

AGENDA

PUBLIC HEARING

Tuesday, February 9, 2016

7:00 p.m.

Council Chamber, Municipal Hall

355 West Queens Road,

North Vancouver, BC

Council Members:

Mayor Richard Walton

Councillor Roger Bassam

Councillor Mathew Bond

Councillor Jim Hanson

Councillor Robin Hicks

Councillor Doug MacKay-Dunn

Councillor Lisa Muri



NORTH VANCOUVER
DISTRICT

www.dnv.org

THIS PAGE LEFT BLANK INTENTIONALLY

PUBLIC HEARING

**7:00 p.m.
Tuesday, February 9, 2016
Municipal Hall, Council Chambers
355 West Queens Road, North Vancouver**

**1103, 1109, 1123 Ridgewood Drive &
3293 Edgemont Boulevard**

1. OPENING BY THE MAYOR

2. INTRODUCTION OF BYLAWS BY CLERK

**District of North Vancouver Official Community Plan Bylaw 7900, 2011,
Amendment Bylaw 8159, 2015 (Amendment 16)**

District of North Vancouver Rezoning Bylaw 3210 (Bylaw 8160)

Purpose of Bylaws:

Bylaw 8159 proposes to amend the OCP land use designation for the affected parcels from Residential Level 2: Detached Residential (RES2) to Residential Level 4: Transition Multifamily (RES4). Bylaw 8160 proposes to amend the District's Zoning Bylaw by rezoning the subject parcels from Single Family Residential Edgemont Zone (RSE) to Comprehensive Development Zone 92 (CD92) to allow the development of a twenty-four unit townhouse project.

3. PRESENTATION BY STAFF

Presentation: Natasha Letchford, Planner

4. PRESENTATION BY APPLICANT

Presentation: Boffo Properties

5. REPRESENTATIONS FROM THE PUBLIC

6. QUESTIONS FROM COUNCIL

7. COUNCIL RESOLUTION

Recommendation:

THAT the February 9, 2016 Public Hearing be closed;

AND THAT "District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8159, 2015 (Amendment 16)" be returned to Council for further consideration;

AND THAT "District of North Vancouver Rezoning Bylaw 3210 (Bylaw 8160)" be returned to Council for further consideration.

8. CLOSING

The Corporation of the District of North Vancouver

Bylaw 8159

A bylaw to amend District of North Vancouver Official Community Plan Bylaw 7900, 2011

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as “District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8159, 2015 (Amendment 16)”.

2. Amendments

2.1 District of North Vancouver Official Community Plan Bylaw 7900, 2011, is amended as follows:

- a) Map 2 Land Use: as illustrated on Schedule A, by changing the land use designation of the properties on Map 2 from Residential Level 2: Detached Residential to Residential Level 4: Transition Multifamily;
- b) Map 3.1 Form and character Development Permit Area: as illustrated on Schedule A, by adding the properties to Map 3.1, designating them as a Form and Character of Commercial, Industrial and Multifamily Development Permit Area; and,
- c) Map 4.1 Energy and Water Conservation and GHG Emission Reduction Development Permit Area: as illustrated on Schedule A, by adding the properties to Map 4.1, designating them as an Energy and Water Conservation and Greenhouse Gas Reduction Development Permit Area.

READ a first time January 18th, 2016 by a majority of all Council members.

PUBLIC HEARING held

READ a second time by a majority of all Council members.

READ a third time by a majority of all Council members.

ADOPTED

by a majority of all Council members.

Mayor

Municipal Clerk

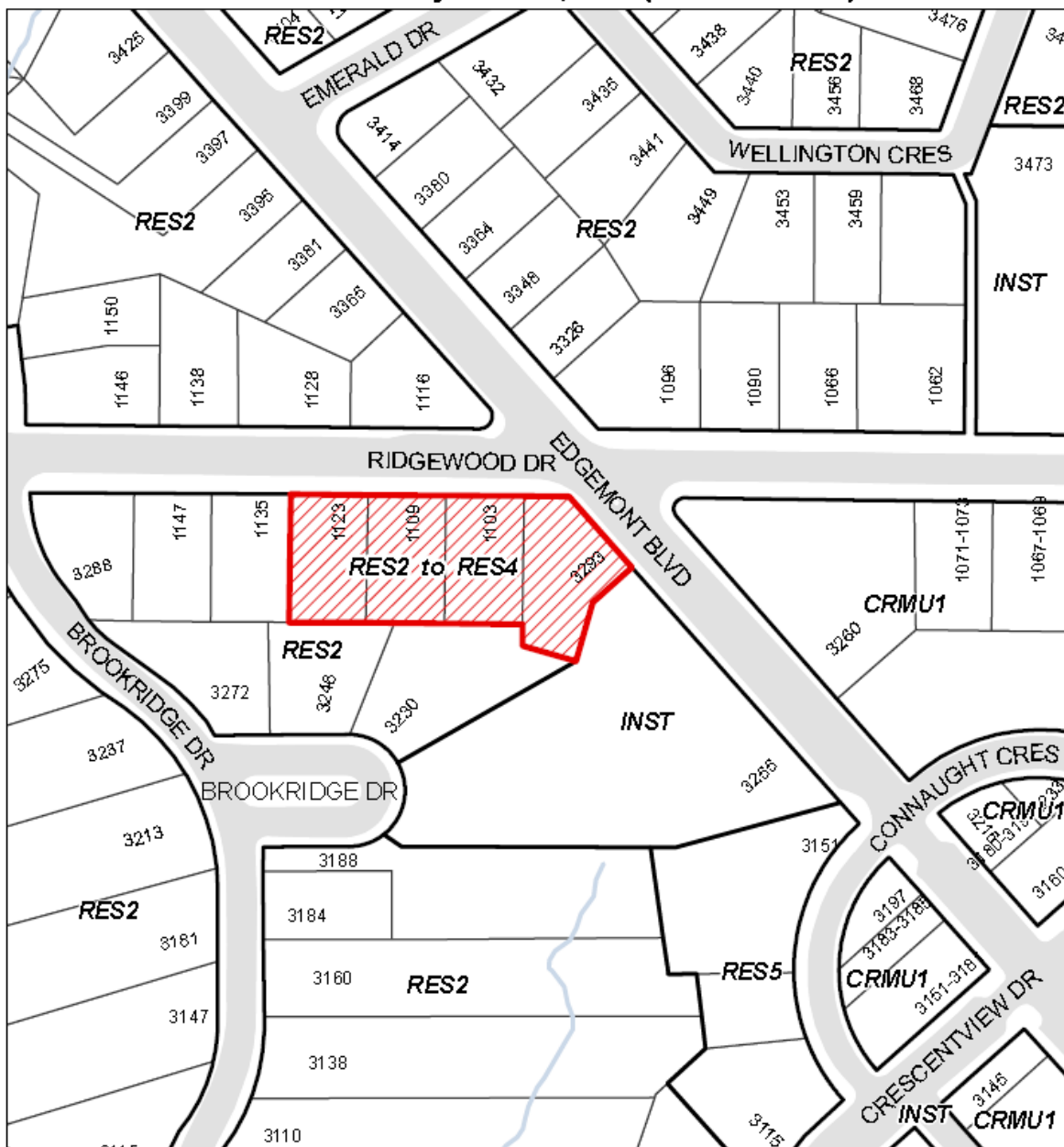
Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8159

Bylaw 8159

The District of North Vancouver Official Community Plan Bylaw 7900, 2011,
Amendment Bylaw 8159, 2015 (Amendment 16)



- Map 2** Land Use: as illustrated on Schedule A, by changing the land use designation, on Map 2, of the properties from Residential Level 2: Detached Residential to Residential Level 4 Transition Multifamily
- Map 3.1** Form and Character Development Permit Area: as illustrated on Schedule A, by adding the properties to map 3.1, designating them as a Form and Character of Commercial, Industrial and Multifamily Development Development Permit Area; and,
- Map 4.1** Energy and Water Conservation and GHG Emission Reduction Development Permit Area: as illustrated on Schedule A, by adding the properties to Map 4.1, designating them as an Energy and Water Conservation and Greenhouse Gas Reduction Development Permit Area.



THIS PAGE LEFT BLANK INTENTIONALLY

The Corporation of the District of North Vancouver

Bylaw 8160

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as “District of North Vancouver Rezoning Bylaw 3210 (Bylaw 8160)”.

2. Amendments

2.1 District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

- i. Part 3, General Operative Clauses, Section 301 (2) by inserting the following zoning designation:

“Comprehensive Development Zone 92 CD 92”

- ii. Part 4B Comprehensive Development Zone Regulations by inserting the following:

“4B92 Comprehensive Development Zone 92 CD 92

The CD 92 zone is applied to:

1103, 1109, 1123 Ridgewood Drive and 3293 Edgemont Boulevard
Legally described as:

- a) Lot 4 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-522;
- b) Lot 5 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-531;
- c) Lot 6 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-549;
- d) Lot 7 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-557.

4B 92 – 1 Intent:

The purpose of the CD 92 Zone is to establish specific land use and development regulations for a 24 unit townhouse project.

4B 92 – 2 Permitted Uses:

The following *principal* uses are permitted in the CD 92 Zone:

a) Uses Permitted Without Conditions:

- i. Residential building, multifamily townhouse.

b) Conditional Uses:

- i. Not applicable.

4B 92 – 3 Conditions of Use:

- a) Not applicable.

4B 92 – 4 Accessory Use:

- a) *Home occupations* are permitted in *residential* dwelling units.

4B 92 – 5 Density:

- a) The maximum permitted density in the CD92 Zone is limited to a floor space ratio (FSR) of 0.45 and four residential units, inclusive of any density bonus for energy performance.

4B 92 – 6 Amenities:

- a) Despite Subsection 4B92 – 5, permitted density in the CD 92 Zone may be increased to a maximum of 3,761 m² (40,486 sq. ft.) and 24 residential units, inclusive of any density bonus for energy performance, if the owner completes the following:
- i. Contributes \$157,460 to the municipality to be used for any or all of the following amenities (with allocation and timing of expenditure to be determined by the municipality in its sole discretion):
 - a. Improvements to public parks, plazas, trails and greenways;
 - b. Municipal facilities and facility improvements;
 - c. Public art and other beautification projects; and,
 - d. Affordable or special needs housing.;
 - ii. Enters into a Housing Agreement prohibiting any restrictions preventing the owners in the project from renting their units; and,

- iii. Provides at least five units which meet the basic accessible design criteria; two of which must also meet the enhanced accessible design criteria as outlined in the District of North Vancouver Council Policy: 'Accessible Design Policy for Multi-Family Housing.'

4B 92 – 7 Height:

- a) The maximum permitted height for any building in the CD 92 Zone, is 11.6 m (38.0 ft.).

4B 92 – 8 Setbacks:

- a) Buildings must be set back from property lines to the closest building face, excluding any partially exposed underground parking structure and projecting window boxes which are not to exceed 0.15 m (0.5 ft), in accordance with the following regulations:

Setback	Minimum Required Setback
North (From Ridgewood Dr.)	2.08 m (6.8 ft.)
Northeast (From Edgemont Blvd)	5.02 m (16.5 ft)
Southeast	2.43 m (8.0 ft.)
South	3.04 m (10.0 ft.)
West	3.53 m (11. ft.)

4B 92 – 9 Coverage:

- a) Maximum building coverage is 50%; not including underground parking or patios;
- b) Maximum site coverage is 60%.

4B 92 – 10 Acoustic Requirements:

- a) In the case of residential purposes, a building permit application shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels expressed in decibels set opposite such portions of the dwelling units:

Portion of Dwelling Unit	Noise Level (Decibels)
Bedrooms	35
Living and Dining rooms	40
Kitchen, Bathrooms and Hallways	45

4B 92 – 11 Landscaping and Storm Water Management:

- a) All land areas not occupied by buildings must be landscaped in accordance with a landscape plan approved by the District of North Vancouver; and,
- b) All electrical kiosks and garbage and recycling container facilities not located underground or within a building must be screened.

4B 92 – 12 Parking, Loading and Servicing Regulations:

- a) A minimum of 44 parking spaces are required for the use of residents;
- b) A minimum of 6 parking spaces are required for designated visitor parking;
- c) All parking spaces must meet the minimum width and length standards established in Part 10 of the Zoning Bylaw, exclusive of building support columns; and,
- d) Resident bicycle storage must be provided on the basis of one space per unit;
- e) Visitor bicycle storage must be provided on the basis of a minimum of 5 class 2 bicycle parking spaces.”

2.2 The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from the Single Family Residential Edgemont Zone (RSE) to Comprehensive Development Zone 92 (CD 92).

READ a first time January 18th, 2016

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

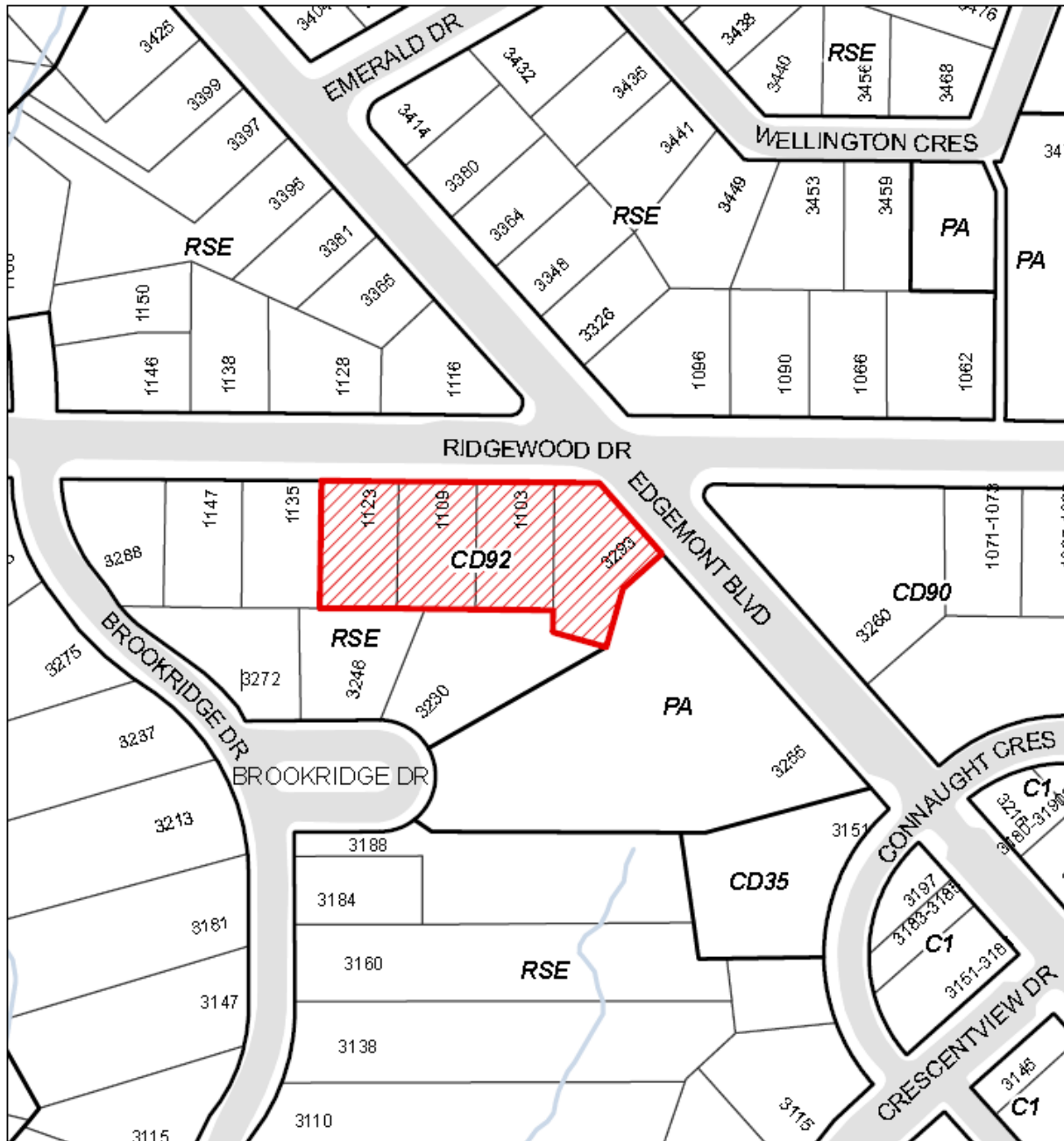
Certified a true copy

Municipal Clerk

Bylaw 8160 Schedule A: Zoning Map

Bylaw 8160

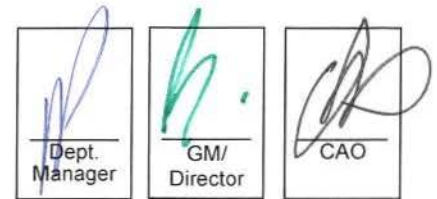
The District of North Vancouver Rezoning Bylaw 3210 (Bylaw 8160)



**REZONE THE LANDS
FROM SINGLE FAMILY RESIDENTIAL EDMONT ZONE (RSE)
TO COMPREHENSIVE DEVELOPMENT ZONE 92 (CD92)**



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>JAN 18 2016</u>
<input type="checkbox"/> Committee of the Whole	Date: _____



The District of North Vancouver REPORT TO COUNCIL

January 6, 2015
File: 08.3060.20/030.15

AUTHOR: Natasha Letchford

SUBJECT: Bylaws 8159, 8160 and 8162: OCP Amendment, rezoning, and housing agreement for a 24 unit apartment project - 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.

RECOMMENDATION:

THAT the "District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8159, 2015 (Amendment 16)" to amend the Official Community Plan (OCP) from Residential Level 2 (RES2) to Residential Level 4 (RES4) be given FIRST reading;

AND THAT the "District of North Vancouver Rezoning Bylaw 3210 (Bylaw 8160)" to rezone the subject site from Single Family Residential Edgemont (RSE) to Comprehensive Development Zone 92 (CD92) be given FIRST reading;

AND THAT the "District of North Vancouver Housing Agreement Bylaw 8162" to authorize a Housing Agreement to prevent future rental restrictions on the subject property, be given FIRST READING;

AND THAT pursuant to Section 879 of the Local Government Act, additional consultation is not required beyond that already undertaken with respect to Bylaw 8159;

AND THAT in accordance with Section 882 of the Local Government Act, Council has considered Bylaw 8159 in conjunction with its Financial Plan and applicable Waste Management Plans.

AND THAT Bylaw 8159 and Bylaw 8160 be referred to a Public Hearing.



REASON FOR REPORT

The proposed project requires Council's consideration of:

- Bylaw 8159 to amend the Official Community Plan (OCP) for the subject properties;
- Bylaw 8160 to rezone the subject properties;
- Bylaw 8162 to ensure all future owners are eligible to rent their units.

SUMMARY

The applicant proposes to redevelop four residential lots located at 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd. to create a 24 unit townhouse project. Implementation of the project requires an OCP amendment (Bylaw 8159), a rezoning (Bylaw 8160), and a Housing Agreement Bylaw (8162). The OCP amendment and rezoning is consistent with the recently approved Edgemont Village Centre: Plan and Design Guidelines. A development permit will be forwarded to Council if the OCP amendment and rezoning are approved.

BACKGROUND:

Official Community Plan

The subject properties are designated Residential Level 2: Detached Residential (RES2) in the Official Community Plan which allows for an FSR of up to 0.55.

The Edgemont Village Centre: Plan and Design Guidelines identifies these four lots as a future townhouse site, with an FSR of up to 1.20. The Edgemont Village: Plan and Design Guidelines envisions OCP amendments for the townhouse, multiplex, and duplex sites in the residential periphery of the village. The OCP amendment would change the designation of the lots



to Residential Level 4: Transition Multifamily (RES4), with an FSR of up to 1.20, consistent with the Edgemont Village Centre: Plan and Design Guidelines.

SUBJECT: Bylaws 8159, 8160 and 8162: OCP Amendment, rezoning, and housing agreement for a 24 unit apartment project - 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.

January 6, 2016

Page 3

The RES4 designation allows for a mix of townhouse and apartment development within or in close proximity to centres and corridors. Additionally, the OCP amendment will add the site to the following Development Permit Areas:

- Form and Character of Commercial, Industrial, and Multifamily Development
- Energy and Water Conservation and Greenhouse Gas Emission Reductions

The proposed units are a mix of two and three bedroom floor plans, which will be attractive to both families and downsizers, responding to Goal #2 of the OCP to “encourage and enable a diverse mix of housing types....to accommodate the lifestyles and needs of people at all stages of life.”

The proposed height of three storeys and the proposed FSR is consistent with the Edgemont Village Centre: Plan and Design Guidelines.

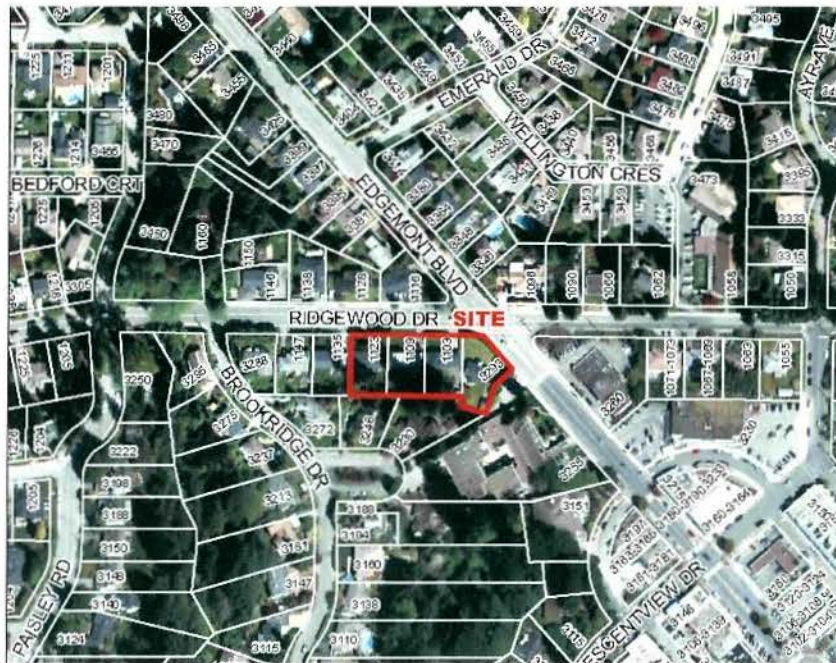
Zoning

The subject properties are currently zoned Single Family Edgemont (RSE). A new Comprehensive Development Zone 92 (CD92) is required to accommodate the project.

Development Permit

If the OCP amendment is approved, the subject lots will be included in the following Development Permit Areas:

- Form and Character of Commercial, Industrial, and Multifamily Development
- Energy and Water Conservation and Greenhouse Gas Emission Reductions



A detailed development permit report, outlining the project's compliance with the applicable development permit guidelines will be provided for Council's consideration at the Development Permit stage should the OCP amendment and rezoning be approved.

SUBJECT: Bylaws 8159, 8160 and 8162: OCP Amendment, rezoning, and housing agreement for a 24 unit apartment project - 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.

January 6, 2016

Page 4

ANALYSIS:

Site and Surrounding Areas:

The development site is located on the southwest corner of Edgemont Blvd. and Ridgewood Dr. There are existing single family lots to the north and west of the site. The recently approved Grosvenor project (apartments over retail) is located east of the site, across Edgemont Blvd., Highland's United Church is located to the south of the site. The three residential properties to the west, along Ridgewood Dr., are identified for multiplex developments (triplex and four-plex), while the two properties to the south are identified as future duplex developments in the Edgemont Village: Plan and Design Guidelines.

Project Description:

Site Plan/Building Description

The project consists of 24 townhouse units in five three storey buildings. The proposal includes a 57.7 m² (621 sq. ft.) road dedication along Ridgewood Dr. which will enable the construction of a dedicated southbound right turn lane and dedicated bike lanes in both directions.



The townhomes are arranged in five buildings, framing a central courtyard, over one level of underground parking. Most units have basements at the parkade level, directly accessible from the parkade.

SUBJECT: Bylaws 8159, 8160 and 8162: OCP Amendment, rezoning, and housing agreement for a 24 unit apartment project - 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.

January 6, 2016

Page 5

The units are a mix of two and three bedroom layouts and range in size from 140 m² (1504 sq. ft.) to 198 m² (2,131 sq. ft.).

Parking

Parking is provided on one level of underground with access from Ridgewood Drive at the west end of the site. A total of 50 parking stalls are proposed which provides 2.1 parking stalls per unit, inclusive of six visitor stalls. This parking rate is higher than the District's 'Parking Principles for OCP Town and Village Centres'. This rate responds to the communities desire for increased parking of at least two stalls per unit due to the lack of on-street parking along Ridgewood Dr.

The proposal includes 24 Class 1 secure bicycle parking spaces (one per unit) in the underground parking and five Class 2 (short term) bicycle spaces at grade. Electrical outlets will be provided for all of the Class 1 bicycle spaces. Additional bike storage is available in individual unit garages and basement.



View looking east along Ridgewood Dr.

Landscaping

The proposed landscape plan features a variety of tree plantings to delineate the various areas of the project. Street trees are proposed along Ridgewood Dr. and Edgemont Blvd. and additional onsite trees and landscaping are provided. The project features a public plaza area at the corner of Edgemont Blvd. and Ridgewood Dr. The plaza responds to the plaza across Edgemont Blvd. on the Grosvenor site to create a 'green gateway' to the Village Centre.

The applicant is working with the neighbouring property owners to the south to finalize a landscape plan for the south property line which maximizes privacy.

Reduced copies of architectural and landscaping plans are included as Attachment A for Council's reference.

SUBJECT: Bylaws 8159, 8160 and 8162: OCP Amendment, rezoning, and housing agreement for a 24 unit apartment project - 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.

January 6, 2016

Page 6

Acoustic Regulations

Bylaw 8160 includes the District's residential acoustic regulations for maximum permitted noise levels in the bedrooms, living areas, and other areas of the units. As a condition of a development permit, the applicant will be required to provide a report from a qualified noise consultant, confirming compliance with acoustic regulations.

Accessibility

The proposal includes five units which meet the District's 'Basic Accessible Design' criteria under Council's adopted Accessible Design Policy for Multifamily; two of these units also meet the 'Enhanced Accessible Design' criteria. The project includes an elevator from the underground parkade to the courtyard; and, all five identified units have a ground level accessible entrance. Accessible design features proposed include: wider entry doors to allow for clear openings of 34"; lever-style handle; and, slip resistant flooring in bathroom and kitchen. Two of the units are proposed to meet the 'Enhanced Accessible Design' criteria and will include the following features: a personal elevator option from the underground parking to all levels of the units; larger master bedroom to provide a 60" turning space next to bed; a continuous counter between the sink and the stove; and, visual alarm wiring.



OFF-SITE IMPROVEMENTS:

The application includes a road dedication on Ridgewood Dr. to allow for the construction of a dedicated right turn lane; construction of both west and east bound dedicated bike lanes; upgrades to the sidewalks, street trees, curb, gutter, and lighting along the north and south sides of Ridgewood Dr. and the west side of Edgemont Blvd.

View looking east at corner of Edgemont Blvd. and Ridgewood Dr.

GREEN BUILDING MEASURES

Compliance with the Green Building Strategy is mandatory given the need for rezoning. The project is targeting an energy performance rating of Energuide 80 and will achieve a building performance equivalent to Built Green™ Gold. Details of green building features will be provided for Council review should the application proceed to the Development Permit stage.

COMMUNITY AMENITY CONTRIBUTION

The District's Community Amenity Contribution (CAC) Policy requires an amenity contribution for projects which result in an increase in residential density. A CAC of \$157,460 will be included in the proposed CD92 Zone. It is anticipated that the CACs from this development will be directed toward public art; park and trail improvements; the affordable housing fund; or, other public realm infrastructure improvements.

IMPLEMENTATION

Implementation of this project will require an OCP amendment bylaw, a rezoning, and a Housing Agreement, as well as issuance of a development permit and registration of legal agreements.

Bylaw 8160 (Attachment C) rezones the subject site from Single Family Residential Edgemont (RSE) to a new Comprehensive Development Zone 92 (CD92) which:

- Establishes the multifamily residential use;
- Allows home occupations as an accessory use;
- Establishes a base density of 0.45 FSR and four units;
- Establishes a maximum density of 3,761 m² (40,486 sq.ft.) and 24 units subject to payment of a \$157,460 Community Amenity Contribution;
- Provision of at least five units which meet the basic accessible design criteria, two of which must also meet the enhanced accessible design criteria;
- Incorporates acoustic requirements; and,
- Establishes parking and building regulations specific to this project.

Bylaw 8162, (Attachment E) authorizes the District to enter into a Housing Agreement to ensure that there will be no future restrictions on renting the units.

In addition, the following legal agreements are required and will be secured prior to zoning bylaw adoption:

- Green building covenant;
- Stormwater management covenant;
- A statutory right of way for the gateway plaza; and,
- A consolidation plan that shows the required dedications.

CONCURRENCE

Staff

The project has been reviewed by staff from the Environment, Permits, Parks, Engineering, Policy Planning, Urban Design, Transportation, the Fire Department and the Arts Office.

Advisory Design Panel

The application was considered by the Advisory Design Panel (ADP) on November 12, 2015; overall, the panel was pleased with the project. The Panel recommends approval of the project subject to resolution of the Panel comments. The applicant has addressed the Panel's comments by de-emphasizing the parkade entrance; adding increased colour and detail to the design, including changing all unit entry doors to red; and, providing better weather protection at Ridgewood Dr. entries.

Public Input:

Public Information Meeting

The applicant held a facilitated Public Information Meeting (PIM) on November 5, 2015. The meeting was attended by approximately 61 residents. Comments made included a mix of opinions including support for the development and for the opportunity it represents for young families to return to the North Shore.

A key issue for the neighbourhood was the number of proposed visitor parking stalls, particularly for residents of Brookridge Dr. In response to the concerns, the applicant increased the number of proposed visitor stalls from three to six.

An increase in traffic due to the new development was cited as a concern. It is anticipated that there will be a net increase of 9 vehicle trips in the morning peak hours and 12 vehicle trips in the afternoon peak hours. This is equivalent to approximately one additional vehicle every six minutes in the morning and one additional vehicle every five minutes in the afternoon. This level of increase in trips from the development is not expected to have a material effect on the operation of the intersection. The construction of a dedicated right hand turn lane as part of this development will help to improve traffic flow at this intersection which was raised as a concern by the community.

A copy of the facilitator's report of the Public Information Meeting is attached to this report (Attachment E).

CONSTRUCTION MANAGEMENT PLAN

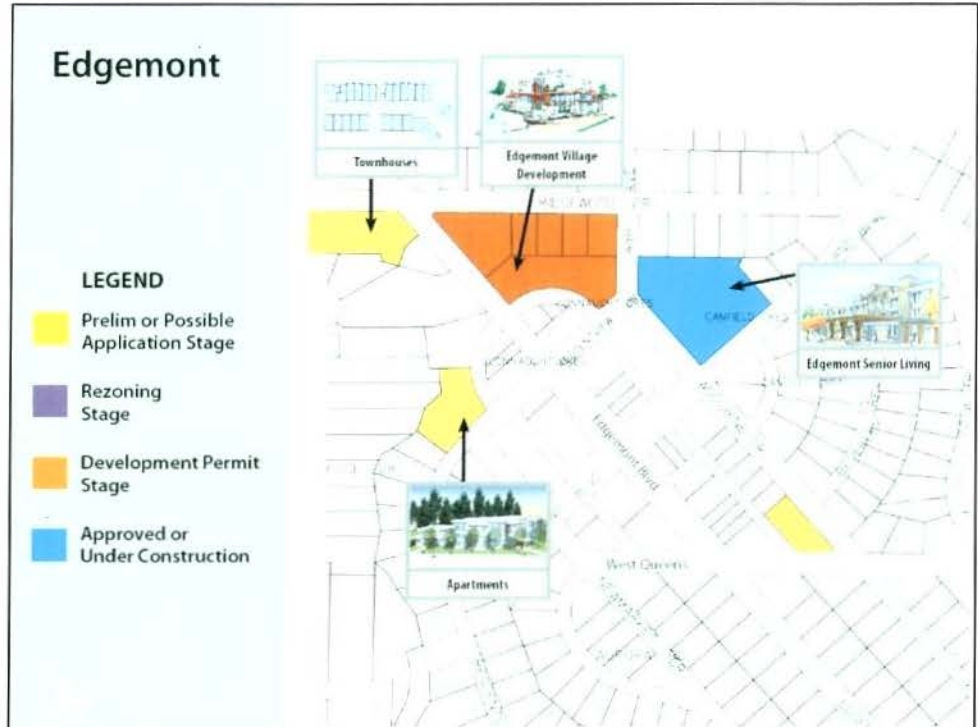
The site is shown in relation to other residential construction projects and potential development projects in the image to the right. If approved, the project will not commence construction until after the completion of the Capilano Water Main Project, anticipated for May 2016 and will be required to coordinate with other construction projects in the area.

SUBJECT: Bylaws 8159, 8160 and 8162: OCP Amendment, rezoning, and housing agreement for a 24 unit apartment project - 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.

January 6, 2016

Page 9

In order to address the goal to reduce development's impact on pedestrian and vehicular movements, the applicant will be required to provide a Construction Impact Mitigation Plan as a condition of a Development Permit. The Plan must outline how the applicant will coordinate with other projects in the area to minimize construction impacts on pedestrian and vehicle movement along Ridgewood Dr. and Edgemont Blvd. The plan is required to be approved by the District prior to issuance of a building permit.



In particular, the 'construction impact mitigation plan' must:

1. Provide safe passage for pedestrians, cyclists, and vehicle traffic;
2. Outline roadway efficiencies (i.e. location of traffic management signs and flaggers);
3. Make provisions for trade vehicle parking which is acceptable to the District and minimizes impacts to neighbourhoods;
4. Provide a point of contact for all calls and concerns;
5. Provide a sequence and schedule of construction activities;
6. Identify methods of sharing construction schedule with other developments in the area;
7. Ascertain a location for truck marshalling;
8. Address silt/dust control and cleaning up from adjacent streets;
9. Provide a plan for litter clean-up and street sweeping adjacent to site; and,
10. Include a communication plan to notify surrounding businesses and residents.

Edgemont Boulevard is expected to be closed at Capilano Road from January 2016 to April 2016 as part of the Capilano Water Main Replacement Project. Due to other development projects and associated major civil works potentially underway in Edgemont Village the excavation and demolition works for this project will not be permitted to take place until the intersection of Capilano Rd and Edgemont Blvd is re-opened.

SUBJECT: Bylaws 8159, 8160 and 8162: OCP Amendment, rezoning, and housing agreement for a 24 unit apartment project - 1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.

January 6, 2016

Page 10

Conclusion

This project is consistent with the directions established in the OCP and the Edgemont Village Centre: Plan and Design Guidelines. It addresses OCP housing policies related to the provision of a range of housing options. The project is now ready for Council's consideration.

Options

The following options are available for Council's consideration:

1. Introduce Bylaws 8159, 8160, and 8162 and refer Bylaw 8159 and 8160 to a Public Hearing (staff recommendation); or,
2. Defeat the bylaws at First Reading.

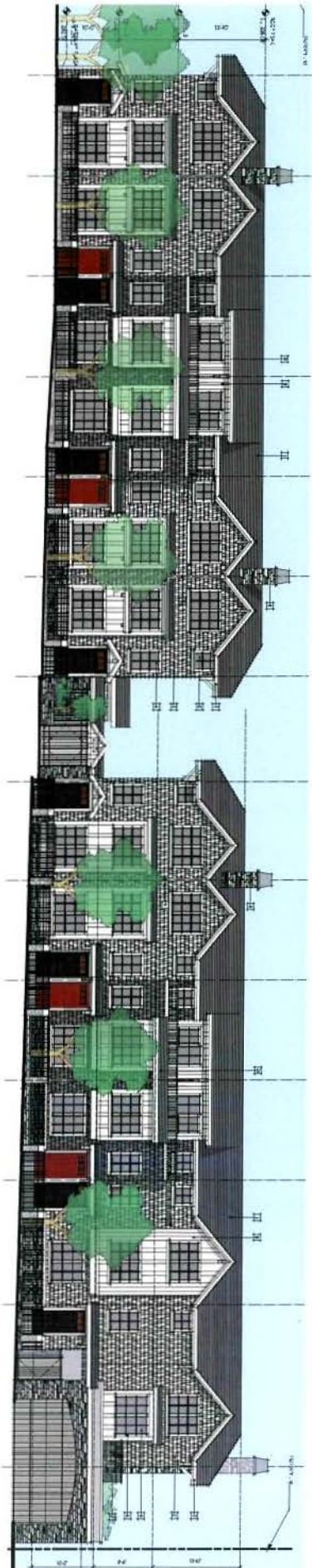


Natasha Letchford
Community Planner

Attachments:

- A. Architectural and Landscape Plans
- B. Bylaw 8159 – OCP Amendment
- C. Bylaw 8160 – Rezoning
- D. Bylaw 8162 – Housing Agreement
- E. Public Information Meeting Facilitator's Report

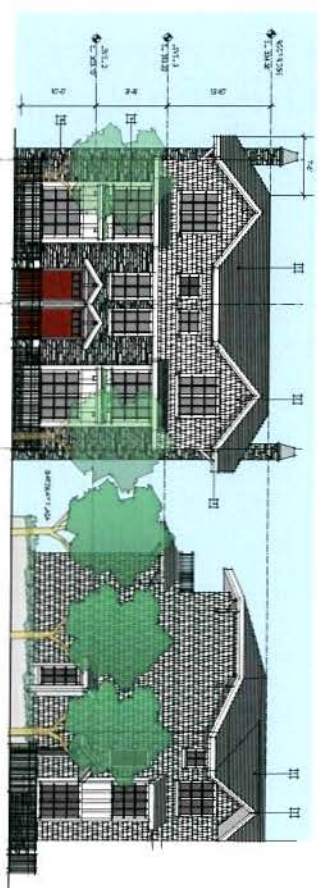
REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/>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



Streetscape along Ridgewood Dr.

BUILDING 8 ELEVATION
STREETSCAPE ALONG RIDGEWOOD DR. (S)

BUILDING 9 ELEVATION
STREETSCAPE ALONG RIDGEWOOD DR. (S)

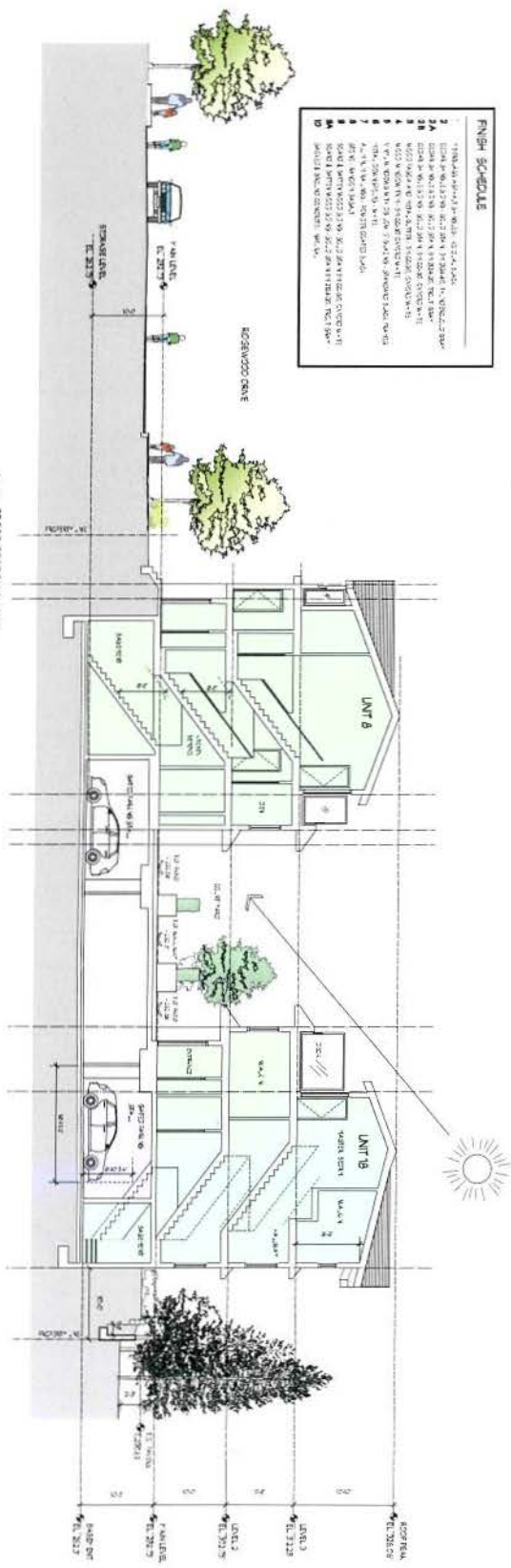
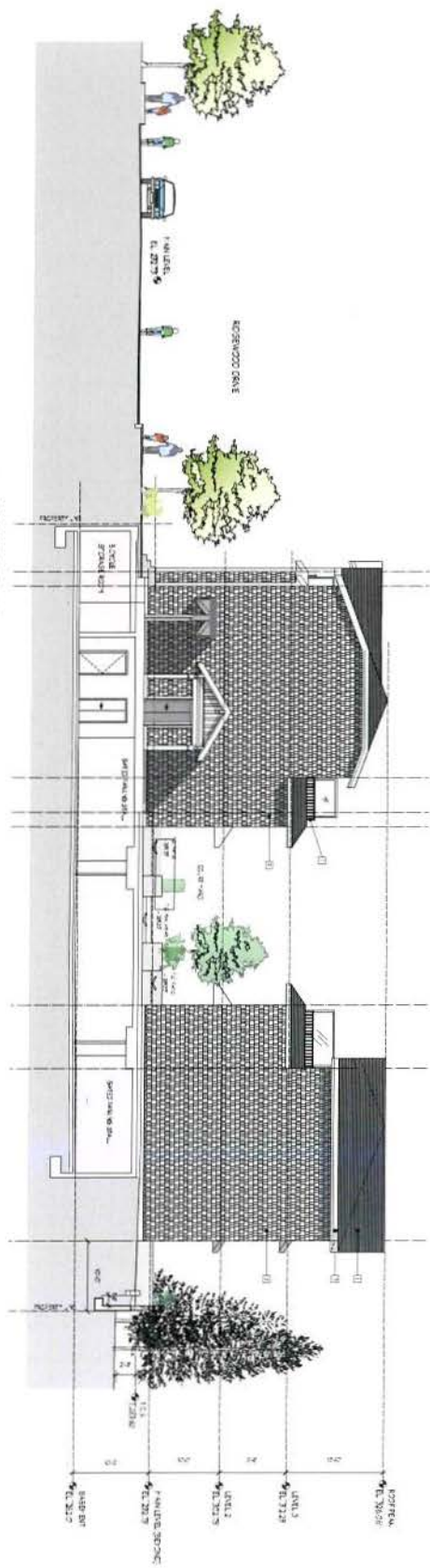


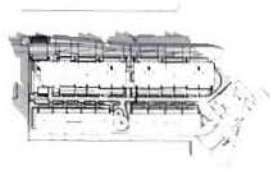
BUILDING 5 FRONT ELEVATION
STREETSCAPE ALONG EDMONT BLVD. (S)

BUILDING 6 BACK FRONT ELEVATION
STREETSCAPE ALONG EDMONT BLVD. (S)

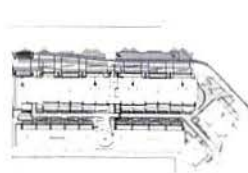
Streetscape along Edgemont Blvd.

PALETTE	
1	ROOF: DARK GREY SLATE
2	CEILING: WHITE
3	WALLS: WHITE
4	FLOORING: WHITE
5	WALLS: WHITE
6	WALLS: WHITE
7	WALLS: WHITE
8	WALLS: WHITE
9	WALLS: WHITE
10	WALLS: WHITE
11	WALLS: WHITE
12	WALLS: WHITE
13	WALLS: WHITE
14	WALLS: WHITE
15	WALLS: WHITE
16	WALLS: WHITE
17	WALLS: WHITE
18	WALLS: WHITE
19	WALLS: WHITE
20	WALLS: WHITE
21	WALLS: WHITE
22	WALLS: WHITE
23	WALLS: WHITE
24	WALLS: WHITE
25	WALLS: WHITE
26	WALLS: WHITE
27	WALLS: WHITE
28	WALLS: WHITE
29	WALLS: WHITE
30	WALLS: WHITE
31	WALLS: WHITE
32	WALLS: WHITE
33	WALLS: WHITE
34	WALLS: WHITE
35	WALLS: WHITE
36	WALLS: WHITE
37	WALLS: WHITE
38	WALLS: WHITE
39	WALLS: WHITE
40	WALLS: WHITE
41	WALLS: WHITE
42	WALLS: WHITE
43	WALLS: WHITE
44	WALLS: WHITE
45	WALLS: WHITE
46	WALLS: WHITE
47	WALLS: WHITE
48	WALLS: WHITE
49	WALLS: WHITE
50	WALLS: WHITE
51	WALLS: WHITE
52	WALLS: WHITE
53	WALLS: WHITE
54	WALLS: WHITE
55	WALLS: WHITE
56	WALLS: WHITE
57	WALLS: WHITE
58	WALLS: WHITE
59	WALLS: WHITE
60	WALLS: WHITE
61	WALLS: WHITE
62	WALLS: WHITE
63	WALLS: WHITE
64	WALLS: WHITE
65	WALLS: WHITE
66	WALLS: WHITE
67	WALLS: WHITE
68	WALLS: WHITE
69	WALLS: WHITE
70	WALLS: WHITE
71	WALLS: WHITE
72	WALLS: WHITE
73	WALLS: WHITE
74	WALLS: WHITE
75	WALLS: WHITE
76	WALLS: WHITE
77	WALLS: WHITE
78	WALLS: WHITE
79	WALLS: WHITE
80	WALLS: WHITE
81	WALLS: WHITE
82	WALLS: WHITE
83	WALLS: WHITE
84	WALLS: WHITE
85	WALLS: WHITE
86	WALLS: WHITE
87	WALLS: WHITE
88	WALLS: WHITE
89	WALLS: WHITE
90	WALLS: WHITE
91	WALLS: WHITE
92	WALLS: WHITE
93	WALLS: WHITE
94	WALLS: WHITE
95	WALLS: WHITE
96	WALLS: WHITE
97	WALLS: WHITE
98	WALLS: WHITE
99	WALLS: WHITE
100	WALLS: WHITE

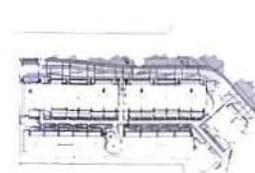




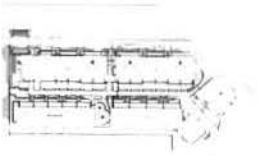
↑ MARCH 21: 10AM



↑ MARCH 21: 12 NOON



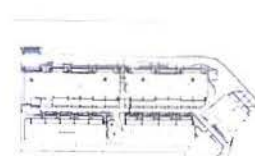
↑ MARCH 21: 2 PM



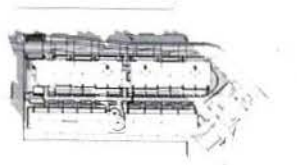
↑ JUNE 21: 10AM



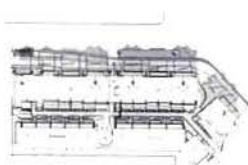
↑ JUNE 21: 12 NOON



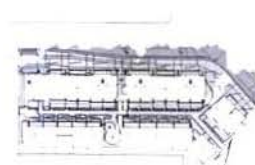
↑ JUNE 21: 2 PM



↑ SEPT 21: 10AM



↑ SEPT 21: 12 NOON



↑ SEPT 21: 2 PM



↑ MARCH 21: 6 PM



↑ JUNE 21: 6 PM



↑ SEPT 21: 6 PM

The Corporation of the District of North Vancouver**Bylaw 8159**

A bylaw to amend District of North Vancouver Official Community Plan Bylaw 7900,
2011

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8159, 2015 (Amendment 16)".

2. Amendments

2.1 District of North Vancouver Official Community Plan Bylaw 7900, 2011, is amended as follows:

- a) Map 2 Land Use: as illustrated on Schedule A, by changing the land use designation of the properties on Map 2 from Residential Level 2: Detached Residential to Residential Level 4: Transition Multifamily;
- b) Map 3.1 Form and character Development Permit Area: as illustrated on Schedule A, by adding the properties to Map 3.1, designating them as a Form and Character of Commercial, Industrial and Multifamily Development Development Permit Area; and,
- c) Map 4.1 Energy and Water Conservation and GHG Emission Reduction Development Permit Area: as illustrated on Schedule A, by adding the properties to Map 4.1, designating them as an Energy and Water Conservation and Greenhouse Gas Reduction Development Permit Area.

READ a first time by a majority of all Council members.

PUBLIC HEARING held

READ a second time by a majority of all Council members.

READ a third time by a majority of all Council members.

ADOPTED

by a majority of all Council members.

Mayor

Municipal Clerk

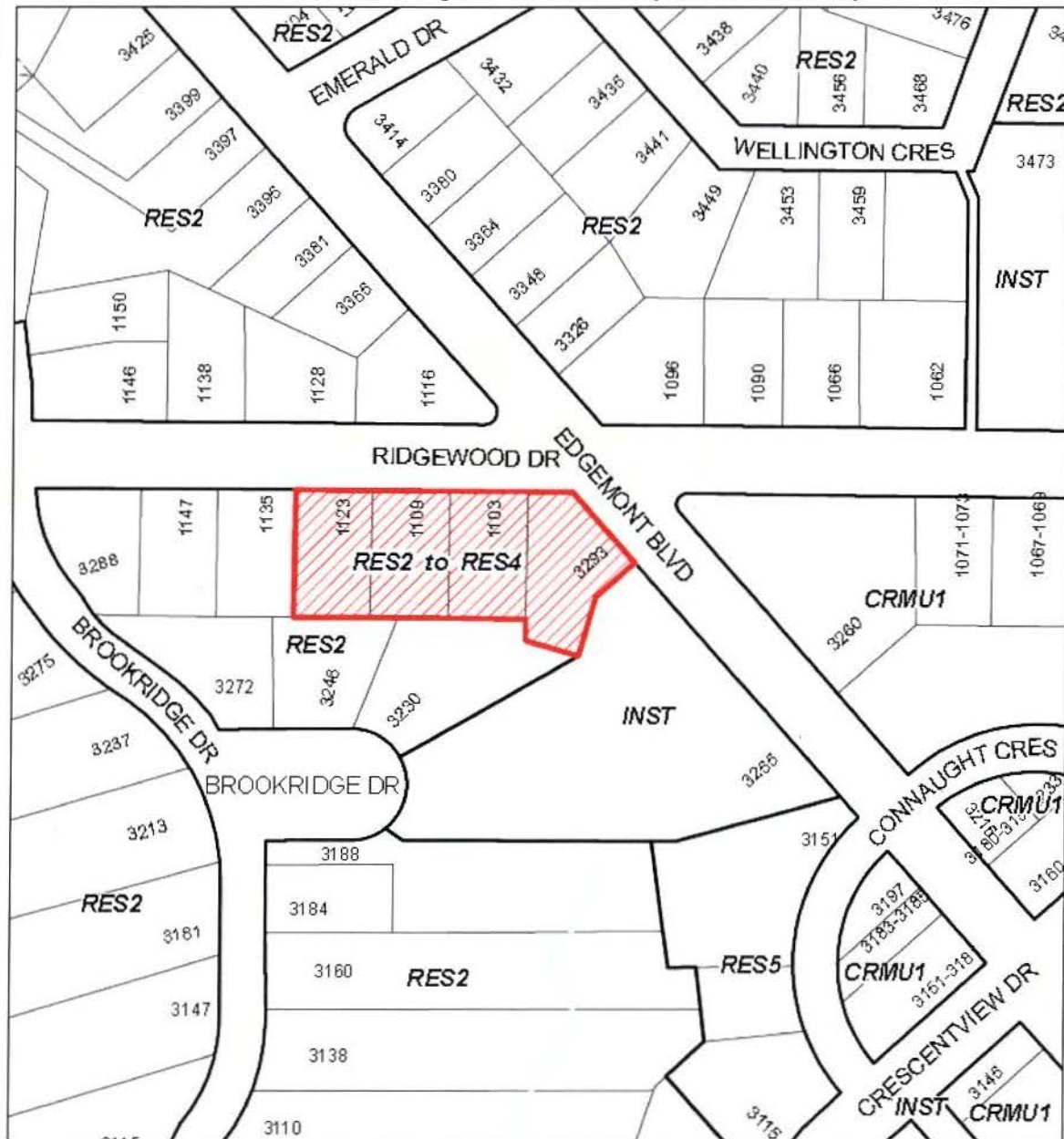
Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8159

Bylaw 8159

The District of North Vancouver Official Community Plan Bylaw 7900, 2011,
Amendment Bylaw 8159, 2015 (Amendment 16)



- Map 2** Land Use: as illustrated on Schedule A, by changing the land use designation, on Map 2, of the properties from Residential Level 2: Detached Residential to Residential Level 4 Transition Multifamily
- Map 3.1** Form and Character Development Permit Area: as illustrated on Schedule A, by adding the properties to map 3.1, designating them as a Form and Character of Commercial, Industrial and Multifamily Development Development Permit Area; and,
- Map 4.1** Energy and Water Conservation and GHG Emission Reduction Development Permit Area: as illustrated on Schedule A, by adding the properties to Map 4.1, designating them as an Energy and Water Conservation and Greenhouse Gas Reduction Development Permit Area.



The Corporation of the District of North Vancouver**Bylaw 8160**

A bylaw to amend District of North Vancouver Zoning Bylaw 3210, 1965

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 3210 (Bylaw 8160)".

2. Amendments

2.1 District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:

- i. Part 3, General Operative Clauses, Section 301 (2) by inserting the following zoning designation:

"Comprehensive Development Zone 92 CD 92"

- ii. Part 4B Comprehensive Development Zone Regulations by inserting the following:

"4B92 Comprehensive Development Zone 92 CD 92

The CD 92 zone is applied to:

1103, 1109, 1123 Ridgewood Drive and 3293 Edgemont Boulevard
Legally described as:

- a) Lot 4 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-522;
- b) Lot 5 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-531;
- c) Lot 6 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-549;
- d) Lot 7 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-557.

4B 92 – 1 Intent:

The purpose of the CD 92 Zone is to establish specific land use and development regulations for a 24 unit townhouse project.

4B 92 – 2 Permitted Uses:

The following *principal* uses are permitted in the CD 92 Zone:

- a) Uses Permitted Without Conditions:
 - i. Residential building, multifamily townhouse.
- b) Conditional Uses:
 - i. Not applicable.

4B 92 – 3 Conditions of Use:

- a) Not applicable.

4B 92 – 4 Accessory Use:

- a) *Home occupations* are permitted in *residential* dwelling units.

4B 92 – 5 Density:

- a) The maximum permitted density in the CD92 Zone is limited to a floor space ratio (FSR) of 0.45 and four residential units, inclusive of any density bonus for energy performance.

4B 92 – 6 Amenities:

- a) Despite Subsection 4B92 – 5, permitted density in the CD 92 Zone may be increased to a maximum of 3,761 m² (40,486 sq. ft.) and 24 residential units, inclusive of any density bonus for energy performance, if the owner completes the following:
 - i. Contributes \$157,460 to the municipality to be used for any or all of the following amenities (with allocation and timing of expenditure to be determined by the municipality in its sole discretion):
 - a. Improvements to public parks, plazas, trails and greenways;
 - b. Municipal facilities and facility improvements;
 - c. Public art and other beautification projects; and,
 - d. Affordable or special needs housing.;
 - ii. Enters into a Housing Agreement prohibiting any restrictions preventing the owners in the project from renting their units; and,

- iii. Provides at least five units which meet the basic accessible design criteria; two of which must also meet the enhanced accessible design criteria as outlined in the District of North Vancouver Council Policy: 'Accessible Design Policy for Multi-Family Housing.'

4B 92 – 7 Height:

- a) The maximum permitted height for any building in the CD 92 Zone, is 11.6 m (38.0 ft.).

4B 92 – 8 Setbacks:

- a) Buildings must be set back from property lines to the closest building face, excluding any partially exposed underground parking structure and projecting window boxes which are not to exceed 0.15 m (0.5 ft), in accordance with the following regulations:

Setback	Minimum Required Setback
North (From Ridgewood Dr.)	2.08 m (6.8 ft.)
Northeast (From Edgemont Blvd)	5.02 m (16.5 ft)
Southeast	2.43 m (8.0 ft.)
South	3.04 m (10.0 ft.)
West	3.53 m (11. ft.)

4B 92 – 9 Coverage:

- a) Maximum building coverage is 50%; not including underground parking or patios;
- b) Maximum site coverage is 60%.

4B 92 – 10 Acoustic Requirements:

- a) In the case of residential purposes, a building permit application shall require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurements, demonstrating that the noise levels expressed in decibels set opposite such portions of the dwelling units:

Portion of Dwelling Unit	Noise Level (Decibels)
Bedrooms	35
Living and Dining rooms	40
Kitchen, Bathrooms and Hallways	45

4B 92 – 11 Landscaping and Storm Water Management:

- a) All land areas not occupied by buildings must be landscaped in accordance with a landscape plan approved by the District of North Vancouver; and,
- b) All electrical kiosks and garbage and recycling container facilities not located underground or within a building must be screened.

4B 92 – 12 Parking, Loading and Servicing Regulations:

- a) A minimum of 44 parking spaces are required for the use of residents;
- b) A minimum of 6 parking spaces are required for designated visitor parking;
- c) All parking spaces must meet the minimum width and length standards established in Part 10 of the Zoning Bylaw, exclusive of building support columns; and,
- d) Resident bicycle storage must be provided on the basis of one space per unit;
- e) Visitor bicycle storage must be provided on the basis of a minimum of 5 class 2 bicycle parking spaces."

2.2 The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from the Single Family Residential Edgemont Zone (RSE) to Comprehensive Development Zone 92 (CD 92).

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

Certified a true copy of

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

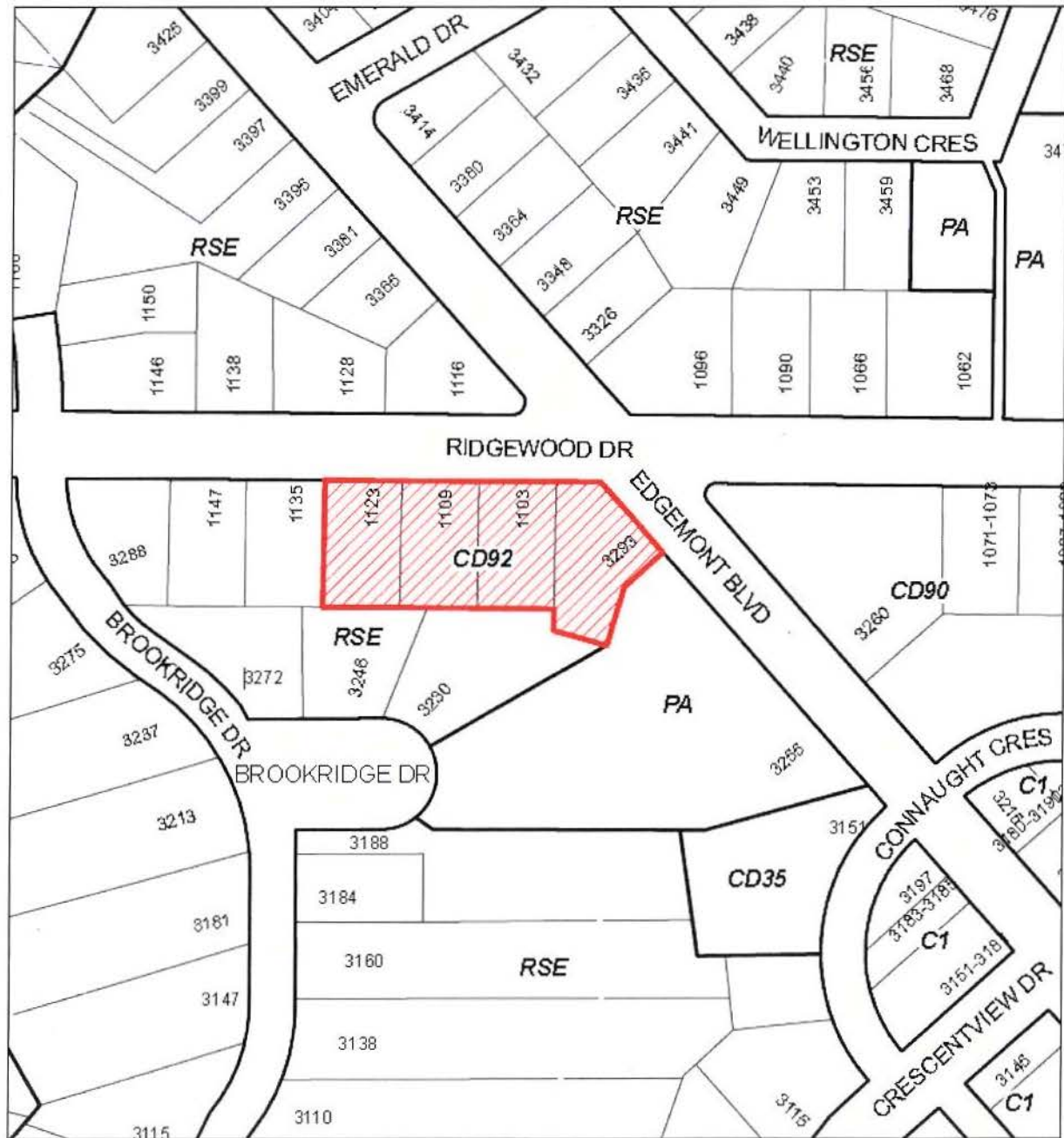
Certified a true copy

Municipal Clerk

Bylaw 8160 Schedule A: Zoning Map

Bylaw 8160

The District of North Vancouver Rezoning Bylaw 3210 (Bylaw 8160)



**REZONE THE LANDS
FROM SINGLE FAMILY RESIDENTIAL EDMONT ZONE (RSE)
TO COMPREHENSIVE DEVELOPMENT ZONE 92 (CD92)**



The Corporation of the District of North Vancouver

Bylaw 8162

A bylaw to enter into a Housing Agreement (1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.)

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "Housing Agreement Bylaw 8162, 2015 (1103, 1109, 1123 Ridgewood Dr. and 3293 Edgemont Blvd.)".

2. Authorization to Enter into Agreement

2.1 The Council hereby authorizes a housing agreement between The Corporation of the District of North Vancouver and substantially in the form attached to this Bylaw as Schedule "A" with respect to the following lands:

Lot 4 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-522;
Lot 5 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-531;
Lot 6 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-549; and,
Lot 7 Block 69 District Lots 598 to 601 Plan 6659, PID 010-823-557.

3. Execution of Documents

The Mayor and Municipal Clerk are authorized to execute any documents required to give effect to the Housing Agreement.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8162

SECTION 219 COVENANT – HOUSING AGREEMENT

This agreement is dated for reference the.

BETWEEN:

Boffo Properties (Edgemont) Inc.
1391 Venables Street
Vancouver, BC V5L 2G1

(the "Owner")

AND:

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER, a municipality
incorporated under the *Local Government Act*, R.S.B.C. 1996, c.323 and having its office
at 355 West Queens Road, North Vancouver, BC V7N 4N5

(the "District")

WHEREAS:

- A. The Owner is the registered owner of the Lands (as hereinafter defined);
- B. The Owner wishes to obtain development permissions with respect to the Lands and wishes to create a condominium development which will contain residential strata units on the Lands;
- C. Section 905 of the *Local Government Act* authorises the District, by bylaw, to enter into a housing agreement to provide for the prevention of rental restrictions on housing, and provides for the contents of the agreement; and
- D. Section 219 of the *Land Title Act* (British Columbia) permits the registration in favour of the District of a covenant of a negative or positive nature relating to the use of land or a building thereon, or providing that land is to be built on in accordance with the covenant, or providing that land is not to be built on except in accordance with the covenant, or providing that land is not to be subdivided except in accordance with the covenant;

NOW THEREFORE in consideration of the mutual promises contained in it, and in consideration of the payment of \$1.00 by the District to the Owner (the receipt and sufficiency of which are hereby acknowledged by the Owner), the parties covenant and agree with each other as follows, as a housing agreement under Section 905 of the *Local Government Act*, as a contract and a deed under seal between the parties, and as a covenant under Section 219 of the *Land Title Act*, and the Owner hereby

further covenants and agrees that neither the Lands nor any building constructed thereon shall be used or built on except in accordance with this Agreement:

1. DEFINITIONS

1.01 Definitions

In this agreement:

- (a) “*Development Permit*” means development permit No. _____ issued by the District;
- (b) “*Lands*” means land described in Item 2 of the *Land Title Act* Form C to which this agreement is attached;
- (c) “*Proposed Development*” means the proposed development containing not more than 24 Units to be constructed on the Lands in accordance with the Development Permit;
- (d) “*Unit*” means a residential dwelling strata unit in the Proposed Development; and
- (e) “*Unit Owner*” means the registered owner of a Dwelling Unit in the Proposed Development.

2. TERM

This Agreement will commence upon adoption by District Council of Bylaw 8162 and remain in effect until terminated by the District as set out in this Agreement.

3. RENTAL ACCOMODATION

3.01 Rental Disclosure Statement

No Unit in the Proposed Development may be occupied unless the Owner has:

- (a) before the first Unit is offered for sale, or conveyed to a purchaser without being offered for sale, filed with the Superintendent of Real Estate a Rental Disclosure Statement designating all of the Units as rental strata lots and imposing at least a ninety-nine (99) year rental period in relation to all of the Units pursuant to the *Strata Property Act* (or any successor or replacement legislation); and
- (b) given a copy of the Rental Disclosure Statement to each prospective purchaser of any Unit before the prospective purchaser enters into an agreement to purchase in respect of the Unit.

3.02 Rental Accommodation

The Units constructed on the Lands from time to time may always be used to provide rental accommodation as the Owner or a Unit Owner may choose from time to time.

Binding on Strata Corporation

This agreement shall be binding upon all strata corporations created by the subdivision of the Lands or any part thereof (including the Units) pursuant to the *Strata Property Act*, and upon all Unit Owners.

3.03 Strata Bylaw Invalid

Any strata corporation bylaw which prevents, restricts or abridges the right to use any of the Units as rental accommodations shall have no force or effect.

3.04 No Bylaw

The strata corporation shall not pass any bylaws preventing, restricting or abridging the use of the Lands, the Proposed Development or the Units contained therein from time to time as rental accommodation.

3.05 Vote

No Unit Owner, nor any tenant or mortgagee thereof, shall vote for any strata corporation bylaw purporting to prevent, restrict or abridge the use of the Lands, the Proposed Development and the units contained therein from time to time as rental accommodation.

3.06 Notice

The Owner will provide notice of this Agreement to any person or persons intending to purchase a Unit prior to any such person entering into an agreement of purchase and sale, agreement for sale, or option or similar right to purchase as part of the Disclosure Statement for any part of the Proposed Development prepared by the Owner pursuant to the *Real Estate Development Marketing Act*.

3.07 Release of Covenant

The District agrees that if the District of North Vancouver Rezoning Bylaw 3210 (bylaw 8160), is not adopted by the District's Council before December 31, 2016, the Owner is entitled to require the District to execute and deliver to the Owner a discharge, in registrable form, of this Agreement from title to the Land. The Owner is responsible for the preparation of the discharge under this section and for the cost of registration at the Land Title Office.

4. DEFAULT AND REMEDIES4.01 Notice of Default

The District may, acting reasonably, give to the Owner written notice to cure a default under this Agreement within thirty (30) days of delivery 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.

4.02 Costs

The Owner will pay to the District upon demand all the District's costs of exercising its rights or remedies under this Agreement, on a full indemnity basis.

4.03 Damages an Inadequate Remedy

The Owner acknowledges and agrees that in the 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 District and to the public interest will be irreparable and not susceptible of adequate monetary compensation.

4.04 Equitable Remedies

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.

4.05 No Penalty or Forfeiture

The Owner acknowledges and agrees that it is entering into this Agreement to benefit the public interest in providing rental accommodation, and that the District's rights and remedies under this Agreement are necessary to ensure that this purpose is carried out, and the District's rights and remedies under this Agreement are fair and reasonable and ought not to be construed as a penalty or forfeiture.

4.06 Cumulative Remedies

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 to 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 for a default by the Owner under this Agreement.

5. LIABILITY**5.01 Indemnity**

Except if arising directly from the negligence of the District or its employees, agents or contractors, the Owner will indemnify and save harmless each of the District and its board members, officers, directors, employees, agents, and elected or appointed officials,, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities that all or any of them will or may be liable for or suffer or incur or be put to any act or omission by the Owner or its officers, directors, employees, agents, contractors, or other persons for whom the Owner is at

law responsible, or by reason of or arising out of the Owner's ownership, operation, management or financing of the Proposed Development or any part thereof.

5.02 Release

The Owner hereby releases and forever discharges the District, 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 Proposed Development or any part thereof which has been or hereafter may be given to the Owner by all or any of them.

5.03 Survival

The covenants of the Owner set out in Sections 5.01 and 5.02 will survive termination of this Agreement and continue to apply to any breach of the Agreement or claim arising under this Agreement during the ownership by the Owner of the Lands or any Unit therein, as applicable.

6. GENERAL PROVISIONS

6.01 District's Power Unaffected

Nothing in this Agreement:

- (a) affects or limits any discretion, rights, powers, duties or obligations of the District 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 District's bylaws in relation to the use of the Lands.

6.02 Agreement for Benefit of District Only

The Owner and District agree that:

- (a) this Agreement is entered into only for the benefit of the District:
- (b) this Agreement is not intended to protect the interests of the Owner, any Unit Owner, any Occupant or any future owner, occupier or user of any part of the Proposed Development, including any Unit, or the interests of any third party, and the District has no obligation to anyone to enforce the terms of this Agreement; and

- (c) The District may at any time terminate this Agreement, in whole or in part, and execute a release and discharge of this Agreement in respect of the Proposed Development or any Unit therein, without liability to anyone for doing so.

6.03 Agreement Runs With the Lands

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 or in any Unit after the date of this Agreement.

6.04 Release

The covenants and agreements on the part of the Owner and any Unit Owner and herein set forth in this Agreement have been made by the Owner and any Unit Owner as contractual obligations as well as being made pursuant to Section 905 of the *Local Government Act* (British Columbia) and as such will be binding on the Owner and any Unit Owner, except that neither the Owner nor any Unit Owner shall be liable for any default in the performance or observance of this Agreement occurring after such party ceases to own the Lands or a Unit as the case may be.

6.05 Priority of This Agreement

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 each Unit in the Proposed Development, including any amendments to this Agreement as may be required by the Land Title Office or the District to effect such registration.

6.06 Agreement to Have Effect as Deed

The District and the Owner each intend by execution and delivery of this Agreement to create both a contract and a deed under seal.

6.07 Waiver

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.

6.08 Time

Time is of the essence in this Agreement. If any party waives this requirement, that party may reinstate it by delivering notice to another party.

6.09 Validity of Provisions

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.

6.10 Extent of Obligations and Costs

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.

6.11 Notices

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 or by personal service, to the following address for each party:

If to the District:

District Municipal Hall
355 West Queens Road
North Vancouver, BC V7N 4N5

Attention: Planning Department

If to the Owner:

Boffo Properties (Edgemont) Inc.
1391 Venables Street
Vancouver, BC V5L 2G1

Attention: Josh Anderson

If to the Unit Owner:

The address of the registered owner which appears on title to the Unit at the time of notice.

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 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.

6.12 Further Assurances

Upon request by the District, the Owner will promptly do such acts and execute such documents as may be reasonably necessary, in the opinion of the District, to give effect to this Agreement.

6.13 Enuring Effect

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

7. **INTERPRETATION**

7.01 References

Gender specific terms include both genders and include corporations. Words in the singular include the plural, and words in the plural include the singular.

7.02 Construction

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.

7.03 No Limitation

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 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.

7.04 Terms Mandatory

The words “must” and “will” and “shall” are to be construed as imperative.

7.05 Statutes

Any reference in this Agreement to any statute or bylaw includes any subsequent amendment, re-enactment, or replacement of that statute or bylaw.

7.06 Entire Agreement

- (a) This is the entire agreement between the District and the Owner concerning its subject, and there are no warranties, representations, conditions or collateral agreements relating to this Agreement, except as included in this Agreement.
- (b) 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 District Council of a bylaw to amend Bylaw 8160.

7.07 Governing Law

This Agreement is to be governed by and construed and enforced in accordance with the laws of British Columbia.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the *Land Title Act* Form C that is attached hereto and forms part of this Agreement.

GRANT OF PRIORITY

WHEREAS _____ (the "**Chargeholder**") is the holder of the following charge which is registered in the Land Title Office:

(a) _____ (the "**Charge**");

AND WHEREAS the Chargeholder agrees to allow the Section 219 Covenant herein to have priority over the Charge;

THIS PRIORITY AGREEMENT is evidence that in consideration of the sum of \$1.00 paid by THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER (the "**District**") to the Chargeholder, the receipt and sufficiency of which are hereby acknowledged, the Chargeholder covenants and agrees to subordinate and postpone all its rights, title and interest in and to the lands described in the Form C to which this Agreement is attached (the "**Lands**") with the intent and with the effect that the interests of the District rank ahead of the Charge as though the Section 219 Covenant herein had been executed, delivered and registered against title to the Lands before registration of the Charge.

As evidence of its Agreement to be bound by the above terms, as a contract and as a deed executed and delivered under seal, the Chargeholder has executed the Form C to which this Agreement is attached and which forms part of this Agreement.

END OF DOCUMENT

Boffo Properties: 1103 - 1123 Ridgewood Drive & 3293 Edgemont Blvd Rezoning

Public Information Meeting Summary Report

Event Date: November 5, 2015
Time: 6pm – 8pm
Location: Highlands United Church, Edgemont Village
Attendance: 61 members of the public signed in
Comment Forms: 14 comment sheets and 3 emails were submitted.

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:

Invitation Brochures

Invitations with fact and comment sheets were delivered to 547 homes, including all homes within 100 metres of the site.

Site Sign

A sign was erected on the site to notify neighbours of the meeting. A copy of the sign is included in Appendix A: Notification.

Newspaper Ad

A newspaper ad was placed in the North Shore News on Wednesday, October 28th and Friday, October 30th. A copy of the ad is included in Appendix A: Notification.

Attendance:

61 members of the public attended and signed in for the meeting. A copy of the sign-in sheets are provided in Appendix B.

The following District staff and project team members were in attendance:

District of North Vancouver:

- Natasha Letchford, Development Planner, District of North Vancouver

Project Team:

- Jamie Wallace, Boffo Properties
- Josh Anderson, Boffo Properties
- Michael Cox, Gateway Architecture
- Jennifer Stamp, Durante Kreuk Landscape Architecture

- Lance Berelowitz, Urban Forum Associates
- Tyler Thompson, Bunt & Associates

Facilitator:

- Steven Petersson, Petersson Planning Consulting

Overview:

The Public Information Meeting was designed to provide several methods for the public to engage in the process.

The evening began with an Open House, which lasted approximately 45 minutes, where participants could browse display boards and have informal discussion with the Boffo Properties team.

The Open House was followed by a presentation by the Boffo Properties team.

The presentation was followed by a forty-five minute dialogue that provided the public with an opportunity to ask questions and discuss the project. To ensure an accurate record of the dialogue, the facilitator noted public comments and questions on flip chart paper on the wall.

The participants were invited to submit written comments to the facilitator or to the municipal planner.

The key themes of the evening were traffic, access, density and housing choice.

Public Dialogue:

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

Q1 How much will the road be widened?

A1 The DNV is re-designing the intersection.

Q2 Will public access to the courtyard be permitted?

A2 No.

C3 Trees could grow and block sunlight.

A3 Narrow, pyramidal trees have been selected to minimize blocking sunlight.

Q4 Will on-street parking be lost on Ridgewood?

A4 There will be no change in on-street parking on Ridgewood.

C5 Pedestrians will use a different entrance than drivers.

C6 The design is Georgian, rather than modern. It appears out of place in Edgemont Village.

A6 The forms have local precedents.

Q7 Will this project go to Advisory Design Panel?

A7 Yes: it will be reviewed by the Panel next week.

C8 The colours are not appropriate choices for Edgemont Village.

A8 Edgemont Village is eclectic.

Q9 Will the DNV require payment of a Community Amenity Contribution if the project is approved?

A9 Yes.

C10 There is no pedestrian walkway on the west side of Edgemont and Ridgewood.

A10 The DNV needs to follow up on this point.

Q11 Is there a delivery parking space, or a spot for moving vans?

A11 Yes, near the parkade entrance.

Q12 Will the townhouses be sold or rented?

A12 They will be sold as market units, but without rental restrictions.

C13 The full movement driveway entrance is near a busy intersection.

A13 The traffic analysis for this project is comprehensive, and factors in influences from other developments. The team is working on the intersections with the DNV.

Q14 Will the traffic lights remain after the water main project is complete?

A14 Our understanding is that the DNV plans to review the function of the traffic signals after the water main project is complete, and further data has been collected.

C15 I am unhappy with increased density in the Village because of traffic and construction impacts.

C16 We support increased density and housing choice for younger families and downsizers (re-iterated by four different participants)

Q17 How much will the units cost?

A17 We do not know yet: it will be set by the market.

Q18 Are you proposing any one-storey units for seniors?

A18 No one-storey units are proposed, but units in cluster "C" are designed to have space for a lift and include other adaptable design features.

C19 Three visitor parking stalls is not enough.

A19 The traffic analysis, which looked at other comparable projects, supports this number of visitor parking stalls. Some residential spots will not be used. Visitor parking demand peaks at night (not when trades are working).

C20 Grosvenor will supply extra visitor parking in the Village across the street.

Q21 Will the underground parking be secure?

A21 Yes.

C22 One parking entrance will not be enough.

A22 One parking stall for a project of this size is typical. If several people are coming and going simultaneously, they will take turns using the entrance.

Q23 How many trees will be removed for this development?

A23 Underground parking makes it hard to retain existing trees. Boffo Properties will replant many trees.

Q24 Will reduced front yard setbacks affect sight lines for traffic?

A24 No.

C25 Edgemont Village is changing rapidly with several concurrent projects that increase density. Three projects are happening at the same time within one block.

C26 The dialogue tonight reflected points raised during the Edgemont Village Plan Refresh process.

Comment Sheet and Email Summary

Fourteen comment sheets and 3 emails were submitted to the DNV after the meeting. Copies of the correspondence are attached as an Appendix C. Seven of the fourteen comment sheets and one of the emails explicitly expressed support for the project.

Below is a summary of the key themes communicated via comment sheets and emails after the meeting. They are clustered according to topic.

Affordability

- I currently live in a townhouse with my wife and two young boys but will require more space in the future. Single family homes in Edgemont are beyond my price range but this could be affordable and preferable as an option to live closer to my son's school at Cleveland Elementary.
- Who can afford to buy these homes? Neither singles over 50, nor young couples.

Architecture & Site Planning

- The living space in townhouses is too small: staircases take up too much room
- Stairs in multi-level townhouses make the units unsuitable for seniors and households with small children
- The pad-mounted transformer is proposed to be located on a prominent corner of the site. This could be integrated with the loading and services on the west side of the site, instead.
- The rooflines should have a steeper pitch.
- Project looks great.
- The project will have a positive impact on the community and businesses, but the architecture is very conservative. The architecture should incorporate design improvements that refer to the artistic side of the area.
- Nice mix of unit sizes.
- Very nice looking site!
- Keep the project on Ridgewood: don't go around the corner onto Edgemont Boulevard
- Skepticism about the artistic rendering of the project: where are the traffic lights and traffic?

- I find the bulky Georgian “shingle-style” architectural expression for this project to be very out of place in the Edgemont context.

Density

- I fully support this proposal. Edgemont needs more diverse housing types in this area and townhouses are appropriate and compatible with the existing area.
- I support townhouses in the village, but too many units are proposed
- The proposal is consistent with Edgemont Refresh vision and principles
- Land use and density will support Edgemont businesses and help animate the street
- New residents will make the neighbourhood even better.
- I have no problem with increased residential density at this location.

Parking

- Concern about amount of visitor parking, and a request for data from comparable projects
- Three visitor parking stalls is probably not enough, and will result in visitors parking on Brookridge Drive.

Traffic

- Concern about traffic impacts and pedestrian safety in Edgemont Village
- Traffic is an issue, but this density will support Edgemont as a walkable neighbourhood
- Worried about traffic!
- The mid-block parkade access/egress will be very problematic on the busy Ridgewood arterial. This should be right-in, right-out only. This intersection has become a serious problem, particularly during rush hour.

Environment

- More than 125 birds in this area depend on the existing older trees

Process

- What are the odds that this project will not be approved?
- Have the Edgemont Village Plan details been adopted into the existing OCP?
- Is the current RSE zoning FSR 0.55 or is it 0.35 + 350 sq ft?
- Does the project require an OCP amendment as well as rezoning in order to proceed?
- Have shadow studies been conducted?

General Comments

- Wonderful concept for young families!
- I’m so happy young families will be able to move here.
- Boffo is a quality developer.
- This project will serve the community well

Conclusion

The purpose of this public meeting was to present to neighbours the proposed development concept, and provide an opportunity to ask clarifying questions and comment on the proposal. Invitations were mailed to the community, a sign advertising the meeting was posted on the site, and two newspaper ads notified the community of the meeting.

The public could participate in this process in four ways:

- by browsing boards and talking to the project team and municipal Planner in an Open House
- listening to a presentation
- participating in a facilitated dialogue, and
- submitting written comments.

61 people signed in and participated in the meeting. Participants asked the development team and District planner a variety of specific questions.

The key themes raised at the meeting were parking, access and density, and support for increasing housing choice in Edgemont Village. 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.

Fourteen comment sheets and three emails were submitted after the meeting. A relatively high proportion of the respondents supported the project: seven of the fourteen comment sheets and one of the emails explicitly expressed support for the project.

Appendix A: Notification


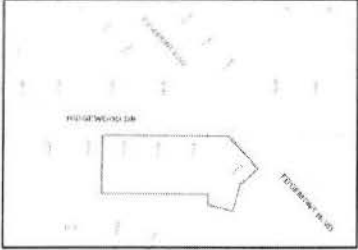
Newspaper Advertisement

PUBLIC INFORMATION MEETING

A redevelopment is being proposed for 1103, 1109, 1123 Ridgewood Drive and 3293 Edgemont Boulevard, to construct a townhouse project. You are invited to a meeting to discuss the project.

Date: Thursday, November 5, 2015
Time: 6:00 – 8:00 p.m.
Location of meeting: Highlands United Church
3255 Edgemont Blvd., North Vancouver

The applicant proposes to rezone the site from single-family zoning to a comprehensive development zone, to permit a 24-unit townhouse project. Homes range between approximately 1,536 and 2,452 square feet in size and the project includes 50 underground parking spaces.



Information packages are being distributed to residents within a 100m* meter radius of the site. If you would like to receive a copy or if you would like more information, please contact Natasha Letchford, Community Planner, District of North Vancouver at 604-990-2387 or Josh Anderson, Director, Development of Boffo Properties (Edgemont) Inc. at 604-648-0594.

***This is not a Public Hearing. DNV Council will receive a report from staff on issues raised at the meeting and will formally consider the proposal at a later date.**


Notification Sign


**Developer's
Public Information Meeting**

**Proposal:
3-Storey Townhouse Project**

**6 PM, Thursday, November 5
Highlands United Church
3255 Edgemont Boulevard**

**Boffo Properties (Edgemont) Inc.
604-648-0594**



 This meeting has been required by the District of North Vancouver as part of the regulatory process.

THIS PAGE LEFT BLANK INTENTIONALLY



PUBLIC HEARING

1103, 1109, 1123 Ridgewood Drive & 3293 Edgemont Boulevard 24 Unit Townhouse Project

What: A Public Hearing for Bylaws 8159 and 8160, proposed amendments to the Official Community Plan (OCP) and the Zoning Bylaw, to enable the development of a twenty-four unit townhouse project at 1103, 1109, 1123 Ridgewood Drive and 3293 Edgemont Boulevard.

When: 7 pm, Tuesday, February 9, 2016

Where: Council Chambers, District of North Vancouver Municipal Hall, 355 West Queens Road, North Vancouver, BC



Proposed*



*Provided by applicant for illustrative purposes only.
The actual development, if approved, may differ.

What changes?

Bylaw 8159 proposes to amend the OCP land use designation for the affected parcels from Residential Level 2: Detached Residential (RES2) to Residential Level 4: Transition Multifamily (RES4). Bylaw 8160 proposes to amend the District's Zoning Bylaw by rezoning the subject parcels from Single Family Residential Edgemont Zone (RSE) to Comprehensive Development Zone 92 (CD92) to allow the development of a twenty-four unit townhouse project.

When can I speak?

We welcome your input Tuesday, February 9, 2016, at 7 pm. You can speak in person by signing up at the hearing, or you can provide a written submission to the Municipal Clerk at input@dnv.org or by mail to Municipal Clerk, District of North Vancouver, 355 West Queens Road, North Vancouver, BC, V7N 4N5, before the conclusion of the hearing. Please note that Council may not receive further submissions from the public concerning this application after the conclusion of the public hearing.

Need more info?

Relevant background material and copies of the bylaws are available for review at the Municipal Clerk's Office or online at dnv.org/public_hearing from January 27 to February 9. Office hours are Monday to Friday 8 am to 4:30 pm, except statutory holidays.

Who can I speak to?

Natasha Letchford, Community Planner, at 604-990-2378 or letchfordn@dnv.org



THIS PAGE LEFT BLANK INTENTIONALLY