Bylaw, 2018, No. 8666” (GWL Realty Advisors / Rositch
Hempill Architects, 210-230 East 2nd Street, CD-715, Rental Housing Commitments)

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8666” (GWL Realty Advisors /
Rositch Hempill Architects, 210-230 East 2nd Street, CD-715, Rental Housing
Commitments) be adopted, signed by the Mayor and City Clerk and affixed with
the corporate seal.



REPORT

13. 2018-2022 Council Strategic Plan – File: 01-0620-02-0001/1

Report: Director, Strategic and Corporate Services, and Planner, July 12, 2019

RECOMMENDATION:

PURSUANT to the report of the Director, Strategic and Corporate Services, and Planner, dated July 12, 2019, entitled “2018-2022 Council Strategic Plan”:

THAT Council adopt the 2018-2022 Council Strategic Plan as attached to the report;

AND THAT Council direct staff to use the 2018-2022 Council Strategic Plan to inform and guide future initiatives, projects and plans, including the Corporate Business Plan.

PUBLIC HEARING – 1126 Heywood Street – 7:00 PM

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8729” (Behrouz Aghai / Bill Curtis & Associates Design Ltd., 1126 Heywood Street) would rezone the subject property from a One-Unit Residential 1 (RS-1) Zone to a One-Unit Residential 2 (RS-2) Zone and subdivide the property into 2 lots to permit a single family dwelling with a basement suite on each lot.

Bylaw No. 8729 to be considered under Item 14.

AGENDA

Staff presentation
Applicant presentation (verbal)
Representations from the public
Questions from Council
Motion to conclude the Public Hearing

BYLAWS – THIRD READING

14. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8729”
(Behrouz Aghai / Bill Curtis & Associates Design Ltd., 1126 Heywood Street)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8729” (Behrouz Aghai / Bill Curtis & Associates Design Ltd., 1126 Heywood Street) be given third reading.



BYLAWS – THIRD READING – Continued

15. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8727”
(DA Architects + Planners, 230 West Keith Road, CD-558 Text Amendment)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8727”
(DA Architects + Planners, 230 West Keith Road, CD-558 Text Amendment) be
given third reading.

Public Hearing waived.

MOTION

16. Development Variance Permit No. DVP2019-00003 (230 West Keith Road)
– File: 08-3090-20-0246/1

RECOMMENDATION:

THAT Development Variance Permit No. DVP2019-00003 (230 West Keith Road)
be issued to the Board of Education of School District No. 44, in accordance with
Section 498 of the *Local Government Act*;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development
Variance Permit No. DVP2019-00003, following adoption of “Zoning Bylaw, 1995,
No. 6700, Amendment Bylaw, 2019, No. 8727” (DA Architects + Planners,
230 West Keith Road, CD-558 Text Amendment).

Public Meeting waived.



REPORT

17. Rezoning Application: 2205 St. Andrews Avenue (Morez Design Inc., RT-1)
– File: 08-3360-20-0446/1

Report: Planner, July 10, 2019

RECOMMENDATION:

PURSUANT to the report of the Planner, dated July 10, 2019, entitled “Rezoning Application: 2205 St. Andrews Avenue (Morez Design Inc., RT-1)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8728” (Morez Design Inc., 2205 St. Andrews Avenue, RT-1) be considered and the Public Hearing be waived;

AND THAT notification be circulated in accordance with the *Local Government Act*.

Item 18 refers.

BYLAW – FIRST AND SECOND READINGS

18. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8728” (Morez Design Inc., 2205 St. Andrews Avenue, RT-1)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8728” (Morez Design Inc., 2205 St. Andrews Avenue, RT-1) be given first and second readings.

REPORT

19. A Bylaw to Repeal Air Pollution Control Bylaw, 1971, No. 4303
– File: 09-3900-01-0001/2019

Report: Manager, Bylaw Services, July 10, 2019

RECOMMENDATION:

PURSUANT to the report of the Manager, Bylaw Services, dated July 10, 2019, entitled “A Bylaw to Repeal Air Pollution Control Bylaw, 1971, No. 4303”:

THAT “Air Pollution Control Bylaw, 1971, No. 4303, Repeal Bylaw, 2019, No. 8734” be considered.

Item 20 refers.



BYLAW – FIRST, SECOND AND THIRD READINGS

20. “Air Pollution Control Bylaw, 1971, No. 4303, Repeal Bylaw, 2019, No. 8734”

RECOMMENDATION:

THAT “Air Pollution Control Bylaw, 1971, No. 4303, Repeal Bylaw, 2019, No. 8734” be given first, second and third readings.

REPORTS

21. Library Terrace Enclosure Project – Funding Reallocation
– File: 02-0890-20-0003/1

Report: Manager, Facilities and Real Estate, and Chief Librarian, July 12, 2019

RECOMMENDATION:

PURSUANT to the report of the Manager, Facilities and Real Estate, and the Chief Librarian, dated July 12, 2019, entitled “Library Terrace Enclosure Project – Funding Reallocation”:

THAT \$275,000 of existing funding from Harry Jerome Community Recreation Community Centre project be reallocated to fund the Library Terrace Enclosure project;

THAT (Funding Appropriation #1929) an amount of \$275,000 be appropriated from the Civic Amenity Reserve Fund (Harry Jerome Community Recreation Centre Provision) for the purpose of funding the Library Terrace Enclosure project;

THAT should any of the amount remain unexpended as at December 31, 2022, the unexpended balance shall be returned to the credit of the Civic Amenity Reserve Fund;

AND THAT the Harry Jerome Community Recreation Centre Provision be replenished as part of the Revised Financial Plan process in Fall 2019.



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REPORTS – Continued

22. Permissive Tax Exemption Policy Update and Review – File: 05-1970-07-0001/2019

Report: Deputy Director, Finance, July 10, 2019

RECOMMENDATION:

PURSUANT to the report of the Deputy Director, Finance, dated July 10, 2019, entitled “Permissive Tax Exemption Policy Update and Review”:

THAT the Permissive Tax Exemption Policy (Attachment #2) be endorsed.

23. Request to Abandon “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714” (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721)
– File: 08-3360-20-0494/1

Report: City Clerk, July 16, 2019

RECOMMENDATION:

PURSUANT to the report of the City Clerk, dated July 16, 2019, entitled “Request to Abandon “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714” (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714” (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721) be abandoned.



NOTICE OF MOTION

24. Mobility Lanes – File: 16-8480-03-0001/2019

Submitted by Councillor McIlroy and Councillor Valente

RECOMMENDATION:

WHEREAS the City has long-term, key cycling routes identified in the North Vancouver Bicycle Master Plan;

WHEREAS Council has identified active transportation as a key priority in this term;

WHEREAS the Provincial government recently completed a British Columbia Active Transportation Design Guide to help guide communities in building safe, effective active transportation infrastructure, and highlighted the importance of All Ages and Abilities (AAA) infrastructure, which is important for positive health, climate action and economic growth;

AND WHEREAS AAA active transportation infrastructure can be referred to as “mobility lanes” providing protection and separation from people walking and motor vehicle traffic for active modes, like bicycles and other people-powered and electric assist devices;

THEREFORE BE IT RESOLVED that staff review the City portion of the North Vancouver Bicycle Master Plan and identify priority AAA active transportation infrastructure corridors and report back to Council by early Fall with a phased implementation plan and budget implications for each phase.

PUBLIC CLARIFICATION PERIOD

The Public Clarification Period is limited to 10 minutes in total and is an opportunity for the public to ask a question regarding process or clarification on an item on the Regular Council Agenda. The Public Clarification Period concludes after 10 minutes and the Regular Council Meeting reconvenes.

COUNCIL INQUIRIES

NEW ITEMS OF BUSINESS

NOTICES OF MOTION

ADJOURN



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

PUBLIC HEARING GUIDELINES

Public Hearings are generally held on the third Monday of the month and are included as part of a Regular Council agenda. Public Hearings are governed by the provisions of the *Local Government Act*.

A Public Hearing is held for the purpose of allowing the public an opportunity to make representations to Council – in person at the Public Hearing or by written submission – on a proposed amendment to the City's Official Community Plan and/or Zoning Bylaw. All persons who believe their interest in property is affected by a proposed bylaw(s) are afforded a reasonable opportunity to be heard, voice concerns or present written submissions regarding matters contained within the bylaw(s).

All written submissions and representations made at the Public Hearing form part of the official public record. Minutes of the Public Hearing and a video recording of the proceedings are posted on the City's website at cnv.org.

A sign-up sheet is located outside of the Council Chamber 1.5 hours prior to the start time of the Public Hearing and members of the public may sign the sheet if they wish to speak at the Public Hearing. The sign-up sheet remains available until the commencement of the Public Hearing and is restricted to "In Person" sign-up only. Other persons are not permitted to sign the sheet on another speaker's behalf. Speakers cannot pre-register.

Please restrict comments to the issues related specifically to the proposed application; do not divert to other matters and avoid repetitive comments.

Speakers are requested to provide their name and address for the public record and are provided up to 5 minutes to present their comments. After all people listed on the sign-up sheet and anyone else in the gallery have spoken a first time, speakers may come forward to speak a second time if they have any new information to provide. The Chair (Mayor) may restrict the speaking time to a defined number of minutes and may also impose other regulations. Procedural rules for the conduct of the Public Hearing are set at the call of the Chair.

Everyone shall be given a reasonable opportunity to be heard and no one should feel discouraged or prevented from making their views known. All persons in the gallery are requested to refrain from applause or other expressions, either showing support or opposition to an application.

If a large turnout for the Public Hearing is anticipated, separate sign-up sheets may be provided for speakers – in support and in opposition/with concerns. The sign-up sheets are monitored by City staff. The Chair will call each speaker to come forward by name, alternating between the sign-up sheets.

Continued...



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

PUBLIC HEARING GUIDELINES (continued)

A document camera is available should a member of the public wish to display hardcopy material/information on the monitors in the Council Chamber. The document camera can also display information from an iPad or tablet. If a member of the public wishes to provide written material to the Mayor and Council, it must be handed to the City Clerk for distribution to Council.

Members of Council may ask questions of a speaker in order to clarify or expand on a speaker's submission. However, the main function of Council members is to listen to the views of the public regarding the change of land use in the proposed bylaw(s). It is not the function of Council to debate the merits of an application with speakers at the Public Hearing. Questions from members of the public and Council must be addressed through the Chair.

When the Public Hearing concludes, Council moves a motion to adjourn. No further information or submissions can be considered by Council once the Public Hearing is closed.

Following adjournment of the Public Hearing, the Regular meeting reconvenes and the Zoning and/or Official Community Plan bylaw amendment(s) are discussed and debated by Council. Consideration of third reading and discussion of the bylaw(s) usually takes place at the same meeting as the Public Hearing, but may occur at a subsequent meeting.

If there is insufficient time for the Public Hearing to be conducted in one evening (i.e. to accommodate a large number of speakers), Council may recess the Public Hearing to a specified date, time and place.

Council will consider final adoption of the bylaw(s) after third reading and once all covenants and legal agreements are in place. Adoption usually occurs at a subsequent meeting of Council; however, a Zoning Bylaw amendment or Official Community Plan Bylaw amendment may be adopted at the same meeting as the Public Hearing if all legal requirements have been satisfied.

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MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON **MONDAY, JULY 15, 2019**

PRESENT

COUNCIL MEMBERS

Mayor L. Buchanan
Councillor H. Back
Councillor D. Bell
Councillor T. Hu
Councillor J. McIlroy
Councillor T. Valente

ABSENT

Councillor A. Girard

STAFF MEMBERS

L. McCarthy, CAO
K. Graham, City Clerk
C. Baird, Deputy City Clerk
J. Peters, Assistant City Clerk
B. Themens, Director, Finance
B. Pearce, Director, Strategic and Corporate Services
R. Skene, Manager, Facilities and Real Estate
S. Antoniali, Section Manager, Real Estate
D. Pope, Director, Engineering, Parks and Environment
K. Magnusson, Deputy Director, Engineering, Parks and Environment
L. Orr, Manager, Business and Community Partnerships
M. Epp, Director, Planning and Development
S. Galloway, Manager, Planning
D. Johnson, Development Planner
H. Evans, Community Planner
M. Friesen, Planner 1
W. Tse, Planner 2

The meeting was called to order at 6:00 pm.

APPROVAL OF AGENDA

Moved by Councillor Bell, seconded by Councillor Valente

1. THAT the Regular Agenda of July 15, 2019 be amended by removing Item 7 – “Amendment to 2019 Traffic Signal: Keith Road at Hendry Avenue Capital Project Funding – File: 11-5460-01-0001/2019”;

AND THAT the Agenda, as amended, be approved.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Moved by Councillor Hu, seconded by Councillor Bell

2. Regular Council Meeting Minutes, July 8, 2019

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD

- Ron Sostad, 231 East 15th Street, North Vancouver, spoke regarding public hearings and development.
- Aline Burlone, 818 East 6th Street, North Vancouver, spoke regarding the intersection at Hendry Road and Keith Road.

CONSENT AGENDA

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT Item 5 be removed from the “Consent Agenda” and the remaining recommendations listed within the “Consent Agenda” be approved.

(CARRIED UNANIMOUSLY)

START OF CONSENT AGENDA

CORRESPONDENCE

- *3. Board in Brief, Metro Vancouver Regional District, June 28, 2019
– File: 01-0400-60-0006/2019

Re: Metro Vancouver – Board in Brief

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT the correspondence of Metro Vancouver, dated June 28, 2019, regarding the “Metro Vancouver – Board in Brief”, be received and filed.

(CARRIED UNANIMOUSLY)

BYLAW – ADOPTION

- *4. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8725”
(Angelo Cusano / Bill Curtis & Associates Design Ltd., 410 West 15th Street)

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8725” (Angelo Cusano / Bill Curtis & Associates Design Ltd., 410 West 15th Street) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

END OF CONSENT AGENDA

BYLAW – ADOPTION

5. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8726”
(132 Esplanade Holdings Ltd., 132 West Esplanade, CD-179 Text Amendment)

Moved by Mayor Buchanan, seconded by Councillor Bell

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8726”
(132 Esplanade Holdings Ltd., 132 West Esplanade, CD-179 Text Amendment) be
adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

CARRIED UNANIMOUSLY

CORRESPONDENCE

6. 2019 Zero Waste Conference, October 30 and 31, 2019 – File: 01-0390-01-0001/2019

Re: 2019 Zero Waste Conference, October 30 and 31, 2019, Vancouver, British
Columbia

Moved by Councillor McIlroy, seconded by Councillor Hu

PURSUANT to the correspondence received from Metro Vancouver and the National
Zero Waste Council, regarding the “2019 Zero Waste Conference”:

THAT Council members be authorized to attend the 2019 Zero Waste Conference, to
be held October 30 and 31, 2019, in Vancouver, British Columbia;

THAT expenses be paid in accordance with City Policy;

AND THAT funds be provided from the Conference Education Travel Account.

CARRIED UNANIMOUSLY

REPORTS

7. Amendment to 2019 Traffic Signal: Keith Road at Hendry Avenue Capital Project
Funding – File: 11-5460-01-0001/2019

Report: Section Manager, Traffic Engineering, July 3, 2019

Item 7 was removed from the agenda.

REPORTS – Continued

8. Semisch Park Consolidation – File: 02-0890-01-0001/2019

Report: Section Manager, Real Estate, July 3, 2019

Moved by Councillor Bell, seconded by Councillor McIlroy

PURSUANT to the report of the Section Manager, Real Estate, dated July 3, 2019, entitled “Semisch Park Consolidation”:

THAT the following bylaws be considered:

1. “Highway Closing Bylaw, 2019, No. 8712” (Closing and removal of highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue);
2. “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731”; and
3. “Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw, 2019, No. 8732”.

CARRIED UNANIMOUSLY

BYLAWS – FIRST, SECOND AND THIRD READINGS

9. “Highway Closing Bylaw, 2019, No. 8712” (Closing and removal of highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue)

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Highway Closing Bylaw, 2019, No. 8712” (Closing and removal of highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue) be given first and second readings.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Highway Closing Bylaw, 2019, No. 8712” (Closing and removal of highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue) be given third reading.

CARRIED UNANIMOUSLY

10. “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731”

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731” be given first and second readings.

CARRIED UNANIMOUSLY

BYLAWS – FIRST, SECOND AND THIRD READINGS – Continued

10. “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731” – Continued

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731” be given third reading.

CARRIED UNANIMOUSLY

11. “Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw, 2019, No. 8732”

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw, 2019, No. 8732” be given first and second readings.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw, 2019, No. 8732” be given third reading.

CARRIED UNANIMOUSLY

REPORTS

12. Lonsdale Energy Corp. – 2019 Annual General Meeting – File: 11-5500-06-0001/1

Report: Director, Lonsdale Energy Corp., July 9, 2019

Moved by Councillor McIlroy, seconded by Councillor Hu

PURSUANT to the report of the Director, Lonsdale Energy Corp., dated July 9, 2019, entitled “2019 Annual General Meeting”:

THAT the 2018 Financial Statements be received and filed;

THAT the proposed Unanimous Consent Resolutions of the Shareholder of Lonsdale Energy Corp. (Attachment #2) be endorsed;

AND THAT the Mayor and City Clerk be authorized to sign the Unanimous Consent Resolutions.

CARRIED UNANIMOUSLY

REPORTS – Continued

13. Lonsdale Energy Corp. – Review of Outstanding Loans and Borrowing Request
– File: 11-5500-06-0001/1

Report: Director, Lonsdale Energy Corp., July 9, 2019

Moved by Councillor McIlroy, seconded by Councillor Hu

PURSUANT to the report of the Director, Lonsdale Energy Corp., dated July 9, 2019, entitled “Review of Outstanding Loans and Borrowing Request”:

THAT Lonsdale Energy Corp. be authorized to borrow up to \$1,681,000 in additional funding from the City of North Vancouver under the same terms and conditions of the existing August 1, 2018 City loan.

CARRIED UNANIMOUSLY

14. Lonsdale Energy Corp. – 2019 Rate Review and Bylaw Amendment
– File: 11-5500-06-0001/1

Report: Director, Lonsdale Energy Corp., July 9, 2019

Moved by Councillor McIlroy, seconded by Councillor Hu

PURSUANT to the report of the Director, Lonsdale Energy Corp., dated July 9, 2019, entitled “2019 Rate Review and Bylaw Amendment”:

THAT the report and “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2019, No. 8730” be forwarded to Lonsdale Energy Corp. customers for information and comment;

AND THAT “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2019, No. 8730” be considered and referred to a Public Meeting on September 16, 2019, to receive input from Lonsdale Energy Corp. customers and the public.

CARRIED UNANIMOUSLY

BYLAW – FIRST AND SECOND READINGS

15. “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2019, No. 8730”

Moved by Councillor McIlroy, seconded by Councillor Hu

THAT “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2019, No. 8730” be given first and second readings.

CARRIED UNANIMOUSLY

BYLAW – FIRST AND SECOND READINGS – Continued

15. “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2019, No. 8730” – Continued

Moved by Mayor Buchanan, seconded by Councillor Bell

THAT Council Reports, Council Inquiries, New Items of Business and Notices of Motion be brought forward for consideration.

CARRIED UNANIMOUSLY

COUNCIL REPORTS

Nil.

COUNCIL INQUIRIES

19. New Traffic Signage – File: 01-0220-01-0001/2019

Inquiry by Councillor Bell

Councillor Bell inquired of Mayor Buchanan regarding the new traffic signage with left-hand turn restrictions from Lonsdale Avenue onto West 15th Street and if recent tickets issued to drivers of motor vehicles could be relaxed.

The Director of Engineering responded that the intersection is the highest location of pedestrian injury in the City and discussed the safety measures recently put in place. He further advised that it would be up to the RCMP to relax any traffic infractions.

NEW ITEMS OF BUSINESS

Nil.

NOTICES OF MOTION

Nil.

PRESENTATION

Rezoning Applications for Cannabis Retail Stores – Development Planner

The Development Planner provided a PowerPoint presentation and responded to questions of Council.

Councillor Valente recused himself at 6:40 pm, declaring a potential conflict of interest with respect to the Public Hearing regarding Item 16 – “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8718” (Mark Long / BC Liquor Distribution Branch, 333 Brooksbank Avenue, CD-131 Text Amendment).

PUBLIC HEARING – 333 Brooksbank Avenue

Moved by Councillor Bell, seconded by Councillor Hu

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8718” (Mark Long / BC Liquor Distribution Branch, 333 Brooksbank Avenue, CD-131 Text Amendment).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 6:41 pm and reconvened at 6:54 pm.

BYLAW – THIRD READING

16. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8718” (Mark Long / BC Liquor Distribution Branch, 333 Brooksbank Avenue, CD-131 Text Amendment)

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8718” (Mark Long / BC Liquor Distribution Branch, 333 Brooksbank Avenue, CD-131 Text Amendment) be given third reading.

CARRIED UNANIMOUSLY
(by members remaining)

Councillor Valente returned to the meeting at 7:01 pm.

PUBLIC HEARING – 1717 Lonsdale Avenue

Moved by Councillor McIlroy, seconded by Councillor Hu

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714” (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721)

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 7:03 pm and reconvened at 7:28 pm.

BYLAW – THIRD READING

17. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714” (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721)

Moved by Councillor McIlroy, seconded by Councillor Back

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714” (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721) be given third reading.

DEFEATED UNANIMOUSLY

PUBLIC HEARING – 221 West 1st Street

Moved by Councillor McIlroy, seconded by Councillor Bell

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8715” (1st Cannabis / 1174707 BC Ltd., 221 West 1st Street, CD-454 Text Amendment).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 7:40 pm and reconvened at 7:59 pm.

BYLAW – THIRD READING

18. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8715” (1st Cannabis / 1174707 BC Ltd., 221 West 1st Street, CD-454 Text Amendment)

Moved by Councillor Valente, seconded by Councillor McIlroy

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8715” (1st Cannabis / 1174707 BC Ltd., 221 West 1st Street, CD-454 Text Amendment) be given third reading.

CARRIED UNANIMOUSLY

PUBLIC CLARIFICATION PERIOD

Mayor Buchanan declared a recess at 8:14 pm for the Public Clarification Period and reconvened the meeting immediately after.

CITY CLERK’S RECOMMENDATION

Moved by Councillor McIlroy, seconded by Councillor Valente

THAT Council recess to the Committee of the Whole, Closed session, pursuant to the *Community Charter*, Section 90(1)(e) [land matter], 90(1)(i) [legal advice] and 90(1)(j) [privacy matter].

CARRIED UNANIMOUSLY

The meeting recessed to the Committee of the Whole, Closed session, at 8:15 pm and reconvened at 9:18 pm.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

20. Land Matter – File: 08-3030-20-0057/1

Report: Planner 1, June 26, 2019

Moved by Councillor McIlroy, seconded by Councillor Back

PURSUANT to the report of the Planner 1, dated June 26, 2019, regarding a land matter:

THAT staff be directed to process an amendment to the Zoning Bylaw for 1536-1550 Eastern Avenue that does not include a density transfer from City-owned lands;

AND THAT the report of the Planner 1, dated June 26, 2019, remain in the Closed session.

CARRIED UNANIMOUSLY

ADJOURN

Moved by Councillor McIlroy, seconded by Councillor Back

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:19 pm.

“Certified Correct by the City Clerk”

CITY CLERK



MINUTES OF THE SPECIAL REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON WEDNESDAY, JULY 17, 2019

PRESENT

COUNCIL MEMBERS

Mayor L. Buchanan
Councillor H. Back
Councillor D. Bell
Councillor T. Hu
Councillor J. McIlroy
Councillor T. Valente (joined the meeting at 6:46 pm)

STAFF MEMBERS

L. McCarthy, CAO
K. Graham, City Clerk
C. Baird, Deputy City Clerk
J. Peters, Assistant City Clerk
M. Epp, Director, Planning and Development
S. Galloway, Manager, Planning
D. Johnson, Development Planner
W. Tse, Planner 2
L. Orr, Manager, Business and Community Partnerships

ABSENT

Councillor A. Girard

The meeting was called to order at 6:00 pm.

APPROVAL OF AGENDA

Moved by Councillor Bell, seconded by Councillor Hu

1. Special Regular Council Meeting Agenda, July 17, 2019

CARRIED UNANIMOUSLY

PRESENTATION

The Development Planner provided a PowerPoint presentation regarding Cannabis Retail Stores and responded to questions of Council.

PUBLIC HEARING – 1200 Lonsdale Avenue

Moved by Councillor McIlroy, seconded by Councillor Back

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8717” (Mark Long / BC Liquor Distribution Branch, 1200 Lonsdale Avenue, CD-722).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 6:09 pm and reconvened at 6:29 pm.

BYLAW – THIRD READING

2. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8717” (Mark Long / BC Liquor Distribution Branch, 1200 Lonsdale Avenue, CD-722)

Moved by Councillor Bell

THAT third reading of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8717” (Mark Long / BC Liquor Distribution Branch, 1200 Lonsdale Avenue, CD-722) be denied.

The motion was not considered due to lack of a seconder.

Moved by Councillor Back, seconded by Councillor Hu

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8717” (Mark Long / BC Liquor Distribution Branch, 1200 Lonsdale Avenue, CD-722) be given third reading.

DEFEATED

Councillor Bell, Councillor Hu, Councillor McIlroy and Mayor Buchanan are recorded as voting contrary to the motion.

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8717” (Mark Long / BC Liquor Distribution Branch, 1200 Lonsdale Avenue, CD-722) be abandoned.

CARRIED UNANIMOUSLY

Councillor Valente joined the meeting at 6:46 pm

PUBLIC HEARING – 725 West 14th Street

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8713” (City Cannabis / Krystian Wetulani, 725 West 14th Street, CD-720).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 6:46 pm and reconvened at 7:50 pm.

BYLAW – THIRD READING

3. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8713” (City Cannabis / Krystian Wetulani, 725 West 14th Street, CD-720)

Moved by Councillor Bell, seconded by Councillor Valente

THAT third reading of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8713” (City Cannabis / Krystian Wetulani, 725 West 14th Street, CD-720) be defeated;

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8713” (City Cannabis / Krystian Wetulani, 725 West 14th Street, CD-720) be abandoned.

CARRIED

Councillor McIlroy is recorded as voting contrary to the motion.

PUBLIC HEARING – 315 Lonsdale Avenue

Moved by Councillor McIlroy, seconded by Councillor Bell

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8716” (Lonsdale Cannabis Co. / 1120364 BC Ltd., 315 Lonsdale Avenue, CD-341 Text Amendment).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 8:06 pm and reconvened at 8:53 pm.

BYLAW – THIRD READING

4. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8716” (Lonsdale Cannabis Co. / 1120364 BC Ltd., 315 Lonsdale Avenue, CD-341 Text Amendment)

Moved by Councillor Valente, seconded by Councillor Back

THAT third reading of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8716” (Lonsdale Cannabis Co. / 1120364 BC Ltd., 315 Lonsdale Avenue, CD-341 Text Amendment) be denied.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Hu

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8716” (Lonsdale Cannabis Co. / 1120364 BC Ltd., 315 Lonsdale Avenue, CD-341 Text Amendment) be abandoned.

CARRIED UNANIMOUSLY

ADJOURN

Moved by Councillor Bell, seconded by Councillor Hu

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:05 pm.

“Certified Correct by the City Clerk”

CITY CLERK



PROCLAMATION

PRIDE WEEK

WHEREAS LGBTQ2+ citizens work and live with pride in the City of North Vancouver and make valuable contributions to our City; and

WHEREAS LGBTQ2+ citizens have historically faced significant challenges as they strive for equality, and continue to face barriers in areas such as healthcare, public safety, employment and recognition of family relationships; and

WHEREAS the City of North Vancouver embraces the 2019 Pride theme “50 Years and Still Fighting”, and respects that all citizens including LGBTQ2+ individuals have unique and personal narratives that have a bearing on their experience of Pride Week;

NOW THEREFORE I, Linda Buchanan, Mayor of the City of North Vancouver, do hereby proclaim **July 29 to August 5, 2019** as **PRIDE WEEK** in the City of North Vancouver, the traditional territories of the Squamish and Tsleil-Waututh Nations.

So proclaimed on Monday, July 22, 2019

A handwritten signature in black ink that reads 'Linda C. Buchanan'. The signature is written in a cursive style.

Mayor Linda Buchanan

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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8636

A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8636” (Michael Fournogerakis / Raymond Letkeman Architects Inc., 117-125 West 23rd Street, CD-713).**

2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of CD-713 (Comprehensive Development 713 Zone):

Lot 13 of Lots 4 to 7, Block 206, D.L. 545, Plan 2979;

Lot B, Block 206, D.L. 545, Plan 18561;

Strata Lot 1, D.L. 545, Strata Plan VR 2242, together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot, as Shown on Form 1;

Strata Lot 2, D.L. 545, Strata Plan VR 2242, together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot, as Shown on Form 1; and

Rem A Plan LMP 26968;

from RT-1.

3. Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:

- A. Adding the following section to Section 1100, thereof, after the designation “CD-712 Comprehensive Development 712 Zone”:

“CD-713 Comprehensive Development 713 Zone”

- B. Adding the following to Section 1101, thereof, after the “CD-712 Comprehensive Development 712 Zone”:

“CD-713 Comprehensive Development 713 Zone”

In the CD-713 Zone, permitted Uses, regulations for permitted Uses, regulations for the size, shape and siting of Buildings and Structures and required Off-Street Parking shall be as in the RM-1 Zone, except that:

- (1) The permitted Principal Use shall be limited to Apartment Residential Use with a maximum of 40 Dwelling Units;

- (2) Section 510(3) *Building Width and Length* shall be waived;
- (3) Gross Floor Area:
- (a) The Gross Floor Area may not exceed 0.51 times the Lot Area;
- (b) Notwithstanding 3(a), the Gross Floor Area may be further increased as follows:

ADDITIONAL (BONUS) DENSITY			
ADDITIONAL DENSITY CATEGORY	DESCRIPTION	ADDITIONAL DENSITY (BONUS)	POLICY REFERENCE
Amenity Share and Community Amenity Use	Provision of an Amenity Share or in-kind contribution at \$20 per square foot up to a maximum of 1.6 FSR	Maximum 1,615.35 square metres (17,387.50 square feet) / 1.09 FSR of floor area for Residential Use	As per OCP Policy Section 2.2.1
Amenity Share and Community Amenity Use	Provision of an Amenity Share or in-kind contribution at \$140 per square foot up to a maximum of 2.35 FSR	Maximum 1,109.05 square metres (11,937.72 square feet) / 0.75 FSR of floor area for Residential Use	As per OCP Policy Section 2.2.1

Such that the total effective on-site Gross Floor Area is not to exceed 2.35 FSR;

- (4) Lot Coverage shall not exceed 52%;
- (5) The Principal Building shall not exceed a Height of five storeys nor 19.2 metres (63 feet), except elevator shafts may project to a maximum Height of 20.03 metres (65.7 feet);
- (6) The Principal Building shall be sited as follows:
- (a) 2.51 metres (8.25 feet) from the Front Lot Line;
- (b) 3.51 metres (11.5 feet) from the Rear Lot Line;
- (c) 6.55 metres (21.5 feet) from the western Interior Side Lot Line;
- (d) 1.68 metres (5.5 feet) from the eastern Interior Side Lot Line;
- (7) Section 410(3) *Siting Exceptions for All Other Zones* (b)(i) shall be varied to permit roof eaves to project 1.52 metres (5 feet) beyond the western and eastern faces of the Principal Building;
- (8) Section 410(3) *Siting Exceptions for All Other Zones* (b)(ii) shall be varied to permit one canopy to project 3.05 metres (10 feet) beyond the northern face of the Principal Building;

- (9) The minimum number of Accessory Off-Street Parking Spaces provided shall be 34 Parking Spaces;
- (10) Refuse storage containers shall be readily accessible for pick-up and for users and shall be screened on all sides and shall not be located in required maneuvering aisles, driveways or Parking Spaces;
- (11) All exterior finishes, design and landscaping shall be approved by the Advisory Design Panel.

READ a first time on the 11th day of June, 2018.

READ a second time on the 11th day of June, 2018.

SECOND READING RESCINDED on the 25th day of June, 2018.

READ a second time, as amended, on the 25th day of June, 2018.

READ a third time on the 9th day of July, 2018.

RECEIVED APPROVAL FROM THE
MINISTRY OF TRANSPORTATION ON THE
11th day of July, 2018.

ADOPTED on the <> day of <>, 2018.

MAYOR

CITY CLERK

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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8712

A Bylaw to close and remove highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Highway Closing Bylaw, 2019, No. 8712**” (**Closing and removal of highway dedication on portions of road in the 100 and 200 Blocks of Semisch Avenue**).
2. All that portion of road (Semisch Avenue) dedicated by the deposit of Plan 750 and lying between Lot 16, Block 137, Plan 973 and VAS128, Block 138, Plan 14994, all of District Lot 271, Group One, New Westminster District, totaling approximately 567.6 square metres shown as lot A within the bold outline on the attached draft Reference Plan EPP91622, prepared by Alexander Heath BCLS, and dated the 27th day of March, 2019, a print of which is attached as Schedule “A” hereto (the “Road Closure Plan”), is hereby stopped up and closed (the “Closed Road”).
3. All that portion of road (Semisch Avenue) dedicated by the deposit of Plan 750 and lying between Blocks 158 and 159 in District Lot 271, Group One, New Westminster District, totaling approximately 1,210 square metres shown as lot B within the bold outline on the attached draft Reference Plan EPP91622, prepared by Alexander Heath BCLS, and dated the 27th day of March, 2019, a print of which is attached as Schedule “A” hereto (the “Road Closure Plan”), is hereby stopped up and closed (the “Closed Road”).
4. On deposit of the Reference Plan EPP91622 in the New Westminster Land Title Office, the Closed Roads are stopped up and closed to traffic and their highway dedication is removed. Title to the Closed Roads will be created in the name of the City of North Vancouver and consolidated as shown in bold outline on the attached draft Reference Plan EPP91920.
5. The Mayor and the City Clerk are hereby authorized to sign and seal with the Corporate Seal the Road Closure Plan and such other instruments as may be required in order to carry into effect the highway closure and removal of Highway dedication, as set out in Sections 2 and 3 hereof, as well as the consolidation of properties as set out in the draft Reference Plan EPP91920.

6. Notice of the highway closure and removal of highway dedication shall be given in accordance with the *Community Charter*.

READ a first time on the 15th day of July, 2019.

READ a second time on the 15th day of July, 2019.

READ a third time on the 15th day of July, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

REFERENCE PLAN TO ACCOMPANY THE CORPORATION OF THE CITY OF NORTH VANCOUVER
 ROAD CLOSING BYLAW No.8712 OF PORTIONS OF SEMISCH AVENUE DEDICATED BY PLAN 750,
 FIRSTLY; LYING BETWEEN BLOCKS 137 AND 138 AND SECONDLY; LYING BETWEEN BLOCKS 158 AND 159,
 ALL IN DISTRICT LOT 271, GROUP ONE, NEW WESTMINSTER DISTRICT

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT
 AND SECTION 40 OF THE COMMUNITY CHARTER
 BCGS 920035

THE INTENDED PLOT SIZE OF THIS PLAN IS
 66.41m IN WIDTH BY 160.00m IN HEIGHT (0.802)
 WHEN PLOTTED IN SCALE OF 1:500



BOOK OF REFERENCE		
LOT	DESCRIPTION	AREA
11	PORTION OF ROAD (PLAN 750)	527.6 sq m
12	PORTION OF ROAD (PLAN 750)	6.121 sq m
TOTAL		6.177 sq m

LEGEND

- DENOTES CONTROL MONUMENT FOUND
- DENOTES ESTABLISHED NON POST PLACED
- DENOTES STANDARD IRON POST PLACED
- DENOTES LEAD PILE FOUND
- DENOTES LEAD PILE PLACED
- DENOTES NODING FOUND
- DENOTES WINGS

NOTE:
 THIS PLAN SHOWS ONE OR MORE WITHNESS POSTS
 WHICH ARE NOT SET ON THE TRIC CORNERS.

THE UTM COORDINATES AND PERTINENT AREA UTILITY ACCURACIES ACHIEVED HAVE
 BEEN OBTAINED FROM THE MAGNETIC FIELD COORDINATES AND STANDARD
 DEVIATION FOR GRADE TO CONTROL MONUMENTS (TRIMET AND TRIMET)

INTERMEDIATE SURVEY AREA IN 4 AND 8 QUADRANT 4.8.0.0.0.0
 CITY OF NORTH VANCOUVER

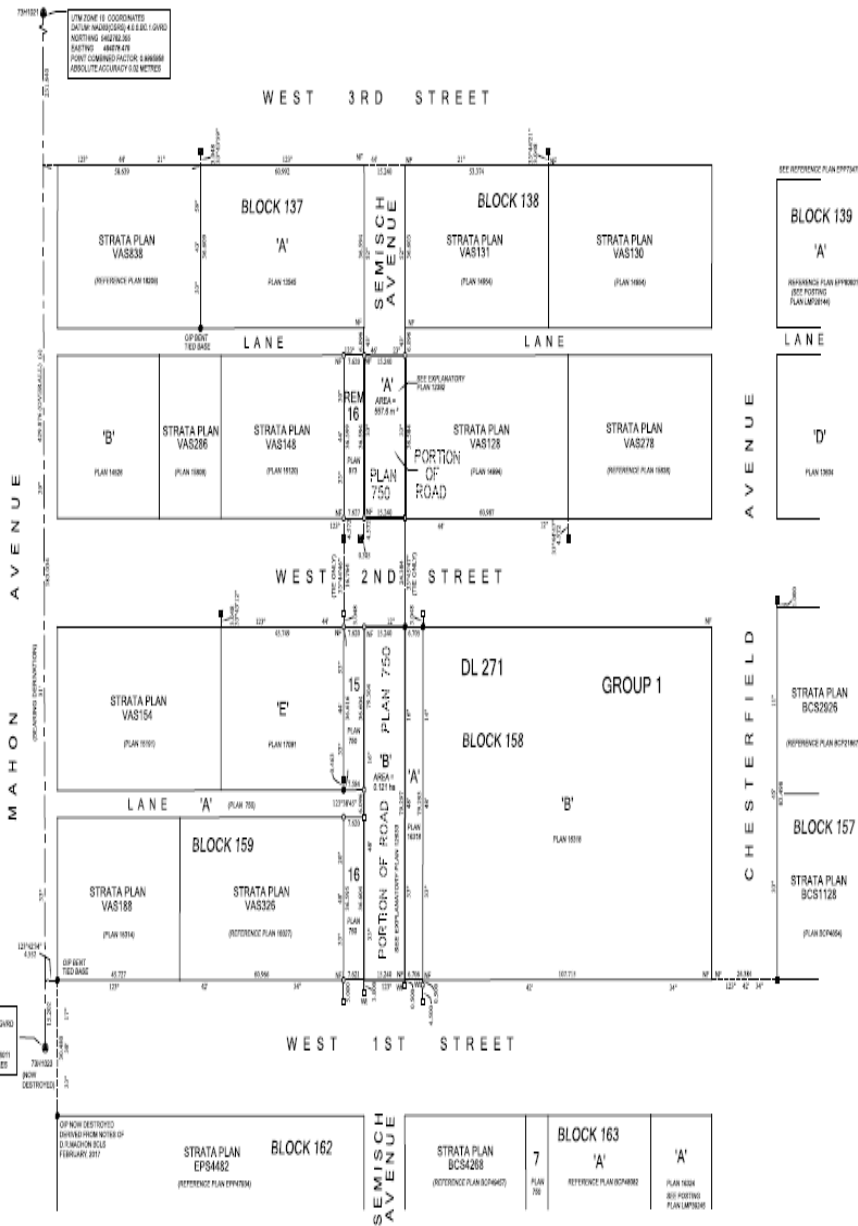
GRID MEASUREMENTS DERIVED FROM OBSERVATIONS BETWEEN
 GEODETIC CONTROL MONUMENTS 291071 AND 291023
 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 18

THIS PLAN SHOWS HORIZONTAL GROUNDS LEVEL DISTANCES
 UNLESS OTHERWISE SPECIFIED

TO COMPLETE THIS DISTANCE, WALLS TO BE BUILT SHALL BE
 THE AVERAGE CORNER FACTOR OF 1.00000 WHICH HAS BEEN
 DERIVED FROM GEODETIC CONTROL MONUMENTS 291071 AND 291023

THE FIELD SURVEY REPRESENTED BY THIS PLAN
 WAS COMPLETED ON THE 27TH DAY OF MARCH, 2019
 ALDOBERG 011 071 6471, 011 071 6471

UTM ZONE 18 COORDINATES
 OF NEW DISTRICTED
 CORNER MONUMENTS 4.8.0.0.0.0.0
 NORTHING 5462162.00
 EASTING 488161.00
 POINT CORNER FACTOR 1.00000
 ABSOLUTE ACCURACY 0.02 METRES



SEE REFERENCE PLAN EPP91622
 BLOCK 139
 'A'
 REFERENCE PLAN EPP91622
 (SEE POSTING PLAN EPP91622)

STRATA PLAN
 BCS2005
 (REFERENCE PLAN EPP91622)

BLOCK 157
 STRATA PLAN
 BCS1123
 (PLAN BCS0456)

HOBBS WINTER & MACDONALD,
 S.C. LAND SURVEYORS,
 115 401 WASHINGTON STREET,
 NORTH VANCOUVER, B.C. V7P 3N3
 TEL: 604 980-1277 FAX: 604 980-0208
 EMAIL: info@hwmns.com

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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8731

A Bylaw to Repeal “Highways Stopping Up and Closing Bylaw, 1974, No. 4743”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Highways Stopping Up and Closing Bylaw, 1974, No. 4743, Repeal Bylaw, 2019, No. 8731**”.
2. “Highways Stopping Up and Closing Bylaw, 1974, No. 4743” is hereby repealed.

READ a first time on the 15th day of July, 2019.

READ a second time on the 15th day of July, 2019.

READ a third time on the 15th day of July, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8732

A Bylaw to Repeal “Highways Stopping Up and Closing Bylaw, 1975, No. 4795”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Highways Stopping Up and Closing Bylaw, 1975, No. 4795, Repeal Bylaw, 2019, No. 8732”**.
2. “Highways Stopping Up and Closing Bylaw, 1975, No. 4795” is hereby repealed.

READ a first time on the 15th day of July, 2019.

READ a second time on the 15th day of July, 2019.

READ a third time on the 15th day of July, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

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THE CITY OF VICTORIA



OFFICE OF THE MAYOR

City of North Vancouver
City Clerk's Department

JUL 10 2019

File # 01-0400-01-0001
CC:
Scanned 2019

Save the Date. You are Invited!
Using Political Leadership to Build Community Resilience for a Changing Climate
October 28th 2019, Victoria, B.C., Canada

Dear Colleague,

Thanks for all the great work you're doing to take climate action and build a resilient community! Because you are a leader in this area, I'd like to invite you to join us for the Livable Cities Forum in Victoria, British Columbia, Canada, **October 28-30, 2019**. (<http://www.livablecitiesforum.com/>) In particular, as part of the conference, the City of Victoria and ICLEI Canada (Local Governments for Sustainability) will be co-hosting a dialogue on **October 28th** for elected officials, under the theme of "Using Political Leadership to Build Community Resilience for a Changing Climate."

Communities like yours around the globe are making important efforts to both mitigate and adapt to climate change. This day-long, interactive session will focus on **building social resilience, belonging and inclusion as a key climate adaptation strategy**. The day of dialogue and networking will result in a collective *Call to Action* for cities to advance these issues and to call for support for local action from other orders of government.

As elected officials we have a unique and important role to play in building resilient and livable communities. We are on the front lines – often the public face of a community's response to a disaster or extreme weather event. Residents and businesses alike look to us for guidance, reassurance, and a calm voice of reason in stressful situations. Building community resilience will help to empower the community to pull together in the face of climate change and related events.

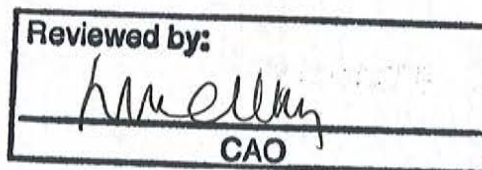
The 2019 Livable Cities Forum is an opportunity to bring us together from across Canada and around the world to discuss issues of strategic and political importance to help create more resilient and livable communities. **A coordinated story of leadership at the local level will provide a showcase of the tangible outcomes that demonstrate the real level action on resilience that is happening in cities.**

This is an invitation only event and we are aiming to have a good cross section of elected officials represented. Please feel free to share with others on your Council, but note that we are unable to accept more than three delegates from one community. To cover costs for the day we need to charge \$199. However, this fee will also enable all participants in the elected officials dialogue to attend the whole conference at no additional cost.

I look forward to welcoming you to Victoria in October and to learning from you and with you. Please RSVP to summer.goulden@iclei.org by July 30th. Spaces will be allocated on a first come first serve basis with a maximum participation of 100 people.

Sincerely,

Lisa Helps,
Victoria Mayor



LIVABLE CITIES FORUM

BUILDING BETTER COMMUNITIES THROUGH RESILIENCE

VICTORIA CONFERENCE CENTRE, VICTORIA, BC | OCTOBER 28-30, 2019

The eighth annual Livable Cities Forum: Building Better Communities through Resilience is being hosted by the City of Victoria in partnership with ICLEI Canada, SHIFT Collaborative, and ACT (the Adaptation to Climate Change Team), SFU. The Forum is a boutique event widely known for its high-caliber interactive sessions and diverse speakers on climate change action.

EXPAND your professional network and resilience toolkit through two days of interactive workshops, plenaries, and sessions led by Canadian and international experts in building better, stronger, and more connected communities.

EXPLORE the City of Victoria and bring conference themes to life through study tours that highlight local initiatives that have made it a leading city in climate action and local resilience.

BUILD CAPACITY to implement collaborative, community-level action and build sustainable, healthy, and equitable communities that are resilient to our changing climate.





As part of the conference, the City of Victoria and ICLEI Canada (Local Governments for Sustainability) will be co-hosting a dialogue for elected officials, under the theme of *"Using Political Leadership to Build Community Resilience for a Changing Climate."*

A stream of elected official only sessions will focus on how to use political leadership to build better communities and strengthen resilience. This day of dialogue and networking would result in a Call to Action on the importance of local action on resilience and the need for support for local action from other orders of government.



An agenda will be circulated to delegates prior to the day, but the morning will offer selected and targeted presentations on resilience and community-building. These presentations will be interspersed with opportunities for discussion on local issues and breakouts to discuss specific aspects of resilience.

Following a luncheon and keynote presentation, there will be a panel discussion focusing on a specific aspect of resilience – climate equity, social connectedness, protecting vulnerable populations – are possible topics for this panel.

After the day's sessions, delegates will be invited to the Mayor's Dinner, for an evening of delicious local food, networking, and dialogue with colleagues from across Canada and the world.

Date: Monday, October 28, 2019

Registration: \$199—fee allows full access to all Livable Cities Forum events from October 28-30, 2019 (see following pages for full program).



VENUE

The Livable Cities Forum will be held at the Victoria Conference Centre. Steps from the British Columbia Parliament Buildings, the venue is set amongst one of the most beautiful locations in Western Canada, with the best of the city at its doorstep.

ACCOMMODATIONS

Rooms are available for a special conference discount at the Fairmont Empress. Discounted rooms are limited, and are available on a first-come, first-serve basis. Visit www.livablecitiesforum.com/venue for more information.

about



AUDIENCE

The Forum is the ideal place for local government, provincial/federal government, First Nations, the health sector, community service providers, academic institutions, non-profit organizations, community organizations, and the private sector to be a part of the conversation on how to build better, stronger, and more connected communities that are prepared for the impacts of climate change.

PROGRAM

Join in on over 25 engaging sessions, plenaries, and workshops to learn about community-level resilience across Canada. All sessions will give participants the opportunity to engage in discussions, work through activities, and network with each other to build and enhance partnerships to improve community resilience. Learn about a new topic of interest or take a deep dive through workshops geared toward practitioners.

MAYOR'S DINNER

A chance for Forum delegates to enjoy a night of delicious local food, networking, and dialogue on building better communities.

ICLEI & FCM COCKTAIL RECEPTION

Unwind Tuesday evening with ICLEI and the Federation of Canadian Municipalities (FCM) for a celebration, a drink, and networking.

LOCAL STUDY TOURS

Choose from a variety of half-day excursions in the City of Victoria and surrounding area. Tours will be led by local hosts and will showcase community adaptation and resilience initiatives from across the city.

THEMES

Exploring the climate change and health nexus

Build an understanding of how approaches to climate change can not only protect, but also improve community health and well-being.

Climate change action that uses a health and social equity lens can help to protect the most vulnerable, while at the same time providing a mechanism to build better neighbourhoods, promote social inclusion, and facilitate deeper collaboration and impact.



Role of infrastructure in building better neighbourhoods



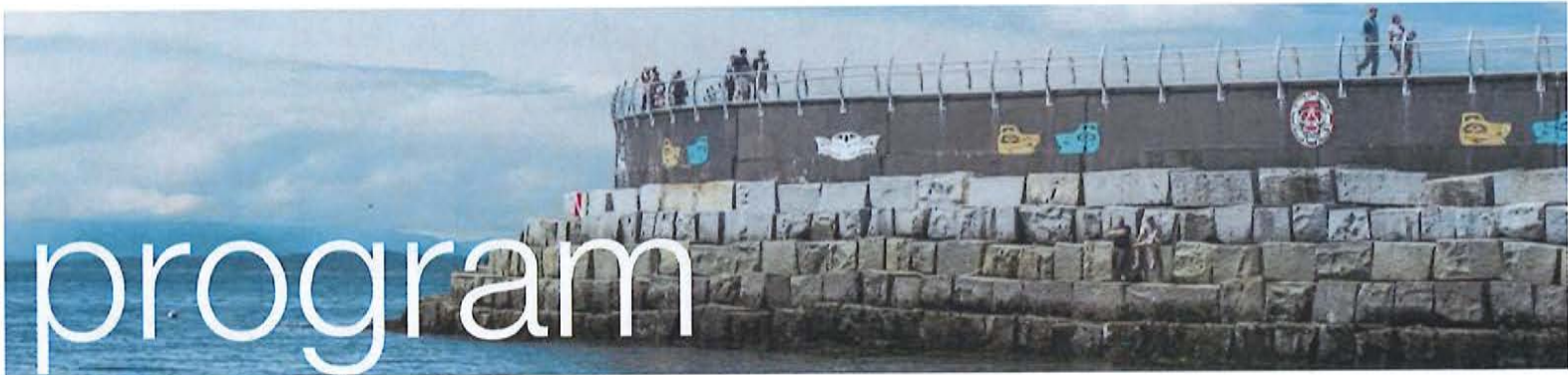
Delve into the role that infrastructure – both built and natural – in creating more livable, healthy, and equitable communities. Sessions will look at how to consider the co-benefits associated with various infrastructure types, the trade-offs involved with infrastructure decisions, and the relationship between infrastructure, resilience, and communities.

Advancing low carbon resilience for more livable communities

Explore how considering both climate resilience and moving towards a low carbon future in an integrated way can highlight the multiple co-benefits for communities and ecosystems. This

theme will look at the role of green infrastructure, integrated planning, and collaborative action and how these can be tools to advance action on low carbon resilience.





DAY 1 MONDAY, OCTOBER 28, 2019

7:30 - 8:30 AM	Registration and Breakfast
8:30 - 10:00 AM	Welcome and Opening Plenary
10:00 - 10:30 AM	Coffee Break
10:30 AM - 12:00 PM	Coming Together: Collaborative co-governance as a key towards resilience
	People, Pipes, or Both: Applying integrated thinking for resilient solutions
	Stories of Resilience in the Face of Climate Change
	Low Carbon Resilience (LCR): Synergies between adaptation and mitigation in practice
12:00 - 1:30 PM	Networking Lunch
1:30 - 3:00 PM	Social Resilience, Healthy Communities, and Climate Change
	Healthy Cities Research: The role city research partnerships play in building livable, learning cities
	Does what makes a neighbourhood great also make it resilient?
	The Economics of Resilience: Understanding the business case for adaptation
3:00 - 3:30 PM	Coffee Break
3:30 - 5:00 PM	Health and Equity in a Changing Climate: Understanding vulnerability to the health impacts of climate change
	Aligning Low Carbon Resilience and Ecosystem-based Planning: Synergies between climate action, biodiversity planning, and green infrastructure
	Ask an Expert World Café
6:00 - 9:00 PM	Mayor's Dinner

To view sessions descriptions, visit:
www.livablecitiesforum.com/program

#LCF 2019



DAY 2

TUESDAY, OCTOBER 29, 2019

7:30 - 8:30 AM	Registration and Breakfast
8:30 - 9:30 AM	Morning Plenary
9:45 - 11:00 AM	#climatechange: Climate communications in the digital era
	Greening and Cooling Playgrounds in Canada
	Who's Got the Power? Spheres of Influence and Systemic Interdependencies for LCR in Policy and Practice
	Building Health & Resilience through Sustainable Place-based Food Systems
11:00 - 11:30 AM	Coffee Break
11:30 AM – 1:00 PM	#climatechange: Workshop exploring climate communications
	Extreme Heat, Health, and Collaborative Responses for Resilient Communities
	Renewable Energy Transition: From commitment to implementation
1:00 - 2:00 PM	Networking Lunch
2:00 - 3:30 PM	One & All: Climate impacts on mental health & wellbeing
	Adaptive and Resilient Buildings for All Climates
	Low Carbon Resilience Linkages: Synergies for infrastructure and health planning
	Workshop with Natural Resources Canada
3:30 – 4:00 PM	Coffee Break
4:00 – 5:00 PM	Closing Plenary
5:30 – 7:00 PM	ICLEI and FCM Cocktail Reception

DAY 3

WEDNESDAY, OCTOBER 30, 2019

7:30 - 8:30 AM	Registration and Breakfast
9:00 AM - 12:00 PM	Local study tours and workshops

To view sessions descriptions, visit:
www.livablecitiesforum.com/program

#LCF 2019

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8618

A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8618**” (**Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702**).
2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of CD-702 (Comprehensive Development 702 Zone):

Lot	Block	D.L.	Plan	
B	114	274	15049	from RH-1

3. Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:
 - A. Adding the following section to Section 1100, thereof, after the designation “CD-701 Comprehensive Development 701 Zone”:
“CD-702 Comprehensive Development 702 Zone”
 - B. Adding the following to Section 1101, thereof, after the “CD-701 Comprehensive Development 701 Zone”:
“CD-702 Comprehensive Development 702 Zone”

In the CD-702 Zone, permitted Uses, regulations for permitted Uses, regulations for the size, shape and siting of Buildings and Structures and required Off-Street Parking shall be as in the RH-1 Zone, except that:

- (1) The permitted Principal Use on the Lot shall be limited to:
 - (a) Rental Apartment Residential Use:
 - i. Accessory Home Occupation Use subject to section 507(5), (6) and (7) of this bylaw;
 - ii. Accessory Off-Street Parking Use;
 - iii. Accessory Home Office Use;
- (2) Three Principal Buildings shall be permitted on one Lot;
- (3) Gross Floor Area

The maximum Gross Floor Area may be increased upon entering into a Housing Agreement with the City from a base density of 2.3 FSR to a maximum of 3.17 FSR as follows:

BASE DENSITY			
OCP Schedule 'A'		2.30 FSR	
ADDITIONAL (BONUS) DENSITY			
ADDITIONAL DENSITY CATEGORY	DESCRIPTION	ADDITIONAL DENSITY (BONUS)	POLICY REFERENCE
100% Rental Housing	Secured rental apartment building (all units)	0.88 FSR	OCP Section 2.2
TOTAL		3.17 FSR	

Such that the total effective on-site Gross Floor Area is not to exceed 3.17 FSR;

- (4) The north west building shall be sited as follows:
 - (a) 3. metres (9.8 feet) from the west property line;
 - (i) Notwithstanding 4(a), the secondary stairway may extend closer to the west property line, but the setback shall not be less than 1.65 metres (5.41 feet);
 - (b) 2.4 metres (8.0 feet) from the north property line;
- (5) The south west building shall be sited as follows:
 - (a) 3.0 metres (9.8 feet) from the west property line;
 - (b) 1.6 metres (5.2 feet) from the south property line;
- (6) The fifteen (15) storey tower shall be sited as follows:
 - (a) 14 metres (45.9 feet) from the north property line;
 - (b) 8 metres (26.2 feet) from the east property line;
 - (c) 65 metres (19.7 feet) from the south property line;
 - (d) 29 metres (95.1 feet) from the west property line;
- (7) The minimum separation distance between the north west and the south west building shall be no less than 8 metres (26.2 feet).
- (8) Figure 9-2 shall be varied to permit a parking stall width of no less than 2.4 metres (8.0 feet);
- (9) Section 906(3)(a)(i)(a) to permit a parking stall width to be no less than 2.4 metres (8.0 feet);

- (10) All exterior finished, design and landscaping to be approved by the Advisory Design Panel.

READ a first time on the 12th day of March, 2018.

READ a second time on the 12th day of March, 2018.

SECOND READING RESCINDED on the 13th day of May, 2019.

READ a second time, as amended, on the 13th day of May, 2019.

READ a third time on the 17th day of June, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8622

A Bylaw to enter into a Housing Agreement (151 East Keith Road)

WHEREAS Section 483 of the *Local Government Act* R.S.B.C. 2015 c.1 permits a local government to enter into a housing agreement for rental housing;

NOW THEREFORE the Council of The Corporation of the City of North Vancouver, in open meeting assembled enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Housing Agreement Bylaw, 2018, No. 8622**” (Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702, Rental Housing Commitments).
2. The Council hereby authorizes the agreement substantially in the form attached to this bylaw between The Corporation of the City of North Vancouver and IMH 151 E Keith Apartments LTD with respect to the lands referenced as 151 East Keith Road, “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8618” (Urban Systems / IMH 151 E Keith Apartments LTD, 151 East Keith Road, CD-702).
3. The Mayor and City Clerk are authorized to execute any documents required to give effect to the Housing Agreement.

READ a first time on the 12th day of March, 2018.

READ a second time on the 12th day of March, 2018.

SECOND READING RESCINDED on the 13th day of May, 2019.

READ a second time, as amended, on the 13th day of May, 2019.

READ a third time on the 17th day of June, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

TERMS OF INSTRUMENT – PART 2

HOUSING AGREEMENT & SECTION 219 COVENANT - RENTAL BUILDING

WHEREAS:

- A. The Owner is the registered owner of the Lands;
- B. Section 219 of the *Land Title Act* (British Columbia) permits registration of a covenant in favour of a municipality in respect of the use of land or the use of a building on or to be erected on land, that land is or is not to be built on except in accordance with the covenant and that land is not to be subdivided except in accordance with the covenant;
- C. Section 483 of the *Local Government Act* (British Columbia) permits a local government to, by bylaw, enter into a housing agreement that may include terms and conditions regarding the occupancy of the housing units identified in the agreement, including respecting the form of tenure of the housing units, the availability of the housing units to classes of persons, the administration and management of the housing units and the rents and lease, sale or share prices that may be charged;
- D. The City has enacted a bylaw authorizing this Agreement; and
- E. The Owner and the City wish to enter into this Agreement pursuant to section 219 of the *Land Title Act* and section 483 of the *Local Government Act*.

NOW THEREFORE in consideration of the sum of \$10.00 now paid by the City to the Owner and for other good and valuable consideration (the receipt and sufficiency of which the Owner hereby acknowledges), the Owner and the City covenant each with the other as follows:

1. INTERPRETATION

1.1 Definitions

In this Agreement:

- (a) **“Affordable Rent”** means with respect to each Mid-Market Rental Unit a rent payment amount equal to 30% below the “Private Apartment Average Rents” for the corresponding bedroom type in the City of North Vancouver as published by Canada Mortgage and Housing Corporation on its Housing Market Information Portal, using the most recently available Canada Mortgage and Housing Corporation information at the time the applicable Tenancy Agreement is entered into.
- (b) **“Agreement”** means, together, Part 1 and these Terms, including schedules attached hereto.
- (c) **“Building”** means two separate buildings to be constructed on the Lands following the registration of this Agreement on the LTO (the **“New Buildings”**), to be comprised of:
 - i) a four storey building at the north west corner of the Lot, containing 31 studio units;

- ii) a four storey townhouse building at the south west corner of the Lot, containing 3 studio units, 3 two bedroom units and 3 three bedroom units; and
 - iii) 2 levels of below-ground parking.
- (d) **“City”** means the Corporation of the City of North Vancouver.
 - (e) **“Claims and Expenses”** means all actions, causes of action, suits, judgments, proceedings, demands and claims, whether at law or in equity, losses, damages, expenses and costs (including legal fees and disbursements on an indemnity basis) of any kind or nature whatsoever, at law or in equity, for any damage, loss, injury or death.
 - (f) **“CPI”** means the All-Items Consumer Price Index for Vancouver, B.C. published from time to time by Statistics Canada, or its successor in function.
 - (g) **“Daily Amount”** means \$50.00 per day as of January 1, 2019 adjusted annually thereafter by adding thereto an amount calculated by multiplying \$100.00 by the percentage change in the CPI since January 1, 2019, to January 1 of the year that a notice of default referred to Section 6.1(b) is delivered to the Owner by the City.
 - (h) **“Household”** means the individuals who occupy a Mid-Market Rental Unit.
 - (i) **“Household Income”** means the aggregate of income from all sources of all the occupants of an Affordable Housing Unit, based on the tax returns filed by such occupants with Canada Customs and Revenue Agency for the most recent taxation year.
 - (j) **“Lands”** means those lands and premises legally described as

Parcel Identifier: 007-697-481
Lot B
Block 114
District Lot 274
Plan 15049;
 - (k) **“LTO”** means the Vancouver/New Westminister Land Title Office.
 - (l) **“Mid-Market Income Level”** means an amount equal to the Affordable Rent for a Mid-Market Rental Unit with respect to the proposed tenancy agreement, multiplied by 12 and divided by 0.3 (i.e. 30%).
 - (m) **“Market Rental Units”** means all residential dwelling units in the New Buildings other than the Mid-Market Rental Units.
 - (n) **“Mid-Market Rental Units”** means those residential dwellings designated by the owner as Mid-Market Rental Units pursuant to this Agreement.
 - (o) **“Owner”** means the person described in Item 5 of Part 1.

- (p) “**Part 1**” means the General Instrument – Part 1 (*Land Title Act* Form C) to which these Terms of Instrument are attached as Part 2.
- (q) “**Rental Purposes**” means an occupancy or intended occupancy which is or would be governed by a tenancy agreement as defined in the *Residential Tenancy Act* (British Columbia).
- (r) “**Rental Units**” means all residential dwellings in the Buildings.
- (s) “**Rent Charge**” has the meaning set out in Section 6.1.
- (t) “**Section 219 Covenant**” means a covenant pursuant to Section 219 of the *Land Title Act*.
- (u) “**Tenancy Agreement**” means an agreement, whether written or oral, express or implied, between the Owner and a tenant respecting possession or occupancy of a Mid-Market Rental Unit.

1.2 Interpretation

In this Agreement:

- (a) words importing the singular number include the plural and vice versa and words importing the neuter gender include the masculine and the feminine genders;
- (b) the division of this Agreement into articles and sections and the insertion of headings are for convenience only and will not affect the construction or the interpretation of this Agreement;
- (c) references to any article, section or schedule will, unless the context otherwise requires, mean that article, section or schedule of this Agreement;
- (d) every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows;
- (e) the words “include” and “including” are to be construed as meaning “include without limitation” and “including without limitation”;
- (f) all payments to be made will be deemed to be payments in lawful currency of Canada;
- (g) reference to “business day” means all days other than Saturday, Sunday and statutory holidays in the Province of British Columbia;
- (h) reference to “party” and “parties” means the one or more parties to this Agreement, as the context demands;
- (i) reference to a whole, for example, the “Lands”, includes reference to a portion thereof; and

- (j) unless expressly stated otherwise, the term “enactment” has the same meaning as under the *Interpretation Act* (British Columbia) and reference to a specific enactment shall be to that enactment, as amended or replaced from time to time, unless otherwise expressly provided.

1.3 Acknowledgements

The Owner acknowledges that:

- (a) nothing in this Agreement will relieve the Owner from any obligation or requirement arising under any enactment, including City bylaws, in respect of the use, subdivision and development of the Lands; and
- (b) nothing contained or implied in this Agreement will prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Local Government Act* (British Columbia), the *Community Charter* (British Columbia) or other enactment, including City bylaws.

2. SECTION 219 OF THE LAND TITLE ACT

2.1 Section 219 Covenant

The Owner hereby covenants and agrees with the City, as a covenant in favour of the City pursuant to Section 219 of the *Land Title Act* (British Columbia), it being the intention and agreement of the Owner that the provisions in this Agreement be annexed to, and run with and be a charge upon the Lands, that notwithstanding the enactment of the Rezoning Bylaw, the Lands will be subdivided, used, built and used only in strict compliance with the terms and conditions of this Agreement.

2.2 Section 219 Indemnity

As an indemnity pursuant to section 219(6) of the *Land Title Act* (British Columbia), the Owner shall indemnify the City against all Claims and Expenses arising out of or, in any way related to or that would not or could not be sustained but for, this Agreement, including, but not limited to, the exercise by the City of any rights granted in this Agreement, or any restrictions imposed pursuant to this Agreement, except if resulting from a negligent action or omission by the City.

2.3 Registration of the indemnity in the LTO

At the City's direction, the indemnity contained herein will be filed for registration in the LTO under a separate registration number from the Section 219 Covenant contained in this Agreement.

2.4 Release

The Owner hereby releases the City from all Claims and Expenses arising out of or in any way related to this Agreement, including, but not limited to, the exercise by the City of any rights granted in this Agreement, or any restrictions imposed pursuant to this Agreement, except if resulting from a negligent action or omission by the City.

2.5 Survival of release and indemnity

The indemnity and release in this Section 2 will survive any discharge, expiration, termination or cancellation of this Agreement.

3. RENTAL UNITS

3.1 Rental Units

The Rental Units shall only be used for Rental Purposes.

3.2 No Subdivision

The Lands shall not be subdivided pursuant to the *Land Title Act* (British Columbia), the *Strata Property Act* (British Columbia) or otherwise without the prior written consent of the City, except that this Section 3.2 shall not prevent the Owner from proceeding to subdivide the Lands to create one or more air space parcels (but not strata lots), provided that each Building is entirely contained within a single air space parcel.

3.3 No Separate Sale or Transfer

In the event that the Lands are subdivided (pursuant to the *Land Title Act* (British Columbia), the *Strata Property Act* (British Columbia) or otherwise), in accordance with section 3.2, with the written consent of the City or in contravention of Section 3.2, the resulting parcels (including strata lots) shall not, without the prior written consent of the City, be sold or otherwise transferred separately.

4. MID-MARKET RENTAL UNITS

4.1 Mid-Market Rental Unit Designation

Four of the Rental Units within the New Buildings shall be used, occupied and rented in accordance with the requirements of this Section 4 and shall constitute the Mid-Market Rental Units. Before using or occupying the New Buildings, and before issuance of an occupancy permit for the New Buildings, the Owner shall designate, in writing, to the City which the Rental Units in the New Buildings are the Mid-Market Rental Units.

4.2 Mid-Market Rental Unit Mix

The Mid-Market Rental Units shall meet the following 'unit mix' requirements, and the Owner's designation under section 4.1 shall comply with such requirements:

- (a) 4 studio units;

4.3 Rent Restrictions & Tenure Requirements

- (a) Mid-Market Rental Units shall only be rented to and occupied by a Household having a Household Income less than or equal to the Mid-Market Income Level.
- (b) Before entering into a Tenancy Agreement for a Mid-Market Rental Unit, the Owner shall:
 - (i) obtain from the prospective tenant, in writing, the names of all members of the Household that will occupy the Mid-Market Rental Unit;

- (ii) obtain, from the prospective tenant, the tax returns filed with Canada Customs and Revenue Agency for the most recent taxation year for each individual identified under Section 4.3(a)(i) who was required to file a tax return for that taxation year; and
 - (iii) take such other steps as may be reasonably necessary, in the opinion of the Owner, to confirm that the Mid-Market Rental Unit shall be occupied by a Household having a Household Income less than or equal to the Mid-Market Income Level.
- (c) If a Tenancy Agreement is entered into in respect of a Mid-Market Rental Unit, the Owner shall retain copies of all documents obtained pursuant to Section 4.3(b) and will make and retain records of any information obtained pursuant to Section 4.3(b) in respect of such tenancy for a period of no less than one year following the expiration or earlier termination of such Tenancy Agreement, subject to any applicable restrictions under the *Personal Information Protection Act* (British Columbia) or other applicable privacy legislation, and the Owner shall, within 14 days following a request from the City from time to time, provide copies of such documents and records to the City, subject to any applicable restrictions under the *Personal Information Protection Act* (British Columbia) or other applicable privacy legislation.
- (d) The Owner shall not enter into a Tenancy Agreement for a Mid-Market Rental Unit unless the requirements of Sections 4.3(b) and 4.3(c) have been satisfied in relation to such Tenancy Agreement. If those requirements have been satisfied, the Owner will have no liability to the City in the event that any information provided by the tenant to the Owner under Section 4.3(b) in relation to the Tenancy Agreements proves to be false or if the Household Income of the occupants of the Mid-Market Rental Unit increases during the term of the Tenancy Agreement.
- (e) The monthly rent payable for a Mid-Market Rental Unit shall not exceed the Affordable Rent, except that the Owner may increase the rent under a Tenancy Agreement in accordance with the provisions of the *Residential Tenancy Act* (British Columbia).
- (f) The Owner shall not require a tenant of a Mid-Market Rental Unit to pay any extra charges or fees for use of any common property, limited common property, or other common area, for property taxes or for sanitary sewer, storm sewer, water utilities and similar services, except in respect of the following:
 - (i) any utilities not included in the Tenancy Agreement, including without limitation, television/cable, internet and telephone;
 - (ii) any utilities for which individual meters are provided by the Owner, from time to time;
 - (iii) parking;
 - (iv) use of bicycle storage lockers or other facilities;

- (v) use of storage lockers; and
- (vi) booking for exclusive use of any common amenity spaces as may be made available for such booking by the Owner from time to time.
- (g) Mid-Market Rental Units shall be occupied only pursuant to a written Tenancy Agreement;
- (h) The initial term of every Tenancy Agreement for a Mid-Market Rental Unit shall be for 1 year.
- (i) Every Tenancy Agreement for a Mid-Market Rental Unit will identify all members of the Household and will stipulate that anyone not identified in such Tenancy Agreement will be prohibited from residing at the Mid-Market Rental Unit for more than 30 consecutive days or more than 45 days total in any calendar year.
- (j) Every Tenancy Agreement for a Mid-Market Rental Unit shall provide that the tenant shall not sublease the Mid-Market Rental Unit or assign the Tenancy Agreement, without the consent of the Owner.
- (k) The Owner shall not consent to a sublease of a Mid-Market Rental Unit or to an assignment of a Tenancy Agreement in respect of a Mid-Market Rental Unit, except if the requirements of Sections 4.3(b) and (c) are first satisfied in relation to the proposed subtenant or assignee.
- (l) The Owner shall deliver a copy of every Tenancy Agreement in respect of a Mid-Market Rental Unit to the City within 14 days following a request from the City from time to time.
- (m) The restrictions under Sections 4.3(a), (b) and (c) shall not apply to a Tenancy Agreement in respect of a Mid-Market Rental Unit entered into within 6 months following the date of issuance of an occupancy permit for the New Buildings if the tenant under the Tenancy Agreement was a tenant of the Existing Building on the date of registration of this Agreement.
- (n) The requirements of this Section 4.3 shall cease to apply from and after the 10th anniversary of the date this Agreement is registered in the LTO.
- (o) The Owner shall, within 14 days following a written request from the City, but no more than once each calendar year, provide the City with a statutory declaration in a form determined by the City, sworn by the Owner, or by an officer or director of the Owner if the Owner is a corporation, before a commissioner for taking of affidavits for British Columbia under the Evidence Act (British Columbia) setting out the current monthly rent amounts for each Tenancy Agreement in respect of a Mid-Market Rental Unit as of the date of the statutory declaration.

4.4 Partnership with Hollyburn Family Services

Notwithstanding Section 4.3, the Owner may enter into a partnership (by way of a signed, written agreement) to secure the four Mid-Market Units with Hollyburn Family Services, or similar organization approved in writing by the City, for the purposes of providing affordable housing to vulnerable seniors through the SAFER subsidy, which purposes shall be expressly

stated in the agreement and if, and for so long as a Mid-Market Rental Units is subject to such an agreement, the restrictions under section 4.3 shall not apply to such Mid-Market Rental Unit. The Owner shall provide to the City a copy of every such lease, and every amendment thereto, promptly following the execution thereof.

5. DEFAULT AND REMEDIES

5.1 Default and remedies

- (a) If the Owner fails to comply with any of its obligations under this Agreement, the City may notify the Owner in writing (at the address shown on title to the Lands in the LTO at the relevant time) that the Owner is in default, describe the default, and instruct the Owner to correct the default within 15 days of receiving the notice, or such longer period as the City may consider necessary to correct the default given the nature of the default (the “**Cure Period**”).
- (b) Upon receipt of a notice from the City under Section 5.1(a), the Owner will diligently proceed to correct the default within the Cure Period.
- (c) The Owner agrees that the public interest in ensuring that all of the matters described in this Agreement are complied with strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the Supreme Court of British Columbia at the instance of the City, in the event of an actual or threatened breach of this Agreement.
- (d) No reference to or exercise of any specific right or remedy by the City, shall prejudice or preclude the City from exercising any other right or remedy, whether allowed at law or in equity or expressly provided for in this Agreement, and no such right or remedy is exclusive or dependent upon any other such remedy and the City may from time to time exercise any one or more of such remedies independently or in combination.

5.2 City may perform Owner’s obligations

Without limiting Section 5.1, if, following notice from the City under Section 5.1(a), the Owner fails to correct the default within the Cure Period, the City may (but is not obligated to), upon giving to the Owner five days’ prior written notice describing the default, or immediately in the case of an emergency, perform such obligations, for and on behalf of and at the sole cost of the Owner.

5.3 Owner will reimburse City for its costs

Upon receipt of written demand for same, the Owner will pay to the City all costs incurred by the City under Section 5.2, including a 30% administrative fee.

6. RENT CHARGE

6.1 Rent Charge

- (a) The Lands are subject to a daily rent charge (the “**Rent Charge**”), payable by the Owner on the first of each calendar month (the “**due date**”), in the amount equal to the Daily Amount, which Rent Charge is deemed to accrue day to day, from

and after the Rent Charge Default Date until the Default Correction Date (each as defined in subsection (b) below).

- (b) The Rent Charge shall abate against the Lands, and no amounts will accrue or be payable by the Owner thereunder, until such time (the “**Rent Charge Default Date**”) as the Owner does not comply with section 4.3(e) in relation to a Mid-Market Rental Unit and the Owner does not, within Cure Period, correct that default by reducing the rent under the Tenancy Agreement to the Affordable Rent plus any increase permitted under the *Residential Tenancy Act* (British Columbia). For clarity, the Rent Charge shall to accrue on a day to day basis for every day that a default continues after Cure Period until the Owner has corrected that default by reducing the rent under the Tenancy Agreement to the Affordable Rent plus any increase permitted under the *Residential Tenancy Act* (British Columbia) (the “Default Correction Date”).
- (c) Any arrears of Rent Charge shall bear interest from the due date until payment at the rate of eleven per cent (11%) per annum and shall be a charge upon the Lands in the same manner as the Rent Charge hereby charged on the Lands.
- (d) The Rent Charge ranks prior to all other financial charges and encumbrances registered at any time against the Lands.
- (e) The Rent Charge is granted both under section 219(6)(b) of the *Land Title Act* (British Columbia) as an integral part of the Section 219 Covenant contained in this Agreement, and as a fee simple rent charge at common law.
- (f) The City may enforce and collect the Rent Charge by any combination or all of:
 - (i) an action against the Owner for the Rent Charge;
 - (ii) distraint against the Lands to the extent of the Rent Charge;
 - (iii) an action for appointment of receiver in respect of the Lands; or
 - (iv) an order for sale of the Lands

7. GENERAL

7.1 Building manager

If the Owner retains a building manager in respect of the Building, the Owner shall instruct and ensure that the building manager complies with the terms of this Agreement.

7.2 Severance

If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion will be severed and the decision that it is invalid will not affect the validity of the remainder of this Agreement.

7.3 Runs with the Lands

The Section 219 Covenant (including the Rent Charge) herein will run with, and bind the successors in title to, the Lands and each and every part into which the Lands may be divided or subdivided, whether by subdivision plan, strata plan or otherwise.

7.4 Notice of Housing Agreement

This Agreement constitutes both a covenant under section 219 of the *Land Title Act* and a housing agreement entered into under section 483 of the *Local Government Act*. The Owner acknowledges that the City is required to file a notice of housing agreement in the LTO against title to the Land; and once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land as a housing agreement under section 483 of the *Local Government Act*.

7.5 Limitation on Owner's Obligations

In accordance with section 219(8) of the *Land Title Act* (British Columbia), a person is not liable for a breach of this Agreement occurring after that person has ceased to be an owner of the Lands.

7.6 Further Assurances

The parties will execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.

7.7 Waiver

Waiver by the City of a default by the Owner will be in writing and will not be deemed to be a waiver of any subsequent or other default.

7.8 Enurement

This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

7.9 Priority

The Owner will take all steps necessary to ensure that this Agreement is registered in the LTO in priority to all charges and encumbrances which may impair the covenants granted in this Agreement and, in any event, in priority to all financial charges.

7.10 Counterparts and Electronic Delivery

This Agreement may be executed in any number of counterparts and delivered via facsimile or e-mail, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument, provided that any party delivering this Agreement via facsimile or e-mail will deliver to the other party an originally executed copy of this Agreement forthwith upon request by the other party.

IN WITNESS OF THIS AGREEMENT the City and the Owner have executed this Agreement by signing the “Form C - General Instrument - Part 1” or “Form D – Executions Continued” attached hereto:

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

MAYOR
Linda C. Buchanan

CITY CLERK
Karla D. Graham

IMH 151 E KEITH APARTMENTS LTD

Authorized Signatory

Printed Name

Authorized Signatory

Printed Name

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8665

A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8665” (GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street, CD-715)**.
2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of CD-715 (Comprehensive Development 715 Zone):

Lot	Block	D.L.	Plan	
D	142	274	878	from RM-1
E	142	274	878	from RM-1

3. Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:
 - A. Adding the following section to Section 1100, thereof, after the designation “CD-714 Comprehensive Development 714 Zone”:

“CD-715 Comprehensive Development 715 Zone”
 - B. Adding the following to Section 1101, thereof, after the “CD-714 Comprehensive Development 714 Zone”:

“CD-715 Comprehensive Development 715 Zone”

In the CD-715 Zone, permitted Uses, regulations for permitted Uses, regulations for the size, shape and siting of Buildings and Structures and required Off-Street Parking shall be as in the RM-1 Zone, except that:

- (1) The permitted Principal Use on the Lot shall be limited to:
 - (a) Rental Apartment Residential Use
 - i. Accessory Home occupation Use subject to section 507(5), (6) and (7) of this bylaw;
 - ii. Accessory Off-Street Parking Use;
 - iii. Accessory Home Office Use;
- (2) The Maximum Gross Floor Area permitted may be increased as follows upon entering into a Housing Agreement with the City:

BASE DENSITY			
OCP Schedule 'A'		1.60 FSR	
ADDITIONAL (BONUS) DENSITY			
ADDITIONAL DENSITY CATEGORY	DESCRIPTION	ADDITIONAL DENSITY (BONUS)	POLICY REFERENCE
100% Rental Housing	Secured rental apartment building (all units)	1.0 FSR	OCP Section 2.2
TOTAL		2.60 FSR	

To a maximum of 2.60 FSR.

- (3) The Principal Building shall not exceed a Height of six storeys and 14.9 metres (48.79 feet);
- (4) The Principal Building shall be sited as follows:
 - (a) 2.10 meters (6.83 feet) from the lot line adjacent to East 2nd Street;
 - (b) 4.89 metres (16.0 feet) from the lot line adjacent to St. Georges Avenue;
 - (c) 4.93 metres (16.17 feet) from the East Lot Line;
 - (d) 2.06 meters (6.75 feet) from the Rear Lot Line.
- (5) The Lot Coverage of the Principal Building shall not exceed a maximum of 58.0 percent;
- (6) Section 510(3) *Building Width and Length* shall be waived to permit vehicle access from East 2nd Street;
- (7) Section 906(4)(c)(i) *Limitation of Access* shall be waived;
- (8) All exterior finishes, design and landscaping is subject for approval by the Advisory Design Panel.

READ a first time on the 3rd day of December, 2018.

READ a second time on the 3rd day of December, 2018.

READ a third time on the 21st day of January, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8666

A Bylaw to enter into a Housing Agreement (210-230 East 2nd Street)

WHEREAS Section 483 of the *Local Government Act* R.S.B.C. 2015 c.1 permits a local government to enter into a housing agreement for rental housing.

NOW THEREFORE the Council of The Corporation of the City of North Vancouver, in open meeting assembled enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Housing Agreement Bylaw, 2018, No. 8666**” (GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street, CD-715, Rental Housing Commitments).
2. The Council hereby authorizes the agreement substantially in the form attached to this bylaw between The Corporation of the City of North Vancouver and GWL Realty Advisors with respect to the lands referenced as 210 and 230 East 2nd Street, “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8665” (GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street, CD-715).
3. The Mayor and City Clerk are authorized to execute any documents required to give effect to the Housing Agreement.

READ a first time on the 3rd day of December, 2018.

READ a second time on the 3rd day of December, 2018.

READ a third time on the 21st day of January, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference the <> day of <>, 20<>.

BETWEEN:

2281140 Ontario Inc., Inc. No. A0092343
C/O Suite 1600, 650 West Georgia Street, PO Box 11505
Vancouver, British Columbia,
V6B 4N7

and

2278372 Ontario Inc., Inc. No. A0082985
C/O Suite 1600, 650 West Georgia Street, PO Box 11505
Vancouver, British Columbia,
V6B 4N7

(the "Owner")

AND:

THE CORPORATION OF THE CITY OF NORTH VANCOUVER,
a municipal corporation pursuant to the *Local Government Act* and
having its offices at 141 West 14th Street, North Vancouver,
British Columbia, V7M 1H9

(the "City")

WHEREAS:

- A. The Owner is the registered owner of the Lands.**
- B. The City is a municipal corporation incorporated pursuant to the Act.**
- C. As a condition of the Rezoning Bylaw, the Owner has agreed to enter into a housing agreement with the City in accordance with section 483 of the Act.
- D. Section 483 authorizes the City, by bylaw, to enter into a housing agreement in respect of the form of tenure of housing units, availability of such units to classes of identified person, administration and management of such units and the rent that may be charged for such units.

NOW THEREFORE in consideration of the sum of Ten Dollars (\$10.00) now paid by the City to the Owner and for other good and valuable consideration (the receipt and sufficiency of which the Owner hereby acknowledges), the Owner and the City covenant each with the other as follows:

1. DEFINITIONS

- (a) "**Act**" means the *Local Government Act*, RSBC. 2015 c.1 as amended from time to time;

- (b) **"Affordable Rent"** means with respect to each Mid-Market Rental Unit a rent payment amount equal to 10% below the "Private Apartment Average Rents" for the corresponding bedroom type in the City of North Vancouver as established by CMHC's Housing Market Information Portal for the year the tenancy is entered into;
- (c) **"Agreement"** means this agreement as amended from time to time;
- (d) **"Commencement Date"** has the meaning set out in section 2.1 herein;
- (e) **"Council"** means the municipal council for the City of North Vancouver;
- (f) **"CMHC"** means Canada Mortgage and Housing Corporation;
- (g) **"Director of Planning"** means the chief administrator of the Department of Planning of the City and his or her successors in function and their respective nominees;
- (h) **"Dwelling Unit"** means a dwelling unit as defined in the City of North Vancouver's Zoning Bylaw 1995, No. 6700 as amended from time to time;
- (i) **"Lands"** means those lands and premises legally described as

Parcel Identifier: 015-077-535
 Lot D (Reference Plan 9961)
 Block 142
 District Lot 274
 Plan 878;

and

Parcel Identifier: 015-077-543
 Lot E (Reference Plan 10003)
 Block 142
 District Lot 274
 Plan 878;

- (j) **"Mid-Market Rental Units"** means Dwelling Units that are rented to tenants for Affordable Rent;
- (k) **"Market Rental Units"** means Dwelling Units that are rented to tenants for market rental rates as set by the Owner;
- (l) **"Rental Purposes"** means an occupancy or intended occupancy which is or would be governed by a tenancy agreement as defined in Section 1 of the *Residential Tenancy Act*, SBC 2002 c. 78 as amended from time to time between the Owner and the tenant;
- (m) **"Rental Units"** means the Market Rental Units and the Mid-Market Rental Units;

- (n) **“Residential Building”** means the six storey building to be constructed on the Lands to be used for Rental Purposes with 160 Dwelling Units, of which 144 Dwelling Units will be Market Rental Units and 16 Dwelling Units will be Mid-Market Rental Units;
- (o) **“RT Act”** means the *Residential Tenancy Act*, SBC 2002 c. 78;
- (p) **“Rezoning Bylaw”** means the rezoning bylaw applicable to the Lands described as “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8665”; and
- (q) **“Term”** has the meaning set out in section 2.1 herein.

2. TERM

- 2.1 This Agreement will commence upon adoption by Council of “Housing Agreement Bylaw, 2018, No. 8666” (GWL Realty Advisors / Rositch Hempill Architects, 210-230 East 2nd Street, CD-715, Rental Housing Commitments), (the **“Commencement Date”**) and will continue until the earlier of:
 - (a) the date this Agreement is terminated in accordance with sections 2.2 or 8.3(c); and
 - (b) the 20th anniversary of the Commencement Date,(the **“Term”**).
- 2.2 This Agreement will terminate immediately upon the removal or destruction of the Residential Building provided the Residential Building is not repaired or rebuilt following the destruction thereof.
- 2.3 Subject to section 7.3, upon termination of this Agreement, this Agreement will be at an end and of no further force and effect.

3. USE OF LANDS

- 3.1 The Owner covenants and agrees with the City that during the term of this Agreement, notwithstanding the Rezoning Bylaw, the Lands shall be used and built on only in strict compliance with the terms and conditions of this Agreement and that:
 - (a) the Lands shall not be subdivided or stratified;
 - (b) the Residential Building shall be used for Rental Purposes only; and
 - (c) no Rental Unit in the Residential Building shall be occupied for any purpose except for Rental Purposes.
- 3.2 The Owner further covenants and agrees with the City that the Lands and any buildings or structures constructed thereon including the Residential Building shall be developed, built and maintained in accordance with all City bylaws, regulations and guidelines as amended from time to time.

4. TENANCY RESTRICTIONS

- 4.1 The unit mix for Rental Units in the Residential Building shall be no fewer than one four-bedroom unit, 21 three-bedroom units, 36 two-bedroom units, 80 one-bedroom units and 22 studio units or as otherwise approved in writing by the Director of Planning in his or her discretion.
- 4.2 The 16 Mid-Market Rental Units shall be provided in the following unit mix: two studio units, nine one-bedroom units, four two-bedroom units, and one three-bedroom unit. The Owner may only change this mix with the approval in writing by the Director of Planning with such approval to be granted in his or her discretion. The Owner shall be entitled to determine the locations of the 16 Mid-Market Rental Units within the Residential Building.
- 4.3 The Owner shall enter into a minimum 1 year tenancy agreement for each of the Mid-Market Rental Units which will convert to a month to month tenancy at the end of the 1 year term. If such a tenancy is ended prior to the end of the Term, the Owner must rent the Mid-Market Rental Unit at Affordable Rent. After the Term has elapsed, when a tenancy of the Mid-Market Rental Unit is terminated in accordance with the RT Act, the Owner may rent the Mid-Market Rental Unit out at a market rental rate.
- 4.4 The Owner will notify the City when a tenancy of the Mid-Market Rental Unit is terminated in accordance with the RT Act and will notify the City when the Owner intends to rent the Mid-Market Rental Unit out at market rent.

5. OWNER'S OBLIGATIONS

- 5.1 Without limiting section 3.1 of this Agreement:
 - (a) Management and administration: the management, administration, and associated costs with the management and administration of the Rental Units, including the Mid-Market Rental Units, will be borne by the Owner or its designated rental agent, unless otherwise approved by the City in writing;
 - (b) Advertisement: the Owner will feature the tenure restrictions set out in this Agreement prominently in all advertising of Mid-Market Rental Units;
 - (c) Tenant Selection: the Owner will determine the selection of the tenants of the Mid-Market Rental Units, applying the suggested income qualification of a maximum household income determined by multiplying the low-end of market rents by 12 to yield the households' annual housing costs, and divided by 30% to meet the standard definition of affordability. Tenants from the existing rental building on the Lands should be provided first right of refusal in the Mid-Market Rental Units, regardless of income. In determining financial eligibility, the Owner or its rental agent, so long as it acts honestly and in good faith, is entitled to rely on all information provided by the prospective tenant and the Owner will have no liability if the prospective tenant intentionally or unintentionally provides any incorrect information. The Owner is under no obligation to monitor or update the financial circumstances of the tenant once the lease is signed.
 - (d) Rent Amount and Permitted Increases: Affordable Rent for Mid-Market Rental Units is to be determined at the time of tenancy. Rent amounts may be

subsequently increased by the permitted annual rent increase then set under the RT Act.

- (e) Compliance with applicable laws: without restricting the foregoing, the Owner will comply with all applicable provisions of the RT Act and any other provincial or municipal enactments imposing obligations on landlords in relation to residential tenancies;
- (f) Performance: the Owner will perform its obligations under this Agreement diligently and in good faith; and
- (g) Evidence of compliance: provided that the same can be done without breaching the *Personal Information Protection Act* (as amended from time to time) the Owner will, at Business License renewal or upon request by the City, supply to the City copies of any documentation in possession of the Owner necessary to establish compliance with the Owner's obligations under this Agreement.

6. DEFAULT AND REMEDIES

- 6.1 The City may, acting reasonably, give to the Owner a written notice (in this section 6.1, the "**Notice**") requiring the Owner to cure a default under this Agreement within 30 days of receipt of the Notice. The Notice must specify the nature of the default. The Owner must act with diligence to correct the default within the time specified.
- 6.2 If the default is not corrected within the time specified, the Owner will pay to the City on demand by the City 200 percent of the difference between current market rent, as determined by a third-party appraiser, and Affordable Rent for each Mid-Market Rental Unit in default for the default year to the end of the Term of the Agreement. The monies collected from default will be deposited to the City's Affordable Housing Reserve Fund.
- 6.3 The Owner will pay to the City on demand by the City all the City's costs of exercising its rights or remedies under this Agreement, on a full indemnity basis.
- 6.4 The Owner acknowledges and agrees that in case of a breach of this Agreement which is not fully remediable by the mere payment of money and promptly so remedied, the harm sustained by the City and to the public interest will be irreparable and not susceptible of adequate monetary compensation.
- 6.5 Each party to this Agreement, in addition to its rights under this Agreement or at law, will be entitled to all equitable remedies including specific performance, injunction and declaratory relief, or any of them, to enforce its rights under this Agreement.
- 6.6 The Owner acknowledges and agrees that it is entering into this Agreement to benefit the public interest in providing housing for Rental Purposes, and that the City's rights and remedies under this Agreement are necessary to ensure that this purpose is carried out and that the City's rights and remedies under this Agreement are fair and reasonable and ought not to be construed as a penalty or forfeiture.
- 6.7 No reference to nor exercise of any specific right or remedy under this Agreement or at law or at equity by any party will prejudice, limit or preclude that party from exercising any other right or remedy. No right or remedy will be exclusive or dependent upon any other right or remedy, but any party, from time to time, may exercise any one or more of such rights or

remedies independently, successively, or in combination. The Owner acknowledges that specific performance, injunctive relief (mandatory or otherwise) or other equitable relief may be the only adequate remedy of a default by the Owner under this Agreement.

7. LIABILITY

7.1 Except for the negligence of the City or its employees, agents or contractors, the Owner will indemnify and save harmless each of the City and its elected officials, board members, officers, directors, employees, and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:

- (a) any act or omission by the Owner, or its officers, directors, employees, agents, contractors, or other persons for whom at law the Owner is responsible; and
- (b) the Owner's ownership, operation, management or financing of the Lands for the provision of housing for Rental Purposes.

7.2 Except to the extent such advice or direction is given negligently, the Owner hereby releases and forever discharges the City, its elected officials, board members, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns from and against all claims, demands, damages, actions or causes of action by reason of or arising out of advice or direction respecting the ownership, operation or management of the Lands for the provision of housing for Rental Purposes which has been or hereafter may be given to the Owner by all or any of them.

7.3 The covenants of the Owner set out in sections 7.1 and 7.2 of this Agreement will survive the expiration or the earlier termination of this Agreement and will continue to apply to any breach of the Agreement and to any claims arising under this Agreement during the ownership by the Owner of the Lands.

8. GENERAL PROVISIONS

8.1 The Owner agrees to reimburse the City for all legal costs reasonably incurred by the City for the preparation, execution and registration of this Agreement. The Owner will bear their own costs, legal or otherwise, connected with the preparation, execution or registration of this Agreement.

8.2 Nothing in this Agreement:

- (a) affects or limits any discretion, rights, powers, duties or obligations of the City under any enactment or at common law, including in relation to the use or subdivision of land;
- (b) affects or limits any enactment relating to the use of the Lands or any condition contained in any approval including any development permit concerning the development of the Lands; or
- (c) relieves the Owner from complying with any enactment, including the City's bylaws in relation to the use of the Lands.

- 8.3 The Owner and the City agree that:
- (a) this Agreement is entered into only for the benefit of the City;
 - (b) this Agreement is not intended to protect the interests of the Owner, occupier or user of the Lands or any portion of it including the Rental Units and the Limited Common Property; and
 - (c) without limiting part 2 of this Agreement, the City may at any time execute a release and discharge of this Agreement in respect of the Lands, without liability to anyone for doing so.
- 8.4 This Agreement burdens and runs with the Lands and any part into which any of them may be subdivided or consolidated, by strata plan or otherwise. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its successors and assigns, and all persons who acquire an interest in the Lands after the date of this Agreement. Without limiting the generality of the foregoing, the Owner will not be liable for any breach of any covenant, promise or agreement herein in respect of any portion of the Lands sold, assigned, considered or otherwise disposed of, occurring after the Owner has ceased to be the owner of the Lands.
- 8.5 The covenants and agreements on the part of the Owner in this Agreement have been made by the Owner as contractual obligations as well as being made pursuant to section 905 of the Act and as such will be binding on the Owner.
- 8.6 The Owner will, at its expense, do or cause to be done all acts reasonably necessary to ensure this Agreement is registered against the title to the Lands, including any amendments to this Agreement as may be required by the Land Title Office or the City to effect such registration.
- 8.7 The City and the Owner each intend by execution and delivery of this Agreement to create both a contract and a deed under seal.
- 8.8 An alleged waiver by a party of any breach by another party of its obligations under this Agreement will be effective only if it is an express waiver of the breach in writing. No waiver of a breach of this Agreement is deemed or construed to be a consent or waiver of any other breach of this Agreement.
- 8.9 If a Court of competent jurisdiction finds that any part of this Agreement is invalid, illegal, or unenforceable, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 8.10 Every obligation of a party which is set out in this Agreement will extend throughout the Term and, to the extent that any obligation ought to have been observed or performed prior to or upon the expiry or earlier termination of the Term, such obligation will survive the expiry or earlier termination of the Term until it has been observed or performed.
- 8.11 All notices, demands, or requests of any kind, which a party may be required or permitted to serve on another in connection with this Agreement, must be in writing and may be served on the other parties by registered mail, by facsimile or e-mail transmission, or by personal service, to the following address for each party:

City: The Corporation of the City of North Vancouver
141 West 14th Street
North Vancouver, British Columbia
V7M 1H9
Attention: Director, Planning
Facsimile: 604.985.0576

2281140 Ontario Inc., Inc. No. A0092343
C/O Suite 1600, 650 West Georgia Street, PO Box 11505
Vancouver, British Columbia,
V6B 4N7

and

2278372 Ontario Inc., Inc. No. A0082985
C/O Suite 1600, 650 West Georgia Street, PO Box 11505
Vancouver, British Columbia,
V6B 4N7

Service of any such notice, demand, or request will be deemed complete, if made by registered mail, 72 hours after the date and hour of mailing, except where there is a postal service disruption during such period, in which case service will be deemed to be complete only upon actual delivery of the notice, demand or request; if made by facsimile or e-mail transmission, on the first business day after the date when the facsimile or e-mail transmission was transmitted; and if made by personal service, upon personal service being effected. Any party, from time to time, by notice in writing served upon the other parties, may designate a different address or different or additional persons to which all notices, demands, or requests are to be addressed.

- 8.12 Upon request by the City, the Owner will promptly do such acts and execute such documents as may be reasonably necessary, in the opinion of the City, to give effect to this Agreement.
- 8.13 This Agreement will enure to the benefit of and be binding upon each of the parties and their successors and permitted assigns.

9. INTERPRETATION

- 9.1 Gender specific terms include both genders and include corporations. Words in the singular include the plural, and words in the plural include the singular.
- 9.2 The division of this Agreement into sections and the use of headings are for convenience of reference only and are not intended to govern, limit or aid in the construction of any provision. In all cases, the language in this Agreement is to be construed simply according to its fair meaning, and not strictly for or against either party.
- 9.3 The word "including" when following any general statement or term is not to be construed to limit the general statement or term to the specific items which immediately follow the general statement or term to similar items whether or not words such as "without limitation" or "but not limited to" are used, but rather the general statement or term is to be construed to refer to all other items that could reasonably fall within the broadest possible scope of the general statement or term.

- 9.4 The words "must" and "will" are to be construed as imperative.
- 9.5 Any reference in this Agreement to any statute or bylaw includes any subsequent amendment, re-enactment, or replacement of that statute or bylaw.
- 9.6 This is the entire agreement between the City and the Owner concerning its subject, and there are no warranties, representations, conditions or collateral agreements relating to the subject matter of this Agreement, except as included in this Agreement. This Agreement may be amended only by a document executed by the parties to this Agreement and by bylaw, such amendment to be effective only upon adoption by City Council of an amending bylaw to "Housing Agreement Bylaw, 2018, No. 8666".
- 9.7 This Agreement is to be governed by and construed and enforced in accordance with the laws of British Columbia.
- 9.8 This Agreement can be signed in counterpart.

IN WITNESS WHEREOF each of the City and the Owner have executed this Agreement under seal by their duly authorized officers as of the reference date of this Agreement.

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

MAYOR
Linda C. Buchanan

CITY CLERK
Karla D. Graham

2281140 ONTARIO INC., INC.NO. A0092343 2278372 ONTARIO INC., INC.NO. A0082985
and

Authorized Signatory

Authorized Signatory

Printed Name

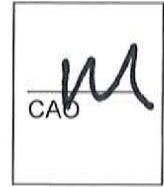
Printed Name

Authorized Signatory

Authorized Signatory

Printed Name

Printed Name



The Corporation of **THE CITY OF NORTH VANCOUVER**
STRATEGIC & CORPORATE SERVICES DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Barbara Pearce, Director, Strategic & Corporate Services
Mike Friesen, Planner 1

Subject: 2018-2022 COUNCIL STRATEGIC PLAN

Date: July 12, 2019 File No: 01-0620-02

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Director, Strategic & Corporate Services and Planner 1, dated July 12, 2019, entitled "2018-2022 Council Strategic Plan":

THAT Council adopt the 2018-2022 Council Strategic Plan as attached to this report;

AND THAT Council direct staff to use the 2018-2022 Council Strategic Plan to inform and guide future initiatives, projects and plans including the Corporate Business Plan.

ATTACHMENTS:

1. 2018-2022 Council Strategic Plan (Doc#1807722)

PURPOSE:

The adoption of the 2018-2022 Council Strategic Plan establishes Council's Vision and Priorities over the next four years.

DISCUSSION:

Council has dedicated considerable effort over the last six months considering their aspirations for the City of North Vancouver. This draft 2018-2022 Council Strategic Plan is the result of collaborative discussions amongst all member of Council, and includes a

Vision to be "The Healthiest Small City in the World" and five key priorities: a City for People, a Liveable City, a Vibrant City, a Connected City, and a Prosperous City. Each priority includes a description of "Where we are going", "How we will get there" and "What guides us".

The plan is intended to support Council's decision making for future initiatives, projects and plans, and will provide guidance to City staff, our partners, and our community. Once approved, the 2018-2022 Council Strategic Plan will be made available in a variety of forms to ensure Council's Vision and Priorities are widely known.

FINANCIAL IMPLICATIONS:

Financial implications of initiatives, projects and plans that support the 2018-2022 Council Strategic Plan will be reported when they are brought forward for approval.

INTER-DEPARTMENTAL IMPLICATIONS:

Adoption of the 2018-2022 Council Strategic Plan will provide high level direction to all city departments in the development and implementation of future initiatives, projects and plans.

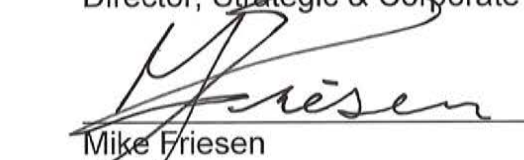
CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

A formal Corporate Business Plan will be developed utilizing the vision and priorities set out in the 2018-2022 Council Strategic Plan.

RESPECTFULLY SUBMITTED:



Barbara Pearce
Director, Strategic & Corporate Services



Mike Friesen
Planner 1

Council Strategic Plan



2018-2022

city
of north
vancouver

2018-2022 COUNCIL STRATEGIC PLAN

A City for People A Healthy City for All

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Mayor's Message

On behalf of City Council, I am proud to introduce our Strategic Priorities for 2018 – 2022, a first for any council here in the City.

The City of North Vancouver is a city not only in name, but in spirit, where you will find the urban character of a metropolitan area blended with the people-friendly scale of a smaller centre. Our Council priorities reflect our commitment to building on the successes of our community and advancing as a forward-thinking and competitive city.

Cities are about people, and as a Council, the work we do must be focused on people. We are committed to creating a city that is connected, liveable, vibrant and prosperous. A city that our residents can be proud of, enjoy and love.

To build a caring community, we need to have a deep understanding of who we are and the many factors that influence our residents' lives. We are blessed with the natural beauty of this place we call home. We are fortunate to have a diverse and thriving population with a strong sense of community well-being, and the largest working age population on the North Shore. We have much to celebrate and to be thankful for.

However, we face our fair share of challenges as well, and we must respond to those challenges in innovative ways. Our climate is changing, and it is imperative we continue our leadership in environmental sustainability. Housing affordability and mobility continue to be top issues, as more and more the working age population is unable to live in our city where they work. Almost fifteen per cent of children in the city are living in poverty, and a quarter of children from all income levels are entering kindergarten with vulnerabilities that impact their ability to learn. Our population of seniors is growing, and we must prepare to capitalize on their skills, energy and knowledge as their needs evolve and they begin to search for new ways to participate in the community outside of the traditional workforce.

Most critically, we face problems of inequity, which permeates everything from housing to transportation, health to childcare. As a City, we need to ensure everything we do, from our built form to the services and programs the City supports, to the way we engage with our citizens, not only lifts each and every one of us up, but also increases the health and well-being of our community as a whole.

As a Council, we cannot surrender our City's leading record of fiscal sustainability, as our responsibilities extend beyond managing tax dollars and individual projects. Our role is also to set ambitious goals for the City of North Vancouver; to lead with an eye to the road ahead and with an eye to the horizon, planning for our future while being responsible stewards in the here and now.

The five strategic priorities outlined in this plan are designed to guide Council's work over the coming term. Our goal is to build a healthy and inclusive city where people come first, and where everyone has access to the resources they need to live healthy lives and fulfill their potential. This plan also represents an invitation to you, along with our partners in other levels of government and local organizations, to collaborate with us as we work to achieve the vision laid out in this document. With the City and community working in partnership, our Council is confident we will make the City of North Vancouver the healthiest small city in the world.

Sincerely,



MAYOR
Linda Buchanan

City Council



Councillor Tony Valente, Mayor Linda Buchanan, Councillors Tina Hu, Jessica McIlroy, Holly Back, Angela Girard and Don Bell (L-R)

City Council is committed to being:

PROGRESSIVE

By finding creative ways to move our City forward while maintaining the highest level of service to the community.

ENGAGED

By listening and involving all residents, from our youngest citizens to our seniors, and embracing new methods to engage them in civic life.

FISCALLY RESPONSIBLE

By managing your tax dollars in a strategic, coordinated and deliberate way to ensure the long-term financial sustainability of the City.

INFORMED

By using data, technology and public engagement as the basis for decision-making and improvements in operations.

OPEN

By building and strengthening our relationships with community and government partners, we will expand and improve our programs and services.

Linda C. Buchanan

Jessica McIlroy

Angela Girard

Don Bell

Reading the Plan

Our vision is to be the “Healthiest Small City in the World”

To support this vision, we identified five priorities to guide our work over the next four years. Our priorities are to become: a City for People, a Liveable City, a Vibrant City, a Connected City and a Prosperous City. For each priority we have identified:

WHERE WE’RE GOING – an aspiration for our community that will help guide our actions;

HOW WE GET THERE – key actions that Council will **Provide**, **Partner**, **Facilitate** or **Advocate*** for in order to effect change over the next four years; and

WHAT GUIDES US – existing and forthcoming policy and/or plans to support our decision-making.

**There are a number of ways we can achieve our priorities. There are priorities that are the City’s to deliver, while others require the support and involvement of others. For each, the City’s role is defined as follows:*

Provide The City is the lead for the work

Partner The City works with others to deliver

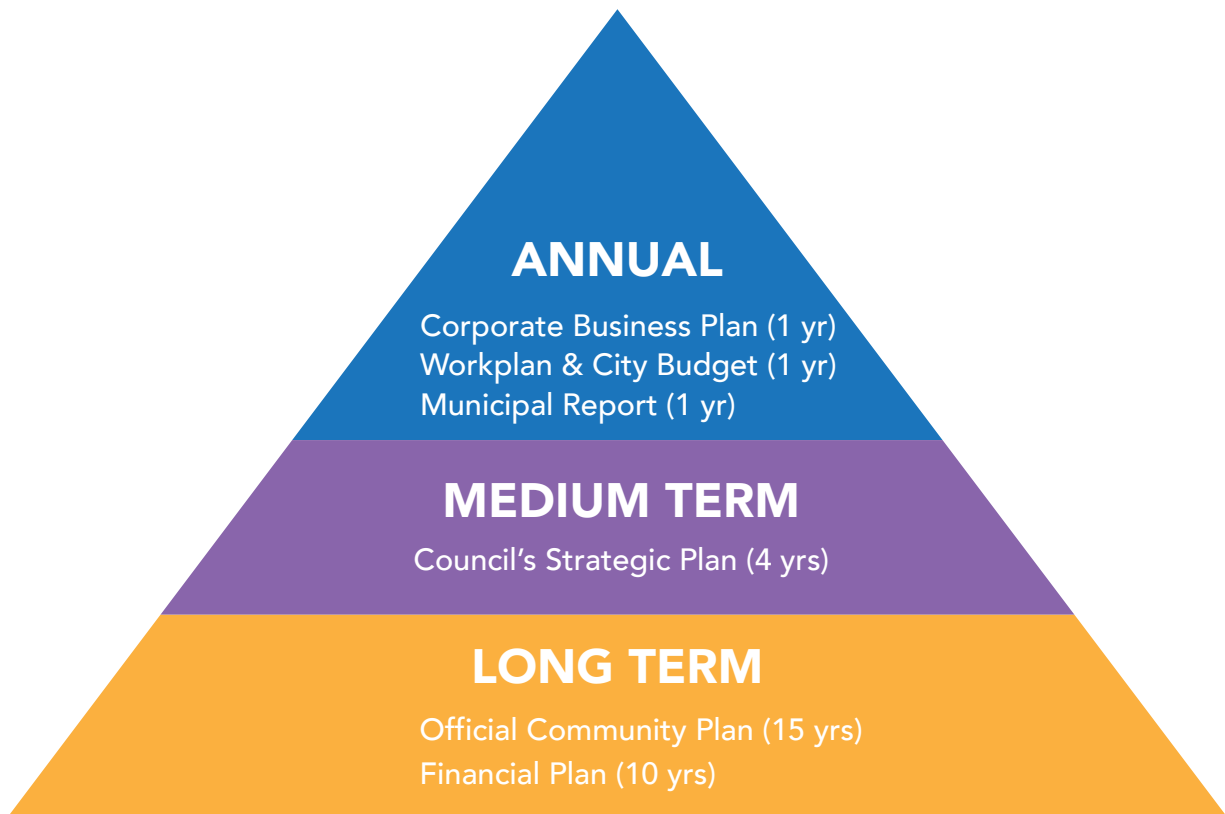
Facilitate The City will encourage others to deliver

Advocate The City will actively lobby and promote other decision-makers



Our Planning Framework

The following key plans guide the City as it implements Council decisions and delivers services to the community.



- ▲ *Corporate Business Plan*: presents how staff will work to support Council in achieving its Strategic Plan vision and priorities.
- ▲ *Work Plan and City Budget*: provides details of Council funded activities that will be undertaken to achieve desired outcomes of the Strategic Plan.
- ▲ *Municipal Report*: reviews the past year's activities and records the results to measure the City's performance.
- ▲ *Council's Strategic Plan*: outlines vision and four-year direction of Council and informs the work of the organization.
- ▲ *The Official Community Plan (OCP)*: provides long-term policy guidance and aspirations.
- ▲ *Financial Plan*: a 10-year plan that allows the City to conduct long-term financial planning and budgeting for projects.

Our Community

Good data is crucial to making informed decisions. The City's census data and other statistics help to support our evidence-based decision-making approach.

City of North Vancouver
Population

52,520

88%

Live in multi-family

12%

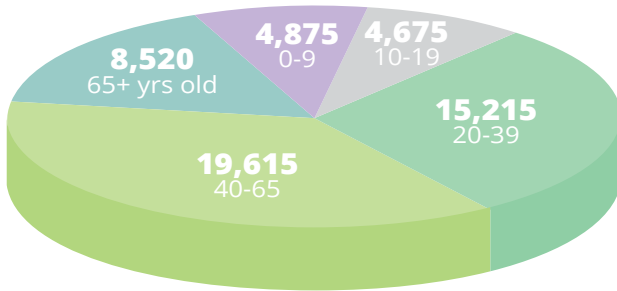
Live in single-family

47%

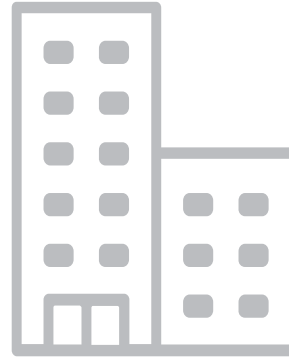
Rent

53%

Own



Population Breakdown
(Increased by 9.8% since 2011)



7% Have recently immigrated
(less than 5 years in Canada)

Household Size

1,650 Number of
Indigenous people



1	9,395
2	8,060
3	3,585
4	2,590
5+	1,010
Total: 24,640	

38%

Of the population
have immigrated
from more than
100 countries



40%

Can speak
a non-official
language



3,203

Businesses

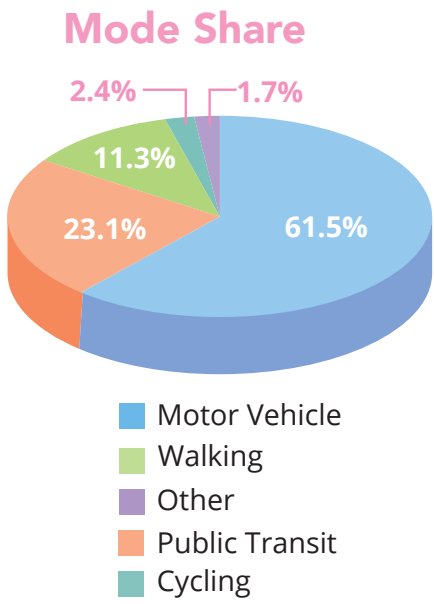
29,330

Jobs



Size of Businesses

1-4 Employees	60%
5-9 Employees	19%
10-19 Employees	11%
20+ Employees	10%



25%
Walk or cycle for errands

6/10
Of families have unsustainable childcare costs

15%
Of children live in poverty

87%
Believe amenities are within walking/cycling distance



23
Childcare spaces per 100 children



Is the average wait time for childcare

25%
Of children enter kindergarten not ready to learn

OUR PHYSICAL & MENTAL WELL-BEING



On average, adults spend more than

2 hrs
Daily screen time



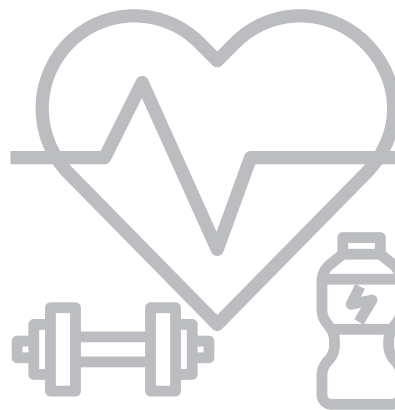
28%
Eat the recommended number of servings of fruit and vegetables

20%

Have been diagnosed with mood/anxiety disorder

13% Are tobacco smokers

55% Believe their health is good or very good



8.5%
Are in danger of chronic hunger

21% Are obese

49% Believe they do adequate daily exercise

64%
Feel a strong sense of community well-being

Sources: Statistics Canada, City of North Vancouver 2016 Census Profile / My Health My Community, 2014 City of North Vancouver Community Health Profile/other City of North Vancouver reports and records

COUNCIL'S VISION AND PRIORITIES

A City for People

is welcoming, inclusive, safe, accessible and supports the health and well-being of all.

A Liveable City

leads the way in climate action and acts as a steward of the environment for future generations.

A Vibrant City

is where dynamic public spaces and places provide opportunities for connection and enable residents to engage with their community and celebrate their culture and history.

A Connected City

provides active and sustainable ways for people and goods to move to, from and within the City safely and efficiently.

A Prosperous City

supports a diverse economy by creating an environment where new and existing businesses can grow and thrive.





A CITY FOR PEOPLE

A City for People is welcoming, inclusive, safe, accessible and supports the health and well-being of all.

WHERE WE'RE GOING

Council will ensure our housing meets the diverse needs of our community. We will facilitate access to local food and spaces for connection, recreation and community services to better the health of our residents and improve equity.

HOW WE GET THERE

- Develop and adopt Community Well-Being Strategy → **Provide**
- Complete Balanced Housing Lab and implement its solutions → **Partner**
- Improve relationships with local Indigenous communities and our urban Indigenous population → **Partner**
- Increase number of below market housing units → **Partner/Provide**
- Improve access to childcare and early childhood development opportunities → **Advocate/Facilitate**
- Continue protection and expansion of rental housing stock → **Facilitate/Advocate**
- Develop a Community Recreation Strategy that includes the Harry Jerome Community Recreation Centre → **Provide/Partner**

WHAT GUIDES US

- Community Well-Being Strategy (2020)
- Housing Action Plan (2016)
- North Shore Settlement and Integration Strategic Plan (2016)
- CNV4ME (2015)
- Official Community Plan (2015)
- Child Care Policy and Plan (2009)





A LIVEABLE CITY

A Liveable City leads the way in climate action and acts as a steward of the environment for future generations.

WHERE WE'RE GOING

Council will create new and expanded environmental programs, services and outreach to respond to the climate crisis, protect our assets and achieve our goal of net-zero emissions by 2050 while enhancing and protecting the health of our environment.

HOW WE GET THERE

- Develop and adopt a new Climate and Environment Strategy that includes a pathway to net-zero buildings by 2050 → **Provide**
- Implement new climate adaptation and environmental improvement measures (including accelerating the expansion of the urban tree canopy and enhancing habitat to augment ecosystem services) → **Provide/Partner/Facilitate**
- Increase the proportion of residents with safe and convenient access to transit and active transportation infrastructure → **Provide/Facilitate**
- Further develop a renewable energy strategy to transition the City-owned Lonsdale Energy Corporation district energy system to incorporate low carbon energy sources and minimize the use of natural gas, including exploring a compost/waste to energy facility and other strategic opportunities → **Partner/Facilitate**
- Explore opportunities to reduce food waste through partnership with the business community and non-profits → **Advocate/Facilitate/Partner**
- Advance the City's Electric Vehicle Strategy to accelerate the transition to electric vehicles → **Advocate/Facilitate/Provide**

WHAT GUIDES US

- Upcoming Environmental Strategy (2021)
- Electric Vehicle Strategy (2019)
- Corporate Climate Action Plan (2017)
- Official Community Plan (2015)
- Climate Adaptation Plan (2013)
- Community Energy and Emissions Plan (2010)
- Parks Master Plan (2010)





A VIBRANT CITY

A Vibrant City is where dynamic public spaces and places provide opportunities for connection and enable residents to engage with their community and celebrate their culture and history.

WHERE WE'RE GOING

Council will celebrate the rich diversity and heritage of our community through arts, culture, recreation and creative initiatives that foster a sense of place, invite play, improve happiness, enhance social connection and build a strong sense of belonging throughout the City.

HOW WE GET THERE

- Complete Central Waterfront Revitalization → **Provide/Partner**
- Complete the new North Vancouver Museum → **Provide/Partner**
- Build a new vision to revitalize Lonsdale Avenue as a high street → **Provide/Partner/Facilitate**
- Spearhead playful and fun events that find ways to celebrate our unique location and community → **Facilitate**
- Investigate economic opportunities around arts and culture → **Facilitate**
- Provide expanded opportunity for parklets → **Partner**
- Complete an arts and culture strategy → **Provide**

WHAT GUIDES US

- Community Recreation Strategy (2020)
- North Vancouver City Library Strategic Plan (2018)
- Official Community Plan (2015)
- CNV4ME (2015)
- Central Waterfront Development Plan (2014)







A CONNECTED CITY

A Connected City provides active and sustainable ways for people and goods to move to, from and within the City safely and efficiently.

WHERE WE'RE GOING

Council will deliver safe, efficient and innovative transportation options that results in improved walking, cycling and public transportation.

HOW WE GET THERE

- Develop and adopt new Mobility Plan → **Provide**
- Complete east-west B-Line → **Partner**
- Increase kilometres of protected bike lanes → **Provide/Partner**
- Complete Lonsdale Transit Corridor Study → **Provide/Partner**
- Undertake Burrard Inlet Rapid Transit Technical Feasibility Study → **Partner**
- Secure funding for the Casano Loutet Overpass project and the Upper Levels Greenway project → **Partner**
- Explore safe routes to schools opportunities → **Partner/Advocate**
- Explore innovative solutions to transportation challenges, and continue to integrate land use and transportation planning to support connectivity across the region → **Provide/Partner/Advocate**

WHAT GUIDES US

- Upcoming Mobility Plan (2021)
- Integrated North Shore Transportation Planning Project (2018)
- Official Community Plan (2015)
- Regional Transportation Strategy (2013)
- North Vancouver Bicycle Master Plan (2012)
- 2040 North Shore Area Transit Plan (2011)
- Long-Term Transportation Plan (2008)







A PROSPEROUS CITY

A Prosperous City supports a diverse economy by creating an environment where new and existing businesses can grow and thrive.

WHERE WE'RE GOING

Council will make the City a destination of choice for economic development by supporting the local business community to increase the number of jobs and business opportunities and to improve services to our residents.

HOW WE GET THERE

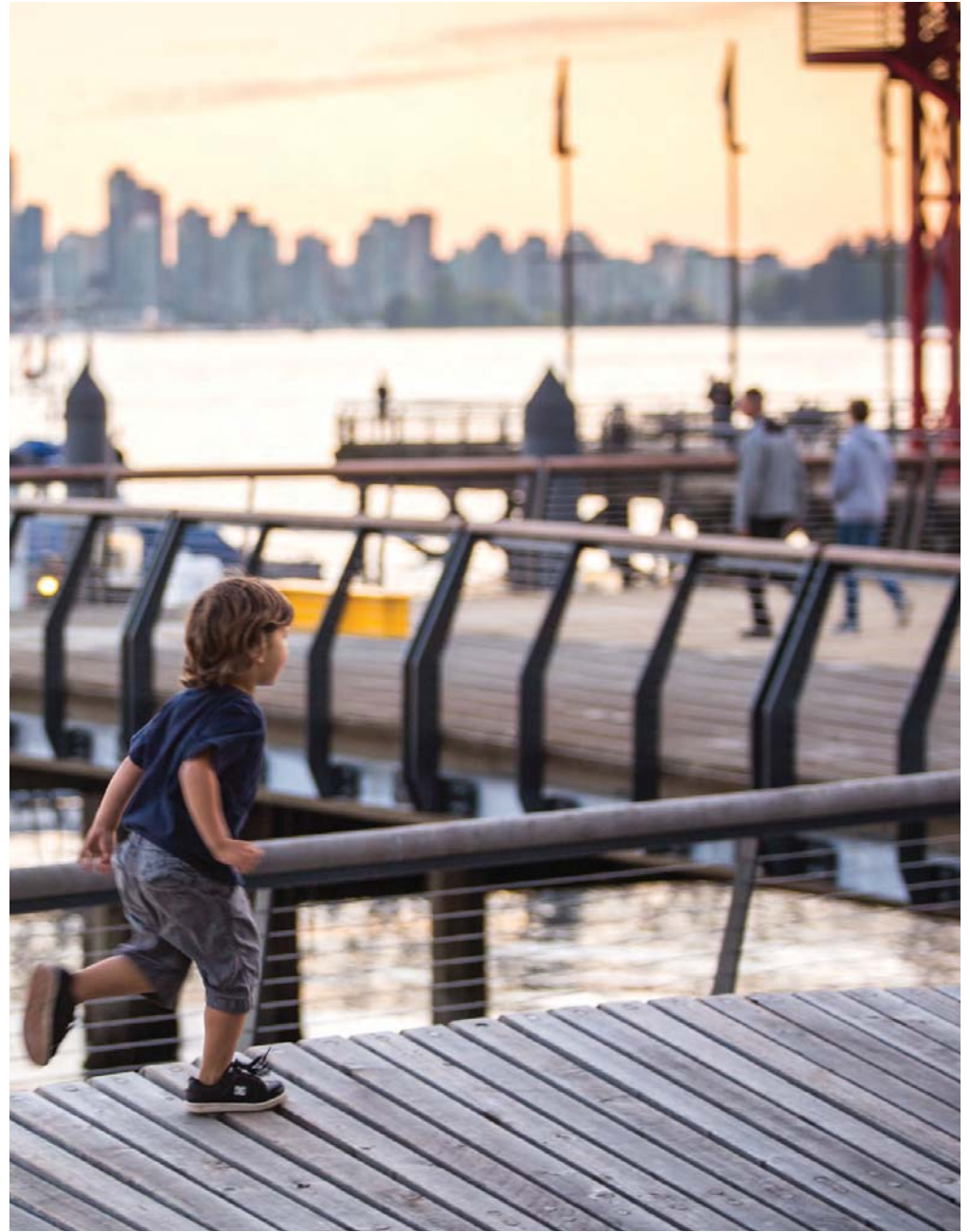
- Explore economic opportunities around arts, play, culture and culinary arts → **Provide/Partner/Facilitate**
- Investigate health economic hub → **Provide/Partner/Facilitate**
- Increase visibility as a tourism destination → **Partner**
- Create Lower Lonsdale Brewery District → **Facilitate**
- Foster the expansion of Business Improvement Associations across the City → **Partner/Advocate/Facilitate**
- Investigate actions to reduce barriers and challenges to local businesses → **Advocate/Facilitate**

WHAT GUIDES US

- Official Community Plan (2015)
- Economic Development Strategy (2008)
- Tourism Development Plan (2008)
- Long-term Property Tax Strategy (2008)







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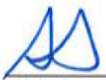


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604 985 7761 / INFO@CNV.ORG





 Division Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**
PLANNING & DEVELOPMENT DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Sean Galloway, Manager, Planning

Subject: REZONING APPLICATION: 1126 HEYWOOD STREET (BEHROUZ AGHAI / BILL CURTIS & ASSOCIATES DESIGN LTD.)

Date: June 26, 2019 File No: 08-3360-20-0468/1

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Manager, Planning, dated June 26, 2019, entitled "Rezoning Application: 1126 Heywood Street (Behrouz Aghai / Bill Curtis & Associates Design Ltd.)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8729" (Behrouz Aghai / Bill Curtis & Associates Design Ltd., 1126 Heywood Street) be considered and referred to a Public Hearing;

AND THAT notification be circulated in accordance with the *Local Government Act*.

ATTACHMENTS:

1. Context Map (Doc #[1801541](#))
2. Architectural and Landscape Plans, dated May 9, 2018 (Doc #[1801730](#))
3. Public Consultation Summary (Doc #[1801586](#))
4. Zoning Amendment Bylaw No. 8729 (Doc #[1801555](#))

PROJECT DESCRIPTION

The project proposes the subdivision of a single lot (width 19.5 m) into two lots with one single family dwelling and secondary suite on each. The new lots will be will 9.7 m wide. The current and proposed zoning are described in Table 1 below.

Table 1. Requested Changes to the Zoning By-law

	Current Designation/Regulation	Proposed Designation/Regulation
Zone	RS-1	RS-2

POLICY FRAMEWORK

The subject site is designated “Residential Level 1 (Low Density)” or ‘R1’ within the Official Community Plan. This designation permits ground-oriented housing with non-strata uses and includes secondary suites and coach houses.

Metro 2040	
Goal 1 Create a Compact Urban Area	Intensifying this site with infill that is consistent and scaled to the surrounding neighbourhood, ensures the highest and best use of the land promoting a compact urban area.
Goal 2 Support a Sustainable Economy	Infill on this site promotes housing forms that can support a diversity of income levels and ensure people live close to where they work.
Goal 4 Develop Complete Communities	The proposed development ensures the neighbourhood will have a diversity of housing stock that will promote the ability to age-in-place allowing people to stay in their neighbourhood throughout all of their lifecycles.
Goal 5 Support Sustainable Transportation Choices	Intensification of this site will support future rapid transit investment along East 3 rd Street. This site is well situated to provide the occupants with a variety of transportation choices across the north shore and the greater region.

Official Community Plan	
Policy 1.1.2 Align growth with the development community amenities and infrastructure	Intensification of the site supports the future frequent transit infrastructure investment.
Policy 1.3.1 Ensure that new development is compatible with the established urban form of the City, reflecting the primacy of the Lonsdale Regional City Centre and the transition through mid- and low-rise buildings to lower-density residential neighbourhoods	The proposed development on the site is appropriately scaled to the neighbourhood and supports the primacy of the Lonsdale Regional City Centre.
Policy 1.3.5 Encourage design excellence in developments through carefully considered, high quality architecture and landscaping, with varied designs which are interesting, sensitive and reflective of their surroundings	The proposed building has similar roof lines and massing as the surrounding dwellings. The overall form is smaller in nature, but does not detract from the surrounding neighbourhood.
Policy 1.3.6 Encourage architecture that responds to the unique context of the City in a sensitive, sustainable, and aesthetically compatible manner	The proposed architectural massing of the new dwelling is consistent with the surrounding urban form as a single family dwelling.
Policy 1.5.1 Provide opportunities for a range of housing densities, diversified in type, size and location.	The proposed development is a narrower housing form that provides more diverse housing stock in a neighbourhood and is accessible to frequent transit network.

PLANNING ANALYSIS

Site Context

The surrounding land uses are identified in Table 2 below.

Table 2. Surrounding Uses

Direction	Address	Description	Zoning
North	1033 Shavington Street	1 storey back split (two storeys fronting the lane) with two units	RS-1
South		Park Space	P-1
East	1124 Heywood Street	2.5 storey single-family dwelling	RS-1
West	1138 Heywood Street	2 storey single-family dwelling	RS-1

Generally, the surrounding neighbourhood is made up of single family homes. There is a significant north-south slope that elevates the buildings and the average front yard setback for this block of Heywood Street is 8.05 metres.

Use

The policy framework applicable to the subject site supports the proposed single family residential use. The site is located in close proximity to transit. Additionally, units will provide a diversity of housing stock in the area.

Intensity

The proposed intensification on the site is appropriate for the neighbourhood given the surrounding uses and community infrastructure. The proposal provides four units in total, two lots with two units per lot in a single family dwelling form, the second units on each lot are secondary suites situated in the basement. There are instances of this form in the neighbourhood particularly the property directly to the north of the site.

Form

The urban form proposed for the site satisfies the policy intent of ensuring any new development is consistent with the character of the surrounding neighbourhood. The overall massing and height of the new building is sympathetic to the buildings adjacent to the site and along Heywood Street. Visual bulk is minimized, by using a diversity of materials, step backs and large windows, reducing the impact on neighbouring sites.

Landscaping, particularly within the front setback, includes terracing and plantings to maintain "green" sloping topography found along the street. Additionally, the front yard setbacks on both proposed lots are consistent with the average setback for front yards noted above (8.05 m). The site layout provides for private amenity spaces for each dwelling unit. Parking is appropriately placed adjacent to the laneway. The units on site have been designed to ensure individualized entrances and access to the street. As well as the onsite works, all works within the public realm will be to the satisfaction of the City Engineer.

COMMUNITY CONSULTATION

The applicant hosted a Development Information Session (DIS) on September 12, 2018 to present the proposed lot creation and single family dwelling development. The meeting was attended by 11 members of the public.

The results of the DIS as summarized by the applicant are included as Attachment #3. The overall comments indicated concerns over construction activity, parking and traffic within the neighbourhood.

CONCLUSION


The proposed application represents good planning. Intensification adjacent to a future frequent transit corridor (East 3rd Street) is appropriate. The requested zoning changes and development proposal are consistent with the Region and City's planning policies. Overall, the application advances a development that fits the surrounding neighbourhood character and provides sensitive infill in an appropriate location.

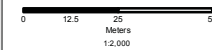
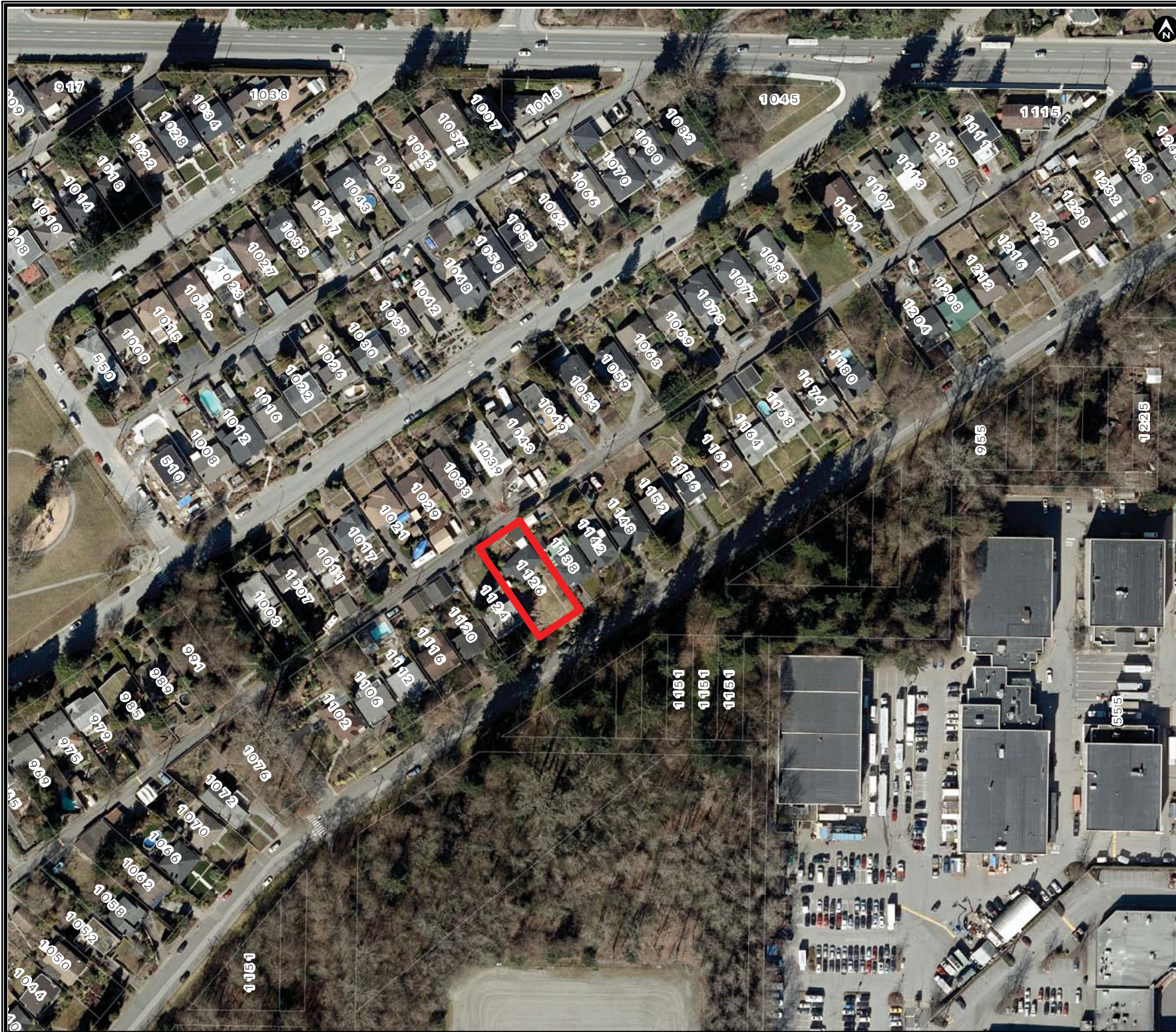
RESPECTFULLY SUBMITTED:


Sean Galloway, MCIP, RPP
Manager, Planning

SG/rf/eb

Legend

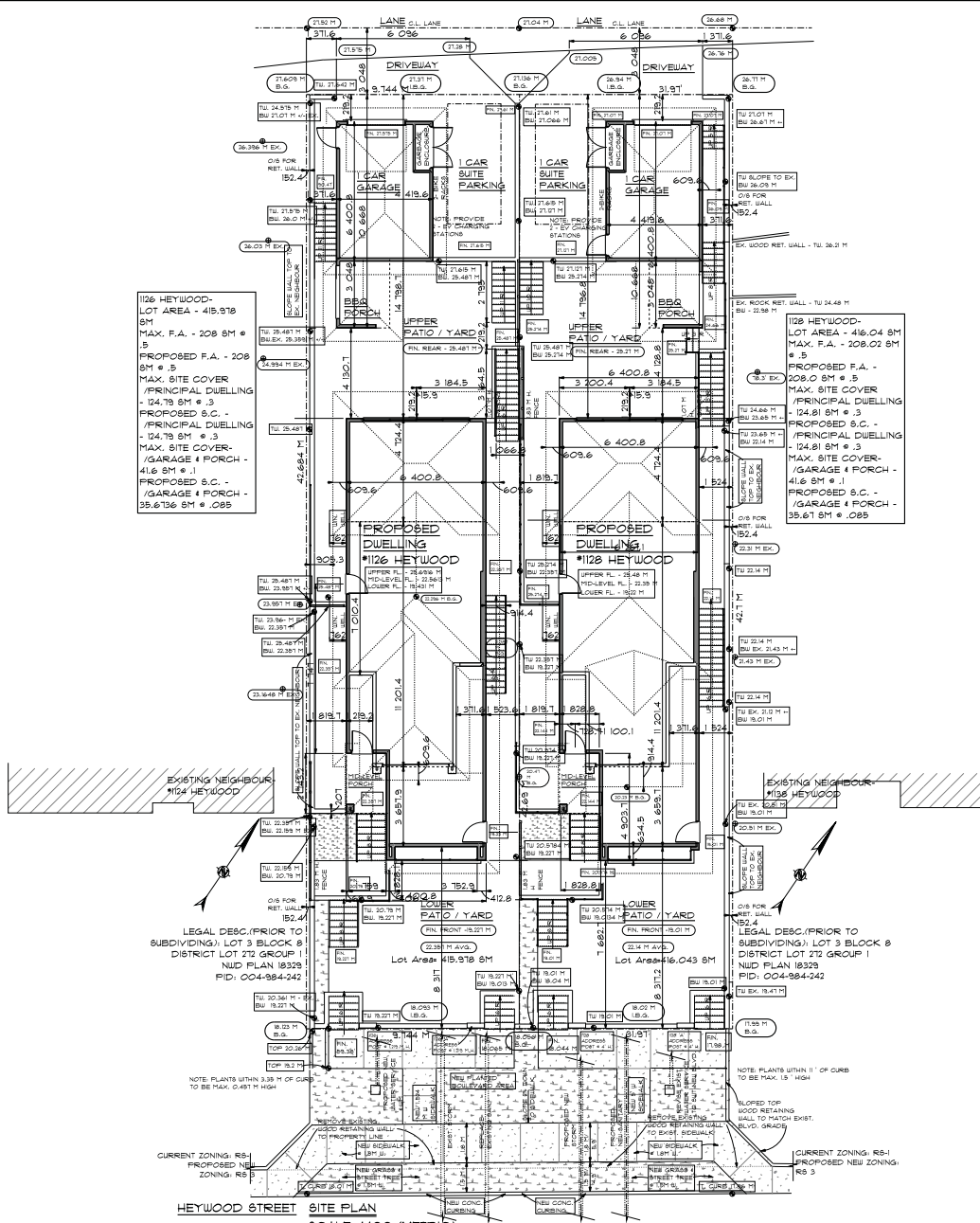
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-  Legal_Parcels



DISCLAIMER
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GIS Division, Information Technology,
City of North Vancouver
PLOTTED: 6/25/2014
SOURCE: Various
COORDINATE SYSTEM: NAD 83 UTM Zone 18





126 HEYWOOD -
LOT AREA - 415.518 SM
MAX. F.A. - 208 SM \bullet .5
PROPOSED F.A. - 208 SM \bullet .5
MAX. SITE COVER
/PRINCIPAL DWELLING - 124.78 SM \bullet .3
PROPOSED S.C. -
/PRINCIPAL DWELLING - 124.78 SM \bullet .3
MAX. SITE COVER
/GARAGE + PORCH - 41.6 SM \bullet .1
PROPOSED S.C. -
/GARAGE + PORCH - 35.6136 SM \bullet .085

128 HEYWOOD -
LOT AREA - 416.04 SM
MAX. F.A. - 208.02 SM \bullet .5
PROPOSED F.A. - 208.0 SM \bullet .5
MAX. SITE COVER
/PRINCIPAL DWELLING - 124.81 SM \bullet .3
PROPOSED S.C. -
/PRINCIPAL DWELLING - 124.81 SM \bullet .3
MAX. SITE COVER
/GARAGE + PORCH - 41.6 SM \bullet .1
PROPOSED S.C. -
/GARAGE + PORCH - 35.61 SM \bullet .085

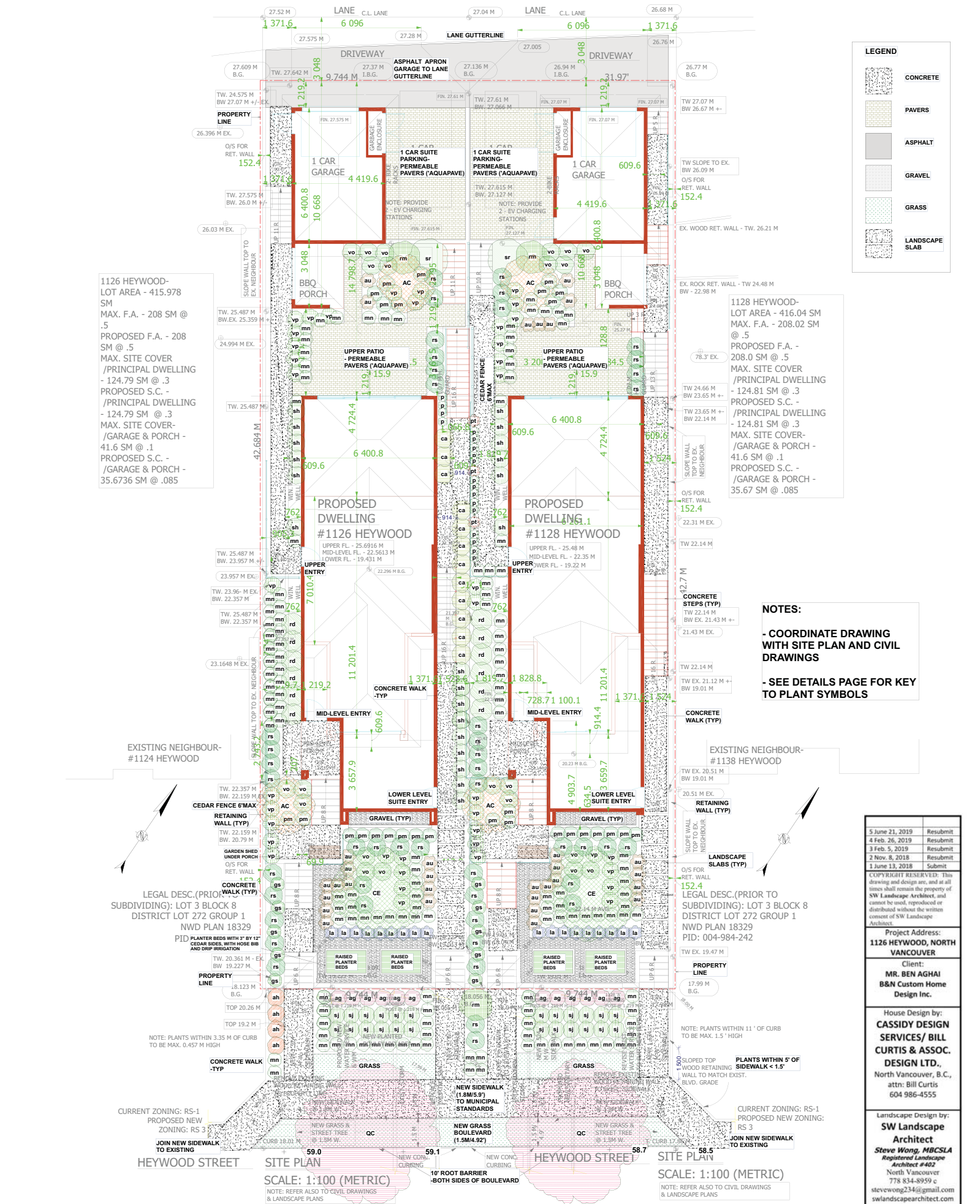
P. SITE PLAN 2
SCALE: 1:100

HEYWOOD STREET
SITE PLAN
SCALE: 1:100 (METRIC)
NOTE REFER ALSO TO CIVIL DRAWINGS
(LANDSCAPE PLANS)

NOTE REFER ALSO TO CIVIL DRAWINGS
(LANDSCAPE PLANS)

LEGEND:

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LEGEND

	CONCRETE
	PAVERS
	ASPHALT
	GRAVEL
	GRASS
	LANDSCAPE SLAB

NOTES:

- COORDINATE DRAWING WITH SITE PLAN AND CIVIL DRAWINGS
- SEE DETAILS PAGE FOR KEY TO PLANT SYMBOLS

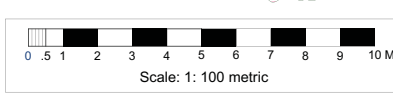
5 June 21, 2019	Resubmit
4 Feb. 26, 2019	Resubmit
3 Feb. 5, 2019	Resubmit
2 Nov. 8, 2018	Resubmit
1 June 13, 2018	Submit

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Project Address:
1126 HEYWOOD, NORTH VANCOUVER
 Client:
MR. BEN AGHAI & N Custom Home Design Inc.
 House Design by:
CASSIDY DESIGN SERVICES/ BILL CURTIS & ASSOC. DESIGN LTD.,
 North Vancouver, B.C.,
 attn: Bill Curtis
 604 986-4555

Landscape Design by:
SW Landscape Architect
 Steve Wong, MBCSLA
 Registered Landscape Architect #402
 North Vancouver
 778 834-8959 c
 stevewong234@gmail.com
 swlandscapearchitect.com

Design: S.W.	Checked: S.W., BCSLA #402
Drawn: S.W.	DATE: May 2018
Scale: AS SHOWN	
L2	PLANTING PLAN



LANDSCAPE STATEMENT OF INTENT

The intent of the landscape design is to have a landscape treatment that meets the sustainable development guidelines for the City of North Vancouver, as well as being attractive and low maintenance. The majority of the plant species are native to the Pacific Northwest temperate rainforest zone. The palette of naturalized plants should result in a restored habitat that is butterfly and bird friendly. The area of grass is greatly reduced in order to provide the maximum area for a rich, diverse habitat.

There will be water efficient irrigation system that utilizes efficient zoning of the irrigation system and the use of low flow nozzles. The raised planting beds encourage the planting of an edible landscape and result in an active design that encourages the dwellers of the units to meet in a central area for enjoying some physical and social activity and interaction.

The use of permeable pavers such as "AquaPave" in the car parking space and the upper patio, and gravel adjacent to the building and in the raised planter area will increase the permeability of the site and result in a more sustainable design.

LANDSCAPE MATERIALS LIST

PLANT MATERIAL: All plant material are to meet current BCLNTA #1 standard and installed according to current BCLNTA standards.

GROWING MEDIUM: by Harvest Power or equivalent, to BCLNTA standards and prepared off site; Garden Blend, 75% compost/25% sand, 12" min for shrub beds; Turf Blend, 50% compost/25% sand, 6" min for lawn areas, over scarified base

PERMAEABLE PAVERS: "AquaPave" by Abbotsford Concrete Products

WOOD FENCE: 1X6 inch cedar boards, finished with Sikkens semi-transparent cedar stain

GRAVEL: 3 inch drain rock around house; 3/8" granite screenings in raised bed area

IRRIGATION: Rainbird ESP-mw WiFi compatible controller, 4-22 stations, or equivalent, with outdoor control box, mounted on side of the house, with electrical plug-in. Shrub spray, turf heads and valves to be Rainbird, and installed per IABC standards for residential installations for a low flow water efficient system.

GENERAL NOTES

- Contractor and their subcontractors and workers to be sufficiently insured and have WCB coverage
- Work to be done by the industry certified personnel
- Contractor to adhere to safe work practices on site
- Contractor to confirm location of all utilities and to protect throughout construction
- Contractor to verify layout dimensions, measurements and grades prior to bidding and construction
- All work to be done to meet or exceed industry standards
- The landscape drawings are intended to meet municipal Zoning and Building By-Laws only. The Contractor is responsible for obtaining approved Engineering drawings and sign-off for all structural and geotechnical work, including all retaining walls over 4 feet in height, or where there are issues with soil stability
- Segmental block walls/stairs, pavers and all manufactured products to be installed per manufacturer's instructions
- If there are retained trees on site, all work to be outside the tree protection zone unless approved by certified ISA arborist

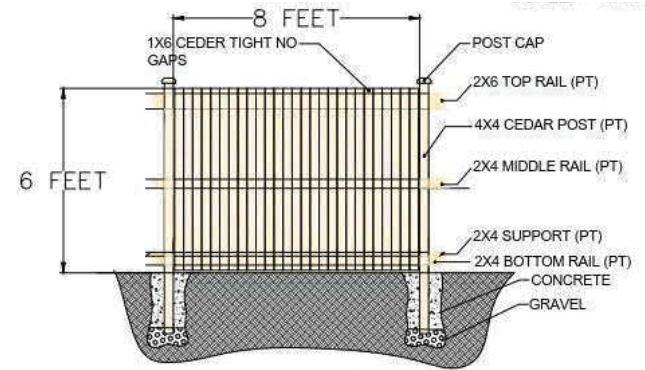
LANDSCAPE NOTES

- All grades to meet adjacent grades at property line
- All stormwater is to be contained on site and away from adjacent properties
- All hard surfaces to be sloped a minimum of 1.0% to avoid standing water
- All lawns to be sloped a minimum of 2% to avoid standing water
- No slopes to be greater than 2.5 horizontal : 1 vertical
- All plant material to meet BCLNTA #1 specifications
- All growing medium to meet BCLNTA #1 specifications
- All shrub beds to contain minimum 12" (300) mm of approved growing medium
- All lawn areas to contain minimum 6" (150) mm of approved growing medium
- Plant installation to meet latest BCLNTA specifications
- Installation to be by BCLNTA certified landscape contractor
- Installation to be under the direction of a registered Landscape Architect

PLANT LIST HEYWOOD ST., NV

Botanical Name	Common Name	No.	Size	Spacing	Symbol
TREES (Onsite)					
Acer circinatum	Vine maple	4	3.5 m tall	as shown	AC
Cornus 'Eddie's White Wonder'	Flowering dogwood	2	6 cm cal.		CE
STREET TREES					
Quercus coccinea	Scarlet oak	2	6 cm cal.	as shown	QC
SHRUBS					
Azalea 'Girard Fuchsia'	Azalea	12	#2 pot	as shown	ag
Azalea 'Homebush'	Azalea	4	#2 pot	as shown	ah
Cornus alba 'Elegantissima'	Variegated dogwood	12	#2 pot	as shown	ca
Rhododendron 'Dora Amateis'	Rhododendron	12	#5 pot	as shown	rd
Rhododendron macrophyllum	Facific rhododendron	3	#10 pot	as shown	rm
Ribes sanguinum	Red flowering currant	44	#2 pot	as shown	rs
Sambucus racemosa	Red elderberry	2	#10 pot	as shown	sr
Sarcococca hookeriana humilis	Sweet box	21	#2 pot	as shown	sh
Spiraea japonica 'Goldflame'	Spiraea	24	#2 pot	as shown	sj
Vaccinium ovatum	Evergreen huckleberry	22	#2 pot	as shown	vo
Vaccinium parvifolium	Red huckleberry	41	#2 pot	as shown	vp
VINES, GROUND COVERS AND HERBACEOUS PERENNIALS					
Arctostaphylos uva-ursi	Hinnickinnick	28	#1 pot	as shown	au
Gaultheria shallon	Salal	9	#1 pot	as shown	gs
Lavendula angustifolia	Lavender	18	#1 pot	as shown	la
Mahonia nervosa	Dull Oregon grape	135	#1 pot	as shown	mn
Pachysandra terminalis	Japanese spurge	18	#1 pot	as shown	p
Parthenocissus tricuspidata 'Veitchii'	Veitchii Boston Ivy	3	#1 pot	as shown	pt
Polystichum munitum	Western sword fern	21	#1 pot	as shown	pm

Contractor to be certified by BCLNTA
 All plants and installation to meet or exceed latest BCLNA #1 standards
 Contractor to verify numbers and placement of plants prior to installation

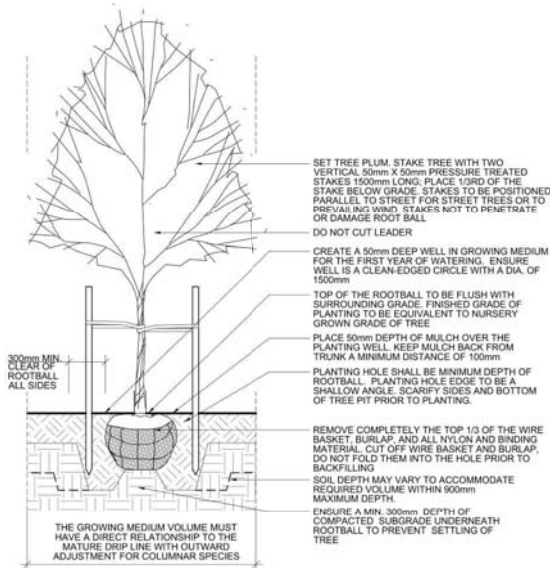


FRONT VIEW

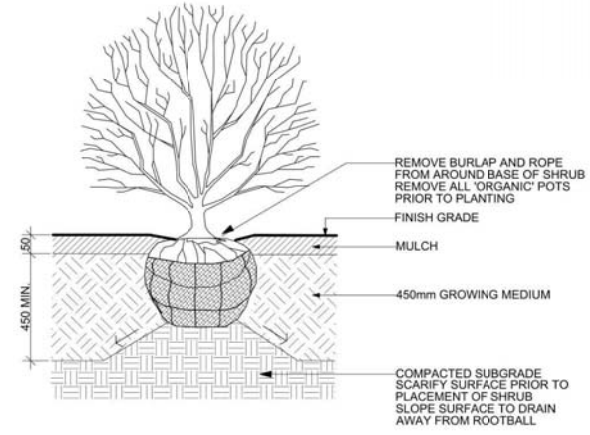


PLAN VIEW

6' FENCE ELEVATION



TREE PLANTING DETAIL



NOTES:

- SHRUB TO BE PLANTED WITH ELEVATION OF TOP OF ROOTBALL OR POT LEVEL WITH FINISH GRADE OF GROWING MEDIUM.
- COMPOSTED BARK MULCH AT 50mm DEPTH TO BE KEPT AT LEAST 50mm AWAY FROM STEMS OF SHRUB.
- PLANTING PIT MUST BE FREE DRAINING

SHRUB PLANTING DETAIL

5 June 21, 2019	Resubmit
4 Feb. 26, 2019	Resubmit
3 Feb. 5, 2019	Resubmit
2 Nov. 8, 2018	Resubmit
1 June 13, 2018	Submit
COPYRIGHT RESERVED: This drawing and design are, and at all times shall remain the property of SW Landscape Architect, and cannot be used, reproduced or distributed without the written consent of SW Landscape Architect.	
Project Address: 1126 HEYWOOD, NORTH VANCOUVER	
Client: MR. BEN AGHAI B&N Custom Home Design Inc.	
House Design by: CASSIDY DESIGN SERVICES/ BILL CURTIS & ASSOC. DESIGN LTD., North Vancouver, B.C., attn: Bill Curtis 604 986-4555	
Landscape Design by: SW Landscape Architect <i>Steve Wong, MBCSLA</i> Registered Landscape Architect #402 North Vancouver: 778 834-8959 c steve.wong234@gmail.com swlandscapearchitect.com	
Design: S.W.	Checked: S.W., BCSLA #402
Drawn: S.W.	DATE: May 2018
Scale: L3	AS SHOWN DETAILS

Date: September 20, 2018

From: Michael Cassidy - Project Designer
CASSIDY DESIGN SERVICES

To: Andrew Yu - Planning Technician 2
Planning Department – CITY OF NORTH VANCOUVER

Cc: Mr. Ben Aghai
Property Owner

RE: PROPOSED SUBDIVISION - 1126 HEYWOOD STREET, NORTH VANCOUVER

**Subject: Summary of Development Information Session
Held on September 12, 2018 at John Braithwaite Community Centre**

During the two-hour session offered for neighbourhood input regarding the proposed subdivision at 1126 Heywood Street, a total of 11 residents representing 9 properties were in attendance.

Only 3 residents representing 3 properties were within the 40m radius of the subject site. They were attentive, inquisitive and engaged in the process.

Of these, the immediate neighbour to the east at 1138 Heywood (Ischa Hicks) had specific concerns regarding the proposed height of the buildings. It was noted that in fact, a new single-family home on the 64' wide lot would have a much higher elevation (around 6' higher) due to higher allowable building grades at the south property. Mr. Aghai filed for this building permit application last December which was virtually approved with some minor comments and is on hold pending the outcome of the subdivision application. Once the outline for this much larger, taller home was presented against the outline of the two proposed smaller dwellings, there was stronger support in favour of the subdivision as the lower building heights would be less impactful in relationship to the neighbourhood. It was also noted to everyone that the proposed new lot widths at 32 feet are just one foot under the required minimum lot width of 33 feet, which would not require rezoning.

Another resident had some thoughtful comments about the reduction of green space due to the increased density. They were reassured that the scale of the new planting scheme/landscaping would more than compensate for that as compared to currently existing landscaping.

There was also concern from one resident with respect to the front yard set backs. The proposed dwellings are about eight feet further south than the adjacent neighbours' houses. There is however, a neighbour to the east that has a deck that projects approximately six feet from the house toward the south.

The remaining 8 residents in attendance, representing 6 properties in the neighbourhood, were outside the 40m radius of the subject site. These residents were generally split into two groups.

One group was opposed to any type of rezoning that increased density and were not even interested in looking at the proposal at all.

The other group was concerned about construction activity in the area in general and its impact on traffic. The North Shore has been heavily impacted by rapid development leading to traffic congestion, especially in this area close to the Ironworkers Memorial Bridge.

All who attended had concerns about parking availability on the street, as the additional basement suites will bring the total number of dwellings to four. One resident living along Shavington had concerns about extra parking at the north lane. They were advised that two parking spaces are required per unit that had to be accessed from the north lane. Also, there always seems to be an abundance of parking along this section of Heywood Street.

The information session was a robust discussion of the concerns of the neighbourhood and resulted in the positive interaction and clarification of these concerns. Out of the 3 property owners within the 40m radius that were in attendance, 1 owner was in favour of the development and filled out a comment sheet while 2 owners had concerns that were addressed and did not fill out a comment sheet.

In addition to this session, an early consultation with a materials package presented to the neighbours resulted in 5 property owners indicating their support for the proposed subdivision. Only 1 of these properties were represented at this information session.

To summarize the overall support of the 13 property owners within the 40m radius of the subject site, 5 property owners have indicated support for the proposed subdivision. These neighbours are directly adjacent to the East, West and North of the subject site. An additional 2 had concerns but did not comment negatively, while 6 property owners did not participate in any consultation process at any level.

Thank you for your consideration of the application for approval of the proposed subdivision at 1126 Heywood Street, North Vancouver. Should you require any further information or clarification, please do not hesitate to contact me at Cassidy Design Services - by e-mail at cassidykiss@shaw.ca or by phone at 604-988-7035.

Sincerely,

Michael Cassidy – Project Designer
CASSIDY DESIGN SERVICES

Development Information Session

SIGN IN SHEET

Please Note: This form will become part of the staff report to City Council on this development proposal and will be publically available. If you do not wish to be identified, please do not include your name on the form, only your address.

DEVELOPMENT: 1126 Heywood Street

DATE: 9/12/2018

TIME: 6-8pm

DIS LOCATION: John Braithwaite Community Centre

No.	Name	Address	Time
1	ESTHER MACPHERSON	1174 HEYWOOD ST. N.V&N.	18:00
2	DON MACPHERSON	" " " "	18:00
3	ISCHA HICKS	1138 HEYWOOD ST	6:10
4	Ashlea Earl	1180 Heywood St	6:30
5	JOS DAN BARNOLL	1254 Heywood St	6:23
6	CHRIS ALLEN	1164 Heywood St.	19:00
7	JASON McLAREN	1168 HEYWOOD ST	19:00
8	DOUG McLAREN	1168 HEYWOOD ST	19:00
9	Nelly Callow	1254 Heywood	6:23
10	SWED WHITTRED	1116 Heywood St	6:30
11	Bill Gilmartin	1021 Shavington Street	7:30
12			
13			
14			
15			
16			
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24			
25			

1126 Heywood Street

Development Information Session

Please Note: Should you provide your name and address, this form will become part of the staff report to City Council on this development proposal and will be publically available. If you do not wish to be identified, please do not include your name on the form, only your address. Your comments will be taken into consideration by City staff in its review of the application; however it will not be viewed by City Council or the public.

September 12, 2018 6-8pm

Name: TERRY AND ISCHA HICKS	
Address: 1138 HEYWOOD ST.	
1. Do you support the proposed project?	YES TWO SMALLER HOMES ARE BETTER THAN 1 HUGE HOME
2. What do you like most about the proposed project?	SEE #1
3. Do you have any concerns about the proposed project?	LOSING LIGHT AND SUNSHINE ONCE THE HOMES ARE BUILT. THEY WILL BE CONSIDERABLY HIGHER THAN OUR HOME.
4. What would you suggest to improve or enhance the proposed project?	NOT SURE HOW THE LARGE CEMENT FRONTAGE WILL FIT WITH THE LOOK OF THE STREET/NEIGHBORHOOD
5. Please provide any additional comments.	AS OUR HOME IS GOING TO SUFFER THE MOST FROM THIS BUILD WE WOULD SUPPORT 100% THE BUILD OF TWO SMALLER HOMES OPPOSED TO ONE 5800 SQ. FT. HOME. AFTER SEEING THE DRAWINGS, THE SINGLE HOME WOULD

Comments will be delivered to the City of North Vancouver for consideration. Alternatively, you may mail or email your comments to either the City of North Vancouver or to the developer. All comments will be forwarded to the City.

CONTACTS:

Applicant: Behrouz Aghai
City of North Vancouver: Andrew Yu

Telephone: 604-230-9603
Telephone: 604-990-4217

E-Mail: benaghai@shaw.ca
E-Mail: ayu@cnv.org

TWO
OVER
→

HOMES WHICH ARE ALREADY SO HIGH!

IF ONE OF THESE PLANS ARE TO MOVE FORWARD THE
SUBDIVIDING OF THE TWO HOMES IS MOST FAVORABLE.

1126 Heywood Street

Development Information Session

Please Note: Should you provide your name and address, this form will become part of the staff report to City Council on this development proposal and will be publically available. If you do not wish to be identified, please do not include your name on the form, only your address. Your comments will be taken into consideration by City staff in its review of the application; however it will not be viewed by City Council or the public.

September 12, 2018 6-8pm

Name: Colin & Michelle Topping	
Address: 1124 Heywood Street	
1. Do you support the proposed project?	Yes, we are happy with the approach and the design.
2. What do you like most about the proposed project?	We are very happy with the design and the aesthetics that it will add to the block
3. Do you have any concerns about the proposed project?	As long as the job is completed in a timely and professional manner we have no concerns
4. What would you suggest to improve or enhance the proposed project?	nothing to add
5. Please provide any additional comments.	

Comments will be delivered to the City of North Vancouver for consideration. Alternatively, you may mail or email your comments to either the City of North Vancouver or to the developer. All comments will be forwarded to the City.

CONTACTS:

Applicant: Behrouz Aghai

City of North Vancouver: Andrew Yu

Telephone: 604-230-9603

Telephone: 604-990-4217

E-Mail: benaghai@shaw.ca

E-Mail: ayu@cnv.org

1126 Heywood Street

Development Information Session

Please Note: Should you provide your name and address, this form will become part of the staff report to City Council on this development proposal and will be publically available. If you do not wish to be identified, please do not include your name on the form, only your address. Your comments will be taken into consideration by City staff in its review of the application; however it will not be viewed by City Council or the public.

September 12, 2018 6-8pm

Name: Ashlea Earl	
Address: 1180 Heywood St.	
1. Do you support the proposed project?	No.
2. What do you like most about the proposed project?	- it is nice to have a newer home on the block?
3. Do you have any concerns about the proposed project?	- it does not fit with the look of the neighbourhood at all - it sets a precedent for smaller lots in the area which is undesirable. - increased density will exasperate the congested traffic.
4. What would you suggest to improve or enhance the proposed project?	- if we are going to allow for greater population density, I would prefer to see duplexes permitted. The larger lots are a big reason why I bought a home in the area.
5. Please provide any additional comments.	- I feel like the proposed houses ruin the character of the neighbourhood. I would love to live on a street with more new modern character houses!

Comments will be delivered to the City of North Vancouver for consideration. Alternatively, you may mail or email your comments to either the City of North Vancouver or to the developer. All comments will be forwarded to the City.

CONTACTS:

Applicant: Behrouz Aghai
City of North Vancouver: Andrew Yu

Telephone: 604-230-9603
Telephone: 604-990-4217

E-Mail: benaghai@shaw.ca
E-Mail: ayu@cnv.org

Re: Development Proposal for 1126 Heywood Street, North Van.
(address)

Please Note: This form will become part of the staff report to City Council on this development proposal and will be publicly available. If you do not wish to be identified, please do not include your name on the form, only your address.

I have reviewed the material presented with this package and have indicated my position below.

Map Key #	Name	Address <small>(Address of property owned in the affected area, if not the same)</small>	Please Check One			Check the box below to indicate your position.			Date
			Owner	Co-Owner	Tenant	I am in support	Neutral	I am opposed	
1.	Michelle Kapping	1124 Heywood Street	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			March 31 st
Comment:									
2.	Ischa Hicks	1138 Heywood	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			Mar 31
Comment:									
3.	Mark Pezarro	1033 Shavington	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			Apr 2 nd
Comment:									
4.	JOE DASILVA	1039 SHAVINGTON	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			April 2
Comment:									
5.	Michelle Carter	1124 Heywood	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			April 2, 2018
Comment: Support of 2 single family homes									
6.									
Comment:									
7.									
Comment:									
8.									
Comment:									
9.									
Comment:									
10.									
Comment:									



1126 Heywood Street

Presented July 2019
Planning and Development Department

Project Description

- Subdivision of one lot into two (each lot 9.7 m wide)
- One single family dwelling with a secondary suite (in the basement) on each lot.
- Zoning By-law Amendment from RS-1 to RS-2 (only for lot width)



E 7th St

Adderley St

Heywood St

Sutherland Ave

Hendry Ave

Cloverley St

Cloverley Park

Shavington St

Lots 24/W,
BL9, DL272

E 6th St

North Shore Studios

E 5th St

North Shore Studios

Sunrise Park

E 4th St

Park and Tilford

High Place Park

Heywood St

E 4th St

E 3rd St

E 3rd St

Cineplex

Low Level Rd

Moodyville

Neighbourhood Character

- Average front yard setback is 8 m.
- Heights in the area are 2 - 2.5 storeys.
- Secondary suites currently exist in the area.
- Front yard landscaping is generally sloped “greens” such as lawns or terraced flower beds.
- Single Family Dwelling lot pattern is the prevailing pattern in the neighbourhood







Thank you.



NOTICE OF PUBLIC HEARING

WHO: Ben Aghai
WHAT: Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8729
WHERE: 1126 Heywood Street
WHEN: Monday, July 22, 2019 at 7:00 pm
Council Chamber, City Hall
141 West 14th Street, North Vancouver

Notice is hereby given that Council will consider:

Zoning Amendment Bylaw, 2019, No. 8729

to rezone the subject property from a One-Unit Residential 1 (RS-1) Zone to a One-Unit Residential 2 (RS-2) Zone and subdivide the property into 2 lots to permit a single family dwelling with a basement suite on each lot.

All persons who believe they may be affected by the proposal will be afforded an opportunity to be heard in person and/or by written submission. Written or email submissions must include your name and address and should be sent to the City Clerk, at input@cnv.org, or by mail or delivered to City Hall. Submissions must be received no later than 4:00 pm, Monday, July 22, 2019, to ensure their availability to Council at the Public Hearing. Once the Public Hearing has concluded, no further information or submissions can be considered by Council.



The proposed Zoning Amendment Bylaw and background material will be available for viewing at City Hall between 8:30 am and 5:00 pm, Monday to Friday, except Statutory Holidays, from July 12, 2019, and online at cnv.org/PublicHearings.

Please direct any inquiries to **Sean Galloway**, Manager, Planning, at sgalloway@cnv.org or **604-982-8305**.

141 WEST 14TH STREET / NORTH VANCOUVER / BC / V7M 1H9
T 604 985 7761 / F 604 985 9417 / CNV.ORG



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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8729

A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8729**” (Behrouz Aghai / Bill Curtis & Associates Design Ltd., 1126 Heywood Street).
2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of the RS-2 (One-Unit Residential 2) Zone:

Lots	Block	D.L.	Plan	
3	8	272	18329	from RS-1

READ a first time on the 8th day of July, 2019.

READ a second time on the 8th day of July, 2019.

READ a third time on the <> day of <>, 2019.

RECEIVED APPROVAL FROM THE
MINISTRY OF TRANSPORTATION ON THE
<> DAY OF <>, 2019.




ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

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 Division Manager	 Director	 CAO
---	---	--

The Corporation of **THE CITY OF NORTH VANCOUVER**
PLANNING & DEVELOPMENT DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Emily Macdonald, Planner 1

Subject: DEVELOPMENT VARIANCE PERMIT APPLICATION: 230 WEST KEITH ROAD (BOARD OF EDUCATION SCHOOL DISTRICT NO. 44)

Date: June 26, 2019 File No: 08-3090-20-0246/1

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated June 26, 2019, entitled "Development Variance Permit Application: 230 West Keith Road (Board Of Education School District No. 44)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8727" (DA Architects + Planners, 230 West Keith Road, CD-558 Text Amendment) be considered and the Public Hearing be waived;

THAT DVP2019-00003 be considered for issuance under Section 498 of the *Local Government Act* and the Public Meeting be waived;

AND THAT notification be circulated in accordance with the *Local Government Act*.

ATTACHMENTS:

1. Context Map ([1800487](#))
2. Architectural Plans, dated June 13, 2019 ([1794292](#))
3. Design Rationale ([1800492](#))
4. Public Consultation Summary ([1800490](#))
5. Update to page 2 of Schedule 86 (Density Record) within CD-558 Zone ([1800710](#))
6. Development Variance Permit ([1800553](#))
7. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8727" ([1800703](#))

PROJECT DESCRIPTION

The project would include the addition of two portables at 230 West Keith Road (Queen Mary Elementary) on the west side of the site. The portables would be sited within the minimum setbacks from the property lines along West Keith Road and East 13th Street. The Design Rationale (Attachment 3) describes the reason for siting the portables within the required setbacks. The area where the portables would be sited is currently a field with goal posts for soccer and fencing for softball. The primary reason for siting the portables within the required setbacks is to reduce the impact they will have on the existing play space.

The proposal would comply with all requirements of the existing Zone with the exception of siting requirements.

Table 1. Requested Changes to the Zoning By-law

	Current Designation/Regulation	Proposed Designation/Regulation
Zone	CD-558	CD-558 with DVP
Setbacks (metres)		
- From 13 th Street	7.6 m	1.6 m
- From West Keith Road	7.6 m	1.6 m

The proposed timeline for the installation of the portables would be summer 2019 for the one sited closest to West 13th Street and summer 2020 for the one sited closest to West Keith Road.

A Zoning Bylaw Amendment forms part of this application as the current CD-558 Zone specifically lists the available density on the school site. There is more than enough density available for the proposed portables but the Density Record should be updated to reflect the new buildings on the school site. The main school building is excluded from the density calculation as it is a registered heritage building. The new on-site density will be the total of the existing and proposed portables, totalling 262.4 sq. m. (2,824 sq. ft.). There will be no change to the total permitted density on the site and no additional permissions will be granted by this amendment.

POLICY FRAMEWORK

The requested variances conform with the Official Community Plan.

PLANNING ANALYSIS

Site Context

The buildings and uses immediately surrounding the subject site are described in Table 2 below.

Table 2. Surrounding Uses

Direction	Address	Description	Zoning
North	West 13 th Street, 200 block	Townhouses	Various CD Zones
North	West 13 th Street, 300 block	Duplexes	Mix of RT-1 and CD Zones
South	West Keith Rd, 200 block	Mix of Duplexes and Single-family Dwellings	RT-1 and CD Zones
East	West Keith Rd, 300 block	Mix of one-, two- and three-unit dwellings	RT-1 and CD Zone
West	217 West 8 th St. and 717 Chesterfield Ave.	Four-storey apartment buildings	CD-558 Zone

Use

No Change.

Intensity

The addition of portables to the Queen Mary site will help to accommodate a growing student population. The proposal is within the permitted height, lot coverage and density for the site.

Form

While portables are not an ideal form of building for school sites, they provide the necessary space for students and allow the School District to respond to increasing demand for space within a relatively short timeframe. The proposed siting of the portables will have minimal or no impact on the surrounding sites in terms of shadowing and visual impact. Views from the Mahon Avenue-East 13th Street intersection of Downtown Vancouver will still be maintained and the portable near 13th Street will be screened by a cedar hedge. The portable near the south property line will be screened by existing trees and is separated from the street by a 30 metre boulevard. Impact on play space has been minimized by locating the portables near the property lines. Siting of the portables also takes into account views of the main school which is a significant heritage building. The proposed siting will not obstruct views of the heritage building.

COMMUNITY CONSULTATION

A public information session was held on June 13, 2019. The Public Consultation Summary (Attachment 4) describes the outcome of the session. Seven people signed in and three of the attendees completed comment forms, all expressing support for the proposal. There was no opposition to the proposed project or to the requested

variances to setbacks. No emails or other correspondence has been received regarding the application to date.

Because of the support heard for the proposal at the information session, staff are recommending that the Public Meeting be waived.

Should Council wish to hold a Public Meeting, the second to last active clause of the resolution should be substituted:

"THAT DVP2019-00003 be considered for issuance under Section 498 of the *Local Government Act* and a Public Meeting be scheduled;

CONCLUSION

Should the proposed variance be granted, the portables will be sited in areas that will have minimal or no impact on surrounding properties. The key reason for locating the portables near the property lines is to preserve play space. Considering Planning principals of the effective and efficient use of space, the preservation of play areas, and consideration of the Public Interest, the proposed siting is preferable to that which would comply with the Zoning Bylaw.

RESPECTFULLY SUBMITTED:



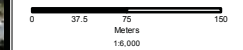
Emily Macdonald
Planner 1



City of North Vancouver
230 West Keith Rd

Legend

 Subject Site
Aerial 2019



DISCLAIMER
This map was produced on the City of North Vancouver's Geographic Information System. Data provided herein is derived from sources with varying levels of accuracy and detail. The City of North Vancouver disclaims all responsibility for the accuracy or completeness of information contained herein.

GIS Division, Information Technology,
City of North Vancouver
PLOTTED: 6062614
SOURCE: Various
COORDINATE SYSTEM: NAD 83 UTM Zone 18



Address:		230 West Keith Road					
Legal Description:		Lot G Block 111 District Lot 548 Plan 13407					
Zoning:		CD558					
Site Area:		14,979.69 s.m., proposed					
Gross Floor Area:	Existing school	Existing portable	2019 portable	2020 portable	Total	Permitted	Note
First Floor:	1868 s.m.**	87.8 s.m.	87.3 s.m.	87.3 s.m.	2130.4 s.m.		*Including 343 s.m. Daycare
Second Floor:	1306 s.m.						**Including 441 s.m. Daycare
Third Floor:	1228 s.m.						
Total:	4402 s.m.	87.8 s.m.	87.3 s.m.	87.3 s.m.	4664.4 s.m.		
Footprint:	1608 s.m.	87.8 s.m.	87.3 s.m.	87.3 s.m.	1870.4		Excluding Daycare; 240s. max.
Lot Coverage:	10.7%				12.5%	40%	
FSR:	29.39%				31.14%	100%	Heritage Buildings counted as 0 as per CD558
Setbacks:	To North Lot Line	18.5 m				7.62 m	
	To North Lot Line	66.5 m				7.62 m	
	To South Lot Line	14.7 m				7.62 m	
	To East Lot Line	82.8 m				7.62 m	
Height:	23.4 m	4.27 m	4.02 m	4.02 m	27.432 m		Building height is measured from average corner grade (71.12m).
Parking:	30				30	29	+1.25 x 20 classrooms ~25 plus 4 for child care including 4 disability space.
Loading:	1				1	3	+1222 s.m. /1393.5 s.m. = 3 spaces. Propose 1 space, to be negotiated.
Washroom:	Student Population	412	22	22	456		Boys: 456/230 = 18 spaces Girls: 456/23 = 19 spaces
		Boys: 9 spaces Girls: 12 spaces			Boys: 9 spaces Girls: 12 spaces		



No.	Description	Date	By
1	ISSUED FOR HAP & DVP	2019/06/13	
Revisions Read Up			

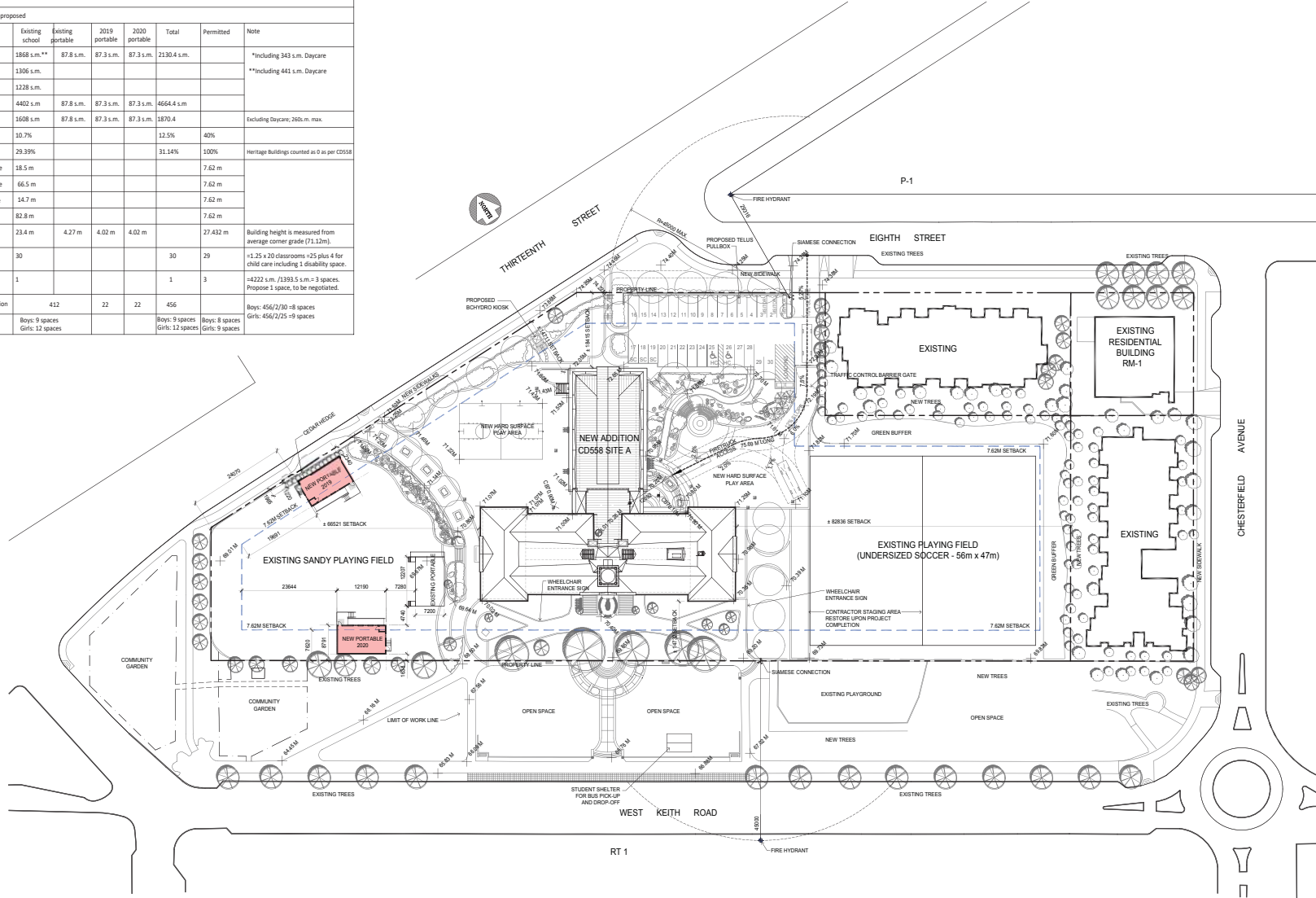
DA
 Design Architects
 1014 - 1014 Homer Street, Vancouver
 British Columbia, Canada V6B 0V9
 T 604 685 6312
 F 604 685 6312
 www.designarchitects.ca

QUEEN MARY ELEMENTARY
 230 WEST KEITH ROAD
 NORTH VANCOUVER, BC

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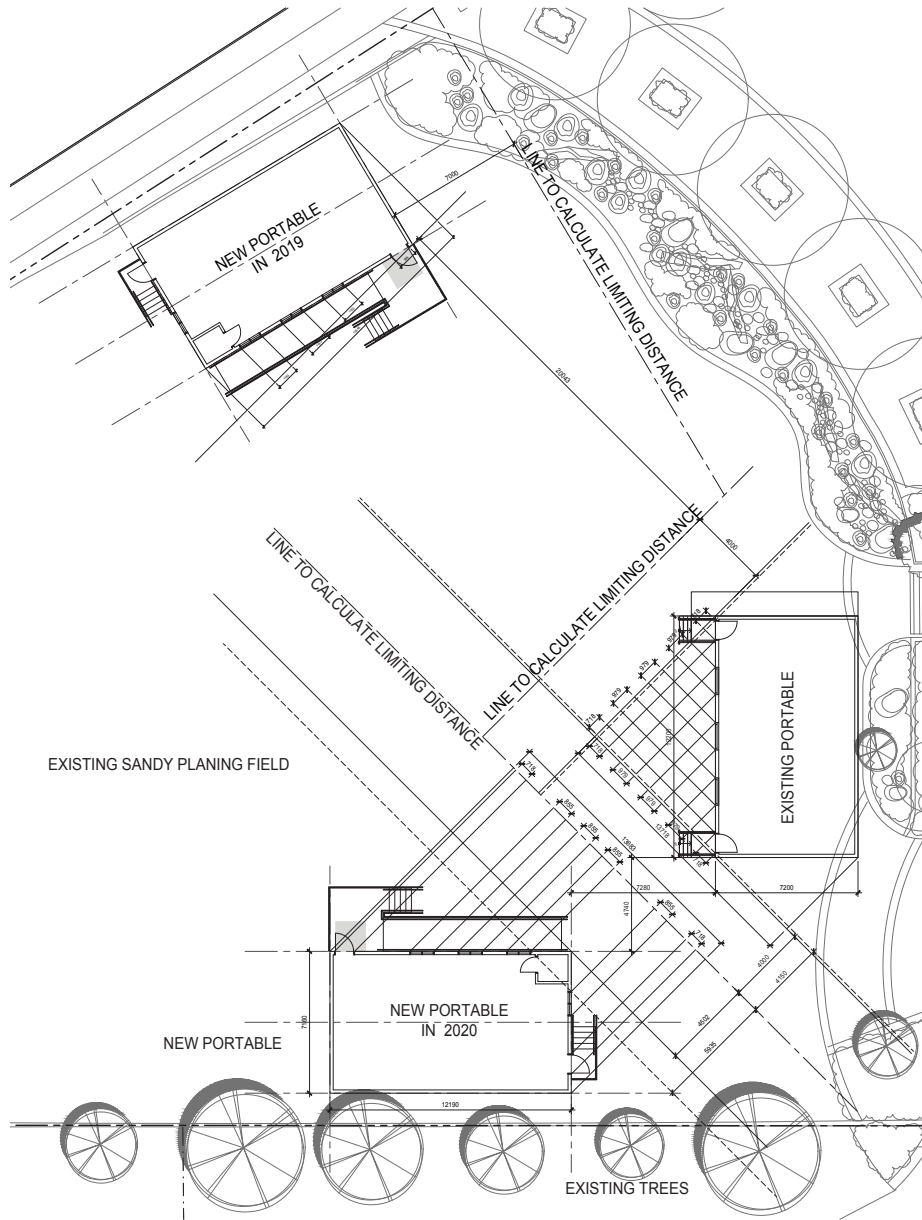
Issue No: SITE PLAN

Job No.	2019-400	Sheet No.	
Scale	1:400		
Drawn		Checked	A1.01
Approved		Date	2019-06-09
Date	2019-06-09	Revision	



HERITAGE ALTERATION PERMIT
 PORTABLES ON SITE OF HERITAGE BUILDING DEVELOPMENT VARIANCE PERMIT.

DEVELOPMENT VARIANCE PERMIT
 NEW PORTABLES ARE WITHIN 7.62M SETBACK.



Building Classification:

- Group A, Division 2, One storey (3.2.2.28)
- Permitted to be combustible or non- combustible.
- Is not more than 1 storey in building height.
- Building area less than 400sm if facing one street.

Limiting distance (Table 3.2.3.1-B):

Existing portable Southwest

Area: 52.13 sm
 L/H = 13.718 / 3.800 = 3.6
 Wall construction rating = 45 min
 Unprotected opening = 6.85 sm
 Unprotected opening % = 13.2%
 Limiting distance = 4m
 Maxi. area of unprotected opening permitted 25%-50%

New portables in 2020 Northeast

Area: 48.05 sm
 L/H = 13.683 / 3.512 = 3.9
 Unprotected opening = 6.12 sm
 Unprotected opening % = 12.74%
 Limiting distance = 4.5m
 Maxi. area of unprotected opening permitted 25%-50%
 Mini. required fire - resistance rating = 45 min
 Type of construction required : Combustible or Noncombustible
 Type of cladding required : Noncombustible

New portables in 2020 South

Area: 42.8 sm
 L/H = 12.19 / 3.512 = 3.5
 Unprotected opening = 0 sm
 Unprotected opening % = 0 %
 Limiting distance = 36.77m (To the middle line of road)
 Maxi. area of unprotected opening permitted 100%
 Mini. required fire - resistance rating = 0
 Type of construction required : Combustible or Noncombustible
 Type of cladding required : Combustible or Noncombustible

New portables in 2020 West

Area: 25.15 sm
 L/H = 7.160 / 3.512 = 2.04
 Unprotected opening = 4.0 sm
 Unprotected opening % = 15.90 %
 Limiting distance = 78.62m (To the middle line of road)
 Maxi. area of unprotected opening permitted 100%
 Mini. required fire - resistance rating = 0
 Type of construction required : Combustible or Noncombustible
 Type of cladding required : Combustible or Noncombustible

Limiting distance (Table 3.2.3.1-B):

Existing portable Northwest

Area: 52.13 sm
 L/H = 13.718 / 3.800 = 3.6
 Wall construction rating = 45 min
 Unprotected opening = 6.85 sm
 Unprotected opening % = 13.2%
 Limiting distance = 4m
 Maxi. area of unprotected opening permitted 25%-50%

New portables in 2019 South

Area: 47.6sm
 L/H = 13.546/ 3.512 = 3.9
 Unprotected opening = 5.2 sm
 Unprotected opening % = 10.92%
 Limiting distance = 20.04m
 Maxi. area of unprotected opening permitted 100%
 Mini. required fire - resistance rating = 0 min
 Type of construction required : Combustible or Noncombustible
 Type of cladding required : Combustible or Noncombustible

New portables in 2019 North

Area: 42.8 sm
 L/H = 12.19 / 3.512 = 3.5
 Unprotected opening = 0 sm
 Unprotected opening % = 0 %
 Limiting distance = 16.17m (To the middle line of road)
 Maxi. area of unprotected opening permitted 100%
 Mini. required fire - resistance rating = 0
 Type of construction required : Combustible or Noncombustible
 Type of cladding required : Combustible or Noncombustible

New portables in 2019 West

Area: 25.15 sm
 L/H = 7.160 / 3.512 = 2.04
 Unprotected opening = 4.0 sm
 Unprotected opening % = 15.90 %
 Limiting distance = 77.19m (To the middle line of road)
 Maxi. area of unprotected opening permitted 100%
 Mini. required fire - resistance rating = 0
 Type of construction required : Combustible or Noncombustible
 Type of cladding required : Combustible or Noncombustible

New portables in 2019 East

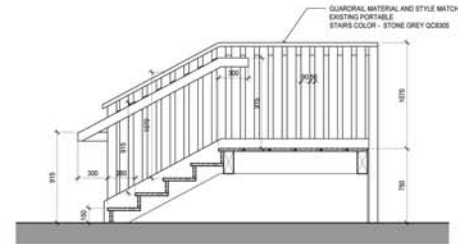
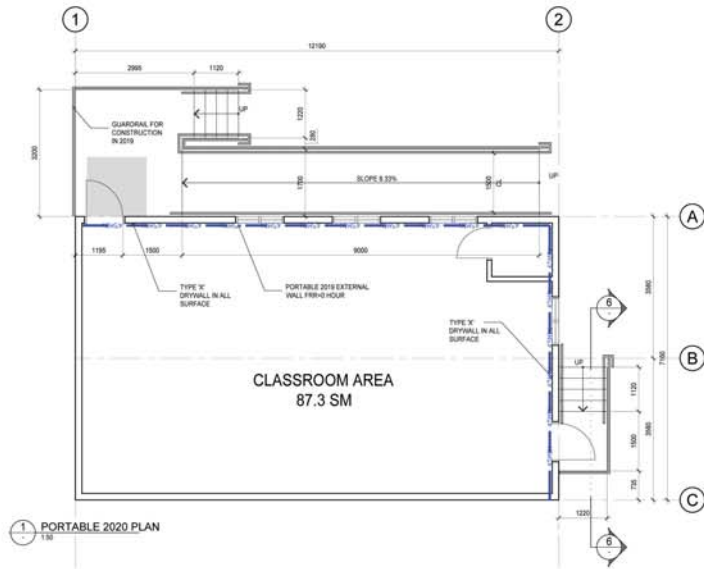
Area: 25.15 sm
 L/H = 7.160 / 3.512 = 2.04
 Unprotected opening = 0 sm
 Unprotected opening % = 0 %
 Limiting distance = 7m (Set up a line for calculation)
 Maxi. area of unprotected opening permitted 100%
 Mini. required fire - resistance rating = 0
 Type of construction required : Combustible or Noncombustible
 Type of cladding required : Combustible or Noncombustible

No.	Description	Date	Dr
1	ISSUED FOR HAP & DVP	2019	SL
Revisions Read Up			



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Job No.	2019-000	Draw No.	
Scale	1:400		
Drawn			
Checked			
Approved			
Date	2019-05-08	Revision	



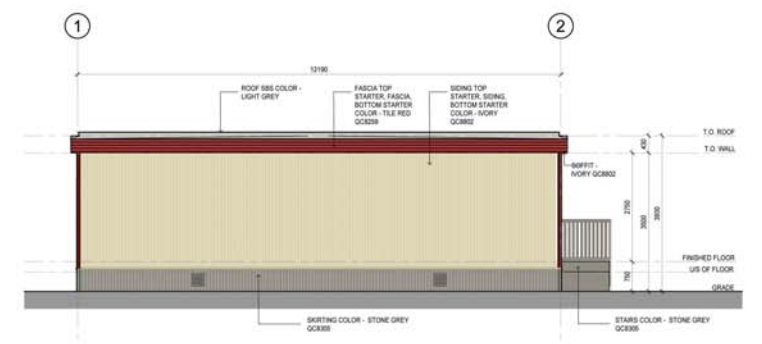
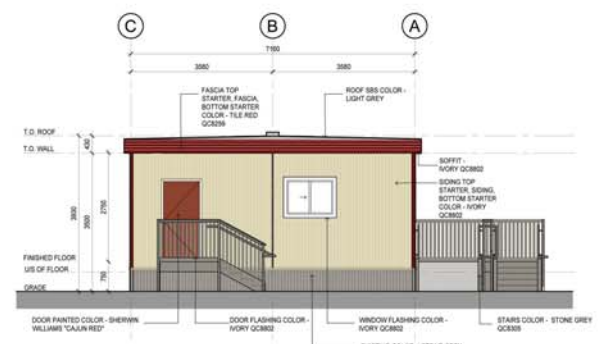
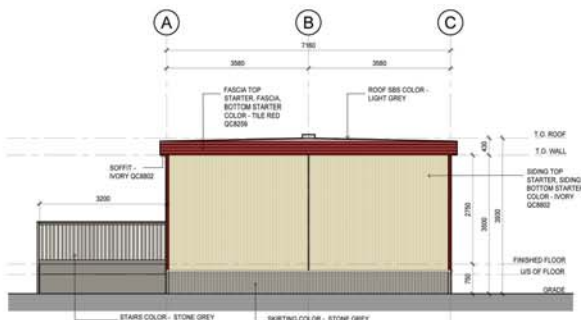
ESPE RESISTANCE LEGEND

[Symbol]	AT WALL INTERSECTION
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NOTE:
PORTABLE 2019 & 2020 ELEVATION ARE SAME

No.	Description	Date	Dr.
1	ISSUED FOR H&M & D/P	2019	DR/SL

Revisions: Read Up



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F 604 495 0988
www.da-architects.ca

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Project Name: PORTABLE ADDITION PLAN, ELEVATIONS AND SRTAIRS

Job No.	2019-405-01	Sheet No.	
Date			
Client			
Checked			
Approved			
Date	2019.08.02	Revision	

June 13, 2019

Development Variance Permit: Design Rationale for portables at Queen Mary Elementary School
230 Keith Rd W, North Vancouver, BC V7M 1L8

School District 44 (SD44) proposes to locate 2 new portables within the 7.62m setbacks at Keith Road and 13th Street. The portable at 13th Street is proposed for September 2019 and the portable at Keith is proposed for September 2020.

At Keith Road, there is a 30 meter City right of way between West Keith Road and the south property line of Queen Mary School. Effectively the setback from the street is 30m. Visually the portables will appear distant from the street and will be screened by mature trees.

At 13th Avenue there is a depression on the school side of the fence that reduces the apparent height of the portable. The existing public sidewalk also deviates away from the portable as a response to the grade change. The North Vancouver School District has agreed to provide additional screening by planting a cedar hedge between the fence and the portable.

The reason for encroaching into the property line is to retain as much of the play area as possible. The soccer nets will need to be relocated to best suit the reconfigured playfield.

James Kao Architect AIBC
DA Architects + Planners

cc:

p:\2610-400 queen mary portable addition\4.0 city corres\03 development permit\dvp\design rationale for dvp june 13, 2019.docx

From: James Kao
To: Emily Macdonald
Company: City of North Vancouver

Transmittal

Date: June 14, 2019

Re: Queen Mary Elementary portable addition **Project No:** 2610-400
Public DIS Meeting held June 13 at Queen Mary Gym

File Code No: 000

Dear Emily,

We confirm the following is a summary of the public DIS meeting:

1. Present for the presenters was Michael Chapman for the North Vancouver School District and James Kao from DA Architects. Emily MacDonald was present to represent the CNV. The scheme that was presented had the 2019 portable within the 13th Street setback and the 2020 portable within the Keith Road setback. The purpose of the intrusion into the setback was to preserve as much playfield as possible.
2. A total of 7 people signed in between 6pm and 8pm. Of the 7 people, 3 left written comments.
3. Of the written comments, there was general support for the proposal. However, there was concern about the portables not having any sinks for drinking and handwashing. One person had a particular concern about the loss of the soccer field and asked that the soccer nets be reinstalled. Two people wanted the new portable to be ready by the first day of school in September 2019. One person expressed hope that a new school would be built soon.
4. Aside from the written comments, there was a verbal discussion of the proposal.
 - a. In general, people would prefer a new school or an addition to a portable but they understood that a portable could potentially be removed from the site, once it was no longer needed.
 - b. In general there was a consensus that pushing the portables into the setbacks was beneficial as it allowed more playfield to be retained.
 - c. The desire to relocate the soccer nets was discussed by one family.

cc:

p:\2610-400 queen mary portable addition\4.0 city corres\03 development permit\queen mary elementary portable addition summary of public meeting on june 13, 2019.docx

>> 200 - 1014 Homer Street, Vancouver, British Columbia, Canada V6B 2W9 T 604 685 6312 F 604 685 0988

Mark Ehman Architect AIBC, Partner **James Kao** Architect AIBC, Partner **Randy Knill** Architect AIBC, Consulting Partner

- d. The request for sinks in the portables was discussed. Michael Chapman stated that aside from Kindergarten classes, it is not standard practice to have sinks in classrooms.
- e. One person stated that the portable should be for older kids rather than younger kids.
- f. One person had a concern that the retaining wall with the mural would be torn down but was reassured that the wall and mural would not be affected.
- g. People were concerned that the portable would not be ready for the beginning of the next school year.

Yours truly,

A handwritten signature in black ink, appearing to read 'James Kao', written on a light-colored background.

James Kao

DA Architects + Planners

721 CHESTERFIELD AVENUE

DENSITY RECORD

The following table records the density assignment for 721 Chesterfield Avenue (The “Donor Site”), which is zoned CD-558. As per section (B1) of the CD-558 Zone, the maximum density within the CD-558 Zone (Site A) is 1.0 times the lot area (14,979.69 sq.m./ 161,240 sq.ft.), excluding buildings listed in the City’s Heritage Registry. This table maintains a record of any residual density on Site “A” (Donor Site) transferred from Site “A” to a Recipient site through a rezoning process.

The following table lists the total density approved for Site A, density transfers approved and the remaining residual density potential on Site A.

Donor Site	Total CD-558 Site A Permitted Gross Floor Area (1.0 FSR)	On-site Built Gross Floor Area	Residual Site A Density
721 Chesterfield Avenue/ Queen Mary School (Site A)	14,979.69 sq. m. (161,240 sq. ft.)	0 sq. m. 262.4 sq. m. (0 sq. ft.) (2,824 sq. ft.)	14,979.69 sq. m. 14,717.3 sq. m. (161,240 sq. ft.) (158,416 sq. ft.)

RECORD OF DENSITY TRANSFER

Recipient Sites Approved Through Density Transfers	Transferred Gross Floor Area	Zoning Amendment Bylaw #	Remaining Residual Density on Site A (Donor Site)
721 Chesterfield Avenue (Site B)	554.45 sq. m. (5,968 sq. ft.)	7935	14,425.24 sq. m. 14,162.8 sq. m. (155,272 sq. ft.) (152,447 sq. ft.)
721 Chesterfield Avenue (Site C)	693.52 sq. m. (7,465 sq. ft.)	7935	13,731.72 sq. m. 13,469.3 sq. m. (147,807 sq. ft.) (144,982 sq. ft.)



THE CORPORATION OF THE CITY OF NORTH VANCOUVER
DEVELOPMENT VARIANCE PERMIT

Permit No. DVP2019-00003

File: 08-3090-20-0246/1

Issued to owner(s): **The Board of Education of School District No. 44**

Respecting the lands located at **230 West Keith Road**, North Vancouver, BC, legally described as:

LOT G BLOCK 111 DISTRICT LOT 548 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 13407 EXCEPT PLAN BCP51308 PID: 008-638-357

(the “Lands”)

List of Attachments:

Schedule “A”: List of Plans

Authority to Issue:

1. This Development Variance Permit is issued pursuant to Section 498 of the *Local Government Act*.
-

Bylaws Supplemented or Varied:

2. The provisions of the City of North Vancouver “Zoning Bylaw, 1995, No. 6700” are hereby varied as follows:
 - A. Section 804(2)(c) shall be varied so that two portable classroom buildings may be sited 1.6 m (5.2 ft.) from a Lot line.
-

Special Terms and Conditions of Use:

3. The Buildings and Structures shall be developed in accordance with the plans dated and listed on the attached Schedule A “List of Plans” and filed in the offices of the City, approved by Council, and in compliance with the regulations and conditions listed hereunder including:
 - A. Building Permits shall be obtained for all portable classroom buildings
 4. No variances other than those specifically set out in this permit are implied or to be construed.
 5. All plans attached to this Permit and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the City where such plans and specifications do not comply with any bylaw or statute, and such non-compliance is not specifically permitted by this Development Variance Permit. The Lands may be subject to additional regulations, restrictive covenants and agreements which may affect their use, development and amenities, if any section or lesser portion of this Development Variance Permit is held invalid for any reason the invalid portion shall be severed from this Development Variance Permit and the validity of the remainder of the Development Variance Permit shall not be affected.
-

General Terms and Conditions:

6. Pursuant to Section 504 of the *Local Government Act*, this Permit lapses if the work authorized herein is not commenced within 24 months following issuance of this Development Variance Permit. In the event the Owner is delayed or interrupted or prevented from commencing or continuing the construction on or about the subdivision by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the Owner, the time for the completion of the works shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that the commercial or financial circumstances of the Owner shall not be viewed as a cause beyond the control of the Owner.
7. This Development Variance Permit shall not vary the permitted uses or densities of land use in the applicable zoning bylaw nor a flood plain specification designated under Section 524(3) of the *Local Government Act*.
8. Nothing in this Permit shall in any way relieve Land Owner/Developers obligation to ensure that the development proposal complies in every way with the statutes, regulations, requirements, covenants and licences applicable to the undertaking.

9. Nothing in this Permit shall in any way relieve the Land Owner/Developers obligation to comply with all setback regulations for construction of structures or provision of on-site services pursuant to the *Health Act*, the *Fire Services Act*, the *Electrical Energy Inspection Act*, and any other provincial statutes.

Authorized by Council: _____
Year / Month / Day

Linda C. Buchanan, Mayor

Karla Graham, City Clerk

Date Signed: _____
Year / Month / Day

Note: As required by Section 503 of the *Local Government Act*, the City of North Vancouver shall file a notice of this permit in the Land Title Office stating that the land described in this Permit is subject to Development Variance Permit No. DVP2019-00003.

Notice filed the _____ day of _____, 20_____.

THIS IS NOT A BUILDING PERMIT

Schedule A
List of Plans – 230 West Keith Road

Designer	Project Name	Sheet Description	Sheet No.	Sheet Date	CityDocs File Number
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Site Plan	A1.01	June 13, 2019	1794292
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Context Drawings	A1.02	June 13, 2019	1794292
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Limiting Distance Calculations	A1.03	June 13, 2019	1794292
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Elevations and Stairs	A1.01	June 13, 2019	1794292



NOTICE OF PUBLIC HEARING AND PUBLIC MEETING (WAIVED)

- WHO:** DA Architects + Planners
- WHAT:** Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8727 (CD-558 Text Amendment)
Development Variance Permit
No. 2019-00003
- WHERE:** 230 West Keith Road (Queen Mary Elementary)
- WHEN:** Monday, July 22, 2019 at 7:00 pm
Council Chamber, City Hall
141 West 14th Street, North Vancouver

Notice is hereby given that Council will consider:

Zoning Amendment Bylaw, 2019, No. 8727 and Development Variance Permit

No. DVP2019-00003 to reduce the setback to 1.6 metres on the north and south property lines to permit 2 new portable classrooms. An update to the existing zone is also proposed to reflect the current density on site. The text amendment will not impact the total permitted density on site.

If you believe you may be affected by the above proposal, please forward written or email submissions, including your name and address, to the City Clerk, at input@cnv.org, or by mail or delivered to City Hall.

Submissions must be received no later than 4:00 pm, Monday, July 22, 2019, to ensure their availability to Council. No further information or submissions can be considered by Council after third reading of the bylaw.

The proposed Zoning Amendment Bylaw, Development Variance Permit and background material will be available for viewing at City Hall between 8:30 am and 5:00 pm, Monday to Friday, except Statutory Holidays, from July 12, 2019, and online at cnv.org/PublicHearings.

Please direct any inquiries to **Emily Macdonald**, Planner 1, at emacdonald@cnv.org or 604-982-3904.



141 WEST 14TH STREET / NORTH VANCOUVER / BC / V7M 1H9
T 604 985 7761 / F 604 985 9417 / CNV.ORG



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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8727

A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8727” (DA Architects + Planners, 230 West Keith Road, CD-558 Text Amendment)**.
2. Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:
 - A. In Section 1100, within the designation “CD-558 Comprehensive Development 558 Zone”, deleting Page 2 of Schedule 86 in its entirety and replacing it with the Page 2 of Schedule 86 attached to this bylaw.

READ a first time on the 8th day of July, 2019.

READ a second time on the 8th day of July, 2019.

READ a third time on the <> day of <>, 2019.

ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

CD-558 Amendment Bylaw No. 7935	Schedule 86	Page 2 of 2
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721 CHESTERFIELD AVENUE

DENSITY RECORD

The following table records the density assignment for 721 Chesterfield Avenue (The “Donor Site”), which is zoned CD-558. As per section (B1) of the CD-558 Zone, the maximum density within the CD-558 Zone (Site A) is 1.0 times the lot area (14,979.69 sq. m. / 161,240 sq. ft.), excluding buildings listed in the City’s Heritage Registry. This table maintains a record of any residual density on Site “A” (Donor Site) transferred from Site “A” to a Recipient site through a rezoning process.

The following table lists the total density approved for Site A, density transfers approved and the remaining residual density potential on Site A.

Donor Site	Total CD-558 Site A Permitted Gross Floor Area (1.0 FSR)	On-site Built Gross Floor Area	Residual Site A Density
721 Chesterfield Avenue/ Queen Mary School (Site A)	14,979.69 sq. m. (161,240 sq. ft.)	262.4 sq. m. (2,824 sq. ft.)	14,717.3 sq. m. (158,416 sq. ft.)

RECORD OF DENSITY TRANSFER

Recipient Sites Approved Through Density Transfers	Transferred Gross Floor Area	Zoning Amendment Bylaw #	Remaining Residual Density on Site A (Donor Site)
721 Chesterfield Avenue (Site B)	554.45 sq. m. (5,968 sq. ft.)	7935	14,162.8 sq. m. (152,447 sq. ft.)
721 Chesterfield Avenue (Site C)	693.52 sq. m. (7,465 sq. ft.)	7935	13,469.3 sq. m. (144,982 sq. ft.)



THE CORPORATION OF THE CITY OF NORTH VANCOUVER
DEVELOPMENT VARIANCE PERMIT

Permit No. DVP2019-00003

File: 08-3090-20-0246/1

Issued to owner(s): **The Board of Education of School District No. 44**

Respecting the lands located at **230 West Keith Road**, North Vancouver, BC, legally described as:

LOT G BLOCK 111 DISTRICT LOT 548 GROUP 1 NEW WESTMINSTER DISTRICT PLAN 13407 EXCEPT PLAN BCP51308 PID: 008-638-357

(the “Lands”)

List of Attachments:

Schedule “A”: List of Plans

Authority to Issue:

1. This Development Variance Permit is issued pursuant to Section 498 of the *Local Government Act*.
-

Bylaws Supplemented or Varied:

2. The provisions of the City of North Vancouver “Zoning Bylaw, 1995, No. 6700” are hereby varied as follows:
 - A. Section 804(2)(c) shall be varied so that two portable classroom buildings may be sited 1.6 m (5.2 ft.) from a Lot line.
-

Special Terms and Conditions of Use:

3. The Buildings and Structures shall be developed in accordance with the plans dated and listed on the attached Schedule A “List of Plans” and filed in the offices of the City, approved by Council, and in compliance with the regulations and conditions listed hereunder including:
 - A. Building Permits shall be obtained for all portable classroom buildings
 4. No variances other than those specifically set out in this permit are implied or to be construed.
 5. All plans attached to this Permit and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the City where such plans and specifications do not comply with any bylaw or statute, and such non-compliance is not specifically permitted by this Development Variance Permit. The Lands may be subject to additional regulations, restrictive covenants and agreements which may affect their use, development and amenities, if any section or lesser portion of this Development Variance Permit is held invalid for any reason the invalid portion shall be severed from this Development Variance Permit and the validity of the remainder of the Development Variance Permit shall not be affected.
-

General Terms and Conditions:

6. Pursuant to Section 504 of the *Local Government Act*, this Permit lapses if the work authorized herein is not commenced within 24 months following issuance of this Development Variance Permit. In the event the Owner is delayed or interrupted or prevented from commencing or continuing the construction on or about the subdivision by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the Owner, the time for the completion of the works shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that the commercial or financial circumstances of the Owner shall not be viewed as a cause beyond the control of the Owner.
7. This Development Variance Permit shall not vary the permitted uses or densities of land use in the applicable zoning bylaw nor a flood plain specification designated under Section 524(3) of the *Local Government Act*.
8. Nothing in this Permit shall in any way relieve Land Owner/Developers obligation to ensure that the development proposal complies in every way with the statutes, regulations, requirements, covenants and licences applicable to the undertaking.

9. Nothing in this Permit shall in any way relieve the Land Owner/Developers obligation to comply with all setback regulations for construction of structures or provision of on-site services pursuant to the *Health Act*, the *Fire Services Act*, the *Electrical Energy Inspection Act*, and any other provincial statutes.

Authorized by Council: _____
Year / Month / Day

Linda C. Buchanan, Mayor

Karla Graham, City Clerk

Date Signed: _____
Year / Month / Day

Note: As required by Section 503 of the *Local Government Act*, the City of North Vancouver shall file a notice of this permit in the Land Title Office stating that the land described in this Permit is subject to Development Variance Permit No. DVP2019-00003.




Notice filed the _____ day of _____, 20_____.

THIS IS NOT A BUILDING PERMIT

Schedule A
List of Plans – 230 West Keith Road

Designer	Project Name	Sheet Description	Sheet No.	Sheet Date	CityDocs File Number
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Site Plan	A1.01	June 13, 2019	1794292
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Context Drawings	A1.02	June 13, 2019	1794292
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Limiting Distance Calculations	A1.03	June 13, 2019	1794292
DA Architects + Planners	Queen Mary Elementary New Portable Addition	Elevations and Stairs	A1.01	June 13, 2019	1794292



 Division Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**
PLANNING & DEVELOPMENT DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Mike Friesen, Planner I

Subject: REZONING APPLICATION: 2205 ST. ANDREWS AVENUE (MOREZ DESIGN INC., RT-1)

Date: July 10, 2019 File No: 08-3360-20-0446/1

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Planner I, dated July 10, 2019, entitled "Rezoning Application: 2205 St. Andrews Avenue (Morez Design Inc., RT-1)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8728" (Morez Design Inc., 2205 St. Andrews Avenue, RT-1) be considered and the Public Hearing be waived;

AND THAT notification be circulated in accordance with the *Local Government Act*.

ATTACHMENTS:

1. Context Map ([Doc #1801267](#))
2. Architectural and Landscape Plans, dated January 15, 2019 ([Doc #1758419](#))
3. Public Consultation Summary ([Doc #1800987](#))
4. Zoning Amendment Bylaw No. 8728 ([Doc #1801310](#))

PROJECT DESCRIPTION

The project, located at 2205 St. Andrews Avenue, consists of one two storey, duplex building that includes two primary dwelling units and two accessory dwelling units. The subject site currently hosts a single family dwelling, constructed in 1948, that will be demolished. The requested changes to the zoning bylaw to permit this development are identified in Table 1 below. Additionally, Attachment #4 has the amending bylaw with the proposed changes.

Table 1. Requested Changes to the Zoning By-law

	Current Designation/Regulation	Proposed Designation/Regulation
Zone	RS-1	RT-1

POLICY FRAMEWORK

The subject site is designated Residential Level 2 (R-2) within the Official Community Plan. This designation permits a range of ground-oriented housing in areas located between detached residential and more intensive residential or mixed-use areas. Duplexes with secondary suites, triplexes, and row homes are permitted in this designation.

Metro 2040	
Goal 1 Create a Compact Urban Area	Intensifying this site with infill that is consistent and scaled to the surrounding neighbourhood, ensure the highest and best use of the land promoting a compact urban area.
Goal 2 Support a Sustainable Economy	Infill on this site promotes housing forms that can support a diversity of income levels and ensure people live close to where they work.
Goal 4 Develop Complete Communities	The proposed development ensures the neighbourhood will have a diversity of housing stock that will promote the ability to age-in-place allowing people to stay in their neighbourhood throughout all of their lifecycles.
Goal 5 Support Sustainable Transportation Choices	Intensification of this site will support future transit investments along Lonsdale Avenue. The site is proximate to community and commercial amenities and is well situated to provide the occupants with a variety of transportation choices across the North Shore and the greater region.

Official Community Plan	
<p><i>Policy 1.1.2</i> Align growth with the development community amenities and infrastructure</p>	<p>Intensification of the site supports the Upper Lonsdale Area and future rapid transit infrastructure and community amenity investment.</p>
<p><i>Policy 1.3.1</i> Ensure that new development is compatible with the established urban form of the City, reflecting the primacy of the Lonsdale Regional City Centre and the transition through mid- and low-rise buildings to lower-density residential neighbourhoods</p>	<p>The proposed development on the site is appropriately scaled to the neighbourhood and supports the primacy of the Lonsdale Regional City Centre.</p>
<p><i>Policy 1.3.5</i> Encourage design excellence in developments through carefully considered, high quality architecture and landscaping, with varied designs which are interesting, sensitive and reflective of their surroundings</p>	<p>The proposed building activates the corner of St. Andrews Avenue and East 22nd Street by locating primary entrances on both frontages. The materiality and scale of the new dwelling is consistent with the surrounding neighbourhood.</p>
<p><i>Policy 1.3.6</i> Encourage architecture that responds to the unique context of the City in a sensitive, sustainable, and aesthetically compatible manner</p>	<p>The proposed architecture of the new dwelling is consistent with the surrounding urban form and the chosen materials are consistent with new development found in the local context.</p>
<p><i>Policy 1.3.9</i> Explore ways to activate laneways in the City including opportunities for varied uses, pedestrian and cycling activity as well as storm water management and urban agriculture.</p>	<p>The development presents an attractive landscape element along the rear lane while accommodating required parking. Connection to the street and the feeling of openness promote natural surveillance and will support future activation of the laneway.</p>
<p><i>Policy 1.5.1</i> Provide opportunities for a range of housing densities, diversified in type, size and location.</p>	<p>The proposed infill development provides a smaller housing form that assists in promoting aging-in-place. Additionally, this form will help to provide more diverse housing in a neighbourhood that is accessible to the City's Lonsdale core area.</p>

Housing Action Plan	
<p><i>Action #5</i> To increase rental options in lower density areas to support renters and provide homeowners with additional rental income, while retaining neighbourhood scale and character.</p>	<p>The proposed duplex development creates two ground oriented units that has the potential to supplement the rental supply through accessory dwelling units. This increase in supply is located in proximity to transit and community amenities.</p>
Sustainable Development Guidelines	
<p><i>Natural Systems</i> The ability of natural systems, both global and local, to support life. Parks and green spaces help regulate the climate, clean and filter water and air, and provide recreational and aesthetic benefits. Maintaining healthy natural systems will reduce strain on municipal infrastructure, support local wildlife and enhance quality of life for community members.</p>	<p>The project is providing low-impact development and landscape features to ensure storm water runoff is filtered and can be managed on site to mitigate impact on local water courses and the Burrard Inlet.</p>

PLANNING ANALYSIS

Site Context

The surrounding land uses are identified in Table 2 below.

Table 2. Surrounding Uses

Direction	Address	Description	Zoning
North (across the lane)	259, 265 E 23 rd Street	Single family dwellings	RS-1
South	259 E 22 nd Street and 2145 St Andrews Ave	Single family dwellings	RS-1
East	2208 St Andrews Ave	Single family dwelling	RS-1
West	258-260 E 22 nd Street	Duplex dwelling	RT-1

Generally, the surrounding neighbourhood is made up of single family homes on large lots. Directly adjacent to the west, however, there is a newly built duplex development. St. Andrews Avenue marks a border between OCP land use designations, with the subject site and everything west of St. Andrews Avenue designated R2, and properties to the east designated Residential Level 1 (R1). The neighbourhood has begun its transition to greater density, with several other sites along the 200-block of East 22nd Street (including 258-260 East 22nd Street, the adjacent site) having been rezoned for duplex development over the past several years.

Use

The policy framework applicable to the subject site supports the proposed two dwellings as residential use. The site is located in close proximity to transit and Central Lonsdale commercial and social amenities. Additionally, the units will provide a diversity of housing stock in the area, supporting aging-in-place and housing flexibility.

Intensity

The proposed intensification on the site is appropriate for the neighbourhood given the surrounding density and the land use designation. The site and the proposal provide a transition between the more intense building types to the west of the site, to the lower density to the east. The proposal provides four parking spaces on-site, which will serve the two principal dwelling units and two potential accessory dwelling units. Storm water will be addressed through the on-site infiltration as well as retention tanks to mitigate significant storm events.

Form

The urban form proposed for the site satisfies the policy intent of ensuring new development is consistent with the character of the surrounding neighbourhood. The overall massing of the proposed development is sympathetic to the existing urban form while allowing for the development's own architectural character. The proposed building uses the orientation of entrances, glazing, and landscape architecture to activate the street frontages along both East 22nd Street and St. Andrews Avenue. By addressing both streets, it provides passive surveillance of public areas and private open space for the primary and accessory dwelling units. The proposed project conforms to setbacks and heights stipulated by the Two-Unit Residential 1 (RT-1) zone. The site's four parking spaces are accessed via the lane.

COMMUNITY CONSULTATION

A Developer Information Session (DIS) was held March 1, 2018 at the Memorial Community Recreation Centre (Lynn Room) which is located one block west of the proposed development location. The event was attended by one member of the public. At the DIS, no comment forms were received.

A summary of the applicant's public consultation process is included as Attachment #3. Staff has received no comments from the community regarding the project. Based on the lack of concern indicated by the public to this point, staff recommend waiving the Public Hearing. Should Council wish to hold a public hearing, staff recommends the following resolution:

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8728"
(Morez Design Inc., 2205 St. Andrews Avenue, RT-1) be considered and referred
to a Public Hearing;

CONCLUSION

The proposed application represents an appropriate development for the land use designation and a design that is responsive to the site's context. Gentle intensification – including accessory dwelling units – adjacent to the Lonsdale Core will support transportation infrastructure improvements and enhanced amenities in the area. The requested zoning change and development proposal are consistent with the Region and the City's planning policies. Overall, the application looks to implement a development that fits the surrounding neighbourhood character and provides increased density in an appropriate location.

RESPECTFULLY SUBMITTED:




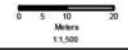
Mike Eriesen
Planner I

MF/eb



Legend

 Subject Site



DISCLAIMER
This map was produced on the City of North Vancouver's Geographic Information System. Data provided herein is derived from sources with varying levels of accuracy and detail. The City of North Vancouver disclaims all responsibility for the accuracy or completeness of information contained herein.

GIS Division, Information Technology,
City of North Vancouver



PROPOSED DUPLEX WITH SECONDARY SUITES
(TWO-UNIT RESIDENTIAL)

2205 ST. ANDREWS AVE, NORTH VANCOUVER, BC

EXISTING DATA:

CIVIC ADDRESS: 2205 ST. Andrews Ave North Vancouver, BC
 LEGAL DESCRIPTION: LOT:14 Block: 208 DL: 546 Plan: 5481
 PID : 011-144-831
 NEIGHBORHOOD : Central Lonsdale
 ZONE: RT-1A
 OCP : R2
 LOT AREA: 640 SQ.M / 6,888.5 SQ.FT
 LOT COVERAGE : % 35 X 6,888.5 SQ.FT. = 2,411 SQ.FT.
 F.S.R: 0.35 of Lot Area + 1,000 SQ.FT. = 3,411 SQ.FT.

PROPOSED DATA:

F.S.R :
 MAIN FLOOR : 1,747 SQ.FT. (Duplex A : 866 + Duplex B :881)
 UPPER FLOOR : 1,661 SQ.FT. (Duplex A : 805 + Duplex B :856)
 BASEMENT : 1,747 SQ.FT. (Duplex A : 866 + Duplex B :881) Exempted
 TOTAL F.S.R : 3,408 SQ.FT.
 TOTAL LIVABLE: 5,155 SQ.FT.

LOT COVERAGE:

MAIN BLDG (1836 sq.ft.) +
GARAGE & STORAGE (574 sq.ft.)
 TOTAL COVERAGE : 2410 SQ.FT.

PORCHES / DECKS :

ENTRANCE PORCHES (40 SQ.FT.) +
 UPPER FLOOR DECKS (128 SQ.FT.) =
 TOTAL : 168 SQ.FT.

REFERENCE GRADE:

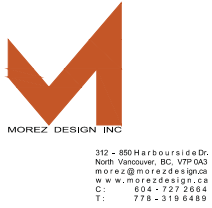
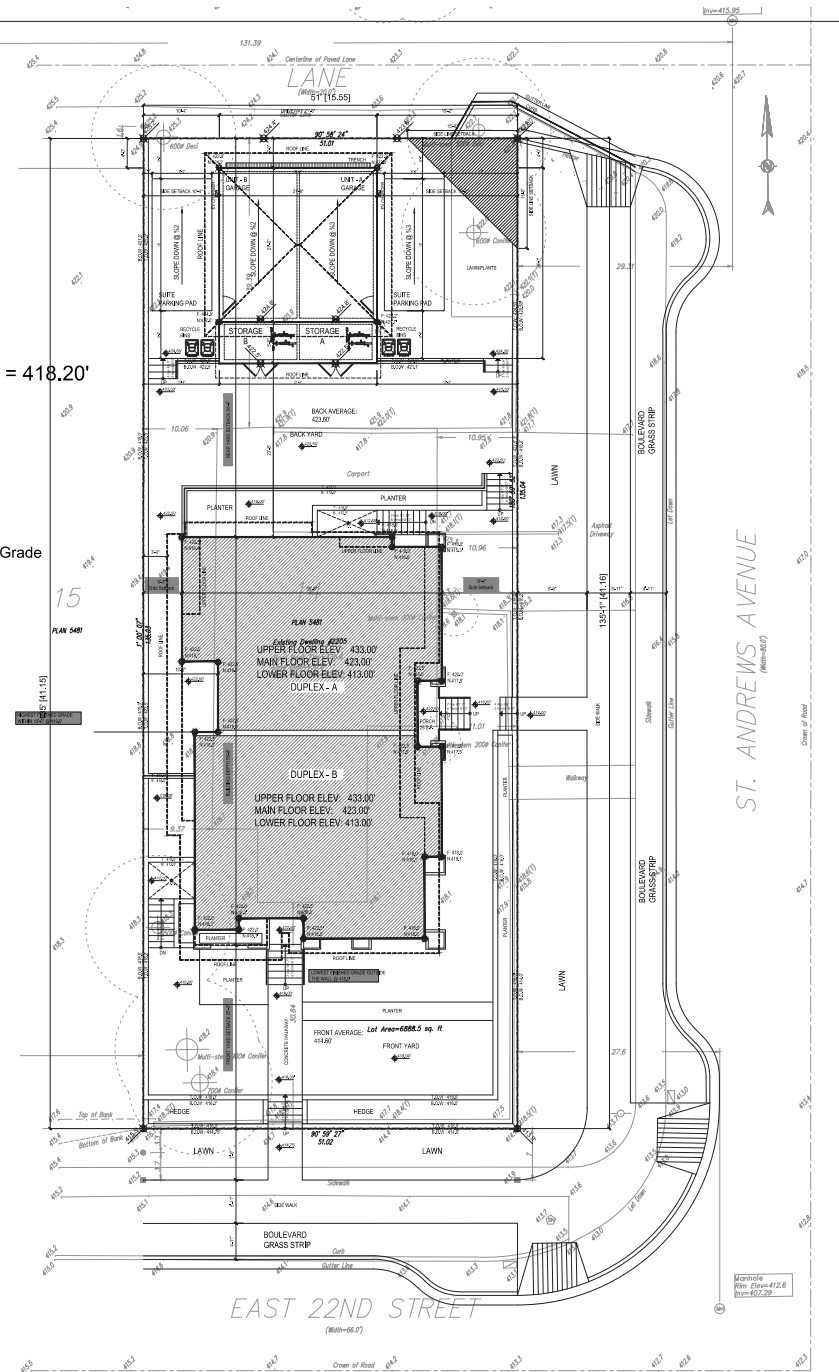
FRONT AVERAGE = 414.60'
 REAR AVERAGE = 423.60'
 REFERENCE: $414.60' + (423.60' - 414.60') \times 0.4 = 418.20'$
 MAX TOP PLATE: $418.20' + 26.20' = 444.40'$
 MAX ROOF RIDGE: $418.20' + 33' = 451.20'$

AVERAGE GRADE:

HIGHEST FINISHED GROUND LVL. = 422.5' +
 LOWEST FINISHED GROUND LVL. = 418.0'
 Total = $840.5' / 2 = 420.25'$ (Average Grade) - 5' = 415.5' Max Grade
 Proposed Basement Grade : 413.0'

PARKING PROVIDED :

TWO (2) COVERED PARKING: 20'-0" X 10'-0"
 TWO (2) CARPORT : 18'-0" X 8'-6" EACH



NOTES:	
PROJECT:	PROPOSED DUPLEX (TWO-UNIT RESIDENTIAL)
CIVIC ADDRESS:	2205 ST. ANDREWS AVE, NORTH VANCOUVER, BC
LEGAL DESCRIPTION:	LOT: 14, BLOCK: 208 DL: 546, PLAN: 5481
TITLE:	SITE PLAN
CLIENT:	NORTH PACIFIC DEVELOPMENT LTD.
NORTH ARROW	
CAD FILE:	2205 St.Andrews Ave - Rezone.dwg
DESIGN BY:	MOREZ
DATE:	Nov. 2017
REV: 01:	3rd July 2018
REV: 02:	15th January 2019
SCALE:	DWG NO. A - 1.0
	1/8" = 1'-0"

NOTES:

NOTES:


PROJECT:
**PROPOSED DUPLEX
 (TWO-UNIT RESIDENTIAL)**

CIVIC ADDRESS:
**2205 ST. ANDREWS AVE.
 NORTH VANCOUVER, BC**

LEGAL DESCRIPTION:
**LOT: 14, BLOCK: 208
 DL: 546, PLAN: 5481**

TITLE:
 LANDSCAPE PLAN

CLIENT:
**NORTH PACIFIC
 DEVELOPMENT LTD.**

NORTH ARROW


CAD FILE:
2205 St.Andrews Ave - Rezone.dwg

DESIGN BY:
 MOREZ

DATE:
OCT. 2017

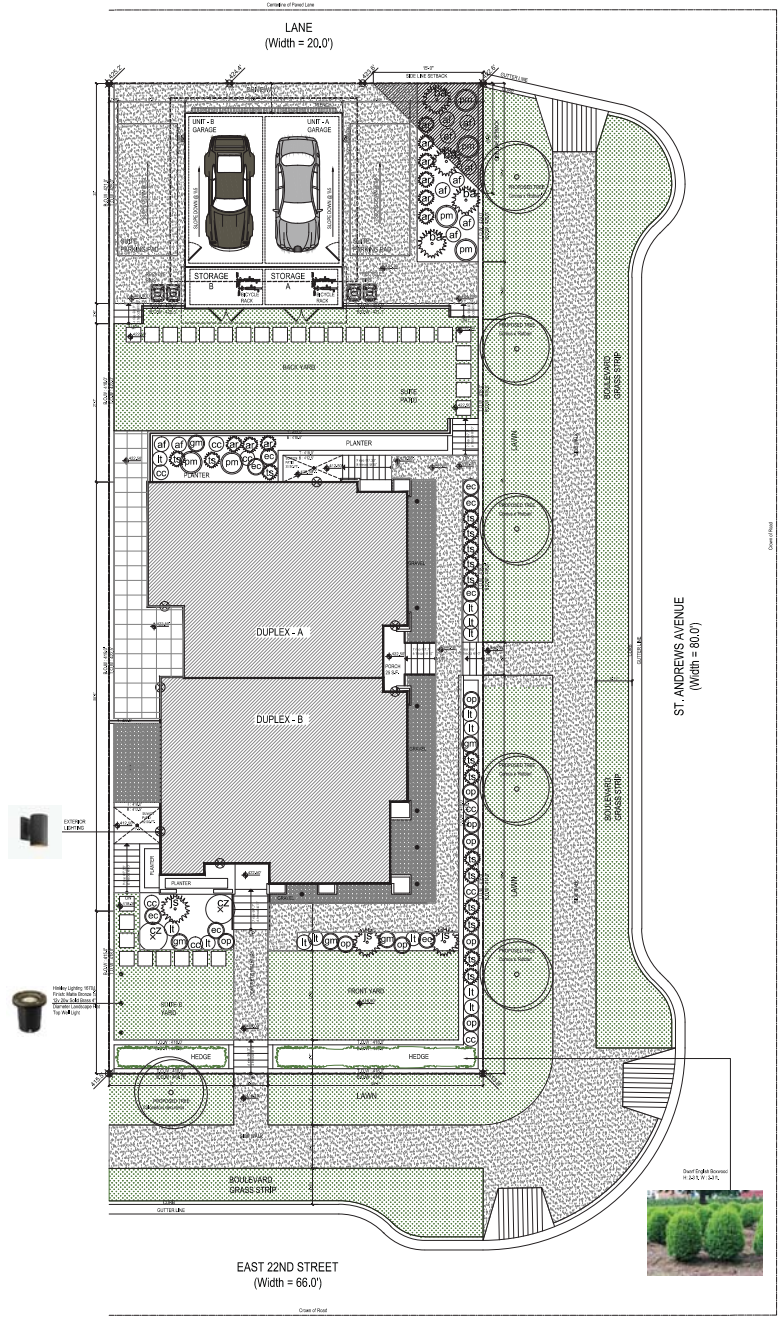
REV- 01: 3rd July 2018
 REV- 02: 15th January 2019

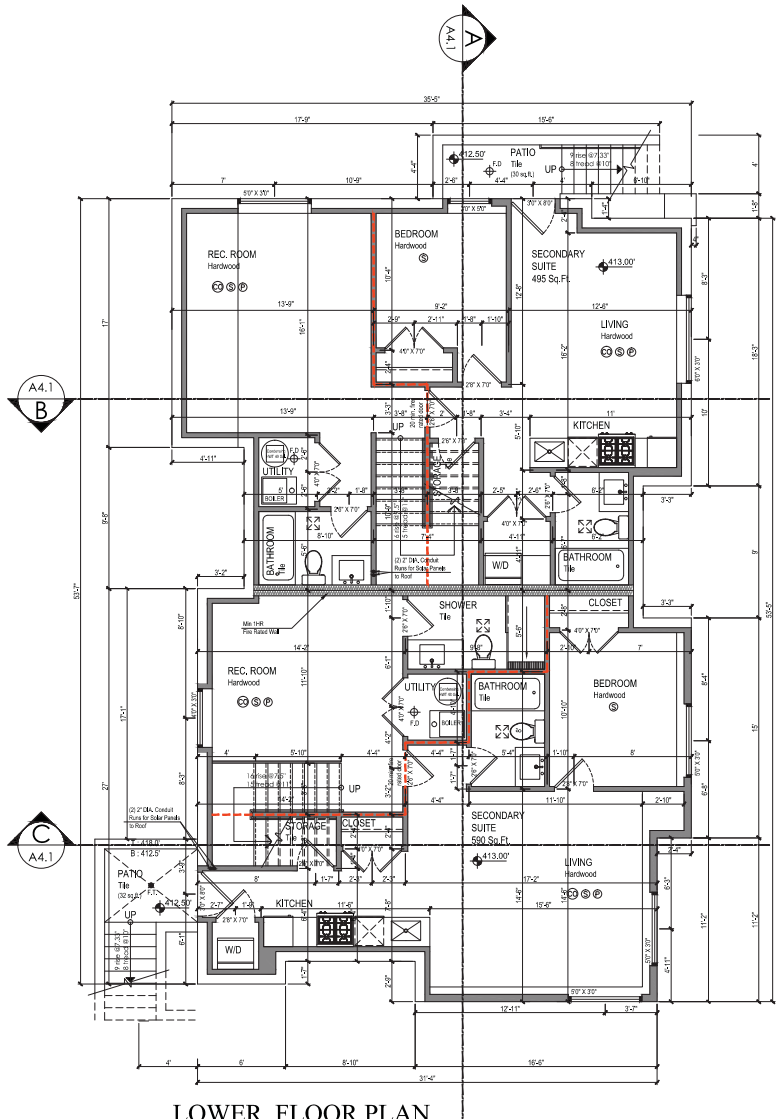
SCALE:
1/8" = 1'-0"

DWG NO.
 A - 1.1

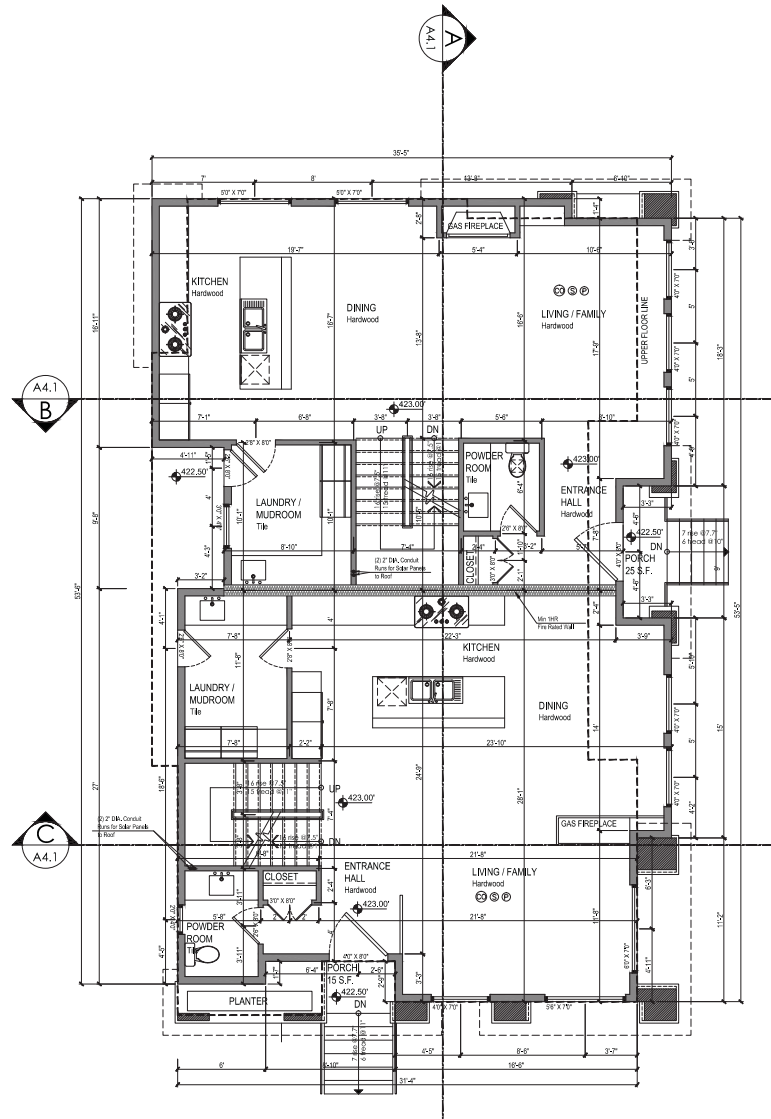
CODE	QTY	BOTANICAL	COMMON	SIZE	SPACING	TYPE	NATIVE
cc	6	Caryopteris x clandonensis	Caryopteris Blue Mist	#2 pot	as shown	shrub	nonnative
cz	2	Cistus x purpureus	Purple rock rose	#2 pot	as shown	shrub	nonnative
js	4	Juniperus sabinia 'Calgary Carpet'	Juniper	#2 pot	as shown	shrub	nonnative
lt	12	Lavandula angustifolia 'Twickle Purple'	English Lavender	#2 pot	as shown	shrub	nonnative
ts	16	Thuja occidentalis 'Smaragd'	Emerald cedar	1.2 m	as shown	shrub	native
gm	5	Geranium macrorrhizum	Hardy geranium	# 1 pot	as shown	perennial	nonnative
op	9	Osteospermum 'Purple Mountain'	African daisy	# 1 pot	as shown	perennial	nonnative
ec	5	Erica carnea	Winter heath	# 2 pot	as shown	ground cover	nonnative
pm	6	Polystichum munitum	Western sword fern	# 1 pot	as shown	fern	native
ar	9	Arctostaphylos uva-ursi	Kinnikinnick	0.2 m	as shown	ground cover	native
ba	4	Berberis aquifolium	Tall oregon grape	1 m	as shown	shrub	native
af	8	Aquilegia formosa	Western Columbine	0.6 m	as shown	shrub	native

TYPICAL PLANT LIST





LOWER FLOOR PLAN
North Unit: 866 S.F.
South Unit: 881 S.F.
TOTAL AREA: 1,747 S.F.



MAIN FLOOR PLAN
North Unit: 866 S.F.
South Unit: 881 S.F.
TOTAL AREA: 1,747 S.F.

- ☉ SMOKE ALARM
- ☉ PHOTO ELECTRIC ALARM
- ☉ CO DETECTOR
- ☉ BATHROOM EXHAUST FAN

NOTE:
BEDROOMS WINDOW SCREENS TO HAVE A MIN. UNOBSTRUCTED OPENING OF 3.7 S.F. WITH NO DIMS LESS THAN 15"

NOTES:

PROJECT:
PROPOSED DUPLEX
(TWO-UNIT RESIDENTIAL)

CLIENT ADDRESS:
2205 ST. ANDREWS AVE.
NORTH VANCOUVER, BC

LEGAL DESCRIPTION:
LOT: 14, BLOCK: 208
DL: 546, PLAN: 5481

TITLE:
MAIN & LOWER FLOOR PLANS

CLIENT:
NORTH PACIFIC
DEVELOPMENT LTD.

NORTH ARROW



CAD FILE:
2205 St. Andrews Ave - Rezone.dwg

DESIGN BY:
MOREZ

DATE:
Nov. 2017

REV-01: 3rd July 2018

REV-02: 15th January 2019

SCALE:
1/2" = 1'-0"

DWG NO.
A - 2.1

NOTES:

PROJECT:
 PROPOSED DUPLEX
 (TWO-UNIT RESIDENTIAL)

CLIENT ADDRESS:
 2205 ST. ANDREWS AVE.
 NORTH VANCOUVER, BC

LEGAL DESCRIPTION:
 LOT: 14, BLOCK: 208
 DL: 546, PLAN: 5481

TITLE:
 ROOF & UPPER FLOOR PLANS

CLIENT:
 NORTH PACIFIC
 DEVELOPMENT LTD.

NORTH ARROW



CAD FILE:
 2205 St.Andrews Ave - Rezone.dwg

DESIGN BY:
 MOREZ

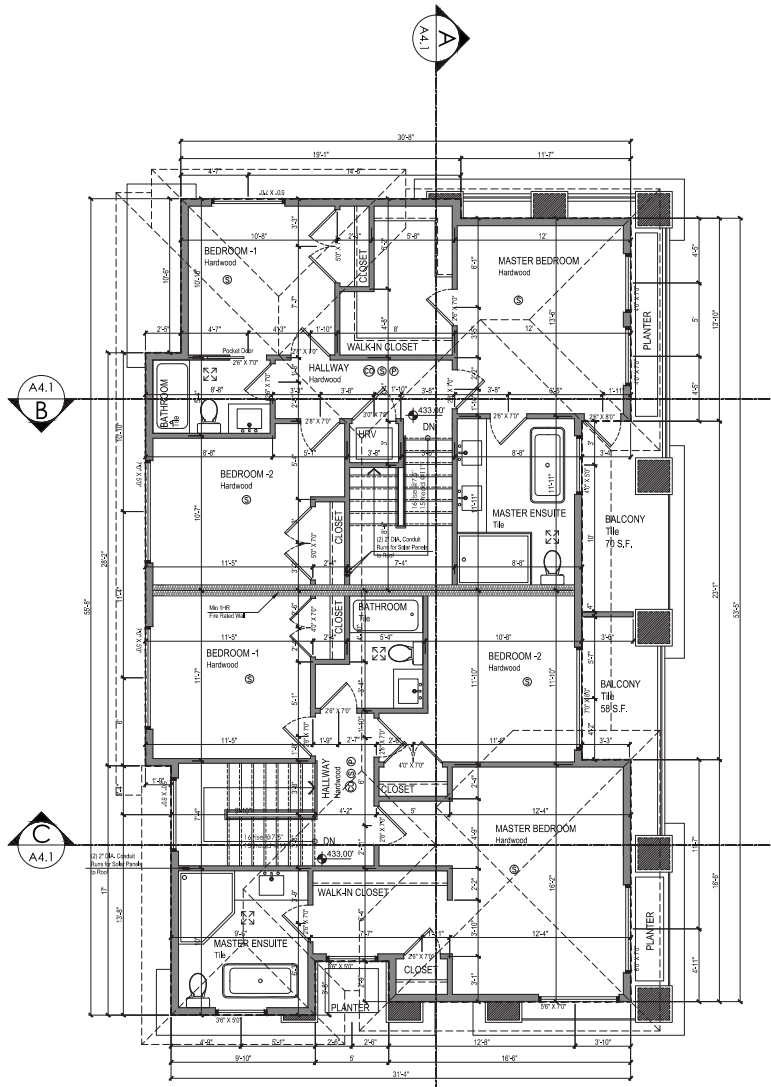
DATE:
 Nov. 2017

REV-01: 3rd July 2018

REV-02: 15th January 2019

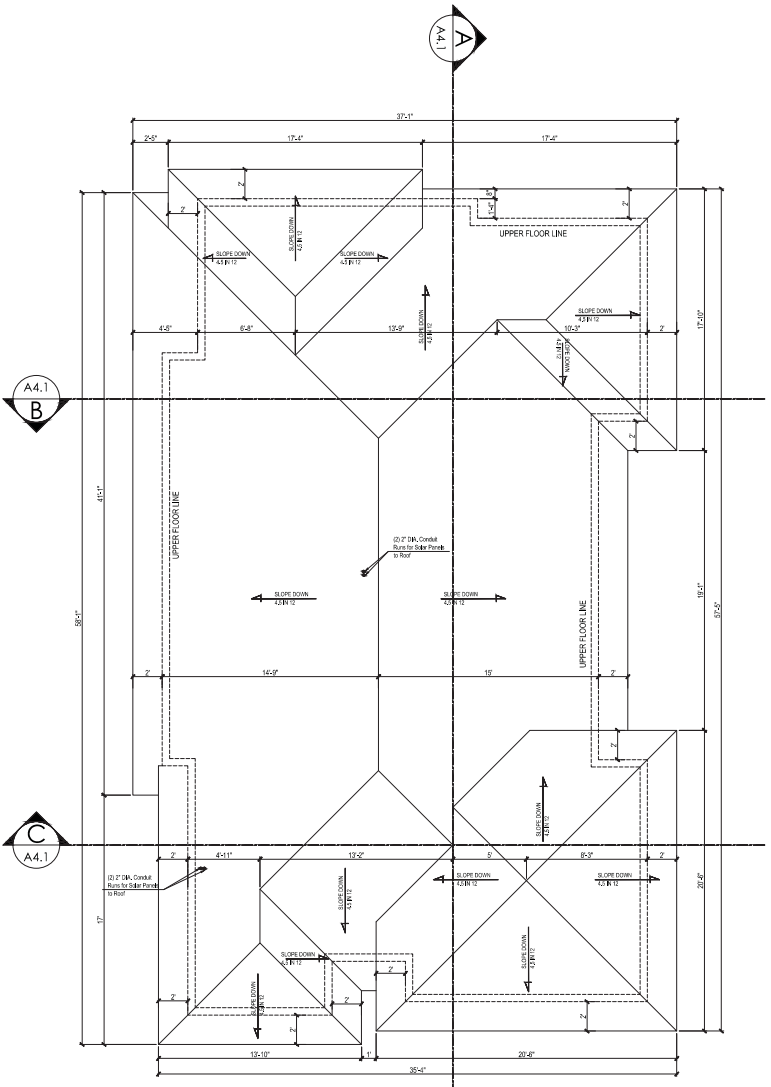
SCALE:
 1/2" = 1'-0"

DWG NO.
 A - 2.2



UPPER FLOOR PLAN
 North Unit: 805 S.F.
 South Unit: 856 S.F.
 TOTAL AREA: 1,661 S.F.

NOTE:
 - These drawings comply with BC B.C. 2012 9.36
 - The house meets compliance using the performance path (Refer to Energy Report)
 - The principal dwelling unit will comply with 9.32.3.4.(2) ducted forced air heating system. Secondary suite 9.32.3.4.(6) Principal fan and passive outlets.



ROOF PLAN

- ☼ SMOKE ALARM
- ☼ PHOTO ELECTRIC ALARM
- ☼ CO DETECTOR
- ☼ BATHROOM EXHAUST FAN

NOTE:
 BEDROOMS WINDOW SCREENS TO HAVE A MIN. UNOBSTRUCTED OPENING OF 3.7 SF. WITH NO DIM LESS THAN 15"

- A. STUCCO FINISH (OFF WHITE)
- B. METAL HANDRAIL
- C. ASPHALT SHINGLE ROOFING
- D. CLEAR NON REFLECTIVE GLASS
- E. CONCRETE FINISH



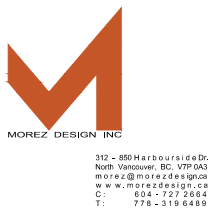
SOUTH ELEVATION



EAST ELEVATION

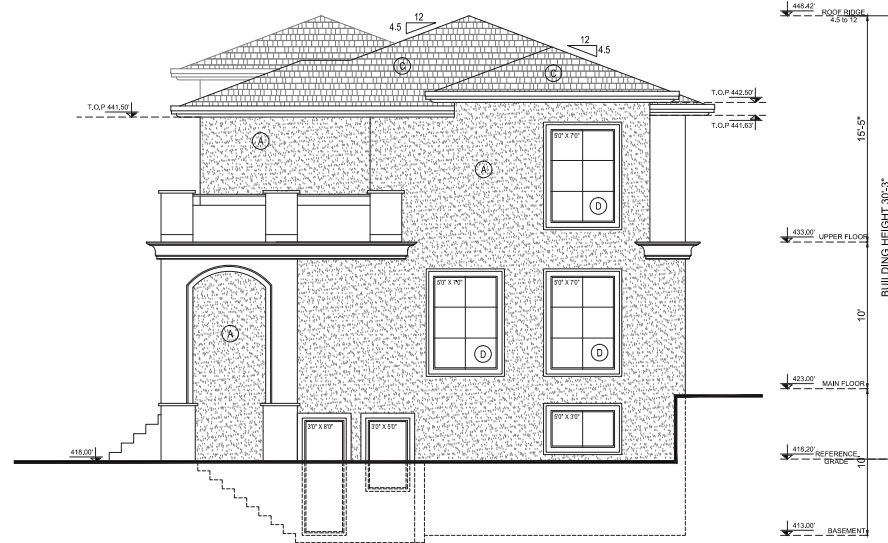
NOTE:

- These drawings comply with BC B.C. 2012 9.36
- The house meets compliance using the performance path(Refer to Energy Report)
- The principal dwelling unit will comply with 9.32.3.4.(2) ducted forced air heating system,Secondary suite 9.32.3.4.(6) Principal fan and passive outlets.

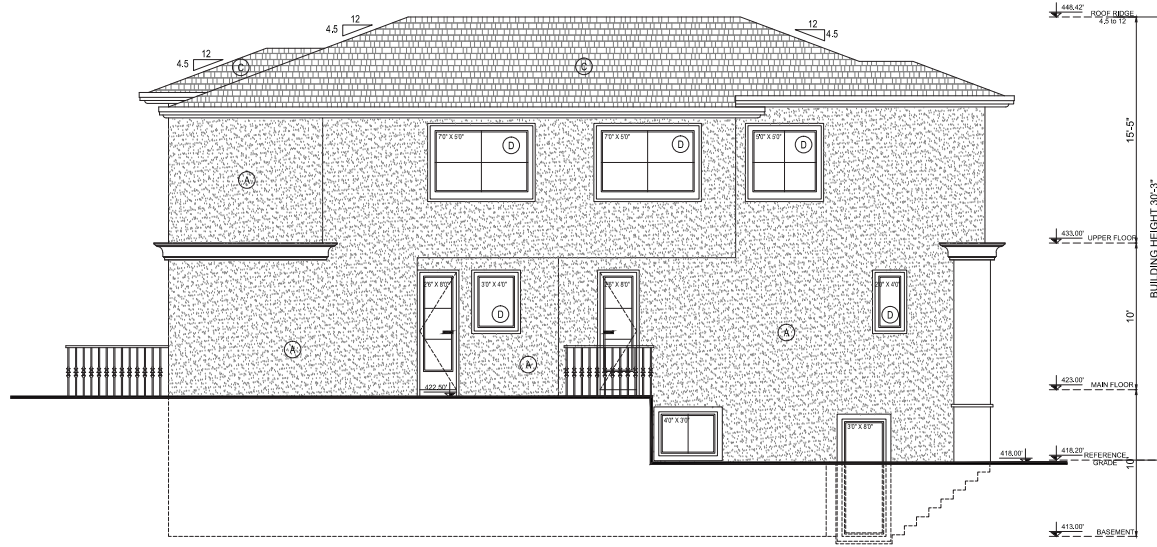


NOTES:	
PROJECT: PROPOSED DUPLEX (TWO-UNIT RESIDENTIAL)	
CLIENT ADDRESS: 2205 ST. ANDREWS AVE. NORTH VANCOUVER, BC	
LEGAL DESCRIPTION: LOT: 14, BLOCK: 208 DL: S46, PLAN: S481	
TITLE: SOUTH & EAST ELEVATIONS	
CLIENT: NORTH PACIFIC DEVELOPMENT LTD.	
NORTH ARROW	
CAD FILE: 2205 St.Andrews Ave - Rezone.dwg	
DESIGN BY: MOREZ	
DATE: Nov. 2017	
REV- 01 : 3rd July 2018	
REV- 02 : 15th January 2019	
SCALE: 1/2" = 1'-0"	DWG NO. A - 3.1

- A. STUCCO FINISH (OFF WHITE)
- B. METAL HANDRAIL
- C. ASPHALT SHINGLE ROOFING
- D. CLEAR NON REFLECTIVE GLASS
- E. CONCRETE FINISH



NORTH ELEVATION



WEST ELEVATION

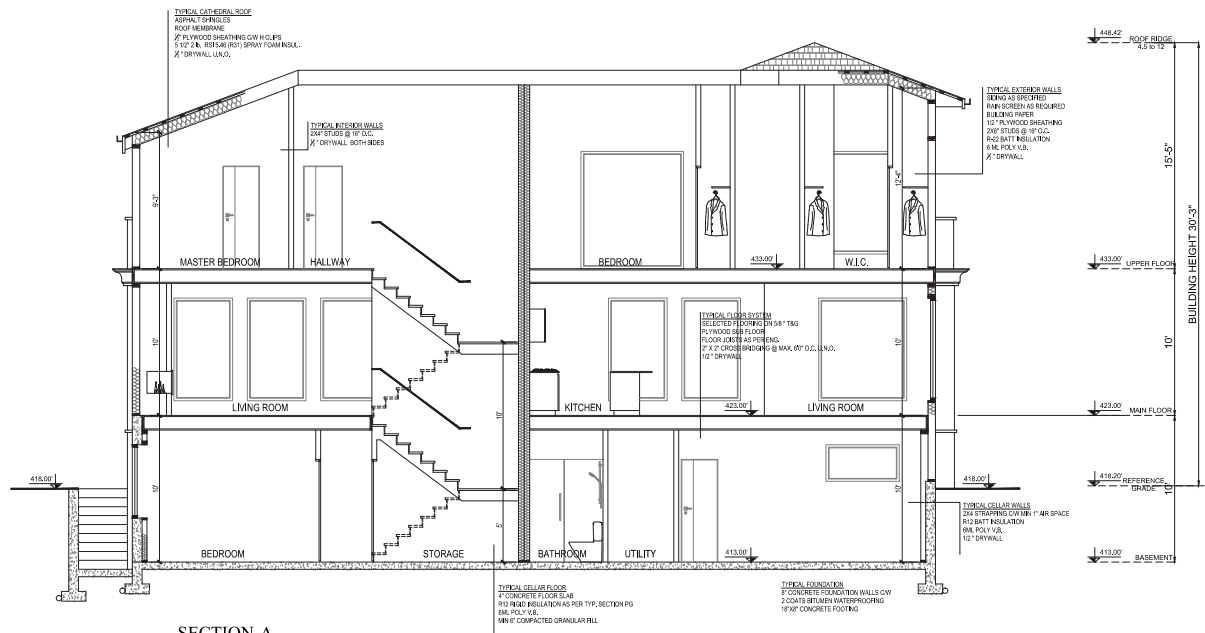
NOTE:

- These drawings comply with BC B.C. 2012 9.36
- The house meets compliance using the performance path(Refer to Energy Report)
- The principal dwelling unit will comply with 9.32.3.4.(2) ducted forced air heating system,Secondary suite 9.32.3.4.(6) Principal fan and passive outlets.

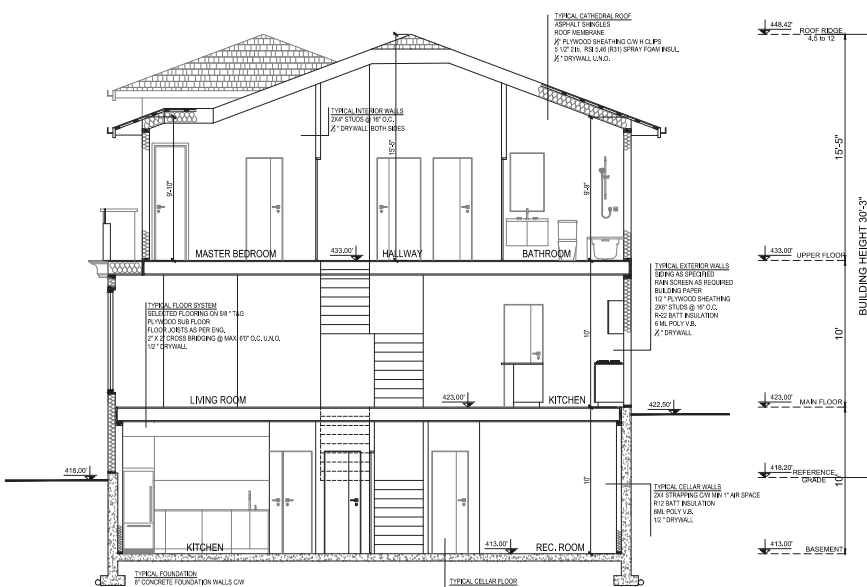
NOTES:	
PROJECT: PROPOSED DUPLEX (TWO-UNIT RESIDENTIAL)	
CLIENT ADDRESS: 2205 ST. ANDREWS AVE. NORTH VANCOUVER, BC	
LEGAL DESCRIPTION: LOT: 14 , BLOCK: 208 DL: S46 , PLAN: S481	
TITLE: North & West ELEVATIONS	
CLIENT: NORTH PACIFIC DEVELOPMENT LTD.	
NORTH ARROW	
CAD FILE: 2205 St.Andrews Ave - Rezone.dwg	
DESIGN BY: MOREZ	
DATE: Nov. 2017	
REV- 01 : 3rd July 2018	
REV- 02 : 15th January 2019	
SCALE: 1/2" = 1'-0"	DWG NO. A - 3.2



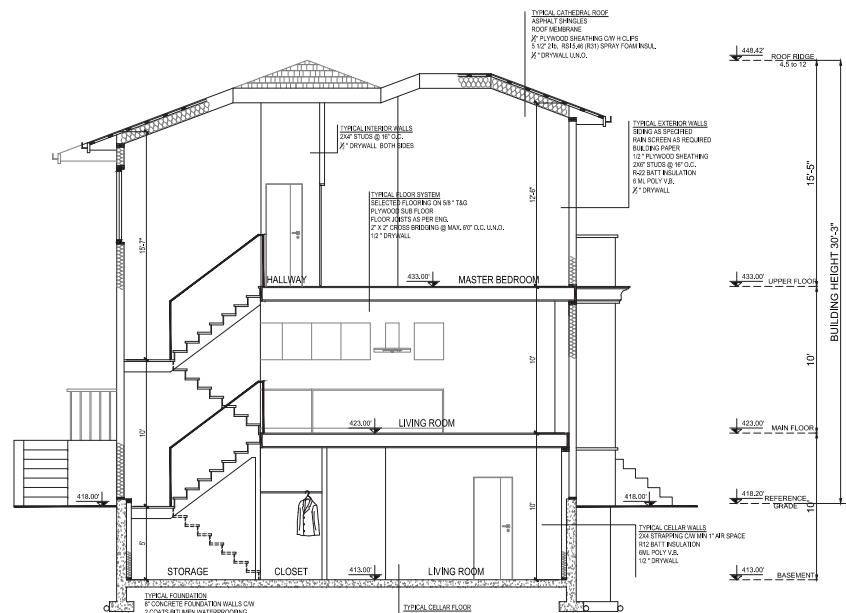
312 - 850 Harbourside Dr
North Vancouver, BC V7P 0A9
morez@morezdesign.ca
www.morezdesign.ca
C: 604-727-2884
T: 778-319-6489



SECTION-A



SECTION-B



SECTION-C

NOTES:

PROJECT: PROPOSED DUPLEX (TWO-UNIT RESIDENTIAL)

CNIC ADDRESS: 2205 ST. ANDREWS AVE. NORTH VANCOUVER, BC

LEGAL DESCRIPTION: LOT 14, BLOCK 208 DL: 546, PLAN: 5481

TITLE: SECTIONS

CLIENT: NORTH PACIFIC DEVELOPMENT LTD.

NORTH ARROW

CAD FILE: 2205 St. Andrews Ave - Rezone.dwg

DESIGN BY: MOREZ

DATE: Nov. 2017

REV-01: 3rd July 2018

REV-02: 15th January 2019

SCALE: 1/2" = 1'-0"

DWG NO. A-4.1

2205 St. Andrews Rezoning Application for Duplex

Development Information Meeting Summary Report

Event Date: March 1, 2018
Time: 6:30pm – 8:30pm
Location: Memorial Community Recreation Centre Lynn Room
Attendance: 1 member of the public signed in.
Comments: 0 comment sheets

Meeting Purpose:

- 1) To present development application materials to neighbours
- 2) To provide an opportunity for the public to ask questions about the development
- 3) To provide an opportunity for neighbours to comment on the proposal.

Notification:

In accordance with City of North Vancouver policies:

Invitation Brochures

Invitations and informational packages were delivered to 18 addresses within a 40m radius from the site, meeting City requirements. Appendix A includes a copy of this package and a map of the distribution area.

Newspaper Ad

A newspaper ad was placed in the North Shore News on Wednesday, February 21 and Friday, February 23, 2018. A copy of the ad is included in Appendix A: Notification.

Attendance:

1 member of the public signed in for the meeting. A copy of the sign-in sheet is included in Appendix B.

The following project team members were in attendance:

Project Team presenters included:

- Morez Adilipour, Morez Design Inc.

Facilitators:

- Steven Petersson, Petersson Planning Consulting
- Katrina May, Petersson Planning Consulting

Overview:

The meeting was planned to include an Open House, a presentation, and a facilitated dialogue session.

One person came to peruse the boards and engage with the project team. Since only one person came, the planned presentation was cancelled in favour of direct conversation with the participant. The participant was a realtor, and asked some questions about the project in order to understand what new housing, in duplex form, was to be introduced into the market.

The participant was invited to submit written comments to the facilitator. No comment sheets were submitted during the meeting, or within two weeks following the meeting.

Public Dialogue:

(Q = Question, A = Answer, and the number is to track the dialogue)

- Q1** Is the project in the special duplex study area?
A1 No.
- Q2** How does the duplex transition to the single family neighbourhood across St. Andrews Street?
A2 One duplex fronts 22nd St, the other duplex fronts St. Andrews, making it read like a single family home.
- Q3** What is the project's Floor Space Ratio?
A3 The FSR is 0.35 plus 1,000 sq ft.
- Q4** Does that include the basement?
A4 No, basements are excluded in gross floor area calculations.
- Q5** Are there secondary suites in the project?
A5 Yes, one for each unit.

Comment Sheet and Email Summary

Participants were invited to submit comments for a two-week response period after the meeting. No comment sheets were submitted.

Conclusion

The purpose of this development information session was to present to neighbours the proposed rezoning application and the duplex concept, and provide them with an opportunity to ask clarifying questions and comment on the proposal. 18 invitations were distributed by hand to the surrounding community, and one community member signed in. Two newspaper ads notified the community of the meeting, and a sign was posted on the property.

The meeting length and format was sufficient to provide all participants an opportunity to learn more, ask questions, and make the comments they wished to provide that evening. There were no e-mail or telephone inquiries about this rezoning application prior to the session, and only one community member attended. This indicates a lack of opposition to the duplex proposal in the neighbourhood.

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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8728

A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8728**” (Morez Design Inc., 2205 St. Andrews Avenue, RT-1).
2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of RT-1 (Two-Unit Residential 1) Zone:

Lots	Block	D.L.	Plan	
14	208	546	5481	from RS-1

READ a first time on the <> day of <>, 2019.

READ a second time on the <> day of <>, 2019.

READ a third time on the <> day of <>, 2019.




ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

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 Department Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**
COMMUNITY & PARTNER ENGAGEMENT DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Paul Duffy, Manager, Bylaw Services

Subject: A BYLAW TO REPEAL AIR POLLUTION CONTROL BYLAW, 1971, NO. 4303

Date: July 10, 2019 File No: 09-3900-01-0001/2019

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Manager, Bylaw Services, dated July 10, 2019, entitled "A Bylaw to Repeal Air Pollution Control Bylaw, 1971, No. 4303":

THAT "Air Pollution Control Bylaw, 1971, No. 4303, Repeal Bylaw, 2019, No. 8734" be considered.

ATTACHMENTS:

1. Air Pollution Control Bylaw, 1971, No. 4303 (Doc. [182505](#))
2. Greater Vancouver Regional District Bylaw No.1082, 2008 (Doc. [1805956](#))
3. Air Pollution Control Bylaw, 1971, No. 4303, Repeal Bylaw, 2019, No. 8734 (Doc. [1805648](#))

PURPOSE:

The purpose of this report is to repeal the City's Air Pollution Control Bylaw, 1971, No. 4303 since it has been superseded by a Metro Vancouver Bylaw, which has been under provincial authority for many years.

DISCUSSION:

In 1971, Council adopted Air Pollution Control Bylaw, 1971, No. 4303 (Attachment #1). In 1972, under the *BC Environmental Management Act*, the provincial government

delegated authority to the Greater Vancouver Regional District (Metro Vancouver) to manage and regulate air quality within Metro Vancouver. The rationale for this was that air travels across municipal boundaries and monitoring and enforcement needs to be consistent throughout member municipalities.

Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008 (Attachment #2) is currently in effect to prohibit, regulate, otherwise control, and prevent the discharge of air contaminants in Metro Vancouver. Since Metro Vancouver's authority supersedes municipal bylaws, the City's Bylaw No. 4303 has not been in effect since 1972. However, it has never been repealed which creates potential confusion.

Based upon provincial legislation and Metro Vancouver's Bylaw No. 1082, all air quality/odor/emission complaints are currently addressed through Metro Vancouver. Metro Vancouver has staff who are experts in these matters and have equipment for monitoring air quality. Complaints received by the City are directed to Metro Vancouver for investigation/enforcement. City residents can call the Metro Vancouver complaint line or complete an online complaint form. Metro Vancouver will then assign an investigator. If Metro Vancouver does not have authority to deal with a complaint, they will refer it to the appropriate organization. For example, complaints about ship or port industry emissions are forwarded to the Vancouver Fraser Port Authority, since they fall within federal jurisdiction. The end goal of Metro Vancouver is to find the source of the problem and work with the parties to resolve issues. They have the ability to enforce through their Bylaw.

FINANCIAL IMPLICATIONS:

There are no financial implications to repeal this bylaw.

INTER-DEPARTMENTAL IMPLICATIONS:

None since this is a housekeeping matter. The City Clerk has provided direction on this repeal process.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

Repealing this Bylaw will remove potential confusion regarding who has authority for air quality.

STRATEGIC PLAN IMPLICATIONS:

None.

RESPECTFULLY SUBMITTED:



Paul Duffy
Manager, Bylaw Services

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO.4303

A Bylaw to Control and Limit Air Pollution.

WHEREAS it is the intent of this Bylaw to secure and maintain such levels of air quality as will protect human health and safety, prevent injury to plant and animal life and to property, and foster the comfort and convenience of the inhabitants of this area in order to facilitate their enjoyment of the area's natural beauty and thus promote the economic and social well-being of the area.

The Municipal Council of The Corporation of the City of North Vancouver enacts as follows:

PART I

Division of Bylaw

1. This Bylaw for the purpose of convenience only is divided into the following parts:

<u>PART</u>	<u>TITLE</u>	<u>PAGE</u>
I	Division of Bylaw	I
II	Definitions	I
III	Administrative	4
IV	Exemptions	5
V	Permits and Fees	5
VI	Emission Standards	8
VII	Compliance Schedules	12
VIII	Penalties	13

Appendices

Schedule A
Schedule B
Schedule C

PART II

Definitions

2. The following terms whenever used in this Bylaw shall have the meanings respectively ascribed to them in this section unless the context otherwise requires:

AIR means the atmosphere, but does not include within a building;

AIR CONTAMINANT means dust, fumes, mist, smoke or other particulate matter, vapour, gas odors, odorous substance or an combination thereof.

AIR POLLUTION means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be injurious to human health, plant or animal life, or property; or which unreasonably interfere with enjoyment of life and property.

AIR QUALITY OBJECTIVE means the concentration and exposure time of a contaminant or multiple contaminants in the ambient air below which, according to available knowledge, undesirable effects will not occur.

AIR QUALITY STANDARD means an established concentration, exposure time and frequency of occurrence of a contaminant or multiple contaminants in the ambient air which shall not be exceeded.

AMBIENT AIR means the air that surrounds the earth excluding the general volume of gases contained within any building or structure.

CITY shall mean The Corporation of the City of North Vancouver.

COMBUSTION EQUIPMENT means equipment which includes a chamber where combustion takes place and for which a flue, vent or chimney is required for the venting of the products of combustion from a boiler, furnace, incinerator, stove, heater, industrial furnace, etc.

CONTROL DEVICE means any equipment including treatment works, control disposal systems, machinery, structures or any part of accessories thereto, installed or acquired for the primary purpose of eliminating, reducing, controlling or disposing of air contaminants which, if released to the ambient air could cause air pollution.

CONTROL OFFICER is the Air Pollution Control Officer of the City of North Vancouver, or his designated representative.

DUST shall mean airborne solid particles.

DUST SEPARATING EQUIPMENT shall include any device separating dust or other solid matter from the gaseous medium carrying it.

EMISSION is the act of releasing or allowing to escape into the ambient air contaminant or a gas stream which contains or may contain an air contaminant.

EMISSION POINT is the location (place in horizontal plane and vertical elevation) at which an emission enters the ambient air.

EMISSION STANDARD is the limitation under the provisions of this Bylaw on the release of any air contaminant into the ambient air.

EQUIPMENT means any stationary or portable property or any part thereof capable of causing the emission of any air contaminant into the ambient air.

FUEL BURNING EQUIPMENT means any equipment, device or contrivance, other than an internal combustion engine used for the burning of any fuel, and all appurtenances thereto, including ducts, breachings, control equipment, fuel feeding equipment, ash removal

equipment, combustion controls, stacks, chimneys, etc., used for indirect heating in which the material being heated is not contacted by and adds no substances to the products of combustion.

FUMES mean aerosols generated by condensation of minute particles whether liquid or solid from the gaseous state.

INCINERATOR means equipment, including a furnace, used for the burning of waste.

INSTALLATION means the placement, assemblage, erection, construction, alteration or replacement of equipment or a control device at the premises where the equipment or control device will be used, and includes all preparatory work at such premises.

MULTIPLE CHAMBER INCINERATOR means any incinerator consisting of three or more refractory-lined combustion chambers in series, physically separated by refractory walls, inter-connected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned.

ODOUR means the smell of ammonia, hydrogen, sulphide, sulphur dioxide or other small that causes discomfort to persons.

OPACITY means the degree to which an emission reduces the transmission of light and obscures the view of an object in the background.

OWNER Includes his or its agent.

PARTICULATE MATTER means small discrete masses of liquid or solid, exclusive of uncombined water capable of becoming wind-blown on being suspended in air or other gas or vapour.

PERSON includes any corporation or partnership.

PROCESS WEIGHT means total weight of the materials consumed or charged in any specific process including solid fuels charged, but excluding liquid and gaseous fuels and combustion air.

PROCESS WEIGHT PER HOUR means process weight divided by the number of hours from the beginning of any specific process to the completion of the process, excluding any time during which the equipment used in the process is idle.

REFUSE means putrescible and non-putrescible solid wastes including garbage, rubbish, ashes, dead animals, abandoned automobiles, solid market wastes, street cleanings and industrial wastes (including waste disposal in industrial salvage).

REFUSE BURNING EQUIPMENT is equipment, including incinerators, designed to burn (refuse) waste material, scrap or combustion remains.

RINGELMANN SMOKE CHART means the Ringelmann Smoke Chart with instructions for use, as published by the United States Bureau of Mines Information Circular 7718, in May, 1967 which is attached to and forms part of this Bylaw and marked Schedule A.

SMOKE means gas borne particulate matter in sufficient numbers to be observable.

STACK means a duct, chimney flue, conduit or opening arranged for the emission of air contaminants into the ambient air.

STANDARD CUBIC FOOT OF GAS means that amount of the gas which would occupy a cube having dimensions of one foot on each side, if the gas were free of water vapor at a temperature of 60 degrees F. and at a pressure of 14.7 pounds per square inch absolute.

SUSPENDED PARTICULATES means air borne particulate matter collected and measured in accordance with the Air Pollution Control Association "Recommended Standard Method for Atmospheric Sampling of Fine Particulate Matter by Filter Media-High-Volume Sampler."

PART III

Administrative

3. An Air Pollution Control Officer shall be appointed by the Council of The Corporation of the City of North Vancouver and shall have the following duties and powers under this Bylaw:
 - a) To investigate complaints, to make observations and measurements of smoke and other causes of air pollution and of causes of nuisance and to require the taking of any steps necessary to minimize the effect of such smoke or air pollution or to abate such nuisance as the case may be;
 - b) To examine all applications, plans and specifications relative to the construction, re-construction, conversion, alteration of or addition to any equipment or control, and to withhold permits to be issued under this Bylaw until compliance with the provisions of this Bylaw;
 - c) To issue permits, certificates and notices under this Bylaw and to record all work undertaken in connection with the inspection of equipment and control devices;
 - d) To enter at reasonable times upon any private or public property, except non-multiple private dwellings housing three families or less, for the purpose of investigating conditions specific to the control, recovery or release of air contaminants;
 - e) To obtain a sample of air contaminant providing he shall notify the owner of the time and place of obtaining such a sample so the owner has the opportunity to take a similar sample at the same time and place;
 - f) To secure such necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract or otherwise as approved by Council.

- g) To advise, consult and co-operate with other local governmental units, with industries, provincial and Federal agencies and with interested persons and groups;
- h) To review those matters having a bearing upon air pollution referred by other agencies (such as Planning, zoning and Building Departments) and make reports, including recommendations, to the referring agencies with respect thereto;
- i) To collect and disseminate information and conduct educational and training programmes relating to air pollution;
- j) To encourage voluntary co-operation by persons or affected groups to achieve the purposes of this Bylaw.

PART IV

Exemptions

- 4. The provisions contained in this Bylaw shall have general application but shall not apply to:
 - a) motor vehicles as defined by the Motor Vehicle Act;
 - b) any necessary Fire Department training;
 - c) asphalt laying equipment and the oiling of gravel-surfaced roads;
 - d) blast cleaning equipment which uses a suspension of abrasive in liquid water;
 - e) fuel burning equipment, which:
 - (i) is used solely for a private dwelling serving less than 3 families, or
 - (ii) has an output of not more than 300,000 BTU per hour; ,
 - f) fumigation equipment;
 - g) insecticide spray equipment, non-commercial;
 - h) internal combustion engines including gas turbine or jet engines;
 - i) laboratory equipment used exclusively for chemical or physical analysis;
 - j) steam cleaning equipment used exclusively for that purpose;
 - k) vents used exclusively for:
 - 1) sanitary or storm drainage systems, or
 - 2) barbecue equipment which is not used for commercial purposes;

- l) the outside burning of garden refuse and paper if a permit has been granted under the provisions of the Fire Bylaw of the City.

PART V

Installation Permit

5. a) No owner or occupier of real property in the City, shall instal or commence to instal any equipMent without first obtaining an Installation Permit from the Control Officer and in accordance with the plans and specifications to accompany the Application for a Permit;
- b) An application for an Installation Permit shall be accompanied by plans, specifications and such other information as the Control Officer deems necessary, including:
 - 1) listing separately the specific model, the original manufacturer's name and model number, the collection efficiency of each control device, and the process.
 - 2) listing each air contaminant which the process or processes will emit;
 - 3) state the estimated quantity of each air contaminant likely to be emitted under normal and peak operation conditions reported in pounds per hour, and in grains per standard cubic foot of exhaust gas. Where there is a control device to be installed the quantity of each contaminant to be estimated.
- c) Installation Permits are required for all equipment except:
 - 1) Oil-fired fuel-burning equipment burning No. 1 and No. 2 fuel oil when the maximum fuel input will not exceed 300,000 BTU per hour;
 - 2) Gas-fired fuel-burning equipment;
 - 3) Solid-fuel fired fuel-burning equipment when the maximum fuel input will not exceed 300,000 BTU per hour;
 - 4) Repairs and minor alterations to previously approved equipment;
 - 5) Equipment installed prior to the effective date of this Bylaw.
- d) An Installation Permit shall expire ninety (90) days after date of issuance; provided, however, that if the work is commenced but not completed within the ninety (90) days the Control Officer may extend the Permit for all a further ninety (90) days;

- e) The Control Officer shall provide for the issuance of Installation Permits required pursuant to this section.

Operating Permit

- 6. a) Before any equipment for which an Installation Permit is required may be operated or used, an application shall be made to the Control Officer for an Operating Permit;
- b) No Operating Permit shall be granted by the Control Officer unless and until the equipment described in the application for an Installation Permit has been installed and operates in accordance with the plans and specifications submitted;
- c) An Operating Permit shall also be necessary for any equipment for which an Installation Permit would have been required had such equipment been constructed subsequent to the passing of this Bylaw;
- d) Before or after the issuance of an Operating Permit whenever the Control Officer finds or is of the opinion that an analysis of the emission or possible emission from any source is necessary to determine the extent of the amount of contaminants being or which will be or may be discharged into the ambient air which cannot be determined by visual observation, he may order the collection of samples and the analysis made by qualified personnel; in the event that a person is found guilty by a Court of competent jurisdiction of a violation of the provisions of this Bylaw as a result of samples taken, such person shall pay to the City the cost of the collection and analysis of the samples;
- e) No Operating Permit shall be issued unless equipment functions and operates without causing a violation of the provisions of this Bylaw.

PROVISION OF SAMPLING AND TESTING FACILITIES

- f) A person operating equipment for which this Bylaw requires a permit shall provide and maintain such sampling and testing facilities as specified in the Installation Permit or Operating Permit.

STANDARDS FOR GRANTING APPLICATIONS

- g) The Control Officer shall withhold an Installation Permit or Operating Permit if the applicant does not show that equipment or control device, the use of which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such control devices, that it may be expected to operate without emitting or without causing to be emitted air contaminants in violation of this Bylaw;
- h) Before an Installation Permit or an Operating Permit is granted, the Control Officer may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that

will disclose the nature, extent, quantity or degree of air contaminants discharged into the ambient air from the equipment described in the Installation Permit or Operating Permit. In the event of such a requirement, the Control Officer shall notify the applicant in writing of the required size and location of the sampling platform; access to the sampling platform; and the utilities for operating the sampling and testing equipment. The platform and access thereto shall be constructed in accordance with current safety practices; the applicant shall Pay the cost of the said sampling and testing;

- i) The issuance of any Installation Permit or Operating Permit by the Control Officer shall not be deemed to exempt the person to whom such permit has been issued from prosecution for any violation of this Bylaw.

SCALE OF PERMIT FEES

- j) The fee or fees hereinafter specified shall be payable to the City by all applicants for permits before the issuance of any permit in respect of the work for which an application is made.
 - 1) For installation and operating permits.....\$ 5.00

INSPECTION CHARGES

- k) Before the issuance of an operating permit the Control Officer shall inspect the equipment for which the permit is to be issued, for each inspection the fee shall be payable by the owner or operator of the real property to the City, with a maximum charge for 3 inspections. The fee for each inspection shall be\$10.00

PART VI

Emission Standards

EMISSION OF AIR CONTAMINANT: VISUAL STANDARD

- 7. a) No owner or occupier of real property in the City shall cause or allow the emission of any air contaminant:
 - 1) from equipment operating at the date of enactment of this Bylaw for a period or periods aggregating more than three (3) minutes in any one hour, which is:
 - (i) darker in shade than that designated as No. 2 (40% density) on the Ringelmann Chart; or
 - (ii) of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (a), (1), (i).

- 2) from equipment installed subsequent to the effective date of this Bylaw for a period or periods aggregating more than three (3) minutes in any one hour, which is darker in shade than that designated as No. 1 (201/c density) on the Ringelmann Chart; provided, however, the following shall be excluded:
 - (i) when the fuel burning equipment is a power boiler, and an emission occurs which is due to conditions beyond the control of the owner or operator, the emission may be darker than as designated as No. 2 (405K density) on the Ringelmann Chart for a period of not more than three (3) minutes in any one hour; provided that the operator shall take immediate action to correct the condition;
 - (ii) in the event of periodic shutdowns or unavoidable failure or breakdown of any equipment, or other circumstances beyond the control of any person owning or operating such equipment, including necessary shutdowns of smoke abatement or dust collection equipment for purposes of maintenance or repair, which tends to produce unlawful emissions of smoke, particulate or other matter, provided that the owner of such equipment or process shall immediately notify the Control Officer of such shutdown, failure, breakdown or other circumstances, together with the pertinent facts relating thereto and a statement of the date upon which the condition will be rectified and shall also report to the Control Officer when such defect has been removed and when such periodic shutdown is over.
- 3) so as to cause a nuisance,
 - b) The opacity of an air contaminant shall be measured at the point of its emission, except when the point of emission cannot be readily observed, it may be measured. at an observable point on the plume nearest the point of emission.
 - c) This section shall not apply when the presence of uncombined water is the only reason for the failure of the emission to meet the requirements of this section.

INCINERATOR BURNING

8. a) No owner or occupier of real Property in the City shall burn any combustible refuse in any incinerator except in a multiple chamber incinerator as defined in Part II and provided with emission control apparatus or in equipment other than a multiple chamber incinerator approved by the Control Officer as functioning in a manner equivalent to a multi-chambered incinerator.
- b) That the Control Officer may require that any incinerator be equipped with an auxiliary heating source which shall be operated at all times when the incinerator is in use.

EMISSION OF SULPHUR COMPOUNDS

9. a) No owner or occupier of real property in the City shall cause or permit the emission of air contaminants from equipment if the air contaminant emitted as measured in the flue contains sulphur compounds, calculated as sulphur dioxide, of more than 1,000 parts per million. For the purpose of this Section all sulphur present in gaseous compounds containing oxygen shall be deemed to be present as sulphur dioxide. Tests for determining compliance with this Section (a) shall be based on integrated samples collected over any period of not less than fifteen (15) consecutive minutes or 90 per cent of the time of actual source operation, whichever is less;
- b) Such person responsible for emissions of sulphur compounds estimated to be in excess of 500 parts per million of sulphur dioxide at any emission point shall be required upon written instruction of the Control Officer to provide and continuously operate a recording instrument at such emission point which will adequately record the emission rate of sulphur dioxide. Failing to do so, the Control Officer may install, operate and charge the owner with the cost of collecting such samples.

EMISSION OF PARTICULATE MATTER: WEIGHT RATE STANDARD

10. a) No owner or occupier of real property in the City shall cause or allow the emission of particulate matter if the emission is in violation of Section 8 (a), or if the particulate matter discharged into the atmosphere from any single source exceeds the following weights at the point of discharge:
- 1) In refuse burning equipment 0.10 grain for each standard cubic foot of exhaust gas, calculated to 12 per cent carbon dioxide (exclusive of carbon dioxide from auxiliary fuel).
- b) 1) In fuel burning equipment, 0.10 grain for each standard cubic foot of exhaust gas calculated to 12 per cent carbon dioxide.
- 2) In fuel burning equipment installed subsequent to the effective date of this Bylaw, 0.05 grain for each standard cubic foot of exhaust gas calculated to 12 per cent carbon dioxide.
- 3) In fuel burning equipment utilizing wood residue, .10 Grain for each standard cubic foot of exhaust gas, calculated to 12 per cent carbon dioxide.
- c) In equipment used in a manufacturing process, the emission weight per hour shall not exceed the amounts set forth in Schedule B, provided further that no emission in exhaust gases shall exceed the amount set forth in the following subsections (d) and (e).

- d) In equipment used in a manufacturing process, except as specified in the following subsection (e), .05 grain for each standard cubic foot of exhaust gas.
- e)
 - 1) From exhaust gases from any control device used on equipment at bulk materials handling and grain handling facilities, 0.02 grains per standard cubic foot of exhaust air or gas.
 - 2) It is prohibited for any owner or occupier of real property in the City to cause or allow emission from his property of air contaminant such that at any point outside his property such concentration of coal, sulphur, potash or cereal grain dust exceed ten (10) micro grams of suspended particulates per cubic meter of ambient air calculated as the weight of total particulates per cubic meter of ambient air multiplied by the volume ratio of coal, sulphur, potash, or cereal grain dust to total particulate matter. Tests for determining such concentrations shall be based on a sample or samples collected over a period of not less than one (1) hour.
- f) The requirements of the foregoing subsections (a), (b), (c), and (d) shall be measured by the methods for dust reporting apparatus as in current use as outlined in the Code for dust separating apparatus of the American Society of Mechanical Engineers, which is hereby made a part of this Bylaw by reference, or in accordance with modified procedures mutually agreed upon by the Control Officer and the owner.

EMISSION OF AIR CONTAMINANT OR WATER VAPOR:

DETRIMENT TO PERSON OR PROPERTY

- 11.
 - a) No owner or occupier of real property in the City shall cause or permit the emission of an air contaminant if the air contaminant or water vapor causes air pollution.
 - b) Nothing in this Bylaw shall be construed to impair any cause of action or legal remedy therefor of any person, or the public for injury or damages arising from the emission of any air contaminant in such place, manner or concentration as to constitute air pollution or a common law nuisance.

ODOUR AND NUISANCE CONTROL MEASURES

- 12.
 - a) Every owner or occupier of real property in the City shall install and operate effective control apparatus and measures to eliminate the emission of odours causing air pollution.
 - b) The Control Officer may establish reasonable requirements that the building or equipment be closed and ventilated in such a way that all the air, gases, and particulate matter are effectively treated for removal or destruction of odorous matter or other air contaminants before emission to the ambient air.

EMISSION OF AIR CONTAMINANT: CONCEALMENT AND MASKING RESTRICTION

13. a) No owner or occupier of real property in the City shall willfully cause or permit the installation or use of any device or use of any means designed to mask the emission of any air contaminant or which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of air contaminant which would otherwise violate the provisions of this Bylaw.

PREVENTING PARTICULATE MATTER FROM BECOMING AIRBORNE

14. a) No owner or occupier of real property in the City shall
- i) cause or permit any air contaminant to be handled, transported or stored without taking reasonable precautions to prevent the air contaminant from becoming airborne;
 - ii) cause or permit a building or its appurtenances or a road to be constructed, altered, repaired or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne.
 - iii) Cause or permit open areas located within a private lot or roadway to be maintained without taking reasonable precautions to prevent particulate matter from becoming airborne.

REPORT OF UPSETS

15. a) Emissions exceeding any of the limits established by this Bylaw as direct result of unavoidable upset conditions or unavoidable and unforeseeable breakdown of equipment or control apparatus shall not be deemed in violation provided the following requirements are met.
- 1) The upset or breakdown is immediately reported to the Control Officer
 - 2) The owner shall upon the request of the Control Officer, submit a full report which shows such conditions to have been unavoidable. Such report to include the known causes and the preventive measures to be taken to minimize or eliminate a re-occurrence.

PART VII

Compliance Schedule

16. a) The equipment listed below shall comply with emission standards specified in Part VI of this Bylaw on and after the times established as follows, and shall be exempted from such standards until those times, such times shall commence from the adoption of this Bylaw;

- | | | |
|----|--|------------|
| 1. | Refuse burning equipment | - 6 months |
| 2. | Fuel burning equipment | - 6 months |
| 3. | Fuel burning equipment utilizing wood residue | - 6 months |
| 4. | Manufacturing | - 6 months |
| 5. | Bulk handling of materials and grain handling facilities | - 6 months |

PART VIII

Penalties

17. a) Every owner or occupier of real property situated in this City who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction thereof and liable to the penalty hereinafter provided.
- b) Every person guilty of an offence under this Bylaw shall, upon conviction thereof before a Police Magistrate or one or more Justices of the Peace or other Magistrate or Magistrates having jurisdiction in the City of North Vancouver on the oath or affirmation of any credible witness forfeit and pay at the discretion of the said Police Magistrate, Justice or Justices of the peace or other Magistrate or Magistrates convicting, a pecuniary penalty not exceeding the sum of One Thousand Dollars (\$1,000.00) together with a sum for costs or without costs; and in default of payment thereof forthwith it shall be lawful for such Police Magistrate, Justice or Justices or other Magistrate or Magistrates convicting as aforesaid by a warrant under his or their hand and seal or in case two or more Justices act together, then under the hand and seal of one of them, to cause the said pecuniary penalty and costs or costs only, if not paid forthwith to be levied by distress and sale of the goods and chattels of the offender and in case there being no distress or not sufficient distress found out of which the said penalty and cost can be levied it shall and may be lawful for the Police Magistrate, justice or Justices or other Magistrate or Magistrate convicting as aforesaid. to commit the offender to the common gaol of the County of Vancouver in the Province of British Columbia or the nearest lockup house for a term of 30 days or some part thereof unless the said several sums and the costs and charges of the commitment and of the conveying of the said offender to the said common gaol are sooner paid.

18. Bylaw No. 3170 known as the Air Pollution Control Bylaw, 1962, and amendments thereof are hereby repealed.
19. This Bylaw may be known and cited for all purposes as the "Air Pollution Control Bylaw, 1971".

READ a first time by the Council on the 17th day of May, 1971.

READ a second time by the council on the 17th day of May, 1971.

READ a third time and passed by the council on the 17th day of May, 1971.

RECONSIDERED and finally adopted by the Council, signed by the Mayor and City Clerk and sealed with the Corporate Seal on the 25th day of May, 1971.

"T. H. Reid, Mayor"

"W. Gibbs, City Clerk"

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SCHEDULE "A"

"CHART"

"CHART"

1. Hold chart at arm's length and view smoke through slot provided.
2. Be sure that light shining on chart is the same light that is shining on smoke being examined; for best results, sun should be behind observer.
3. Match smoke as closely as possible with corresponding grid on chart.
4. Enter density of smoke (designated by numbers under each grid) on record sheet; also enter time of each observation.
5. Repeat observations at regular intervals of $\frac{1}{4}$ or $\frac{1}{2}$ minute.
6. To compute smoke density use the formula,

$$\frac{\text{Equivalent units of No. 1 smoke} \times 0.20}{\text{Number of observations}} = \text{percentage smoke density}$$

SCHEDULE "B"

"AIR POLLUTION CONTROL BYLAW, 1971"

Column A

Column B

Process Weight per
hour in pounds

Maximum Allowable Dust
Discharge per hour in pounds

250	1.03
500	1.85
1,000	3.05
2,000	4.70
3,000	6.35
4,000	8.00
5,000	9.65
6,000	11.30
7,000	12.90
8,000	14.30
9,000	15.50
10,000	16.65
11,000	17.70
12,000	18.70
13,000	19.60
14,000	20.40
15,000	21.00
16,000	21.60
17,000	22.20
18,000	22.80
19,000	23.40
20,000	24.00
30,000	30.00
40,000	36.00
50,000	42.00
60,000 or more	48.00

Greater Vancouver Regional District
Air Quality Management Bylaw No. 1082, 2008

WHEREAS:

A. the Greater Vancouver Regional District is authorized to prohibit, regulate and otherwise control and prevent the discharge of air contaminants;

B. the Environmental Management Act authorizes the Greater Vancouver Regional District Board to establish different prohibitions, regulations, rates or levels of fees, conditions, requirements and exemptions for different persons, operations, activities, industries, trades, businesses, air contaminants or works, and for different classes of persons, operations, activities, industries, trades, businesses, air contaminants or works;

C. the Greater Vancouver Regional District has enacted Air Quality Management Bylaw No. 937, 1999, Air Quality Management Amending Bylaw No. 967, 2001, and Air Pollution Control Bylaw No. 603; and

D. it is deemed desirable to rescind Air Quality Management Bylaw No. 937, 1999, Air Quality Management Amending Bylaw No. 967, 2001 and Air Pollution Control Bylaw No. 603 and replace them with Air Quality Management Bylaw No. 1082, 2008.

NOW THEREFORE the Board of Directors of the Greater Vancouver Regional District in open meeting duly assembled enacts as follows:

GENERAL

- 1 This Bylaw may be cited for all purposes as “Greater Vancouver Regional District Air Quality Management Bylaw No. 1082, 2008.”
- 2 References in this Bylaw to enactments include the enactment as amended from time to time.

INTERPRETATION

- 3 (1) In this Bylaw, terms defined in the Environmental Management Act, have the same meanings for the purpose of this Bylaw, unless otherwise defined herein or the context otherwise requires.

(2) In this Bylaw the following definitions apply:

“**air**” means the atmosphere but does not include the atmosphere inside

- (a) a human-made enclosure that is not open to the weather;
- (b) an underground mine; or
- (c) a place exempted by order of the Lieutenant Governor in Council pursuant to the Environmental Management Act or the regulations thereunder;

“**air contaminant**” means any substance that is emitted into the air and that

- (a) injures or is capable of injuring the health or safety of a person;

- (b) injures or is capable of injuring property or any life form;
- (c) interferes or is capable of interfering with visibility;
- (d) interferes or is capable of interfering with the normal conduct of business;
- (e) causes or is capable of causing material physical discomfort to a person; or
- (f) damages or is capable of damaging the environment;

“Appeal Board” means the Environmental Appeal Board established under the Environmental Management Act;

“approval” means an approval issued by the district director under section 13 of this Bylaw;

“assistant district director” means a person appointed as an “assistant district director” by the Board under section 31 of the Environmental Management Act;

“Board” means the Board of Directors of the Greater Vancouver Regional District;

“certified observer” means a person who is certified under a training program that meets the requirements of the United States Environmental Protection Agency Method 9 for opacity measurement;

“comfort heating device” means a boiler or furnace which discharges to the air and which is used as a space heating appliance in residential, commercial, institutional or industrial premises but does not include a residential fireplace or stove;

“District” means the Greater Vancouver Regional District;

“district director” means a person appointed as “district director” by the Board under section 31 of the Environmental Management Act, and includes an assistant district director;

“emission regulation” means a regulation established by the Board pursuant to section 26 of this Bylaw;

“environment” means air, land, water and all other external conditions or influences under which humans, animals and plants live or are developed;

“Environmental Management Act” means the Environmental Management Act SBC 2003, chapter 53;

“gasoline” means a petroleum distillate and/or a mixture of petroleum distillates and oxygenates, ethanol, methanol and other additives and compounds intended for use in automotive or marine internal combustion engines and having a Reid vapour pressure greater than 48 kPa, but does not include methane, ethane or propane;

“minister” means the minister charged with the administration of the Environmental Management Act;

“motor vehicle” means a motor vehicle as defined in the Motor Vehicle Act RSBC 1996, chapter 318, and includes a motorcycle as defined therein;

“officer” means any person appointed by the Board pursuant to section 31(2) of the Environmental Management Act to be an officer;

“opacity” means the degree to which the discharge of an air contaminant reduces the passage of light or obscures the view of a background object as determined by a certified observer

and expressed numerically from 0 per cent (transparent) to 100 per cent (opaque), averaged over a 6-minute period, measured at the point of discharge into the air;

“order” means any order made or given under this Bylaw;

“permit” means a permit issued by the district director under section 11 of this Bylaw;

“person” includes an individual, firm, company, association, society, partnership, sole proprietorship, corporation or local government;

“pollution” means the presence in the environment of substances or contaminants that substantially alter or impair the usefulness of the environment;

“residential fireplace or stove” means a fireplace, a woodstove or a heater or other similar device that burns or that is capable of burning wood, which discharges to the air and is contained within and used exclusively by the occupants of a private residential dwelling or unit;

“service station” means a facility situated within the area of the Greater Vancouver Regional District used for the purpose of storing and dispensing gasoline to motor vehicles or vessels, and includes retail service stations, cardlock service stations or fleet refuelling stations but does not include

- (a) a facility located on a farm used solely for the fuelling of farm vehicles and equipment, and
- (b) a facility that is used solely for fuelling motor vehicles and equipment used only within the confines of the site where the facility is located;

“works” includes an installation, plant, machinery, equipment, land, structure or process that:

- (a) causes or may cause the introduction of an air contaminant into the environment or the release of a substance that may cause pollution;
 - (b) is designed or used to measure or control the introduction of an air contaminant into the environment or to measure or control a substance that is capable of causing pollution; or
 - (c) is used to monitor pollution or an air contaminant
- (3) For the purposes of the definition of an air contaminant, it is not necessary to prove:
- (a) that the air contaminant, if diluted at or subsequent to the point of discharge, continues to be capable of harming, injuring or damaging a person, life form, property or the environment, or
 - (b) the actual presence of a person who, or a life form that, is capable of being harmed or injured by the discharge of the air contaminant.

APPLICATION

4 This Bylaw applies to air emissions from:

- (1) industries, trades and businesses whether or not they are prescribed under the Environmental Management Act or its regulations;

- (2) activities and operations whether or not they are prescribed under the Environmental Management Act or its regulations; or
- (3) industries, trades, businesses, activities, operations and residences whether or not they are described in subsection 6(5) of the Environmental Management Act.

PROHIBITIONS

- 5** Subject to section 7, no person may in the course of conducting an industry, trade or business of whatsoever kind or nature discharge or allow or cause the discharge of any air contaminant.
- 6** Subject to section 7, no person may dispose of waste by incineration or burning.
- 7** Subject to section 10, nothing in section 5 or 6 prohibits the discharge of an air contaminant where
 - (1) the discharge is conducted strictly in accordance with the terms and conditions of an emission regulation;
 - (2) the discharge is conducted strictly in accordance with the terms and conditions of a valid and subsisting permit, approval or order;
 - (3) the discharge is from a natural gas or propane-fired boiler or furnace with an input less than 0.1 MW that is used solely for comfort heating in residential, commercial, institutional or industrial premises;
 - (4) the discharge is from burning of leaves, foliage, weeds, crops or stubble in compliance with the Weed Control Act RSBC 1996, chapter 487;
 - (5) the discharge is from the use of pesticides or biocides for agricultural, residential or forestry purposes in compliance with the Integrated Pest Management Act SBC 2003, chapter 58, the Pest Control Products Act (Canada) and any other act and regulation governing their use;
 - (6) the discharge is from fires set or controlled by a person:
 - (a) acting under an order of a local assistant, as defined in the Fire Services Act RSBC 1996, chapter 144, if the local assistant orders the fires for training purposes;
 - (b) carrying out fire control under section 9 of the Wildfire Act SBC 2004, chapter 31; or
 - (c) if the fires are resource management open fires under the Wildfire Act SBC 2004, chapter 31, and are lit, fuelled or used in accordance with that Act and the regulations under that Act.
 - (7) the discharge consists of emissions into the air of soil particles or grit in the course of agriculture or horticulture;
 - (8) the discharge results from food preparation in residential premises;
 - (9) the discharge is from steam powered or internal combustion engines in compliance, if applicable, with the Motor Vehicle Act RSBC 1996, chapter 318, and regulations;
 - (10) the discharge is from solid or liquid waste management activities or works owned or operated by a regional district or municipality that are in compliance with a waste

management plan under the Environmental Management Act;

- (11) the discharge of air contaminants is strictly in accordance with the Antisapstain Chemical Waste Control Regulation (B.C. Reg. 300/90); or
 - (12) the discharge is restricted to less than 100 kilograms per day of carbon monoxide, and less than 5 kilograms per day of each of the following: nitrogen oxides (expressed as nitrogen dioxide); and sulphur oxides (expressed as sulphur dioxide);
 - (13) A person who claims that any of subsections (1)-(12) apply to that person has the onus of establishing that those subsections apply to that person.
- 8** No person may burn or allow to be burned in any residential fireplace or stove any fuel other than wood, paper or derivatives of wood and paper, or natural gas, and no person may operate a residential fireplace or stove other than in accordance with the manufacturer's recommended operating procedures and in a manner which minimizes emissions.
- 9** Without limiting any other provisions of this Bylaw no person may operate a service station which is capable of fueling two or more motor vehicles at the same time unless the service station operates strictly in accordance with the Greater Vancouver Regional District Gasoline Distribution Emission Regulation.
- 10** Notwithstanding any other provision in this Bylaw no person may discharge or allow or cause the discharge of any air contaminant so as to cause pollution.

PERMITS AND APPROVALS

Permits

- 11** The district director may issue a permit to allow the discharge of an air contaminant subject to requirements for the protection of the environment that the district director considers advisable and without limiting the generality of the foregoing the district director may do one or more of the following in the permit:
- (1) place limits and restrictions on the quantity, frequency and nature of an air contaminant permitted to be discharged and the term for which such discharge may occur;
 - (2) require the holder of a permit to repair, alter, remove, improve or add to works or to construct new works and to submit plans and specifications for works specified in the permit;
 - (3) require the holder of a permit to give security in the amount and form and subject to conditions the district director specifies;
 - (4) require the holder of a permit to monitor, in the manner specified by the district director, an air contaminant, the method of discharging the air contaminant and the places and things that the district director considers will be affected by the discharge of the air contaminant;
 - (5) require the holder of a permit to conduct studies, keep records and to report information specified by the district director in the manner specified by the district director;
 - (6) specify procedures for sampling, monitoring and analyses, and procedures or requirements respecting the discharge of an air contaminant that the holder of a permit must fulfill.

Approvals

- 12** The district director may approve the introduction of air contaminants into the environment for a period of up to 15 months without issuing a permit.
- 13** The district director may issue an approval subject to requirements for the protection of the environment that the district director considers advisable and, without restricting that power, may include as a requirement anything referred to in section 11.

Amendment of Permits and Approvals

- 14** The district director may
 - (1) on the district director's own initiative where the district director considers it necessary for the protection of the environment, or
 - (2) on application by a holder of a permit or an approval,amend the requirements of the permit or approval by deleting, changing or imposing any procedure or requirement that was imposed or could have been imposed under section 11.
- 15** If a permit or an approval is subject to conditions imposed pursuant to a decision made in an appeal to the Appeal Board those conditions must not be amended except
 - (1) by the Appeal Board; and
 - (2) after the Appeal Board has given the parties an opportunity to be heard on the question of whether the conditions should be amended
- 16** A district director may renew an approval before or after the end of the term of the approval.
- 17** A district director may not renew an approval if the term of the approval and the term of renewal, when taken together, would exceed 15 months.
- 18** If a district director is considering amending a permit or approval the district director may require that the holder of the permit or approval supply the district director with plans, specifications and other information.
- 19** If a district director amends a permit or approval on the district director's own initiative, the district director must give the holder of the permit or approval notice in writing of the amendment and publish notice of the amendment in accordance with section 25.
- 20** The district director may give the notice of amendment by electronic means to an address provided by the holder of the permit or approval.

Suspension or Cancellation of Permits or Approvals

- 21** (1) The Board or the district director may, by notice served on the holder of a permit or approval:
 - (a) suspend the permit or approval for any period, or
 - (b) cancel the permit or approval.

- (2) A notice served under subsection (1) must state the time at which the suspension or cancellation is to take effect.
- (3) The authority conferred by subsection (1) may be exercised by the Board in any of the following circumstances:
 - (a) a holder of a permit
 - (i) fails to complete construction of works specified in the permit within the time specified in the permit or, if no time is specified in the permit, within a time the Board considers reasonable, not exceeding 3 years after issuance of the permit, or
 - (ii) does not exercise any rights under the permit for a period of 3 years;
 - (b) a holder of a permit or approval fails to comply with the terms of the permit or approval;
 - (c) a holder of a permit or approval fails to comply with an order issued under this Bylaw and related to the subject matter of the permit or approval;
 - (d) a holder of a permit or approval or the holder's agent has made or makes a material misstatement or misrepresentation in the application for the permit or approval or in the information required under this Bylaw with respect to the permit or approval;
 - (e) a holder of a permit or approval fails to comply with any other requirements of this Bylaw;
 - (f) a permit or an approval conflicts with or is replaced by:
 - (i) a waste management plan approved by the minister;
 - (ii) the Environmental Management Act or the regulations under the Environmental Management Act;
 - (iii) this Bylaw, as amended; or
 - (iv) any other enactment of the District, the Greater Vancouver Sewerage and Drainage District, or the Greater Vancouver Water District;
 - (g) a permit or approval is replaced by an emission regulation;
 - (h) a permit or approval is not, in the opinion of the Board, in the public interest.
- (4) The authority conferred by subsection (1) may be exercised by the district director in any of the circumstances referred to in subsection (3)(a), (f) and (g).
- (5) In addition to the authority conferred by subsection (1), the district director may, without notice to the holder of a permit or approval,
 - (a) suspend a permit or approval for the length of time requested if the holder requests that the permit or approval be suspended, or
 - (b) cancel a permit or approval if the holder of the permit or approval
 - (i) dies,
 - (ii) is a corporation that is liquidated, dissolved or otherwise wound up or is an extraprovincial company within the meaning of the Business Corporations Act SBC 2002, chapter 57, that has had its registration cancelled under Part 11 or 12 of that Act,

- (iii) is a partnership that is dissolved, or
- (iv) requests that the permit or approval be cancelled.

22 For certainty, a permit or approval that is suspended or cancelled is not a valid and subsisting permit or approval.

Reinstatement of suspended permits or approvals

23 Upon request by the holder of a suspended permit or approval the district director may reinstate a suspended permit or approval.

Transfers of Permits or Approvals

24 (1) A transfer of a permit or approval is without effect unless the district director has consented in writing to the transfer.

(2) Despite subsection (1), the district director may consent to a transfer by electronic means to an address provided by the holder of the permit or approval.

Public Notification

25 The practices and procedures of Public Notification Regulation (B.C. Reg. 202/94) apply to the application for and the issuance of and amendment of permits and approvals.

EMISSION REGULATIONS

26 (1) The Board may enact bylaws, that may be described and cited for all purposes as emission regulations, prescribing different prohibitions, conditions, requirements, exemptions and rates or levels of fees

- (a) for different persons, operations, activities, industries, trades, businesses, air contaminants or works, and
- (b) different classes of persons, operations, activities, industries, trades, businesses, air contaminants or works

for the purpose of prohibiting, regulating, controlling, or preventing the discharge of air contaminants.

(2) Any bylaw that states that it is deemed to be an integral part of this bylaw must be deemed to be an integral part of this bylaw.

ORDERS

Information Orders

27 (1) For the purpose of determining whether there are grounds for making a pollution prevention order under section 28 or a pollution abatement order under section 29, the district

director may order a person who is conducting an industry, trade or business to provide to the district director the information described in subsection (2) that the district director requires;

- (2) An order under subsection (1) must be served on the person to whom it applies and may require the person to provide, at his or her own expense, information relating to
 - (a) the operations or activities of the industry, trade or business, or
 - (b) substances used, stored, treated or introduced or caused or allowed to be introduced into the air in the course of the industry, trade or business.
- (3) Information required by an order under this section must be provided within the time and in the manner specified in the order.
- (4) For the purposes of this section, "**person**" does not include a municipality.
- (5) An order under this section may be issued to any person whether or not that person:
 - (a) is a holder of a permit or approval under the Environmental Management Act or this Bylaw;
 - (b) owns or operates facilities or works regulated by an emissions regulation bylaw enacted by the Greater Vancouver Regional District; or
 - (c) is exempt from Environmental Management Act section 6(2), 6(3) or section 5 of this Bylaw.

Pollution Prevention Orders

- 28** (1) If the district director is satisfied that an activity or operation has been or is being performed by a person in a manner that is likely to release a substance that may cause pollution, the district director may order a person referred to in subsection (2), at that person's expense, to take steps to prevent the pollution including but not limited to one or more of the following:
- (a) provide to the district director information the district director requires relating to the activity, operation or substance;
 - (b) undertake investigations, tests, surveys or any other action the district director considers necessary to prevent the pollution and report the results to the district director;
 - (c) acquire, construct or carry out any works or measures that are reasonably necessary to prevent the pollution;
 - (d) adjust, repair or alter any works to the extent reasonably necessary to prevent the pollution.
- (2) An order made under subsection (1) may be served on one or more of the following persons:
- (a) a person who, individually or with others, previously had or now has possession, charge or control of the substance;
 - (b) a person who, individually or with others, previously did anything, or who is now

- doing anything, which may cause the release of the substance;
- (c) a person who, individually or with others, previously owned or occupied, or now owns or occupies the land or improvements to the land from which the substance is likely to be released;
 - (d) a person who, individually or with others, causes or authorizes, directly or indirectly, in whole or in part, the release of the substance.
- (3) An order made under subsection (1) may authorize a person or persons designated by the district director to enter land for the purpose of preventing the pollution.
- (4) For the purposes of this section, "**person**" does not include a municipality.

Pollution Abatement Orders

- 29** (1) If the district director is satisfied that a substance is causing pollution or has caused pollution and is likely to cause pollution in the future, the district director may order any of the following persons to do any of the things referred to in subsection (2):
- (a) a person who, individually or with others, previously had or now has possession, charge or control of the substance;
 - (b) a person who, individually or with others, previously did anything, or who is now doing anything, which is causing the release of the substance;
 - (c) a person who, individually or with others, previously owned or occupied, or now owns or occupies the land or improvements to the land from which the substance is being released;
 - (d) a person who, individually or with others, causes or authorizes, directly or indirectly, in whole or in part, the release of the substance.
- (2) An order under subsection (1) must be served on the person to whom it applies and may require that person, at his or her own expense, to take steps to control, abate or stop the pollution including but not limited to one or more of the following:
- (a) provide to the district director information that the district director requires relating to the pollution;
 - (b) undertake investigations, tests, surveys and any other action the district director considers necessary to determine the extent and effects of the pollution and to report the results to the district director;
 - (c) acquire, construct or carry out any works or measures that are reasonably necessary to control, abate or stop the pollution;
 - (d) adjust, repair or alter any works to the extent reasonably necessary to control, abate or stop the pollution;
 - (e) abate the pollution.
- (3) An order under subsection (1) may authorize any persons designated by the district director to enter land for the purpose of controlling, abating or stopping the pollution.
- (4) A district director may amend or cancel an order made under this section.

- (5) The powers given by this section may be exercised even though the introduction of the substance into the environment is not prohibited under this Bylaw and despite the terms of any permit, approval or emission regulation.
- (6) For the purposes of this section, "**person**" does not include a municipality.

Preventing and Abating Municipal Pollution

- 30** The Board may with respect to a municipality, exercise the powers that the district director may exercise under sections 28 and 29 (pollution prevention and abatement orders) in relation to other persons.

INSPECTION, MONITORING AND RECORDS

- 31** No person may remove, tamper with or otherwise interfere with the operation of any instrument, equipment or process for the purpose of measuring or monitoring air contaminants.
- 32** The district director and officers may exercise all the powers authorized under section 109 of the Environmental Management Act.
- 33** (1) The owner or operator of any works discharging substances to the air must provide reasonable access to enable the district director or a person authorized by him to carry out inspections or to conduct tests to determine whether there has been compliance with this Bylaw.

(2) Without limiting the generality of the foregoing, an owner or operator of any works described in subsection (1) must at that person's expense, modify or allow the modification of works, the construction or installation of platforms, ladders, access points or other appurtenances to facilitate or improve access for the purpose of conducting inspections or tests.

FEES AND COSTS

- 34** The Board may from time to time establish fees payable by persons who discharge air contaminants.
- 35** The District may recover from any person the District's costs of doing anything that that person is obliged to do under this Bylaw, permit, approval, order, or emission regulation.
- 36** An application for a permit or approval or an amendment to an existing permit or approval must be accompanied by the applicable application fees. Application fees are not refundable by reason only that a permit, approval or amendment is not issued.
- 37** Annual fees for a calendar year may be invoiced at any time during or after the calendar year unless otherwise required by this Bylaw.
- 38** If the fees pertaining to a permit or approval are not received by the District within 75 days of the date on which the District's invoice is issued, then the permit or approval is suspended. The district director may cancel a suspended permit or approval.
- 39** The district director may reinstate a permit or approval that has been suspended, but not

cancelled, provided that the holder of a permit or approval submits an application for reinstatement accompanied by payment of all fees owing at the time that the permit or approval was suspended and a reinstatement fee. The reinstatement fee will be 50 percent of the amount of all fees owing at the time that the permit or approval was suspended.

- 40 (1) If applicable emission regulation fees are not received by the District within 75 days of the due date, the registration is suspended and the person is deemed not to be in compliance with the applicable emission regulation. A registration that has been suspended, but not cancelled may be reinstated upon payment of all outstanding emission regulation fees.
- (2) The district director may at any time cancel a registration that has been suspended in accordance with subsection (1). A registration that has been cancelled may be reinstated only upon payment of the registration fee and all outstanding emission regulation fees.
- (3) A reinstated registration has effect only from the date of reinstatement.

POWERS OF THE BOARD

- 41 Without limiting the Board's powers and duties under the Environmental Management Act, the Board may from time to time appoint the district director, one or more assistant district directors, and officers who will have the powers set out in this Bylaw and in the bylaw or resolution appointing them, and in the Environmental Management Act and the regulations under that Act.
- 42 The Board may, by bylaw, provide direction to the district director in respect to policies or procedures relating to the administration of this Bylaw.

TRANSITION

- 43 A permit, approval or order issued by the district director pursuant to Greater Vancouver Regional District Air Quality Management Bylaw No. 937, 1999 is continued under this Bylaw unless and until it is amended, suspended, cancelled or replaced by a permit, approval or order issued under this Bylaw.
- 44 Fees established by Greater Vancouver Regional District Air Quality Management Bylaw No. 937, 1999 remain in effect until December 31, 2008.
- 45 Fees payable under this Bylaw come into force on January 1, 2009.

OFFENCES AND PENALTIES

- 46 A person who contravenes a provision of this Bylaw, a permit, an approval, an order or an emission regulation that is intended to limit the quantity of air contaminants or that specifies the characteristics of air contaminants that may be discharged into the air commits an offence punishable by a fine not exceeding \$1,000,000;
- 47 A person who contravenes a provision of this Bylaw, a permit, an approval, an order or an emission regulation other than a provision referred to section 46, commits an offence punishable by a fine not exceeding \$200,000;

- 48 Where there is an offence that continues for more than one day, separate fines each not exceeding the maximum fine for that offence may be imposed for each day or part thereof in respect of which the offence occurs or continues.
- 49 Nothing in this Bylaw limits the District from utilizing any other remedy that would otherwise be available to the District at law.
- 50 If a corporation commits an offence under this Bylaw, an employee, officer, director or agent of the corporation who authorized, permitted or acquiesced in the offence commits the offence even though the corporation is convicted.

EXEMPTION FROM ENVIRONMENTAL MANAGEMENT ACT

- 51 A person who is in compliance with this Bylaw and all applicable permits, approvals, orders and emission regulations is exempt from the application of section 6(2) and (3) of the Environmental Management Act, in relation to the discharge of air contaminants from any operation, activity, industry, trade, business, air contaminant or works, if it also complies with any further restrictions or conditions imposed under the Environmental Management Act.

NOTICE

- 52 A notice of a decision or order under this Bylaw may be served on a person by registered mail sent to the last known address of the person.
- 53 Any notice under this Bylaw may be given by registered mail sent to the last known address of the person.
- 54 If a notice under this Bylaw is sent by registered mail to the last known address of the person, the notice is conclusively deemed to be served on the person to whom it is addressed on
 - (1) the 14th day after the notice was deposited with Canada Post, or
 - (2) the date on which the notice was actually received by the person, whether by mail or otherwise, whichever is earlier.
- 55 The district director may, at his or her discretion, consent to submission or provision of information by electronic means.

SEVERABILITY

- 56 If any portion of this Bylaw is deemed *ultra vires*, illegal, invalid, or unenforceable in any way in whole or in part by any court of competent jurisdiction, such decision will not be deemed to invalidate or void the remainder of the Bylaw. The parts so held to be *ultra vires*, illegal, invalid, or unenforceable must be deemed not to have been part of the Bylaw from its adoption. The remainder of the Bylaw will have the same force and effect as if the parts that have been deemed *ultra vires*, illegal, invalid, or unenforceable had not been included in this Bylaw when it was adopted.

BYLAWS REPEALED

57 "Greater Vancouver Regional District Air Pollution Control Bylaw No. 603 (1989)",
"Greater Vancouver Regional District Air Quality Management Bylaw No. 937, 1999", and
"Greater Vancouver Regional District Air Quality Management Amending Bylaw No. 967,
2001" are hereby repealed.

Read a first time this *25 day of July, 2008.*

Read a second time this *25 day of July, 2008.*

Read a third time this *25 day of July, 2008.*

Reconsidered, passed and finally adopted by the Board of Directors of the Greater Vancouver
Regional District this *25 day of July, 2008.*



Chair



Secretary

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8734

A Bylaw to repeal “Air Pollution Control Bylaw, 1971, No. 4303”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Air Pollution Control Bylaw, 1971, No. 4303, Repeal Bylaw, 2019, No. 8734”**.
2. “Air Pollution Control Bylaw, 1971, No. 4303” and amendments thereto, are hereby repealed.

READ a first time on the <> day of <>, 2019.

READ a second time on the <> day of <>, 2019.

READ a third time on the <> day of <>, 2019.




ADOPTED on the <> day of <>, 2019.

MAYOR

CITY CLERK

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 Department Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**
STRATEGIC & CORPORATE SERVICES
AND NORTH VANCOUVER CITY LIBRARY

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Robert Skene, Manager of Facilities and Real Estate
Deb Hutchison Koep, Chief Librarian

SUBJECT: LIBRARY TERRACE ENCLOSURE PROJECT – FUNDING
REALLOCATION

Date: July 12, 2019 File No: 02-0890-20-0003/1

RECOMMENDATION:

PURSUANT to the report of the Manager, Facilities and Real Estate, and the Chief Librarian, dated July 12, 2019, entitled “Library Terrace Enclosure Project – Funding Reallocation”:

THAT \$275,000 of existing funding from Harry Jerome Community Recreation Community Centre project be reallocated to fund the Library Terrace Enclosure project;

THAT (Funding Appropriation #1929) an amount of \$275,000 be appropriated from the Civic Amenity Reserve Fund (Harry Jerome Community Recreation Centre Provision) for the purpose of funding the Library Terrace Enclosure project;

THAT should any of the above amount remain unexpended as at December 31, 2022, the unexpended balance shall be returned to the credit of the Civic Amenity Reserve Fund;

AND THAT the Harry Jerome Community Recreation Centre Provision be replenished as part of the Revised Financial Plan process in fall 2019.

BACKGROUND:

The purpose of enclosing the library terrace is to repurpose underused exterior covered deck space as a flexible, inspiring community innovation and learning space to meet community demand for technology skills development and programming for all ages. The resulting space will incorporate an instructional A/V system, hardware and software, and flexible furnishings to support a variety of learning modes. Customers of all ages will be able to access a well-equipped technology learning space to learn and practice digital skills, collaborate with others on technology projects, and learn about emerging technology. Customers will be inspired and supported to improve their skills and to connect with one another. This space will be regularly programmed for public use, adding public capacity within the library's fixed footprint, and freeing up in-demand meeting room space for other community use.

Council approved \$400,000 for this project in the 2018 financial plan. The original budget was derived from a professional cost estimate based on a high level scope provided by City staff. Given the architectural impact of the work, the architect of record (Diamond Schmitt Architects) was contracted to design the terrace enclosure. A preliminary design was completed by the end of 2018 and then reviewed by the Advisory Design Panel (ADP) who strongly recommended the addition of operable windows and additional window shades.

At completion of the tender documents which incorporated the ADP's recommendations, a final cost estimate was commissioned and resulted in a revised project estimate of \$675,000. This increase is partly due to construction cost escalation and partly due to the complexity of enclosing the exterior space for use as a public technology space involving extensive work to the building envelope, mechanical systems and electrical components to support the nature of the technology lab. The project budget was primarily affected by a more detailed understanding of the current systems' limits. The following are notable changes in the budget:

- Requirement for more detailed demolition following more careful analysis of the existing elements and systems
- Need to do careful construction staging and hoarding to ensure that the library's operations are minimally affected
- Addition of storage cabinetry to the design – this will maximize the flexibility and utility of the space and alleviate pressure on other parts of the library to store miscellaneous items
- More scope for electrical work to meet the power demands of public technology space
- More scope for mechanical work as the existing systems were found to be at capacity and additional capacity is needed to be provided by a new mechanical roof-top unit
- Proportionate increase in contractor's profit, overhead, and contingencies.

FINANCIAL IMPLICATIONS:

For information purposes, the original and revised budgets are presented below:

Library Terrace Enclosure Project	Original Budget	Additional Costs	Revised Budget
Project Management (7%)	28,000	17,000	45,000
Consultants	40,000	10,000	50,000
Construction			
Architectural-Envelope	89,000	36,000	125,000
Architectural-Interior Finishes	93,000	55,000	148,000
Mechanical	58,000	74,000	132,000
Electrical/Data	42,000	70,000	112,000
Project Contingency	50,000	26,000	63,000
	\$400,000	\$275,000	\$675,000

In order to proceed with this project in a timely manner, staff is suggesting to use funding from the Civic Amenity Reserve Fund (CARF). This funding is not included in the latest version of the Plan. However, the 2019 Project Plan includes an appropriation provision of \$14.5 million for the HJCRC. The Harry Jerome Community Recreation Centre project does not require significant expenditure until 2020. Therefore it is recommended that funding for the Library Terrace Enclosure Project be appropriated using the HJCRC provision which would be fully reinstated when the Plan is revised during the Revised Financial Plan process in Fall 2019. The report recommendation has been prepared for this purpose.

INTER-DEPARTMENTAL IMPLICATIONS:

This work has been identified and scoped collaboratively by the City Library and the Facilities and Real Estate Division.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

This project aligns with a number of goals and objectives expressed in the City's Official Community Plan, including:

- 1.4 Enhance quality of life through the provision of amenities;
- 3.1 Enhance well-being and quality of life for all community members;
- 3.5 Support the independence and well-being of older City residents;
- 6.3 Support the City's creative sector; and
- 6.4.6 Support public facilities that connect people from different areas, groups and generations and allow them to learn about each other and explore ideas together.

In addition, the City Library's 2018-2021 Strategic Plan, based on in-depth research and engagements with nearly 2,000 residents, identified "inspire learning, discovery and creation" as a key strategic priority, and "create a dedicated, inspiring space for learning and innovation" as a strategic objective.

CONCLUSION:

The completion of the terrace enclosure project and the creation of the community innovation space will add significant programmable interior space to the library.

RESPECTFULLY SUBMITTED:




Robert Skene
Manager of Facilities & Real Estate



Deb Hutchison Koep
Chief Librarian



 Department Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**
FINANCE DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council
From: Leslie Garber, Deputy Director of Finance
Subject: PERMISSIVE TAX EXEMPTION POLICY UPDATE AND REVIEW
Date: July 10, 2019 File No: 05-1970-07-0001/2019

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Deputy Director of Finance, dated July 10, 2019, entitled "Permissive Tax Exemption Policy Update and Review":

THAT the Permissive Tax Exemption Policy presented in Attachment 2 be endorsed;

ATTACHMENTS:

1. Existing Permissive Tax Exemption Policy (CityDoc #1323187)
2. Revised Permissive Tax Exemption Policy (CityDoc #1785841)
3. 2019 Permissive Tax Exemption Summary (CityDoc #1806257)

DISCUSSION:

In July 2009, Council endorsed a PTE Policy to establish guidelines which would be used in a comprehensive review of the services provided by all PTE holders and to determine how each of the PTE recipients are contributing to the overall "community good" as supported by the Official Community Plan ("OCP") and Social Plan. The approach approved was that once every three years each applicant would be required to complete a comprehensive application describing their services to the community and with Council's support would then receive a three-year PTE. In the second and third years, only a submission of the organization's most recent financial statements and completion of a statutory declaration that the property is still being used for the

purposes outlined in the full application would be required. New applicants in each of year two and three were required to complete the comprehensive application.

As part of the PTE Policy development process, implementing a limitation on the PTE budget was considered, and deferred.

Since the PTE Policy was implemented, PTE's have been approved by bylaw for the three-year periods from 2010 to 2012 and 2013 to 2015.

On September 14, 2015, Council adopted revisions to the PTE Policy, **Attachment 1**. The policy updates included:

- Clarifying the policy criteria to ensure that granting of a PTE results in a clear benefit to the local community (i.e. to North Shore residents).
- Revising the term of the PTE bylaw from three to four years to align with the new four-year Council mandate.
- Revising the policy wording to enable Council consideration of PTE's under all applicable sections of the Community Charter.
- Updating the PTE Policy to the City's new Corporate Policy template.

Since the PTE Policy was revised, PTE's have been approved by bylaw for the four-year period from 2016 to 2019.

The Community Charter requires that the taxation exemption bylaw for the following year be adopted by October 31st.

1. Policy Update

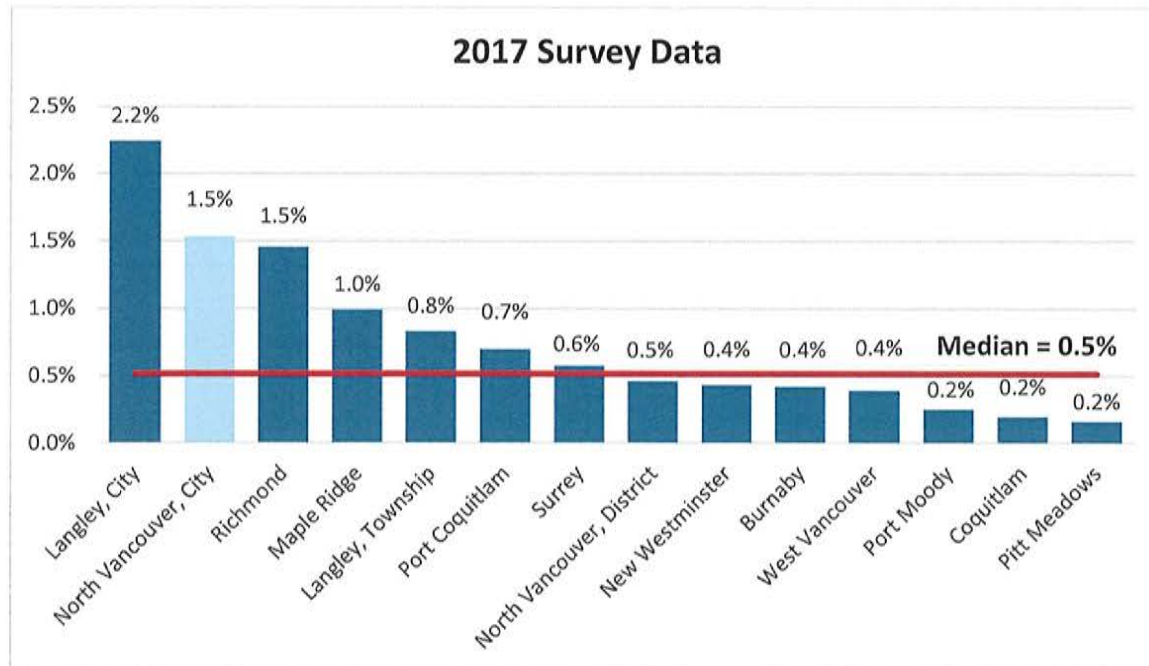
As a new four-year PTE bylaw will be required for the period beginning 2020, staff have taken the opportunity to update the existing PTE Policy, **Attachment 2**. The policy updates include:

- Removing the listing of specific OCP and Social Plan goals so policy updates will not be required as the plans are updated.
- Providing greater explanation of the evaluation criteria.
- Adding a Legislation section to provide legislative context.
- Providing additional information on the application and review processes to provide greater clarity.

2. Policy Review

First, it should be noted that the granting of a PTE by a municipality provides an automatic exemption from other property taxation funded organizations (e.g. Schools, TransLink, etc.). The financial information contained in this report considers the impact on City tax revenue only and not the total benefit received by the organizations.

A survey of PTE's of a number of regional municipalities indicates that the City grants a relatively high value of exemptions relative to total taxes collected. The City's 2017 PTE's were \$861,000, which represents 1.5% of the City's total tax levy (2017 is the last year for which a full data set is available). The graph below illustrates that this percentage is among the highest of the municipalities surveyed. It should be noted that the chart only deals with PTE's and does not include other support, such as grants, that may be provided to qualifying organizations.



PTE policies and practices vary between municipalities. One municipality, the District of North Vancouver, places a financial limit on the value of PTE's (0.6% of the total property tax levy) while others use varied methods to control the value of PTE's. Methods used include:

- Must be a not-for-profit ("NPO") organization.
- PTE's must be used to fund NPO purposes, with partial exemptions for organizations where less than 100% of profits go to NPO purposes.
- Must be accessible to all municipal residents, with partial exemptions for organizations providing a regional benefit.
- Must be used primarily by municipal residents.
- Restricting PTE's for senior housing, community care facilities, licensed group homes, private hospitals and assisted family housing, and other activities considered the responsibility of senior levels of government.
- Restricting PTE's for commercial activities.
- Limiting PTE eligibility to properties owned by the organization or leased municipal properties.
- Restricting the land eligible for a PTE (e.g. 5 acre limit).
- Directing PTE applicants to other municipal processes, e.g. community grants.

The proposed PTE Policy, **Attachment 2** has been updated and provides clear eligibility and assessment criteria. The application forms and process will be updated to reflect these criteria.

1. Statutory and Municipal Compliance

All applicants must meet the following eligibility criteria:

- Demonstrate and declare that the principal use of the property qualifies under the appropriate section of the Community Charter;
- Not in arrears with the City; and
- Using the property in a way that is consistent and in compliance with City policies, bylaws and legislation.

2. Community Benefit

Applications will be evaluated on their overall benefit to the community and the public good:

(a) Link between the services provided on the property with City goals and objectives.

- The principal use of property is in alignment with relevant City goals and objectives
- Justify community need for the services offered
- Demonstrate active and regular community oriented use of the property

(b) Provision of services for the general public good and accessibility of services to City residents.

- Services and activities should be available to a significant proportion of City residents, or a broad and attainable membership

3. Ownership and Financial Position

Applications will be evaluated on their financial position and viability:

- Ongoing involvement of community volunteers in the delivery of services
- Seeking funding from multiple sources
- Clear mandate and demonstration of competent management and administration

Similar to the policy approved in 2015, as long as legislative requirements are met, the proposed PTE policy update does not itself set limits to the PTE's that can be granted. This approach allows Council to review all applications eligible by legislation on their merits and benefits to the City.

As mentioned above, some municipalities do have PTE policies that put restrictions on the type of organizations and/or activities that are eligible for PTE's. The table below provides the impact that a number of common restrictions would make on the estimated 2019 PTE value.

Sector	Organization	2019 Estimated Municipal PTE's
Senior Gov't	Cascadia Society for Social Working	10,409
Senior Gov't	Hyad Housing for Young Adults with Disiabilities	2,693
Senior Gov't	Lookout Emergency Aid Society	17,843
Senior Gov't	Marineview Housing Society - Chesterfield House	3,436
Senior Gov't	Marineview Housing Society - Cloverly House	\$ 2,438
Senior Gov't	Marineview Housing Society - The Boulevard	4,311
Senior Gov't	North Shore Connexions Society	2,514
Senior Gov't	North Shore Disability Rescource Centre Assoicaltion	2,699
Senior Gov't	North Shore Multicultural Society	54,439
Senior Gov't	St. Leonard's Society of North Vancouver	2,380
Senior Gov't	The Auxiliary to the Lions Gate Hospital	11,999
Senior Gov't	Vancouver Coastal Health Authority - Magnolia House	2,741
Senior Gov't	Vancouver Coastal Health Authority - Margaret Fulton	22,531
		\$ 140,433
Regional Offices	Canadian Mental Health Association	\$ 5,314
Regional Offices	Girl Guides of Canada	59,720
		\$ 65,034
Service Club	Army, Navy Air Force Veterans in Canada	\$ 20,809
Service Club	Fraternal Order of Eagles	14,273
Service Club	Navy League of Canada	15,906
Service Club	North Vancouver Masonic Temple	9,209
Service Club	North Vancouver Royal Canadian Legion	17,329
		\$ 77,526

The most common restriction contained in the PTE policies surveyed is PTE's not being granted to care homes, assisted living or other organizations providing services deemed to be the responsibility of senior levels of government as this is viewed as downloading of financial responsibility to the municipality. In the past, Council has inquired about recovering some of the value of PTE's from other governments. Staff have polled municipalities in BC and none have responded that this has been attempted. As PTE's are at the discretion of Council, if Council wishes to limit the impact of PTE's on City taxpayers the most effective method would be to reduce the granting of PTE's.

Should Council wish to have a more restrictive PTE policy, the active clause to the resolution could be revised to direct staff to bring forward a more restrictive PTE policy. An example of one such resolution could read:

THAT staff prepare an amended Permissive Tax Exemption Policy restricting permissive tax exemptions for properties where the funding of activities and services are considered to be the responsibility of other levels of government.

If the direction is to move towards a more restrictive PTE policy it is recommended that organizations be given advanced notice and that the restrictions be phased in over a few years. This would give the affected organizations time to adjust their financial plans or seek further funding from senior governments.

Alternatively, Council could instruct staff to prepare a report that would formally request the implementation of a compensation mechanism to municipalities who provide PTE's to certain types of organizations. Such a request could be forwarded to other municipalities and to the UBCM as suggested resolution for consideration by BC municipalities but as PTE's are a decision of municipal Council, staff feel that there is little incentive for the Province to consider such a request.

It is not recommended that the City impose a financial limit, such as a percentage of the tax levy, on PTE's as properties eligible for PTE's are subject to the same assessment variability and share shift as taxable properties within the City. This will leave organizations vulnerable to value shift within the property class as a result of zoning changes. An example of this is the change in the estimated 2019 PTE for the Lawn Bowling Club which increased from \$104,000 in 2018 to \$540,000 in 2019 as a result of site rezoning.

As PTE's are at Council's discretion, another option available to limit/reduce the value of the City's PTE's is to not grant any new PTE's. With this approach the city would need to consider whether an organization that applied for and has been granted a PTE in the past should receive priority over newer applicants, instead of assessing PTEs on merit. Further, this is a longer-term strategy to reduce PTE's as the PTE's would only be reduced as organizations either relocated or ceased to operate. Since the adoption of the four year PTE bylaw in 2015, the following PTE's have been added:

Year	Organization	*2019 PTE
2016	Canadian Mental Health Association	\$5,314
2016	Auxiliary to the Lions Gate Hospital	\$11,999
2016	Marineview Housing Society – 1415 Chesterfield	\$3,436
2016	Marineview Housing Society – 1057 Cloverley Street	\$2,438
2017	North Shore Multicultural Society	\$54,439
2017	City of North Vancouver – Pipe Shop	\$32,763
2017	BC Photography & Media Arts Society	\$61,136
2018	Young Women's Christian Association (YWCA)	\$2,070
2018	NS Neighbourhood House (Centreview Childcare Ctr.)	\$2,834
2019	Marineview Housing Society – 1053 Grand Blvd	\$4,311
2019	Girl Guides of Canada	\$59,720
	Value of New PTE's	\$240,460

*All municipal taxes

The value of these newly added PTE's represent approximately 18% of the value of the City's 2019 PTE's.

The following PTE's were eliminated from the PTE listing over the same period.

Year	Organization	Reason
2017	NS Neighbourhood House – daycares operated at Ridgeway, Sutherland, Westview and Queen Mary Schools	Granted statutory exemption.
2017	Holy Trinity School – lands surrounding	Granted statutory exemption.
2017	St. Edmunds School – lands surrounding	Granted statutory exemption.
2018	St. Thomas Aquinas School – lands surrounding	Granted statutory exemption.
2018	Kiwanis – 1215 St. Georges Ave	Property was sold.
2018	NS Philippine Arts & Culture Exp. Society	Vacated site.
2018	NS Crisis Services Society	Property designated Class 3.

It should be noted that while the above-listed properties are no longer seeking PTE's, the reclassification of a property to be statutorily exempt or classified under Class 3 does not translate into additional revenue to the City.

As the current PTE bylaw expires at the end of 2019, all PTE recipients are being asked to complete a full PTE application form for the period of 2020 to 2023. The applications were due July 8th, 2019. Staff will review the applications and report back to Council in the Fall. The PTE bylaw is required to be adopted by Council by October 31st.

FINANCIAL IMPLICATIONS:

The granting of permissive tax exemptions does not reduce or change the tax levy requirements of the City but does shift the tax burden from exempt properties to non-exempt properties. The total value of 2019 permissive tax exemptions is \$1.3 million as listed in **Attachment 3**.

INTER-DEPARTMENTAL IMPLICATIONS:

The update and review of the PTE Policy was done cooperatively with the Planning and Development Department and was presented to the Social Planning Advisory Committee for comment.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

The intention of the PTE Policy and the granting of PTE's is to support the goals and objectives contained in the City's Social Plan and OCP such as:

OCP Policy 1.5.7 Continue to provide a range of affordable housing options along the housing spectrum, including shelters and safe houses; low-barrier housing; transitional/temporary housing; supportive housing; and independent living options with priority given to locating such housing in transit-accessible areas.

OCP Policy 3.1.7 Assist organizations and individuals that provide community supports through the responsible allocation of City resources.

STRATEGIC PLAN IMPLICATIONS:

RESPECTFULLY SUBMITTED:



Leslie Garber
Deputy Director of Finance



Policy Name: Permissive Tax Exemptions

Policy Number: P27

POLICY

General Policy

The Council recognizes permissive tax exemptions (“PTE’s”) as a tool that may be used to further the goals and objectives of the City by supporting organizations in the community which provide services for the general public good.

The goals and objectives that will be supported through the provision of PTE’s are those contained in the City’s Social Plan and Official Community Plan (“OCP”), and include:

1. Community Life – Maintaining and enhancing well-being and quality of life for all community members.
2. Families and Children - promoting a supportive, safe, and stimulating community that contributes to the well-being of its families, and allows children to grow and develop in an environment free of violence, abuse, discrimination, and inequity.
3. Youth - promoting an environment free from violence and abuse, discrimination, and inequality which supports the growth and development of youth to be successful, independent, and valued citizens.
4. Seniors – supporting the independence and well-being of older City residents.
5. People with Disabilities – maximizing opportunities for people with disabilities to be full and active members of the community.
6. Cultural Diversity - supporting the pursuit of individual wellbeing and shared community needs, values and aspirations by residents from all ethno-cultural backgrounds, through equal access to City services and resources and by fostering inclusion -- the equal opportunity to participate in and contribute to community life.

Policy Name: Permissive Tax Exemption (PTE) Policy

Policy Number: P27

7. Arts, Culture and Heritage - supporting and enhancing the arts, cultural and heritage sector as a vital component of City life.
8. Leisure Services - supporting and enhancing leisure services, including recreation, and community events and festivals as vital aspects of community life.
9. Housing - ensuring availability of a range of housing types and tenure throughout the City which address a variety of housing needs.
10. Community Social Services - supporting integrated planning and coordination of a continuum of services that involve participation and cooperation of all agencies and interests within the community.
11. Safety and Security - maximizing the safety and security of community members by preventing and reducing the opportunities for, as well as the social and economic factors contributing to, criminal activity.

It is the City's intention to ensure that these goals and objectives are supported by the services which are provided by those organizations in receipt of PTE's. It is not the City's intention to remove or unduly restrict organizations access to PTE's, only to ensure that the services provided by the applicants are for the general public good (as defined by the goals and objectives from the Social Plan and OCP) and that the overall financial effect on the organization and the City are considered.

To this end, the policy establishes a list of basic criteria against which the provision of PTE's will be evaluated, and also provides that the total dollar value of exemptions may be limited to a fixed percentage of the total tax levy if Council so directs.

The policy also sets the term of the exemption to four years to provide more certainty to PTE holders and ease administrative burden of the application process. Current legislation allows for up to 10 years; however four years was chosen to coincide with Council mandate. Permissive tax exemptions must be passed by bylaw prior to October 31 for the following taxation year.

Policy Name: Permissive Tax Exemption (PTE) Policy

Policy Number: P27

Basic Criteria

All applications for PTE's will be considered against the following requirements:

1. Must qualify under the appropriate section of the Community Charter legislation.
2. Must demonstrate how the services link to the City goals and objectives.
3. Services provided must be for the general public good and be accessible to City residents.
4. Demonstration of how City funding contributes to the provision of services in the local community.
5. Demonstration of financial responsibility and accountability.

REASON FOR POLICY

PTE's are allowed under section 224 (general authority), 225 (special exemptions such as partnering and heritage) and 226 (revitalization exemptions) of the Community Charter. The purpose of this policy is to establish procedures and guidelines for consistent and equal consideration for all applicants requesting exemption.

AUTHORITY TO ACT

Administration of this policy is delegated to the Finance Department.

PROCEDURE

The following procedure is used to implement this policy and may be amended at the discretion of the Finance Department.

Application Process

All organizations applying for PTE's must:

1. use the prescribed City application form;
2. declare under what sub-section of the legislation they qualify;
3. provide a full description of the organization and its programs;
4. describe how the services provided link with the goals and objectives of the City;
5. provide all required and supporting documentation;
6. provide financial statements;

Policy Name: Permissive Tax Exemption (PTE) Policy

Policy Number: P27

- 7. complete all sections of the application; and,
- 8. complete and submit the application within deadlines as published by the City of North Vancouver.

PTE Review and Approval Process

Upon receipt of a PTE application:

- 1. City staff will receive and review all applications.
- 2. City staff will compile a list of qualified applicants.
- 3. City staff will present a report to Council.
- 4. Council will approve a tax exemption bylaw once every four years in the first year of their four year mandate. The bylaw will be in effect for four years and is supported by a thorough review of all applications over the four year term.
- 5. New applications received in year two, three or four of a Council mandate will be reviewed and considered as received.

Approval date:	July 6, 2009	Approved by:	Council
Effective date:	July 6, 2009	Revision date:	September 14, 2015

City of North Vancouver

CORPORATE POLICY



Policy Name: Permissive Tax Exemptions

Policy Number: P27

POLICY

General Policy

The City recognizes permissive tax exemptions (“PTEs”) as a tool to support the City’s goals and guiding principles by supporting organizations in the community which provide services for the general public good. It is the City’s intention that organizations accessing PTEs are offering services for the general public good (as defined by the goals from the Social Plan and OCP Guiding Principles) and that the overall financial effect on the organization and the City are considered.

The policy establishes eligibility and criteria against for evaluating PTEs, and, if Council directs, provides that the total dollar value of exemptions may be limited to a fixed percentage of the total tax levies.

Relevant goals and guiding principles in the City’s Social Plan and Official Community Plan (“OCP”) will be supported through the provision of PTEs. In addition, all applications must be consistent with the City’s policies, plans, bylaws and regulations.

Eligibility and Assessment Criteria

PTE applicants will be asked to complete and application form. Applications will be assessed for eligibility and the City’s criteria: statutory and municipal compliance, community benefit, and the applicant’s financial organizational viability and financial position.

1. Statutory and Municipal Compliance

All applicants must meet the following eligibility criteria:

- Demonstrate and declare that the principal use of the property qualifies under the Section 224 of the Community Charter;
- Not in arrears with the City; and
- Using the property in a way that is consistent and in compliance with City policies, bylaws and legislation.

Policy Name: Permissive Tax Exemption (PTE) Policy

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2. Community Benefit

Applications will be evaluated on their overall benefit to the community and the public good:

(a) Link between the services provided on the property with City goals and objectives.

- The principal use of property is in alignment with relevant City goals and objectives
- Justify community need for the services offered
- Demonstrate active and regular community oriented use of the property

(b) Provision of services for the general public good and accessibility of services to City residents.

- Services and activities should be available to a significant proportion of City residents, or a broad and attainable membership

3. Ownership and Financial Position

Applications will be evaluated on their financial position and viability:

- Ongoing involvement of community volunteers in the delivery of services
- Seeking funding from multiple sources
- Clear mandate and demonstration of competent management and administration

Recipients of PTEs must publicly acknowledge the exemption.

REASON FOR POLICY

The Official Community Plan (Policy 1.3.7) states that the City will “Assist organizations and individuals that provide community supports through the

Policy Name: Permissive Tax Exemption (PTE) Policy

Policy Number: P27

responsible allocation of City resources.” This policy establishes criteria and procedures for consistent and accountable consideration of PTE applications.

Legislation

Tax exemptions are either statutory or permissive and are both governed by the Community Charter, i.e. a property must qualify under the Community Charter to receive either of these exemptions.

Statutory tax exemptions are allowed under Section 220 of the Community Charter for properties such as provincially or municipally held buildings and land; public libraries; buildings set apart for public worship; public hospitals; and schools. Council does not have any authority over these statutory exemptions. Statutory exemptions are administered by the BC Assessment Authority and the exemption is applied automatically to the tax role without any intervention by Council. Generally, statutory exemptions are for building(s) and the land on which the building(s) stand(s), with some exceptions. For the surrounding lands and improvements to be exempt from taxation, a permissive exemption is required.

To receive consideration for a PTE, properties must qualify for an exemption under Sections 224 (general authority), 225 (special exemptions such as partnering and heritage) and 226 (revitalization exemptions) of the Community Charter. Should a property be eligible for an exemption under the Charter, the application for the PTE will be assessed according to this PTE Policy. The application form and associated submissions also form an integral part of this PTE Policy. PTEs are at the discretion of Council and are authorized by bylaw, for the period and subject to the conditions provided in the bylaw. PTEs apply to property taxes and other assessment based levies only and not user fees like water, sewer or solid waste. In addition to the exemption from City taxes and levies, related legislation also exempts the properties from some regional, school and transit taxes.

AUTHORITY TO ACT

Administration of this policy is delegated to the Finance Department.

Policy Name: Permissive Tax Exemption (PTE) Policy

Policy Number: P27

PROCEDURE

The policy sets a four-year term for the exemption, with an intention to provide some multi-year certainty to PTE beneficiaries and ease administrative burden of the application process. Current legislation allows for up to 10 years; however four years was chosen to coincide with Council mandate. Permissive tax exemptions must be passed by bylaw prior to October 31 for the following taxation year.

The following procedure is used to implement this policy and may be amended at the discretion of the Finance Department.

Application Process

Bylaws are in effect for four year terms. At the beginning of a new bylaw term, all organizations applying for PTE's must:

1. Use the prescribed City application form;
2. Declare under what sub-section(s) of the legislation they qualify;
3. Provide a full description of the organization and the programs, services and benefits delivered from the exempted property, including use by City residents;
4. Describe how the services provided link with the goals and objectives of the City as stated in this Policy;
5. Describe any third party use including user group names, fees charged and conditions of use (e.g. rental of space to third party);
6. State the percentage of funding by the provincial and federal governments or agencies;
7. Provide all required and supporting documentation;
8. Provide financial statements;
9. Complete all sections of the application; and,
10. Complete and submit the application within deadlines as published by the City of North Vancouver.

In year two, three and four of the bylaw, new applicants must follow the process above. Existing recipients must provide a copy of their most recent financial statements and complete a statutory declaration annually stating that the property is still being used for the purposes outlined in the full application.

PTE Review and Approval Process

Subsequent to advertising the deadline for PTE application submissions:

Policy Name: Permissive Tax Exemption (PTE) Policy

Policy Number: P27

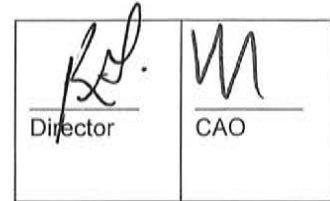
1. City staff will notify existing PTE recipients of the application process and deadline.
2. City staff will receive and review all applications / declarations.
3. City staff will compile a list of qualified applicants.
4. City staff will provide notice of permissive tax exemptions as required by Section 227 of the Community Charter.
5. City staff will present a report and proposed tax exemption bylaw (“bylaw”) to Council.
6. Council will approve the bylaw once every four years in the first year of their four year mandate. The bylaw will be in effect for four years and is supported by a thorough review of all applications over the four year term.
7. If there are no new applications in any of year two, three or four of a Council mandate, no Council action is required.
8. New applications received in year two, three or four of a Council mandate will be reviewed and considered as received, and a bylaw amendment presented to Council Public notice of the bylaw amendment will be provided as stated in point 3 above.
9. After the bylaw receives final adoption in Council, City staff will notify successful applicants by letter of the tax exemption received.

The City will present the approved list of PTE’s in its Annual Municipal Report each year.

Approval date:		Approved by:	
Effective date:		Revision date:	

2019 Permissive Tax Exemptions

ORGANIZATION	PROPERTY ADDRESS	MUNICIPAL TAXES EXEMPT PORTION
Anavets Senior Citizens' Housing	245 3rd St. East	\$44,123
Army, Navy Air Force Veterans in Canada	119 East 3rd Street	\$20,809
The Auxiliary to the Lions Gate Hospital	128 15th Street West	\$11,999
BC Photography and Media Arts Society	105 Carrie Cates Court	\$61,136
Canadian Mental Health Association	300-1835 Lonsdale Ave	\$5,314
The Cascadia Society for Social Working	325 West 19th Street	\$3,741
The Cascadia Society for Social Working	351 West 19th Street	\$3,257
The Cascadia Society for Social Working	348 West 19th Street	\$3,411
Community Living Society	317 & 319 East Keith Road	\$3,865
Community Living Society	1003-555 West 28th Street	\$1,215
City of North Vancouver (Pipe Shop)	115 Victory Ship Way	\$32,763
Family Services North Shore	1109-1117 Lonsdale Avenue	\$17,771
Girl Guides of Canada	252 Esplanade W	\$59,720
Fraternal Order of Eagles, North West Aerie 2638	170 West 3rd Street	\$14,274
Hollyburn Family Services Society	210 West 13th Street	\$6,095
HYAD Housing for Young Adults with Disabilities	2130 Chesterfield Avenue	\$2,693
Kiwanis North Shore Housing Society	170 West 2nd Street	\$46,691
Kiwanis North Shore Housing Society	1480 St. Andrews	\$3,243
Lighthouse Harbour Ministries	1 - 260 East Esplanade	\$4,892
The Lonsdale Creek Daycare Society	230 West 21st Street	\$6,475
Lookout Emergency Aid Society, NS Shelter	705 West 2nd Street	\$17,843
Marineview Housing Society	1415 Chesterfield Ave	\$3,436
Marineview Housing Society	1053 Grand Boulevard	\$4,311
Marineview Housing Society	1057 Cloverley Street	\$2,438
Navy League of Canada	1555 Forbes Avenue	\$15,906
North Shore Connexions Society	1924 Jones Avenue	\$2,514
The North Shore Disability Resource Centre Association	2412 Wilding Way	\$2,699
North Shore Multicultural Society	123 East 15th Street, Units 202,203,204,204A,205,207,302,303,30	\$54,439
North Shore Neighbourhood House	225 East 2nd Street	\$31,147
North Shore Neighbourhood House (Centre View Childcare)	143 East 14th Street	\$2,834
North Shore Neighbourhood House (Community Garden)	207 East 2nd Street	\$3,651
North Vancouver Chamber of Commerce	102-124 West 1st Street	\$6,878
North Vancouver Lawn Bowling Club	2160 Lonsdale Avenue	\$539,655
North Vancouver Masonic Temple	1140 - 1144 Lonsdale Avenue	\$9,209
Presentation House Cultural Society	333 Chesterfield Avenue	\$76,176
North Vancouver Royal Canadian Legion	121/123 West 15th Street	\$17,329
Silver Harbour Centre	144 East 22nd Street	\$85,922
St. Edmund's Parish	613 Mahon Avenue	\$5,592
St Leonard's Society of North Vancouver	312 Bewicke Avenue	\$2,380
Vancouver Coastal Health Authority- Magnolia House	720 East 17th Street	\$2,741
Vancouver Coastal Health Authority- Margaret Fulton Adult Day Ca	1601 Forbes Avenue	\$22,531
Young Women's Christian Association	125 East 14th Street	\$2,070
Assembly of Christians (Gospel Hall)	133 East 4th Street	\$3,832
North Shore Bethel Christian Mennonite Brethren Church	185 East Keith Road	\$2,794
Holy Trinity Catholic Church	2705 Lonsdale Avenue	\$3,483
North Shore Alliance Church	201 East 23rd Street	\$19,133
King's Temple Missionary Society (N S Christian Centre)	1400 Sutherland Avenue	\$1,890
Parish of St. Agnes Anglican Church	530 East 12th Street	\$716
Parish of St. John The Evangelist Anglican Church	209 West 13th Street	\$16,065
Salvation Army North Vancouver Community Church	105 West 12th Street	\$11,685
St. Andrew's & St. Stephen's Presbyterian Church	2641 Chesterfield Avenue	\$4,600
St. Andrew's United Church	1044 St. Georges Avenue	\$2,889
Sutherland Church	630 East 19th Street	\$4,168
Total		\$1,336,443



The Corporation of **THE CITY OF NORTH VANCOUVER**
CITY CLERK'S DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Karla Graham, City Clerk

Subject: REQUEST TO ABANDON "ZONING BYLAW, 1995, NO. 6700, AMENDMENT BYLAW, 2019, NO. 8714" (THE HERB CO. / SCOTT HAMILTON, 1717 LONSDALE AVENUE, CD-721)

Date: July 16, 2019 File No: 08-3360-20-0494/1

The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.

RECOMMENDATION

PURSUANT to the report of the City Clerk, dated July 16, 2019, entitled Request to Abandon "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714" (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721):

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714" (The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721) be abandoned.

ATTACHMENTS

1. Excerpt of Council resolution of July 15, 2019

DISCUSSION

On July 15, 2019, a Public Hearing was held regarding a rezoning application for property located at 1717 Lonsdale Avenue, to rezone the property from a General Commercial (C-2) Zone to a Comprehensive Development 721 (CD-721) Zone to add the use of Cannabis Sales as a permitted use to allow a Cannabis Retail Store on the property and to reduce the number of required off-street parking stalls from 9 to 6.

At the Regular meeting immediately following the Public Hearing, Council unanimously voted to defeat third reading of the subject bylaw.

Rezoning applications to allow Cannabis Retail Stores are such that if and when an application is not successful in receiving third reading and adoption, staff are required to cease further action on the application and proceed to the next identified applicant.

Since the subject application will not proceed, it is appropriate to abandon the bylaw.

FINANCIAL IMPLICATIONS

Nil.

INTER-DEPARTMENTAL IMPLICATIONS

Nil.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

Nil.

RESPECTFULLY SUBMITTED:



Karla D. Graham, MMC
City Clerk

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, BC, ON MONDAY, JULY 15, 2019

BYLAW – THIRD READING

17. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714”
(The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721)

Moved by Councillor McIlroy, seconded by Councillor Back

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2019, No. 8714”
(The Herb Co. / Scott Hamilton, 1717 Lonsdale Avenue, CD-721) be given third reading.

DEFEATED UNANIMOUSLY