

AGENDA

REGULAR MEETING OF COUNCIL

Monday, May 26, 2014

7:00 p.m.

Council Chamber, Municipal Hall

355 West Queens Road,

North Vancouver, BC

Council Members:

Mayor Richard Walton

Councillor Roger Bassam

Councillor Robin Hicks

Councillor Mike Little

Councillor Doug MacKay-Dunn

Councillor Lisa Muri

Councillor Alan Nixon



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REGULAR MEETING OF COUNCIL

7:00 p.m.
Monday, May 26, 2014
Council Chamber, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

BROADCAST OF MEETING

- Broadcast on Shaw channel 4 at 9:00 a.m. Saturday
- Online at www.dnv.org

CLOSED PUBLIC HEARING ITEMS NOT AVAILABLE FOR DISCUSSION

- Bylaw 8013 – OCP Amendment: 3205 Mountain Highway, Lynn Valley United Church
- Bylaw 8014 – Rezoning Bylaw: 3205 Mountain Highway, Lynn Valley United Church
- Bylaw 8024 – OCP Amendment: 3829 Dollarton Highway
- Bylaw 8025 – Rezoning Bylaw: 3829 Dollarton Highway
- Bylaw 8026 – OCP Amendment regarding Regional Context Statement
- Bylaw 8029 – Rezoning Bylaw: 3014 and 3022 Sunnyhurst Road
- Bylaw 8039 – OCP Amendment: 1561 Oxford Street
- Bylaw 8040 – Rezoning Bylaw: 1561 Oxford Street
- Bylaw 8047 – Zoning Bylaw Amendment to Prohibit Medical Marihuana Production and Distribution
- Bylaw 8051 – Rezoning Bylaw: 1175 Lynn Valley Road
- Bylaw 8052 – Phased Development Agreement: 1175 Lynn Valley Road

1. ADOPTION OF THE AGENDA

1.1. May 26, 2014 Regular Meeting Agenda

Recommendation:

THAT the agenda for the May 26, 2014 Regular Meeting of Council for the District of North Vancouver be adopted as circulated, including the addition of any items listed in the agenda addendum.

2. PUBLIC INPUT

(limit of three minutes per speaker to a maximum of thirty minutes total)

3. PROCLAMATIONS

3.1. Day of the Honey Bee – May 29, 2014

p. 13

- 3.2. **Access Awareness Day – June 7, 2014** p. 15
- 3.3. **North Shore Stroke Recovery Day – June 14, 2014** p. 17
- 4. **RECOGNITIONS**
- 5. **DELEGATIONS**
 - 5.1. **Robyn McGuinness, Mahin Khodabandeh, and Avissa Izadi,** p. 21-22
Lower Capilano Seniors Action Table
Re: SAT's and engagement of seniors in community planning processes
 - 5.2. **Peter Thompson, Community Monitoring Advisory Committee** p. 23-24
Re: Report on 2013 activities and results
- 6. **ADOPTION OF MINUTES**
 - 6.1. **May 13, 2014 Public Hearing** p. 27-29

Recommendation:
THAT the report of the May 13, 2014 Public Hearing be received.
- 7. **RELEASE OF CLOSED MEETING DECISIONS**
 - 7.1. **May 12, 2014 Closed Special Meeting of Council**
 - 7.1.1. **Appointments to Advisory Design Panel**
File No. 01.0360.20/002.001

THAT Ms. Annerieke van Hoek be appointed to the Advisory Design Panel for a term ending in December 2015, as recommended by the Advisory Oversight Committee;

AND THAT Mr. Tieg Martin be appointed to the Advisory Design Panel for a term ending in December 2015, as recommended by the Advisory Oversight Committee;

AND THAT the appointments be released to the public.
- 8. **COMMITTEE OF THE WHOLE REPORT**
- 9. **REPORTS FROM COUNCIL OR STAFF**

With the consent of Council, any member may request an item be added to the Consent Agenda to be approved without debate.

If a member of the public signs up to speak to an item, it shall be excluded from the Consent Agenda.

*Staff suggestion for consent agenda.

Recommendation:

THAT items _____ be included in the Consent Agenda and be approved without debate.

**9.1. Reconsideration of Remedial Action Requirement –
1576 Merlynn Crescent**
File No. 01.0115.30/002.000

The following motion was postponed at the May 5, 2014 Regular Council meeting and is back on the floor for consideration:

**MOVED by Councillor NIXON
SECONDED by Councillor LITTLE**

THAT Council confirm its remedial action requirements order dated December 9, 2013 in relation to 1576 Merlynn Crescent;

AND THAT, if the remedial action requirements are not each satisfied by the dates stipulated in said order, then staff is hereby authorized to commence legal proceedings for an injunction to require compliance in respect of this matter.

**9.2. Bylaw 8061 and 8062: Rezoning Application – Grouse Inn p. 35-95
Mixed Use Development 2010 Marine Drive**
File No. 08.3060.20/012.14

Recommendation:

THAT Bylaw 8061, which rezones the subject site from C4 and C9 to Comprehensive Development Zone 81 (CD 81) to enable the development of a commercial-residential mixed use development is given FIRST Reading;

THAT Bylaw 8061 be referred to a Public Hearing;

AND THAT Bylaw 8062, which authorizes Housing Agreement to prevent future rental restrictions, is given FIRST Reading.

**9.3. Bylaw 8049: Amendment to Sewer Bylaw to Include p. 97-113
Reference to Groundwater**
File No. 01.0115.30/002.000

Staff Presentation: Stephen Bridger, Section Manager - Engineering Planning & Design

Recommendation:

THAT "Sewer Bylaw 6656, 1994, Amendment Bylaw 8049, 2014 (Amendment 23)" is given Third Reading.

9.4. Arts Project and Civic Events Grants – 2014, Round Two **p. 115-127**
File No. 10.4794.90/006.000

Recommendation:

THAT \$98,750 in grants be approved to support a range of arts projects, civic events, community celebrations, cultural activities and festivals as outlined in the May 14, 2014 report of the Cultural Development Officer;

AND THAT the District of North Vancouver's 50% contribution to these grants (\$49,375) be released for payment, pending confirmed approval of these same recommendations by the City of North Vancouver.

9.5. Bylaws 8044 and 8060: Fines for Unauthorized Road Use **p. 129-136**
File No. 16.8620.15/009.002

Recommendation:

THAT "Bylaw Notice Enforcement Bylaw No. 7458, 2004, Amendment Bylaw 8044, 2014 (Amendment 24)" is given FIRST, SECOND and THIRD Readings;

AND THAT "Street and Traffic Bylaw No. 7125, 2004, Amendment Bylaw 8060, 2014 (Amendment 12)" is given FIRST, SECOND and THIRD Readings.

9.6. Bylaw 8047: Prohibit Medical Marihuana Production and Distribution (Rezoning Bylaw 1308) **p. 137-159**
File No. 08.3060.20/05.14

Recommendation:

THAT "District of North Vancouver Rezoning Bylaw 1308 (Bylaw 8047)" is given SECOND and THIRD readings;

AND THAT the "District of North Vancouver Rezoning Bylaw 1308 (Bylaw 8047)" is ADOPTED.

*** 9.7. Bylaw 8059: Highway Closing Bylaw (West 1st Street)** **p. 161-178**
File No. 08.3160.20/045.000

Recommendation:

THAT "West 1st Street Highway Closure Bylaw 8059, 2014" is ADOPTED.

- 9.8. Bylaw 8064: Lane paving west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue** p. 179-186
File No. 5320.40/000.000

Recommendation:
THAT

- 1) Pursuant to Section 211 of the Community Charter, a local area service project for the paving of the existing gravel lane located in the 1900 block west of Pemberton Avenue and the lane north of the 1200 block of West Keith Road between Bridgman Avenue and Pemberton Avenue, be approved; and
- 2) Bylaw 8064 is given FIRST, SECOND, and THIRD Reading.

- 9.9. Bylaw 8068: Speed humps in lane west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue** p. 187-194
File No. 5320.40/000.000

Recommendation:
THAT

- 1) Pursuant to Section 211 of the Community Charter, a Local Area Service project for the construction of speed humps along the lane located west of 1900 block Pemberton Avenue and the lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue, be approved; and
- 2) Bylaw 8068 is given FIRST, SECOND, and THIRD Reading.

- 9.10. Bylaws 7987 & 7988: Recreation and Arts Bylaws**
File No.

Material to be circulated via agenda addendum.

- 9.11. Bylaw 8024: 3829 Dollarton Hwy (Noble Cove) OCP Amendment** p. 197-317
Bylaw 8025: 3829 Dollarton Hwy (Noble Cove) Rezoning Bylaw
Bylaw 8030: 3829 Dollarton Hwy (Noble Cove) Housing Agreement
File No. 08.3060.20/028.13

NOTE: Each vote on Bylaw 8024 requires a majority vote of all members of Council to carry.

The following resolution is put before Council for reconsideration pursuant to s.131 of the *Community Charter*.

MOVED by Councillor NIXON

SECONDED by Councillor LITTLE

THAT the "The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2014 (Amendment 8)" is given SECOND and THIRD Readings.

If Bylaw 8024 is granted SECOND and THIRD readings the following motion would be in order:

Recommendation:

THAT "The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2014 (Amendment 8)" is ADOPTED;

AND THAT "The District of North Vancouver Rezoning Bylaw 1301 (Bylaw 8025)" is ADOPTED;

AND THAT "Housing Agreement Bylaw 8030, 2014" is ADOPTED.

9.12. Social Policy Framework for British Columbia
File No.

p. 319-322

Recommendation:

WHEREAS the Roundtable of Provincial Social Service Organizations (RPSSO) is an affiliation of umbrella organizations for social service organizations, whose purpose is to generate collaborative projects aimed at bringing to the public the scope, depth and importance of the social care sector; and,

WHEREAS in 2013 RPSSO initiated a campaign to develop a comprehensive Social Policy Framework for British Columbia, modelled on the success of a social policy framework developed by the community and adopted by the Alberta Provincial Government;

THEREFORE BE IT RESOLVED that Council forward the following motion to the 2014 Union of BC Municipalities Annual General Meeting:

WHEREAS every British Columbian depends on social services, health care, justice and education services;

AND WHEREAS our communities are partners in the delivery of many of these services and are facing increasingly complex social challenges requiring coordination between multiple social ministries of government, municipalities and the community agencies and organizations that deliver services to the public;

THEREFORE BE IT RESOLVED that the municipal governments of British Columbia call upon the Premier to begin a consultation with British Columbians to initiate the development of a Social Policy Framework that will set out key policy directions, values, priorities, roles and expectations, and guide the creation of public policy to meet our social needs now and into the future.

* **9.13. District of North Vancouver Drinking Water Quality - 2013**
File No. 5600.50/003

p. 323-364

Recommendation:

THAT the report from the Manager, Utilities regarding District of North Vancouver Drinking Water Quality – 2013 dated May 12, 2014 be received for information.

- * **9.14. Change to Acting Mayor Schedule**
File No. 01.0115.30/002.000

p. 365-368

Recommendation:

THAT the May 5, 2014 resolution of Council switching Councillor Hicks' May 11 – June 9, 2014 Acting Mayor assignment with Councillor Bassam's November 5 – December 4, 2014 Acting Mayor assignment be amended to read:

THAT the schedule of Acting Mayor appointments be amended by switching Councillor Hicks' May 11 – June 9, 2014 Acting Mayor assignment with Councillor Nixon's November 5 – December 4, 2014 Acting Mayor assignment.

10. REPORTS

10.1. Mayor

10.2. Chief Administrative Officer

10.3. Councillors

10.4. Metro Vancouver Committee Appointees

11. ANY OTHER BUSINESS

12. ADJOURNMENT

Recommendation:

THAT the May 26, 2014 Regular Meeting of Council for the District of North Vancouver be adjourned.

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PROCLAMATIONS

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PROCLAMATION

"Day of the Honey Bee"
May 29, 2014

- WHEREAS:** A third of all the food Mankind consumes exists because of the tireless work of the Honey Bee; and
- WHEREAS:** Seventy percent of our food crops are pollinated and partially if not completely dependent upon the Honey Bee; and
- WHEREAS:** Honey Bees are disappearing at alarming and unsustainable rates all over the world for reasons not fully explained by science; and
- WHEREAS:** The public needs to be made aware of the dire threats to the Honey Bee, for their survival is surely linked with our own.
- NOW THEREFORE I,** Richard Walton, Mayor of the District of North Vancouver, do hereby proclaim May 29, 2014 as the **"Day of the Honey Bee"** in the District of North Vancouver.

Richard Walton
MAYOR

Dated at North Vancouver, BC
this 26th Day of May 2014.

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PROCLAMATION

“Access Awareness Day” (June 7, 2014)

- WHEREAS:** Accessibility and inclusion is essential for ensuring that all community members have equity in opportunities, and the ability to fully participate in community life; and
- WHEREAS:** Accessibility affects all aspects of community life – physical, social and economic including employment, transportation, recreation, housing, and other opportunities; and
- WHEREAS:** We all have a role to play in ensuring that our communities are as accessible and inclusive as possible.
- NOW THEREFORE I,** Richard Walton, Mayor of the District of North Vancouver, do hereby proclaim that June 7, 2014 shall be known as **“Access Awareness Day”** in the District of North Vancouver.

A handwritten signature in black ink, appearing to read 'R. Walton'.

Richard Walton
MAYOR

Dated at North Vancouver, BC
This 26th day of May 2014

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PROCLAMATION

"NORTH SHORE STROKE RECOVERY DAY"

JUNE 14, 2014

WHEREAS: Stroke is one of the major community health problems and the primary cause of disability in adults; and

WHEREAS: The North Shore Stroke Recovery Centre operates a post-hospital program of exercise, speech therapy, social and recreational activities, and partners' support groups; and

WHEREAS: The North Shore Stroke Recovery Centre is also responsible for public education about stroke; and

WHEREAS: It is the 40th anniversary of the North Shore helping stroke survivors; and

WHEREAS: The 9th Annual Stride for Strokes event will take place on June 14, 2014 at John Lawson Park.

NOW THEREFORE I, Richard Walton, Mayor of the District of North Vancouver, do hereby proclaim the June 14, 2014 as "NORTH SHORE STROKE RECOVERY DAY" in the District of North Vancouver.

A handwritten signature in black ink, appearing to read 'Richard Walton'.

Richard Walton
MAYOR

Dated at North Vancouver, BC
This 26th day of May 2014

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DELEGATIONS

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Delegation to Council Request Form

District of North Vancouver
Clerk's Department
 355 West Queens Rd, North Vancouver, BC V7N 4N5

Questions about this form: Phone: 604-990-2311
 Form submission: Submit to address above or Fax: 604.984.9637

COMPLETION: To ensure legibility, please complete (type) online then print. Sign the printed copy and submit to the department and address indicated above.

Delegations have five minutes to make their presentation. Questions from Council may follow.

Name of group wishing to appear before Council: Lower Cap Seniors Action Table (SAT - LSPS)

Title of Presentation: SATs and Engagement of Seniors in Community Planning Processes

Name of person(s) to make presentation: Robyn McGuinness, Mahin Khodabandeh, Avissa Izadi

Purpose of Presentation: ☒ Information only
☐ Requesting a letter of support
☐ Other (provide details below)

Please describe:

Attach separate sheet if additional space is required
 Brief overview of Phase 3 Report: Seniors Today - Shaping North Shore Communities that includes the activities of the Lower Capilano and Seymour Seniors Action Tables and comments from senior residents about the initiatives they are taking part in and how they see them contributing to an Age-friendly District of North Vancouver.

Contact person (if different than above): Jane Osborne

Daytime telephone number: 604-363-5370

Email address: jane.osborne@bccrns.ca

Will you be providing supporting documentation? ☒ Yes ☐ No

If yes: ☒ Handout ☐ DVD
☒ PowerPoint presentation

Note: All supporting documentation must be provided 12 days prior to your appearance date. This form and any background material provided will be published in the public agenda.

Presentation requirements: ☒ Laptop ☐ Tripod for posterboard
☐ Multimedia projector ☐ Flipchart
☒ Overhead projector

Arrangements can be made, upon request, for you to familiarize yourself with the Council Chamber equipment on or before your presentation date.

Delegation to Council Request Form

Rules for Delegations:

1. Delegations must submit a Delegation to Council Request Form to the Municipal Clerk. Submission of a request does not constitute approval nor guarantee a date. The request must first be reviewed by the Clerk.
2. The Clerk will review the request and, if approved, arrange a mutually agreeable date with you. You will receive a signed and approved copy of your request form as confirmation.
3. A maximum of two delegations will be permitted at any Regular Meeting of Council.
4. Delegations must represent an organized group, society, institution, corporation, etc. Individuals may not appear as delegations.
5. Delegations are scheduled on a first-come, first-served basis, subject to direction from the Mayor, Council, or Chief Administrative Officer.
6. The Mayor or Chief Administrative Officer may reject a delegation request if it regards an offensive subject, has already been substantially presented to council in one form or another, deals with a pending matter following the close of a public hearing, or is, or has been, dealt with in a public participation process.
7. Supporting submissions for the delegation should be provided to the Clerk by noon 12 days preceding the scheduled appearance.
8. Delegations will be allowed a maximum of five minutes to make their presentation.
9. Any questions to delegations by members of Council will seek only to clarify a material aspect of a delegate's presentation.
10. Persons invited to speak at the Council meeting may not speak disrespectfully of any other person or use any rude or offensive language or make a statement or allegation which impugns the character of any person.

Helpful Suggestions:

- have a purpose
- get right to your point and make it
- be concise
- be prepared
- state your request, if any
- do not expect an immediate response to a request
- multiple-person presentations are still five minutes maximum
- be courteous, polite, and respectful
- it is a presentation, not a debate
- the Council Clerk may ask for any relevant notes (if not handed out or published in the agenda) to assist with the accuracy of our minutes

I understand and agree to these rules for delegations

Jane Osborne

January 1, 2014

Name of Delegate or Representative of Group

Date


Signature

For Office Use Only

Approved by:

Municipal Clerk

Deputy Municipal Clerk

☒

Appearance date:

Receipt emailed on:

May 26, 2014 JNR

~~MARCH 3~~

JAN. 7 2014

Rejected by:

Mayor

CAO

Applicant informed on:

Applicant informed by:

The personal information collected on this form is done so pursuant to the Community Charter and/or the Local Government Act and in accordance with the Freedom of Information and Protection of Privacy Act. The personal information collected herein will be used only for the purpose of processing this application or request and for no other purpose unless its release is authorized by its owner, the information is part of a record series commonly available to the public, or is compelled by a Court or an agent duly authorized under another Act. Further information may be obtained by speaking with The District of North Vancouver's Manager of Administrative Services at 604-990-2207 or at 355 W Queens Road, North Vancouver.



5.2 Delegation to Council Request Form

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Form submission: Submit to address above or Fax: 604.984.9637

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Delegations have five minutes to make their presentation. Questions from Council may follow.

Name of group wishing to appear before Council: Community Monitoring & Advisory Committee

Title of Presentation: Report on 2013 Activities and Results - Highlights

Name of person(s) to make presentation: Peter Thompson, and another CMAC member

Purpose of Presentation: ☐ Information only
☐ Requesting a letter of support
☒ Other (provide details below)

Please describe:

Presenting highlights from the 2013 Committee activities and responding to Council interests or concerns on this multi-year program.

Contact person (if different than above):

Daytime telephone number: 604-985-5961 or 604-839-5961

Email address: peterjthompson@shaw.ca

Will you be providing supporting documentation? ☒ Yes ☐ No

If yes: ☐ Handout ☐ DVD
☒ PowerPoint presentation

Note: All supporting documentation must be provided 12 days prior to your appearance date. This form and any background material provided will be published in the public agenda.

Presentation requirements: ☒ Laptop ☐ Tripod for posterboard
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8. Delegations will be allowed a maximum of five minutes to make their presentation.
9. Any questions to delegations by members of Council will seek only to clarify a material aspect of a delegate's presentation.
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- it is a presentation, not a debate
- the Council Clerk may ask for any relevant notes (if not handed out or published in the agenda) to assist with the accuracy of our minutes

I understand and agree to these rules for delegations

Peter J Thompson

13/02/2014

Name of Delegate or Representative of Group

Date

Signature

For Office Use Only

Approved by:

Municipal Clerk

Deputy Municipal Clerk

Appearance date:

Receipt emailed on:

Rejected by:

Mayor

CAO

Applicant informed on:

Applicant informed by:

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MINUTES

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DISTRICT OF NORTH VANCOUVER PUBLIC HEARING

REPORT of the Public Hearing held in the Council Chambers of the Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, May 13, 2014 commencing at 7:00 p.m.

Present: Mayor R. Walton
Councillor R. Bassam
Councillor R. Hicks
Councillor M. Little

Absent: Councillor D. MacKay-Dunn
Councillor L. Muri
Councillor A. Nixon

Staff: Mr. B. Bydwell, General Manager – Planning, Properties, and Permits
Mr. B. Dwyer, Manager – Development Services
Ms. J. Paton, Manager – Development Planning
Mr. N. Letchford, Deputy Municipal Clerk
Mr. E. Wilhelm, Community Planner
Ms. L. Brick, Confidential Council Clerk

Bylaw 8047: The District of North Vancouver Rezoning Bylaw 1308

Purpose of Bylaw:

A proposal to prohibit medical marihuana production and distribution within the District

1. OPENING BY THE MAYOR

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

2. INTRODUCTION OF BYLAWS BY CLERK

Ms. Natasha Letchford, Deputy Municipal Clerk, introduced the proposed bylaw and advised that all those who consider that their interest in property may be affected by the proposed bylaw are welcome to speak.

3. PRESENTATION BY STAFF

Presentation: Mr. Erik Wilhelm, Community Planner

Mr. Erik Wilhelm, Community Planner, provided an overview of the proposal which would prohibit medical marihuana production and distribution within the District.

Mr. Wilhelm advised that the Marihuana Medical Access Regulation (MMAR), which was introduced in 2001:

Public Hearing Minutes – May 13, 2014

- Allowed the growing of medical marihuana within residences; and,
- Allowed the designation of someone else to produce medical marihuana on behalf of a permit holder.

The concerns with this legislation included a lack of Health Canada oversight, mould in homes, and safety concerns for residents and the community.

The new regulation, Marihuana for Medical Purposes Regulation (MMPR), was adopted on April 1, 2014 with the following changes:

- Production is not permitted within residences;
- No on-site sales and product is distributed through a secure courier;
- Security, product quality, and air quality are ensured;
- Commercial scale operations;
- Able to distribute across Canada; and,
- Health Canada oversight.

The proposed bylaw will amend the Zoning Bylaw to prohibit MMPR commercial production/distribution facilities in the District. Commercial medical marihuana production and distribution facilities would require site specific rezoning.

The rezoning process would allow neighbourhood concerns to be appropriately addressed and include the examination of security measures, building design, air quality, and neighbourhood suitability.

4. REPRESENTATIONS FROM THE PUBLIC

4.1 Mr. Martin Drobny, 4000 Block Mountain Highway: IN FAVOUR

- Spoke in support of the new Health Canada regulations and the proposed District bylaw;
- Commented that the regulations will improve the safety and security of production sites and address the flaws of the previous regulation; and,
- Spoke to the air quality filtration systems which will be required by Health Canada.

4.2 Mr. Corrie Kost, 2800 Block Colwood Drive: IN FAVOUR

- Spoke regarding the authority of the regulating body;
- Spoke in favour of the proposed bylaw, but commented that more flexibility may be needed; and,
- Commented on the regulations being imposed in other communities.

4.3 Mr. Mark Vanous, 18000 Block Waltzen Court, Delta: IN FAVOUR

- Commented on the Health Canada standards for security and air purification; and,
- Requested that guidelines be developed which could assist applicants when making applications for rezoning.

5. QUESTIONS FROM COUNCIL

In response to a Council query regarding air quality standards, staff advised that the Health Canada approval process requires applicants to submit detailed designs of the air

purification system which will address odour. The Health Canada approval process also lists stringent requirements for security measures and employment information.

Council discussion ensued regarding the proposed bylaw and the lack of specific regulations for rezoning for commercial production and distribution of medical marihuana; staff noted that the current Zoning Bylaw prohibits commercial agriculture and the proposed bylaw will amend the Zoning Bylaw to include the production and distribution of marihuana as commercial agriculture. Staff advised that the second step in the process will be to research and develop specific guidelines outlining the process and criteria for consideration of rezoning applications.

6. COUNCIL RESOLUTION

MOVED by Councillor LITTLE

SECONDED by Councillor BASSAM

THAT the April 8, 2014 Public Hearing be closed;

AND THAT "The District of North Vancouver Rezoning Bylaw 1308" be returned to Council for further consideration.

CARRIED
(7:38 p.m.)

CERTIFIED CORRECT:



Confidential Council Clerk

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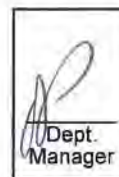
REPORTS

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**Reconsideration of Remedial Action Requirement –
1576 Merlynn Crescent**

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 26, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

May 14, 2014

File: 3060-20-12.14

AUTHOR: Tamsin Guppy, Community Planning

SUBJECT: Rezoning Application - Grouse Inn - Mixed Use Development
2010 Marine Drive

RECOMMENDATION:

It is recommended that:

1. Bylaw 8061, which rezones the subject site from C4 and C9 to Comprehensive Development Zone 81 (CD 81) to enable the development of a commercial-residential mixed use development be given First Reading;
2. Bylaw 8061 be referred to a Public Hearing; and
3. Bylaw 8062, which authorizes Housing Agreement to prevent future rental restrictions, be given First Reading.

REASON FOR REPORT:

To present for Council's consideration the necessary bylaws related to the consideration of a land use change to permit a mixed use development in the Lower Capilano Marine Village Centre.

SUMMARY:

The applicant, Rafii Architects on behalf of Pacific Gate Investments, has applied to rezone the Grouse Inn and adjacent vacant gas station site, to permit the development of a mixed use project. The proposal includes two residential towers, a restaurant, a commercial building, a new gateway plaza, and park dedication.



The proposal is in keeping with the Official Community Plan and the Capilano Village Centre Implementation Plan, and was generally well received when presented to the local community at both the preliminary and detailed application stage.

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2010 Marine Drive**

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The application is for rezoning only and does not include the Development Permit application.

EXISTING POLICY:

After extensive public engagement the *Lower Capilano Marine Village Centre Implementation Plan* was approved by Council on April 29, 2013 (excerpt shown on the right).

The Village Centre Plan designates this site for a mixed use development with density of up to 2.5 FSR.

The Village Centre Plan also requires that the redevelopment of this site include land for a public plaza at the corner of Capilano Road and Marine Drive, and for a portion of the new pocket park proposed on Curling Road.



The Village Centre Plan approved in 2013, shows two high-rises (in blue) on this site.

ANALYSIS:

Subject Site:

The site is approximately 2.6 acres in size and is located at the north-west corner of Capilano Road and Marine Drive. The site includes a former vacant gas station site, and the existing Grouse Inn hotel site.

The Grouse Inn is still open for business, but recent years have seen a decline in business as the hotel buildings become increasingly outdated.



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The Proposal:



The proposal is for a mixed use project that includes:

- Residential:
 - A 23 storey residential tower;
 - A 19 storey residential tower;
 - 3 storey townhouse units;
 - A total of 262-280 residential units
- Commercial
 - A 6,000 sq. ft. stand alone restaurant next to the public plaza and Marine Drive;
 - A 4 storey, 31,000 sq. ft. commercial building at Capilano and Curling.

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The total square footage of the project is based on a floor space ratio of 2.5, for a total gross floor area of 284,277 square feet.

Site Design and Layout



The proposed site plan and building layout is in keeping with the vision for the village centre, bringing a mix of housing and commercial services to the community.

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Commercial activity lines Marine Drive and Capilano Road and extends round the corner at Curling Road and into the pedestrian mews. These commercial spaces include a stand-alone restaurant on Marine Drive, which frames the south end of the site and the west end of the gateway plaza. Commercial retail units are proposed at the foot of the residential tower and the base of the commercial building running along the length of Capilano Road. As the 4 storey commercial building reaches Curling Road, the retail spaces continue and are oriented to both the main streets and the internal pedestrian area.

As the development proceeds along Curling Road it creates a 3 storey building wall with town house units facing the street.

A new road will provide vehicle access to this site and the existing 4 storey office building at 2030 Marine Drive. This new road will enter the site between the residential development and the new pocket park on Curling Road. This road will come into the site and end with a cul-de-sac that provides vehicle access to the commercial building, and creates pedestrian areas as shown in the conceptual sketch below.



While the detailed design work on the streetscape is still ongoing, the applicant team have embraced the community's vision for a pedestrian zone on the internal road network where people come first and residents can enjoy outdoor seating away from the noise of Capilano Road.

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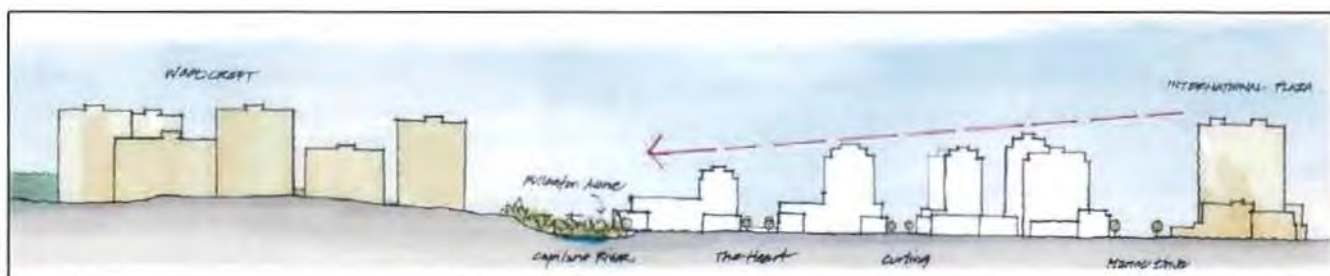
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The applicant team has also recognized the importance of extending this pedestrian connection south to Marine Drive to link up to the gateway plaza and major bus stop. To this end, they have modified their plans to create a strong linkage to the south. Public art, potentially combined with a large scale water feature are proposed for this gateway plaza to both advertise the village centre to all those driving by, and also to help mask the noise of traffic for those enjoying the plaza space or waiting for the bus.



Building Height:

The Village Centre Plan has tower heights stepping down from International Plaza (26 storeys) to the heart of the Village Centre. This site, being the furthest south and closest to International Plaza, has the tallest tower heights under consideration in the Centre Plan of 22 and 20 storeys respectively.



The applicant has proposed a slight modification to these heights to create a greater distinction between the two buildings, by increasing the height of one and decreasing the

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height of the other, so that instead of 22 and 20 storeys they are proposing 23 and 19 storeys. These heights have been part of the presentation to the public since the preliminary stage and have been reviewed by the Advisory Design Panel. To date, local residents have not raised concerns with the proposed change in building heights and this minor modification helps shift more of the height and density away from the single family homes and towards the corner of Capilano Road and Marine Drive.

The impact of the tower heights has also been minimized through the design which proposes slim towers with correspondingly small building footprints, thereby reducing the bulk of the buildings. The architect is also proposing "sky gardens" on the buildings that will help create a stepping stone between the new urban village and the District's more suburban character, by softening the building with landscaping and creating roof decks that residents can enjoy.

For these reasons, staff support the proposed modification in building heights.



The architect is proposing "sky gardens" and roof decks to bring a more lush garden feel to the proposal.

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Rezoning Bylaw 8061

Rezoning Bylaw 8061 establishes the maximum potential development size of 284,277 square feet which is based on the maximum permitted FSR of 2.5 x the lot area of 113,710.6 square feet.

The Bylaw also establishes the maximum square footage which may be used for residential development, thereby protecting a minimum square footage to be used for at-grade commercial but allowing some flexibility as the owners continue to work towards finding the best tenant mix for the site. To this end, the residential use is capped at 261,026 square feet which is approximately 92% of the total permitted square footage. This ensures that the remaining 8% square footage of 23,251 square feet is set aside for commercial uses, and this number is equivalent to the at-grade commercial space currently proposed in this project.



The proposal includes store front retail along Capilano Road shown above, and on Marine Drive shown below.



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Provision of Land for Public Use

In accordance with the Village Centre Plan and the Transportation Plan, the application includes substantial provision of land for public use, through dedication, air space parcels and rights of way (see plan below which shows public areas in orange).

This land is being provided to accommodate:

- The Gateway Plaza;
- A portion of the Curling Road pocket park;
- Road improvements on all three frontages;
- A new internal road system; and
- And new pedestrian connections through the site.



The proposal will be setting aside large portions of the site for public use as shown in orange on this plan.

Parking:

This site and the Village Centre falls within a frequent transit development area which has some of the best transit service in the region and as such parking requirements are expected to be lower for residential units in this location. The Village Centre Implementation Plan recommends consideration of parking reductions for residential use down to 1.1 spaces per unit, when a robust traffic study is provided.

At this stage in the project, residential parking is proposed at 1.5 stalls per unit and the CD 81 Zone includes this requirement as outlined in the table below:

Building Type	Ratio of Parking
Residential unit in a mid rise, low rise, or high rise building	1.4 space/ unit
Townhouse unit	1.5 space/ unit
Residential Visitor Parking	0.1 space / unit
Public parking	Visitor parking, and commercial parking should all be in a central area and available for shared use

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This parking rate is still higher than is likely to be needed. Once the project proceeds to Development Permit stage a more detailed transportation demand management plan will be provided that will include strategies for car sharing, location of electric vehicle charging stations, and methods for encouraging transit use. Based on a robust transportation demand management plan, a reduction in residential parking rates may be warranted. If that is the case, the Development Permit will include a discussion of the proposed parking and if warranted a recommendation for a parking variance.

At this time, the application includes 540 parking spaces over 3 levels of underground parking, with P1 being for visitors and commercial parking and accommodating taller vehicles, while P2 and P3 are for residential use.

Also under discussion at this time, for consideration at the Development Permit stage, are methods of encouraging the use of the underground parking areas, through improved way-finding, and bringing day-light and visual connections to the underground parking area. One example is extending retail space to the underground parking area so it is immediately visible how one connects to the retail area, like this example from the new Loblaws in the City of North Vancouver. To facilitate these discussions in the future, a minor FSR exemption is proposed that would exempt a small retail area that is sunken and at a lower grade and could provide a link or connection to the parkade.



Some supermarkets are creating lobbies with display areas at the parking level to make it easier for customers to navigate the parking lot.

These spaces also add to the feeling of safety and connection in the parkade.

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Transportation

Background:

Prior to the District moving forward with approval of the Village Centre Plan, the District worked with CTS Traffic Engineers to review the long term build-out for the village centre and confirmed that the local road network will accommodate the added vehicle load of the proposed change in land use.

Traffic Volumes:

The applicant undertook a traffic study which delves further into the impacts of this specific development and reconfirms that the existing road network will continue to work and that the site generated trips are a very small portion of the expected traffic volumes.

Network Improvements

The project includes substantial road dedication to enable the existing roads to be widened to accommodate safety and operational improvements on the road network as well as improved pedestrian and cyclist facilities.

To address safety and improve traffic flow, the proposal includes road dedications to accommodate the introduction of a new dedicated southbound left turn pocket on Capilano Road at Marine Drive, right-sized travel lanes on Capilano Road, and left turn pockets on the northbound and eastbound legs of the future intersection at Curling Avenue. In addition, the removal of the existing driveways will reduce conflict zones, improve intersection operations, and help ensure the Marine Drive bus lane works to its maximum capacity.

To improve conditions for walking and cycling, the proposal includes road dedications for wider sidewalks buffered by street trees and lush plantings and improvements for cyclists on Capilano Road, Marine Drive and Curling Avenue.

The Municipal Engineer will require that a signal be installed at the intersection of Capilano Road and Curling Road prior to work proceeding on any of the new Village Centre projects that rely on this intersection for access by construction vehicles.

The traffic study prepared by Bunt and Associates indicates that peak hour traffic from this site will generate 1.6 cars per minute leaving the site and moving through the intersection of Curling Road and Capilano Road and 1.7 cars per minute arriving.

A detailed Construction Management Plan will be a requirement of this proposal. As there is substantial land dedication along the roadways, it is anticipated that the bulk of the construction would be setback at least 15 feet from the current Capilano Road alignment and 13 feet from the Marine Drive alignment, thereby enabling construction to take place with minimal impact to the existing roads and sidewalks adjacent to this site.

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Community Amenity Contribution

In keeping with the Village Centre Plan, this project will be contributing towards community amenities that benefit the Village Centre. The Community Amenity Contribution will have a value of \$4,562,500. The amenity contribution will go towards amenities listed in the Village Centre Plan including:

- The provision or enhancement of public facilities which may include, but are not limited to: the community centre, or a day care centre;
- Improvements to public parks , plazas, trails and greenways;
- Public art and other beautification projects; and
- Affordable or special needs housing.

Bylaw 8061, rezoning the site, is an amenity bylaw that links the permitted density to the provision of amenities. The amenity contribution will be phased with the development with the first phase including approximately 62% of the development potential and accordingly, 62% of the amenity contribution, and the final or second phase including the remainder of both the development potential and community amenity contribution.

Phase	Maximum Density in that Phase	Amenity Contribution
Phase One	177,052 square feet and 172 units	\$2,828,750
Phase Two	284,277 square feet and 280 units	\$1,733,750
Total	284,277 square feet and 280 units	\$4,562,500

Additional Community Benefits:

In addition to the Community Amenity Contribution this development will also provide the following benefits to the community

Feature or Benefit	Monetary Value (Where Applicable)
Community Amenity Contribution (as above)	\$4,562,500
Public Plaza (4,250 sq. ft.)	Public plaza constructed
Public Park (portion of) (6,108 sq. ft.)	Land improved for park use
Road Improvements (Marine Drive, Capilano Road and Curling Road) (14,406 sq. ft.)	\$1,360,000 (construction costs) and land provided
Development Cost Charges	\$2,365,000

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Housing Mix

The project includes the following mix of unit types, which is considered a reasonable blend of unit sizes to accommodate a demographic mix:

Unit Style	Percentage of Units
One Bedroom	15%
One Bedroom with Den	21%
Two Bedroom	58%
Three Bedroom	6%

A development covenant will ensure that the minimum number of one bedroom and three bedroom units does not drop below 15% and 6% respectively, to ensure that the unit mix is maintained.

Adaptable Housing

The application is being processed under the existing Adaptable Housing Guidelines and as such it is required to provide:

- 50% of the units Level 1B (suitable for aging in place);
- 40% Level 2 (suitable for aging in place and for future conversion to wheel chair access); and
- 10% at Level 3 (wheelchair accessible).

The District's Adaptable Guidelines are currently under review, as current applications are grandfathered when policies change, if a new standard is adopted this project will have the option of applying the existing or the new policy.

Green Building

In keeping with the District's Green Building Policy, the applicant is proposing to meet the LEED © Gold rating and energy baseline requirement of six credits in the energy and atmosphere category.

Advisory Design Panel

Advisory Design Panel reviewed this application at the preliminary stage and again on May 1st, 2014, at the Detailed Rezoning Stage. Generally, there was support for this proposal and particularly of the elegant, slim lines of the towers, and of their small building footprints.

The Panel recommended support of the project, and suggested that when the project proceeds to the detailed design and development stage, more thought be given to how the open spaces work and in particular how to bring more trees and landscaping into the pedestrian areas.

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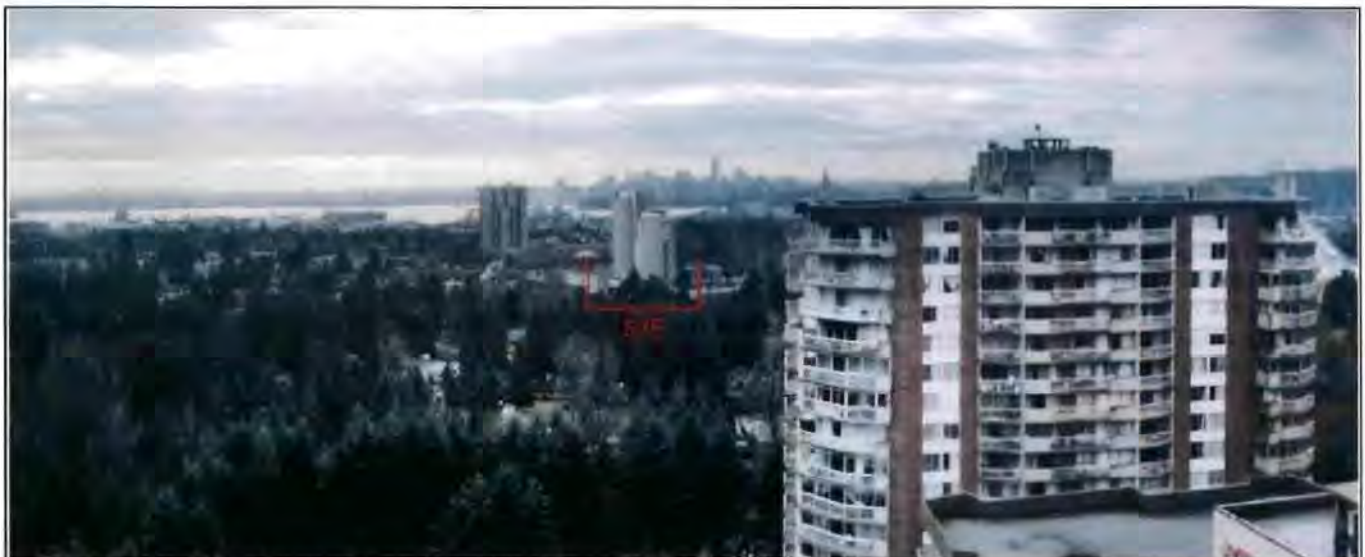
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Public Input:

A facilitated public information meeting was held on April 5th, 2014, and approximately 80 people attended the meeting. The notification area included the Village Centre and Woodcroft towers, with over 1500 flyers delivered. In the month following the delivery of the flyers, a total of 19 comment sheets were submitted of which 8 were in support, one was neutral and 10 were opposed. Of the comments received the following key topics were raised:

- 5 comments were in support of local commercial activity;
- 7 comments were concerned about traffic; and
- 4 comments were concerned about view impacts (all from residents of Woodcroft who look across the subject site).

To illustrate for residents of Woodcroft the degree to which their views might change, the architect provided the following illustration, which highlighted for some residents the distance to the site, and the relatively limited impact the project would have on existing views.



VIEW OF PROPOSED DEVELOPMENT AS SEEN FROM 20TH FLOOR OF ONE OF THE WOODCROFT TOWERS

With regards to traffic, again many of the concerns were raised by Woodcroft residents who have expressed concerns with traffic during the Official Community Plan process and subsequent Village Centre process. Many of the Woodcroft residents would like a more direct route into West Vancouver, from the rear of their property directly onto Keith Road. District staff have followed up with West Vancouver and understand that Woodcroft would need to apply directly to West Vancouver to secure this new access.

With regards to general concerns about traffic and parking, the transportation studies have shown that the improved road network can accommodate the anticipated growth and that this project is only a small portion of that growth.

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IMPLEMENTATION:

The implementation of this project will require consideration of:

- Rezoning Bylaw 8061; and
- Housing Agreement Bylaw 8062.

Anticipated legal documents for the project include:

- Subdivision plan to consolidate the site and dedicate roads and park land;
- Statutory rights of way;
- Covenants to ensure the following issues are addressed to the District's satisfaction:
 - All off-site and on-site servicing (engineering) requirements;
 - Development is in keeping with the proposed rezoning package;
 - Allocation of development rights;
 - Phasing of the project;
 - Traffic management;
 - Adaptable Housing;
 - Green Building requirements;
 - District Energy requirements for building hydronic ready;
 - Ensuring unsold parking spaces are turned over to each respective strata;
 - Ensuring visitor and public parking are combined and easy to access;
 - Provision of electric vehicle charging stations; and
 - A Storm Water covenant.

Conclusion:

The Grouse Inn team have worked to address issues raised by staff and the community and have presented a strong application that is in accordance with the Village Centre Plan and has a high quality design package. The applicant team is continuing to work to secure a small grocery store or other retail uses that will support the Village Centre.

Bylaw 8061 proposes the mix of land uses and densities that is in keeping with the Village Centre Plan and would permit this development to move forward, and for that reason staff recommend Bylaw Introduction and Referral to a Public Hearing.

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Options:

A) It is recommended that:

1. Bylaw 8061, which rezones the subject site from C4 and C9 to Comprehensive Development Zone 81 (CD 81) to enable the development of a mixed use development with 262 residential units be given First Reading;
2. Bylaw 8061 be referred to a Public Hearing; and
3. Bylaw 8062, which authorizes Housing Agreement to prevent future rental restrictions, be given First Reading (staff recommendation); or

B) Defeat Bylaws 8061 and 8062 at First Reading.

Respectfully submitted,


Tamsin Guppy
Community Planning

Attachments:

- a) Project Plans
- b) Facilitator's Report on the Public Information Meeting
- c) Bylaw 8061 Rezoning Bylaw CD 81
- d) Bylaw 8062 Housing Agreement

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

M A R I N E D R & C A P I L A N O R D



SOUTH EAST VIEW

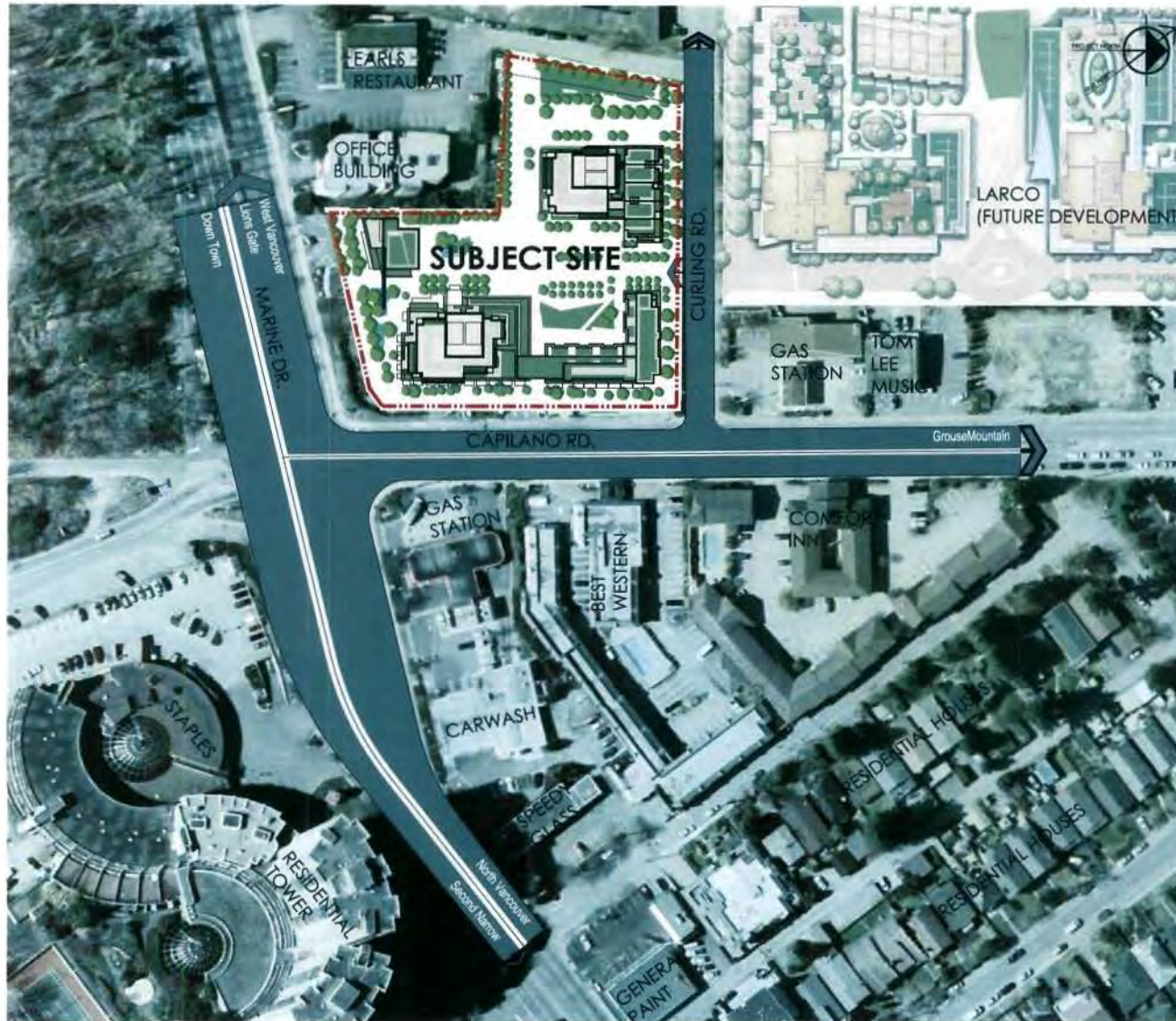
REZONING
APPLICATION

DISTRICT OF
NORTH VANCOUVER

M A R C H 2 0 1 4

Attachment A





PROPERTY DESCRIPTION

The subject lands comprise 113,710 square feet and occupy a strategic, highly visible 'gateway' location in the District of North Vancouver, at the intersection of two major streets, Marine Drive and Capilano Road.

Adjacent uses include a 4 storey strata office building to the west; the Squamish Nation residential community to the south; the 26 storey International Plaza complex to the south-east; low density highway retail, restaurant and motel uses along Marine Drive and Capilano Road; and the proposed redevelopment of the North Shore Curling property to the north.

Vehicular and pedestrian access is currently provided by three flanking streets, Marine Drive to the south; Capilano Road to the east; and Curling Road to the north.

The property is 10 minutes from downtown Vancouver and 30 minutes from the recreational amenities of Grouse Mountain.

There is good public transit in the area, and this is expected to improve as a new transit centre is proposed for lands to the east of Capilano Road.

The site offers excellent views in all directions, towards the mountains, the water and the cityscape of Vancouver.

A number of significant natural features along the Capilano River and a Regional Park trail system are nearby.



Retail Uses

Approximately 17,200 square feet of retail space is proposed with a variety of commercial retail units (CRUs) along Capilano Road, and fronting onto the new public plaza and a portion of Curling Road. Some of the spaces are 'double-fronted' and open up onto a commercial courtyard to help animate the space. Proposed uses include cafes, restaurants, and various neighbourhood retail uses including a bank, dry cleaners, hair salon, and other uses to be determined by the community.

A two storey restaurant pavilion along Marine Drive, accessed from the interior courtyard comprises approximately 6,000 square feet.

Office Uses

While realtors have expressed concerns about the economic viability of new office space in this location, in response to requests from staff and the community, approximately 13,900 square feet of neighbourhood office space is proposed above the Capilano Road retail units and in a four storey building along a portion of Curling Avenue. It is hoped that this will attract professionals and others, some of whom might live in the area.

Residential Uses

Tower 1 near the corner of Marine Drive and Capilano Road comprises approximately 140,000 square feet in 23 storeys with 154 one, two and three bedroom suites ranging in size from 543 to 982 square feet. Tower 2 comprises approximately 102,700 square feet in 19 storeys and offers approximately 98 one, two and three bedroom units with unit sizes ranging from 633 to 1,369 square feet. The 10 stacked townhouse units along Curling Road comprise 12,470 square feet.

FSR, Site Coverage and Height

The total of 292,200 square feet equates to an FSR of 2.57 which is just slightly more than the 2.5 FSR limit set out in the OCP. This is considered appropriate given the amount of retail and office space being proposed. The building coverage is 31%. The maximum height is 230 feet which is comparable to that of the 26 storey International Plaza development along the south side of Marine Drive.

- Residential
- Commercial

MAIN LEVEL

SCALE 1:500



MIXED USE BUILDINGS

SOCIAL GATHERING OPPORTUNITIES



TOWER EXPRESSIONS

SEMI PUBLIC OPEN SPACES

SKY GARDENS

BASE OF RESIDENTIAL BUILDINGS



PUBLIC REALM

LANDSCAPED TERRACES

PUBLIC REALM

TOWNHOUSES



TOWER 1 AS VIEWED FROM WOONERF STREET

SCALE 1:500



COMMERCIAL PODIUM AS VIEWED FROM WOONERF STREET

SCALE 1:250

TOWER 1 & COMMERCIAL PODIUM AS VIEWED FROM WOONERF STREET

SCALE 1:500 / 1:250

Architectural Design

Careful consideration has been given to developing a project design that respects and fits with its natural surroundings. This has been achieved with a design concept that combines extensively landscaped terraced low-rise buildings, combined with two slender towers.

A unique feature of the towers is a series of 'Sky Gardens' located at different levels to be maintained as part of the common area of the buildings. This is in response to the community dialogues that took place during the planning process at which local residents and staff both expressed a desire that this not be another 'Yaletown' development.

The design concept has been further reinforced by the selection of natural materials: stone, wood, glass and concrete.

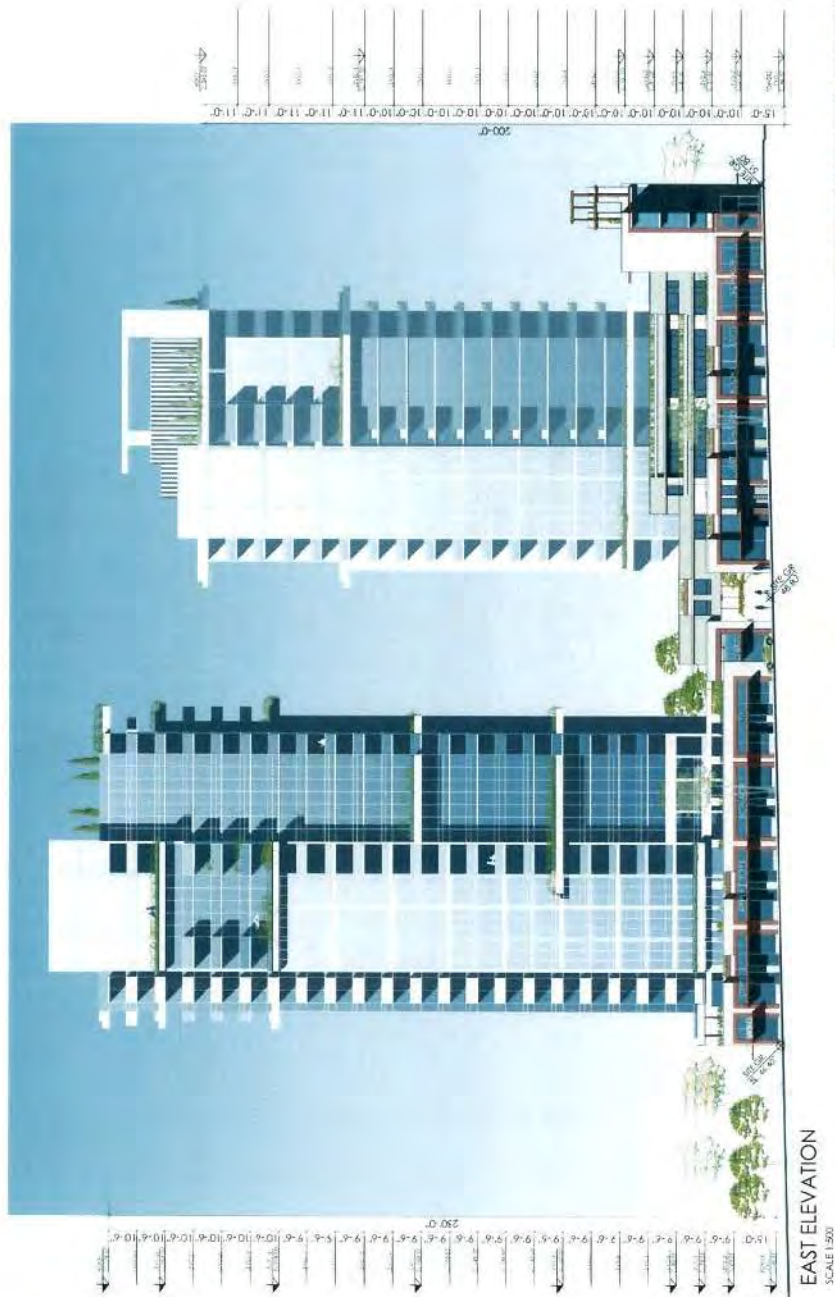
The highly articulated retail frontages along Capilano Road and Curling Road are designed to reinforce the 'village character' for the neighbourhood. Continuous weather protection is provided by various canopy designs. There is an extensive use of Proforma Cladding Wood Veneer panels that offer the warmth of natural wood but with long term durability.

The design of the public plaza at Marine Drive and Capilano Road offers a mix of urban and natural design elements, which relate closely to the Public Realm design approach prepared by the District and its landscape consultants. The result will be a visually attractive space at this important intersection, which celebrates the significant gateway location of the properties.



SOUTH ELEVATION (MARINE DR.)

1/3200 1/3250



EAST ELEVATION
SCALE 1:500



ENLARGEMENT OF STREET LEVEL PODIUM
SCALE 1:250

EAST ELEVATION (CAPILANO RD.)

1,500 1,250

PACIFIC GATE INVESTMENTS Ltd.

MATERIAL FINISHES

- ① CLEAR LOW E GLASS AND OFF WHITE SPANDREL IN ALUM. WINDOW FRAMES
- ② COATED ARCHITECTURAL CONCRETE WALL
- ③ COATED ARCHITECTURAL CONCRETE WALL
- ④ PRODEMA CLADDING WOOD VENEER PANELS
- ⑤ STONE (SCUMPIE CANYON CASTERONI)
- ⑥ GLASS AND ALUMINUM CANOPY

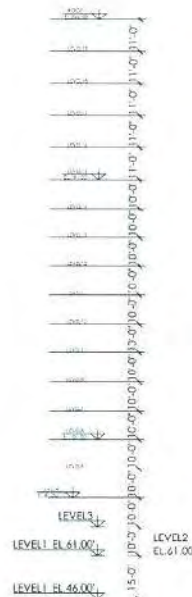


NORTH ELEVATION
SCALE 1/500

ENLARGEMENT OF CURLING RD. STREETSCAPE
SCALE 1/250



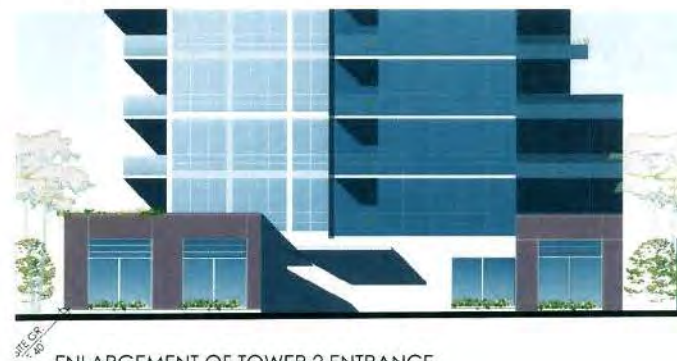
TOWER 2 WEST ELEVATION
SCALE 1:500



TOWER 2 EAST ELEVATION
SCALE 1:500



ENLARGEMENT OF TOWER 2 WEST ELEVATION
SCALE 1:250



ENLARGEMENT OF TOWER 2 ENTRANCE
SCALE 1:250

TOWER 2 EAST & WEST ELEVATIONS

SCALE 1:500 / 1:250



VIEW OF PROPOSED DEVELOPMENT AS SEEN FROM 20TH FLOOR OF ONE OF THE WOODCROFT TOWERS



AERIAL PHOTO SHOWING WOODCROFT TOWER VIEWPOINT



PAVING



ENTRANCE PLAZA FEATURES



PEDESTRIAN PROMENADE



THE MEADOW

STREET LEVEL PLANT LIST

KEY	QTY	BOTANICAL/ COMMON NAME	SIZE/CONDITION
TREES			
AR	-	ACER RUBRUM / RED MAPLE	10 CM CAL. WB. 1.8 M STD.
CE	-	CORNUS UDGES / DOGWOOD	8 CM CAL. WB.
GS	-	GINKGO BLOBA / GINKGO	8 CM CAL. WB. 1.8 M STD.
MS	-	MAGNOLIA SOULANGIANA / MAGNOLIA	8 CM CAL. WB.
PS	-	PRUNUS SERRATA / JAPANESE CHERRY	8 CM CAL. WB.
PY	-	PRUNUS X YEDOENSIS / YASHINO CHERRY	10 CM CAL. WB. SPECIMEN
QR	-	QUERCUS RUBRA / RED OAK	10 CM CAL. WB. 1.8 M STD.

BAMBOO			
Ph	-	PHYLOSTACHYS NIGRA / BLACK BAMBOO	#3 POT, FULL, @ 1.0M O.C.
HEDGES			
Tr	-	TAXUS X MEDIA H.M. 'EDDIE' / EDDIE YEW	1.2 m Ht., FULL @ 0.45M O.C.

SHRUBS			
Al	-	AZALEA JAPONICA / DWARF AZALEA	#3 POT, FULL, @ 0.45M O.C.
Bu	-	BUXUS MICROPHYLLA / BOXWOOD	#3 POT, FULL, @ 0.40M O.C.
Pl	-	PRUNUS LAUROCESTRUS / LAUREL	#3 POT, FULL, @ 0.45M O.C.
Sw	-	SIPHOCALYX WILSONII / SWICKEN SPURGE	#3 POT, FULL, @ 0.30M O.C.
Sj	-	SCIMMIA JAPONICA / SKIMMIA	#3 POT, FULL, @ 0.45M O.C.

GRASSES			
rs	-	HELIOTRICHON SEMPERVIRENS / BLUE OAT GRASS	#2 POT, FULL, @ 0.45M O.C.
fi	-	FESTUCA IDAHOENSIS / IDAHO FESCUE	#2 POT, FULL, @ 0.30M O.C.

GROUND COVERS			
rad	-	PACHYSANDRA TERMINALIS	#2 POT, FULL, @ 0.30M O.C.
la	-	LAVANDULA ANGUSTIFOLIA / LAVENDER	#3 POT, FULL, @ 0.30M O.C.
Oj	-	OPHIOPOGON JAPONICUS / MONDO GRASS	#2 POT, FULL, @ 0.30M O.C.
Oj	-	THYMUS SERPYLLUM / LEMON THYME	#1 POT, FULL, @ 0.15M O.C.

CLIMBERS			
pl	-	PARTHENOCESSUS TRICUSPATA / BOSTON IVY	#2 POT, FULL, @ 0.60M O.C.

PERENNIALS			
alb	-	ALLIUM LUCY BALL / ORNAMENTAL ONION	SUBS. @ 0.3M O.C.
cb	-	CROCUS BULB / MISS VAIN CROCUS	SUBS. @ 0.22 M O.C.
ri	-	IRIS 1 POT, FULL, @ 0.45M O.C.	#2 POT, FULL, @ 0.30M O.C.

AQUATICS			
lym	-	TYPIA MINIMA / DWARF CATTAIL	#2 POT, FULL, @ 0.3M O.C.
eh	-	EQUISETUM HYEMALE / SCORING RUSH	#2 POT, FULL, @ 0.3M O.C.

AUTOCOURT 1

- Mixed pedestrian - auto court
- Central landscape elements act as feature to courtyard
- A unique feature with combination of layered rock, water and planting
- Evokes natural elements of mountains and rivers
- Water feature faces tower lobby and restaurant
- Extends and incorporates linear paving forms of unit concrete and stone to enrich courtyard 'carpet'
- Continuous courtyard paving, without curbs & curb letdowns
- In-ground lighting and Architectural bollards define circulation
- Vehicular loading area

PEDESTRIAN PROMENADE

- Prominent pedestrian walk
- Improves north-south connection; direct pedestrian access to marine drive + bus stop
- Operate independently, and in close relationship with adjacent outdoor open spaces improving access
- A tree-lined walkway with sitting, gathering areas and feature paving
- Separated from vehicular circulation by planting strip street trees and street furnishings
- Pergola structure expresses prominence of walkway and defines its scale

ENTRANCE PLAZA

- Inviting and welcoming plaza
- Framed and buffered from busy Marine & Capilano by formal lines of trees, planted borders & boulevards and a water feature
- Lively and active use spaces surrounded by restaurant and coffee shop
- Water feature with natural aesthetic using rock out-cropping which resemble river edges
- Feature carpet paving extends into courtyard and provides a continuous pedestrian arrival floor
- Seating opportunities water feature and plaza edges
- Rainwater captured from restaurant roof feeds water feature
- Specimen trees serves as focal point to plaza entrance
- Feature lighting and possible integration of public art

STREET TREES

- On Capilano Rd.: Street trees planted in angular boulevards
- On Marine Dr.: Double row of street trees planted in both angular (rear) and parallel (front) boulevards

NATIVE PLANT LIST

KEY	QTY	BOTANICAL/ COMMON NAME	SIZE/CONDITION
TREES			
AR	-	PSEUDOTSUGA MENZIESII / DOUGLAS FIR	2 M HEIGHT, WB
CE	-	CORNUS NUTALLII / PACIFIC DOGWOOD	8 CM CAL. WB
GB	-	TAXUS BREVIFOLIA / PACIFIC YEW	3 M HEIGHT, WB
MS	-	ACER CIRCINATUM / VINE MAPLE	4M CLUMP, WB
PS	-	CORYLUS CORNUTA / BLANDED HAZELNUT	3M CLUMP, WB
PY	-	RHAMNUS PURSHIANA / CASCARA	8 CM CAL. WB.

SHRUBS			
Oc	-	OEMLERIA CERASIFORMIS / INDIAN PLUM	#3 POT, FULL, @ 0.45M O.C.
Pc	-	PHYSCARPUS CAPITATUS / NINEBARK	#3 POT, FULL, @ 0.45M O.C.
Sa	-	RUBUS SPECIABILIS / SALMONBERRY	#3 POT, FULL, @ 0.45M O.C.

GROUND COVERS			
cc	-	CORNUS CANADENSIS / BUNCHBERRY	#1 POT, FULL, @ 0.30M O.C.
gs	-	GAULTHERIA SHALLOX / SALAL	#1 POT, FULL, @ 0.30M O.C.
mn	-	MAHONIA NERVOSA / OREGON GRAPE	#1 POT, FULL, @ 0.30M O.C.

FERNS			
ap	-	ADIANTHUM PEDATUM / MAIDENHAIR FERN	#2 POT, FULL, @ 0.60M O.C.
pm	-	POLYSTICHUM MUNITUM / SWORD FERN	#2 POT, FULL, @ 0.60M O.C.
pa	-	PTERIDIUM AQUILINUM / BRACKEN FERN	#2 POT, FULL, @ 0.60M O.C.

DETAILS OF LANDSCAPE STRUCTURES:

- PEDESTRIAN PROMENADE PERGOLA**
 - OPEN AND WEATHER PROTECTED (WHERE APPROPRIATE) PERGOLA STRUCTURE
 - METAL, COLUMNS, WOOD & METAL ROOF TRUSSES, GLASS ROOF (WHERE APPROPRIATE)
 - LIGHTING OF COLUMNS AND ROOF STRUCTURE
- SEATING**
 - LINEAR CAST IN PLACE CONCRETE BASES WITH WOOD BENCH TOPS
 - UNDER LIGHTING OF WOOD BENCH TOPS
- PATIO AND TERRACE WALLS**
 - LINEAR CAST IN PLACE CONCRETE WALL BASES WITH PRECAST CONCRETE WALL CAPS
 - RECESSED LIGHTS, AT GATES, STAIRS AND PATHWAYS (WHERE APPROPRIATE)

NEIGHBOURHOOD PARK

- Large open lawn with shade tree lined perimeter
- Park layout and program is a response to the surrounding urban demand for programmable green open space
- Public seating, park plaza space with car drop-off lane and children's play areas
- programmed for informal gathering and recreation

TOWNHOUSE FRONT PATIOS

- Front patios: Feature unit concrete and stone paving, low walls & railings (where applicable) and hedges
- Continuous courtyard paving, without curbs & curb letdowns
- Fronting city sidewalk with street trees and planted boulevard.

AUTOCOURT 2

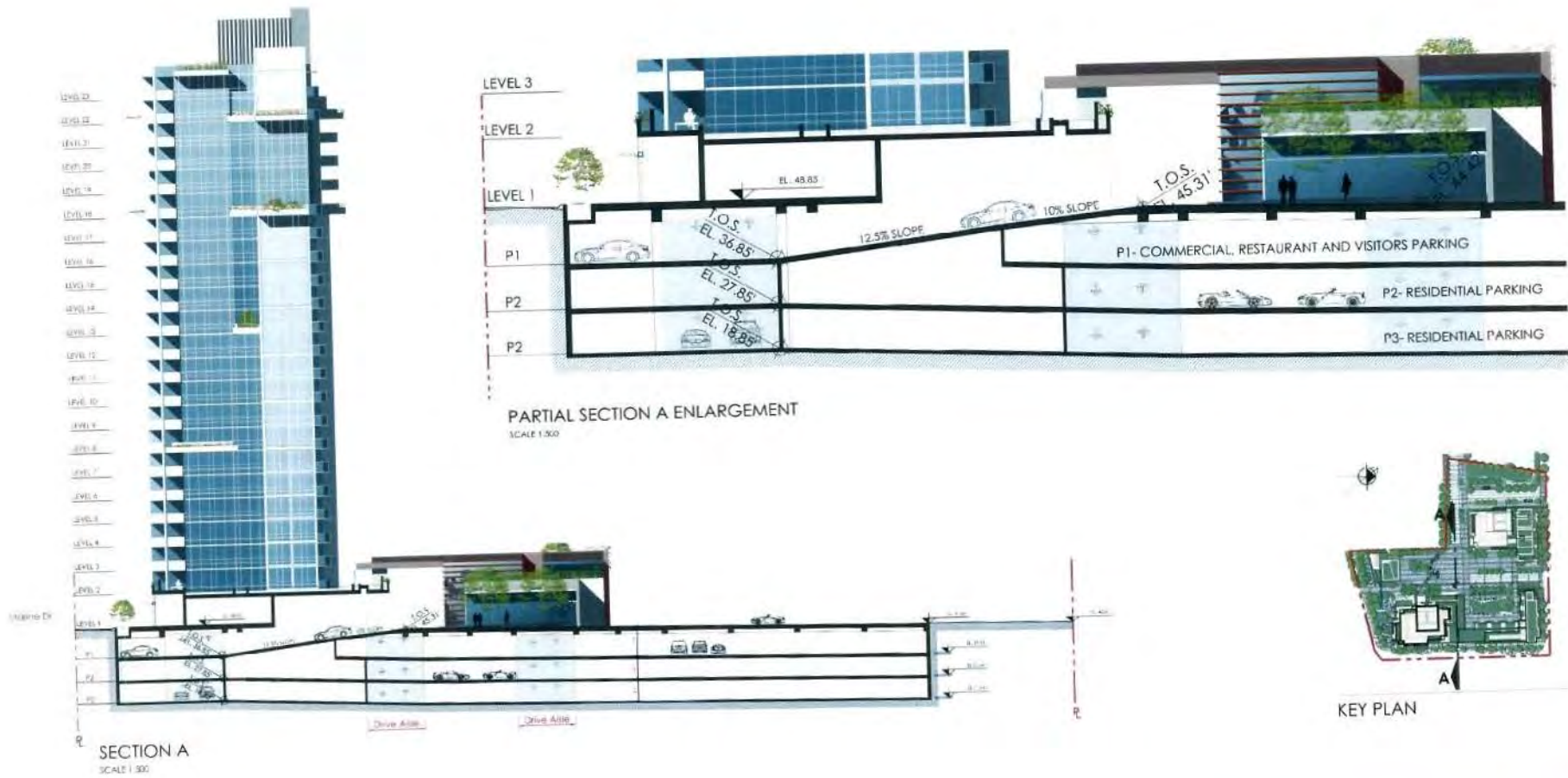
- Mixed pedestrian - auto court
- Continuous courtyard paving, without curbs & curb letdowns
- Landscape feature with trees, shrub masses and stone features close view from internal roadway and physically separate it.

COMMERCIAL COURTYARD MEADOW GARDEN

- Large quiet informal lawn area with seating
- Social gathering: benches, tables & chairs, chess, seating steps etc.
- Comfortable environment separated from pedestrian promenade and other circulation areas.
- Sunny spots and focal specimen trees
- Double use as commercial loading area.

CITY SIDEWALKS

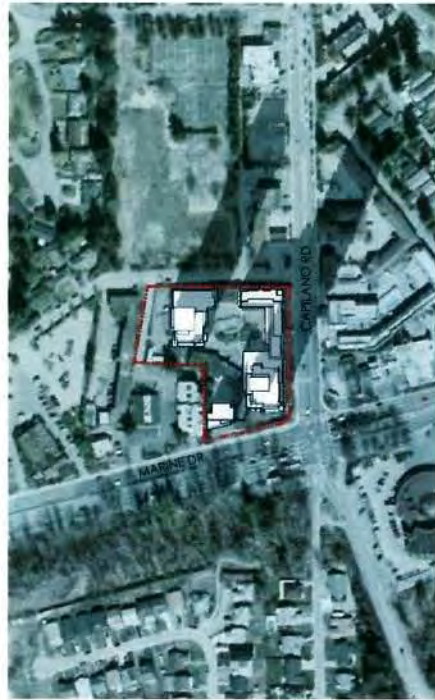
- Cast in place concrete sidewalk with exposed aggregate paving, paving bands and saw cut jointing.
- All details as per District of North Vancouver guidelines
- City sidewalk with street trees and Streets in planted boulevards with angled, non-parallel, edges to sidewalk.
- Street Trees ranging in species and size are arranged in informal, grouping; symbolizing North Vancouver's natural forest landscapes.







12:00 PM



4:00 PM



10:00 AM



2:00 PM

MARCH 27, 2014 5:30 PM

SHADOW STUDY MARCH 21

SCALE: NIS

A.6



10:00 AM



12:00 PM



2:00 PM



4:00 PM



12:00 PM



4:00 PM



10:00 AM



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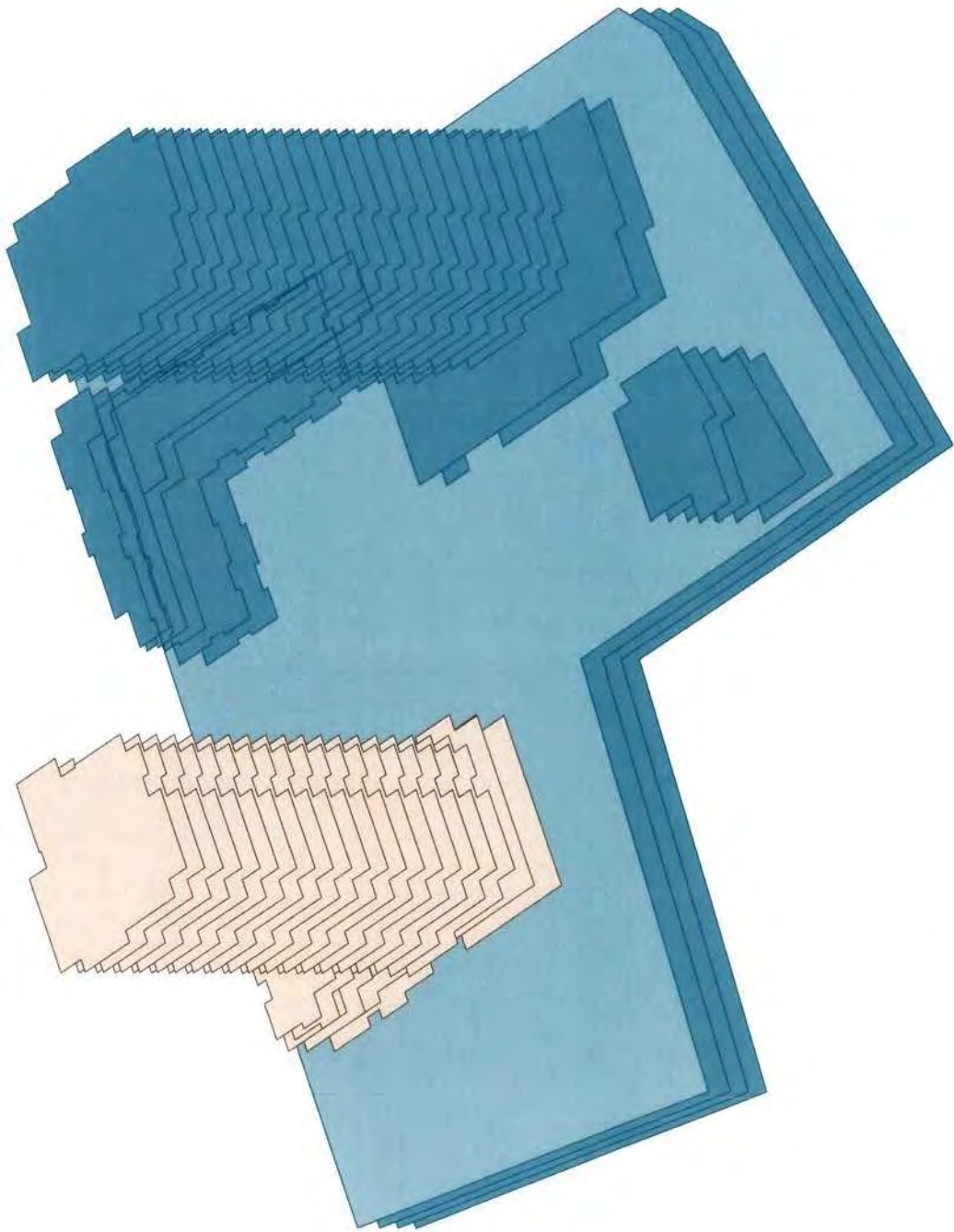
March 27, 2014 Site Plan

SHADOW STUDY SEPTEMBER 21
SCALE: NTS

A.8



PHASE 1
PHASE 2



A.14 PHASING PLAN

SCALE: NIS

ROCKANDEL&ASSOCIATES

*Building Success Through Process Facilitation,
Community & Organizational Engagement
Partnership Planning*

**PUBLIC INFORMATION
MEETING SUMMARY REPORT**

To: Foad Rafii, Rafii Architects E:foad@rafiiarchitects.com
Michael Geller, Geller Group E: geller@sfu.ca
Tamsin Guppy, Community Planner, District of N. Van E: tguppy@dnv.org
From: Catherine Rockandel, IAF Certified Professional Facilitator, Rockandel & Associates
Tel: 1-604-898-4614 E: cat@growpartnerships.com
Re: Public Information Meeting Summary for Pacific Gate Investments Ltd

I. EVENT DETAILS

Event Date: Saturday, April 5, 2014
Time: 10:00 am to 12:00 pm
Location: Grouse Inn, Meeting Room, 1633 Capilano Road
Attendees: 68 people signed in. A count of the room indicated approximately 80 people not including District staff and team members.

Notification

Flyer Invitation

An invitation package consisting of the development flyer, a District of North Vancouver fact sheet, comment sheet, and a sheet that outlines the process for applications requiring rezoning was hand delivered to 1500 homes in the Lower Capilano Village Centre as per DNV requirements. The proponent also delivered to the Woodcroft Complex.

Site Signs

There were two (2) site sign notifying the community of the meeting.

Team in Attendance:

Fareed Momen, Pacific Gate Investments Ltd
Foad Rafii, Architect, Rafii Architects
Jane Farquharson, Transportation Engineer, Bunt & Associates

District of North Vancouver

Tamsin Guppy, Community Planning Department,

Facilitator

Catherine Rockandel, Rockandel & Associates

II. PUBLIC INFORMATION MEETING PROGRAM

The purpose of the Public Information Meeting was for citizens to provide input on the proposal by Pacific Gate Investments Ltd., to construct a comprehensive commercial – residential development on the Grouse Inn and former Esso property at the north- west corner of Capilano Road and Marine Drive. The proposal includes neighbourhood retail and office space: 262 residential units ranging in size from one to three bedrooms in 23 and 19 storey residential towers, 4 storey townhouses/stacked townhouses, a public plaza, restaurant and park space.

Citizens were invited to review presentation boards set up in an Open House format from 10:00 to 10:30am. At 10:30am the facilitator welcomed participants, provided an overview of the process and participation guidelines for the session. Foad Rafii from the project team provided a presentation, which was followed by a facilitated Q&A. The main issues raised during the Q&A related to traffic and congestion.

III. PUBLIC/RESIDENT COMMENTS: Q & A (Q: Questions C: Comment A: Answers)

Q1: How much parking is being allowed for each suite?

A1: The current requirement is 1.7, which we have allowed for. Our understanding is that the DNV is revising its parking requirements for the Lower Capilano Marine Drive plan encourages lower parking supply rates. We will be looking at parking rates

C2: Always we are talking about traffic within project, but if you add lanes to Capilano Road this will increase traffic on Marine Drive and Lions Gate Bridge. I have lived in North Van for 23 years. There has been a lot of talk about third crossing, tunnels, but we have a 196,000 population and we pay three councils, three mayors from Horseshoe Bay to Deep Cove of course there is no money. I am concerned about traffic

Q3: The DNV has no requirements for over height vehicles, what happens if a tenant has an over height vehicle?

A3: There are three levels of underground, p1 has higher ceiling so that could accommodate over height vehicles

Q4: Is the nature of the public realm, how it connects to neighbourhood. There has been a suggestion of a roundtable group of developers, planners, and residents to create a woonerf street, where people on bikes and foot have access to the whole street along with cars. Would you be willing to participate in this working group?

A4: Yes

Q5: I am a resident on Bowser Avenue, I ride through this area each day on my bike on the way to the City. How are you connecting this bike lane through to the Lions Gate Bridge, because it is an effective way of getting to the bridge? How are you improving of the walkability or lack thereof of this part of Capilano Road which at the moment is not a nice place to be? How are

you integrating within the site the principles of low impact development so you are conscious of green house gas, site impacts ground water, etc?

A5: In terms of the bike lane connections to the Lions Gate Bridge, we have thought about what is happening on our site but what is happening beyond our site is beyond our. We are responding to the District's transportation plan for this area, which includes connections for bike lanes and pedestrian walkways. The transportation plan includes 4.3 metre wide travel lanes on Curling Road, which will allow vehicles and cyclists to ride side by side. This will connect with the bike lane to Lions Gate Bridge via Marine Drive. The plan allows the bike lanes to go south to Marine Drive and the plan is to have a full bike lanes next to the bus lane on Marine Drive. The developer is dedicating the land to allow that to happen.

In terms of low impact development impacts, we have made a commitment to the District that the development will be at least LEED silver. This includes not using baseboard heaters but using hydronic and working with District Energy Corporation may be ready by the time this development is being built, green roofs, sky gardens, giving land for a future park, the footprint of the paved area has been reduced, over all site coverage is less than 38%

C6: Positive side of proposal is construction of commercial space. We don't have facilities. The dedication of land around the perimeter of property for public use is positive. On negative side bringing 260 residential units means about 700 cars in an area that has bad traffic. The transportation infrastructure does not support increase in cars. To drive from Fell Avenue to Capilano and Marine can take close to one hour in heavy rush hour. I am also concerned about the height and density of this plan is too much and should be low rise town houses.

A6: The DNV has developed comprehensive land use plan for this area. This development is entirely consistent with the density and number of units for this area. The DNV Council has approved the land use plan. A comprehensive transportation plan by the DNV looks at the wider traffic and transportation impacts and the City and District of North Vancouver and West Vancouver are coming up with plans to deal with the anticipated growth over the coming years. For this site, weekday peak commuter traffic, we expect a trip generation of 120 vehicles per hour from this site (updated volume from our on-going work is in the order of 200 vehicles per hour). There are currently developments on this site so the net impact when you remove the Grouse Inn and other uses, the net impact is expected to be less than 120 (updated volume indicates the net impact to be less than 200 vehicles) vehicles per hour. For context, during weekday peak hours currently the intersection of Marine Drive and Capilano carries about 5,000 vehicles per hour.

Q7: Is it safe to build three levels of underground parking and two towers on reclaimed creek bed?

A7: Tamsin Guppy, Planner, District of North Van said that she had read the geotechnical report on this project. Everything in this area is on a reclaimed creek bed because of the Capilano River. This does not mean you can't build on it, you have to learn how to build on it safely. The municipality before it issues building permits makes sure we have the appropriate geotechnical information.

C8: Transportation is an issue. I ride my bike, catch the bus or drive, riding my bike is not easy. We pay two zones for two stops. Driving the congestion is a lot worse.

Q9: How much money is being generated by community amenity contributions and what specific amenities

A9: The development is giving 44% of its land, in addition a contribution of between 4.0 to 4.5 million dollars (amount is related to construction costs) is being negotiated that would be used towards a variety of amenities in the neighbourhood such as a community centre, parks, plazas, public art, child care, etc that could be paid for by developer dollars.

C10: Our house is in way of park but it is included in all the planning, so I hope the District will have enough money to buy our house. I also agree that two slim towers are better than a fat building that block more views for neighbourhood.

Q11: I heard someone mention district energy program, is that the Lonsdale Energy Corporation?

A11: No this is not the Lonsdale Energy Corp, the District of North Van is looking into the provision of a new energy centre for new developments.

C12: The District and City and West Van are all growing. It would be nice to see the three municipalities working more together with Translink and Vancouver Coastal Health to plan improvements to infrastructure in advance of growth. It is not in sync right now. I would recommend you consider a private transportation system. Also consider the amount of density going into this area and that there are no new or expanded schools.

C13: I have lived in neighbourhood for 30 years, we support these concepts as long as pedestrian friendly, access to trails, with meeting places. Is this space bigger than Larco? I would prefer the density of two towers is southeast corner and the north-east corner with the buildings.

A13: The Larco site is larger

C14: traffic is a concern. I have been to Larco presentation. Traffic is considered in isolation, we need to talk about it in the whole 20-year re-development of this area and how much traffic is being generated. It is going to be chaos

A14: The Lower Marine Capilano Transportation study that the District completed a year ago accounts for all this traffic. It is available on the District's website. This developer is completely consistent with the long-range plan that has been articulated in this document. The dedications that this developer is providing allows for 3 or 4 key aspects of this plan to be realized.

C15: This project brings good amenities for our neighbourhood and will encourage young people to stay on the north shore. I support the project

C16: I live in this area and use the bus to go downtown. There needs to be a pull out and extended bus lanes so people in this neighbourhood can get downtown.

C17: I live on Glenair Drive. I can't get out of my home unless I go up Fullerton to Capilano

Road. My concern about the traffic and three traffic lights up to and including Fullerton I don't see how this is going to improve traffic.

A17: The signal lights are not currently synchronized. In the future the signals will be coordinated so that people get a green light all the way past Fullerton to maximize thru put. The southbound direction is so heavy that all the exits get blocked by vehicles going onto the bridge. These signals break up southbound traffic holding it back and allowing people at Glenaire to get out at a signalized location. The road network has been carefully planned to allow multiple exit points.

C18: I don't understand why there has to be high density in this area. I would like the District to revisit its decision to dedicate this area as high-density village area.

C19: I think you could lower density but all these amenities we are getting means what are we willing to give up if we remove density. We can't have it all.

C20: During construction I am concerned about staging of trucks and excavation vibration affect on neighbouring residents and cracked slabs. I would ask that you consider this.

A20: We are planning to stage fully from within the site with only trucks going in and out via Curling Road.

C21: Larco has made a public commitment to stage on their own site with no pile driving.

C22: I think the issue is traffic congestion at peak hours in this area.

C23: I am in favor of the development. I am concerned as a pedestrian that in the past sidewalks have been closed for months while construction is ongoing. I would h

A23: We will push contractors to maintain access for pedestrians.

Q24: Will the two buildings be air conditioned, and will you be able to open windows and what will be window sound proofing?

A24: We are studying the need for air conditioning. The smaller building to ensure affordability is likely to not be air conditioned, but they will have opening windows. The buildings will have the state of art of soundproofing for windows.

IV: COMMENT SHEETS (R: Respondent #)

R1: We support this project fully as we feel it will add a lot diversity, flavor and beauty to this community. We need more younger crowd in this community and this project will help to accomplish this.

R2: On the whole I see this development as "positive" for the area. The bigger issues is how the District will handle the ever increasing traffic that is arising from the constant development in an area with limited gaining narrow insufficient roads and infrastructure.

R3: Expansion of Curling Road, wider walkway both sides to traffic light with left arrow, possible

expansion of Capilano Road.

R4: On behalf of our household of four adults – the proposal conforms to the planning process I have participated in from the onset. I am pleased. No going back – please! Traffic concerns for me are minimal. I am satisfied that traffic plan address these. Gold environmental standard would be great, appreciate gardens, etc.

R5: I am supporting this project because our area will be more beautiful and more safe to live and walk through, but I heard a lot about traffic and more cars coming in even the traffic planner explain clearly what they will do about it. I think there is one positive point behind the coming traffic, which will encourage people to not use the car daily instead use the public transportation more and more. This will help the environment and reduce the gas and pollution. I hope you will start soon and appreciate your giving more than 1.45 of the land to the community in many ways.

R6: Concern re: 1. traffic – local addition 2. Traffic passing gridlock during rush hour especially on hockey nights 3. Traffic – construction 4. Dust, vibration during construction

R7: I would like to support the development of Grouse Inn project and think that will substantially improve the area in all aspects

R8: Almost no green zones for this high about of people. Find long term solution traffic connection Vancouver Lions Bridge has 98% saturation plan it for 25 years and pay for the plan. Solution.

R9: This project is in a prime location to benefit our community in a great impactful way. This community will surely benefit from the impact grant that is given by developers.

R10: For 23 floors the dedication and sidewalk should be at least 20.0 m. Please keep a corridor around high streets. Marine Drive and Capilano Road at least 20.0 m. This is place (area) just for one building with 8 to 12 floors.

R11: Overall great to see improvements and redevelopment in this area. Please consider and incorporate the following aspects:

- Low Impact Development principles beyond LEED to also consider innovative ways to reduce water and energy consumption within units and also within the landscape design and management. We need to consider how we can improve stormwater management to utilize it as a resource rather than a 'waste'.
- Improved walkability and connections for pedestrians to areas beyond this site (eg: East of Capilano Road)
- Improved bus service – transit is already over capacity at peak times and beyond. Please work with Translink to address this!!!!
- Community gathering space and urban gardens
- Really important point re: schools and child care in the area – if it is expected that new residents will include young families having/providing access to schools and early childhood care is essential to the community fabric and livability of the area. I would like DNV to consider how the community amenity contribution can be allocated to

- improving access to ECE and public School District 44 facilities
- Consideration of private provision of transit for residents to access key sites. Edgemont to Vancouver and Lonsdale to West Van
- Consider how commercial sites are going to be occupied and what type of service/product residents require. All the new commercial space along Marine is vacant and is not bringing any benefits to residents.

V. CITIZEN LETTER SUBMITTED

1. The proposal for the construction of commercial and service buildings greatly benefits the neighborhood because the neighborhood lacks such facilities.
2. The proposal for the construction of 260 residential units adversely affects the neighborhood because it implies the addition of approximately 500 more cars to an already traffic clogged area. The current transportation infrastructure network can not tolerate such increase of numbers of cars.
Heavy traffic already clogs Marine Drive, Lions Gate Bridge and Capilano Road. Currently at rush hours it takes close to 1 hour to travel by car or bus from Fell Avenue to Capilano Road.
Traffic jams impede our access to the bridges, hospitals, educational institutions and other public and social institutions.
3. The proposed of 2 high density towers will negatively impact the residents of Woodcroft and Plaza complexes by blocking their present views. Approximately 40% of the residents living in the two complexes will be impacted.
4. For the reasons outlined, I suggest that rezoning of the proposed development land should be conservative and limited to town houses, P+3 residential buildings and commercial/services buildings but not for high density residential towers.

The Corporation of the District of North Vancouver

Bylaw 8061

A bylaw to amend the 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 1310 (Bylaw 8061)".

2. Amendments

The following amendments are made to the "District of North Vancouver Zoning Bylaw 3210, 1965":

- (a) Part 2A, Definitions is amended as follows:

Delete:

Definitions Applicable to the Employment Zones, Village Commercial Zones, Comprehensive Development Zones 65, 67, 68 and 69.

The following definitions apply in the Employment Zones [Sections 750 (EZ-I), 770 (EZ-LI)], Village Commercial Zones [Sections 600-A (VC-G), 600-B (VC-DC)], and Comprehensive Development Zones 65, 67, 68 and 69 [Sections 4B370 to 4B385 (CD65), 4B402 to 4B410 (CD67), (4B411 to 4B418 (CD68) and 4B420 to 4B435 (CD69)] only:

And replace with:

Definitions Applicable to the Employment Zones, Village Commercial Zones, Comprehensive Development Zones 65, 67, 68 and 69 and 81.

The following definitions apply in the Employment Zones [Sections 750 (EZ-I), 770 (EZ-LI)], Village Commercial Zones [Sections 600-A (VC-G), 600-B (VC-DC)], and Comprehensive Development Zones 65, 67, 68, 69 and 81 [Sections 4B370 to 4B385 (CD65), 4B402 to 4B410 (CD67), 4B411 to 4B418 (CD68), 4B420 to 4B435 (CD69) and 4B 81-1 to 4B 81-14 (CD 81)] only:

- (b) Part 2A, Definitions is amended as follows:

The following terms referred to in the Employment Zones and Village Commercial Zones have the meanings given to them in Part 2 of this Bylaw:

And Replace with:

The following terms referred to in the Zones to which the forgoing definitions apply, have the meanings given to them in Part 2 of this Bylaw:

- (c) Section 301 (2) by inserting the following zoning designation:
"Comprehensive Development Zone 81 CD81"
- (d) Part 4B Comprehensive Development Zone Regulations by inserting the following:

4B80 Comprehensive Development Zone 81 CD 81

The CD 81 zone is applied to:

2010 Marine Drive and 1633 Capilano Road, legally known as:

Amended Lot D (Reference Plan 4323) of Lot 1, Block 15, District Lot 764,
Plan 7880, LTO (PID 003-920-445)
and

Lot A, Except Part in Explanatory Plan 12555, of Lot 1, Block 15, District
Lot 764, Plan 6750, (LTO PID 010-828-303).

4B 81 – 1 Intent

The purpose of the CD 81 Zone is to establish land use and development regulations to permit a mixed use development with commercial and residential uses.

4B 81 – 2 Permitted Uses:

The following *principal* uses shall be permitted in the CD 81 Zone:

- a) Uses Permitted Without Conditions:
No applicable.
- b) Conditional Uses:
The following *principal* uses are permitted when the conditions outlined in Section 4B81 - 3 Conditions of Use, are met:
live-work use;
office use;

*personal service;
restaurant use;
retail use; and
residential use.*

4B 81-3 Conditions of Use

- a) **All conditional uses:** all uses of land, buildings and structures are only permitted when the following conditions of use are met:
 - i) All aspects of the use are completely contained within an enclosed building except for:
 - (1) Parking and loading areas;
 - (2) Outdoor customer services areas;
 - (3) The display of goods; and
 - (4) Outdoor amenity areas (plazas, balconies, patios, or roof decks).
- b) **Residential, and live-work:** the use of land, buildings and structures for *residential*, and *live-work*, uses are only permitted when the following conditions are met:
 - i) Each dwelling unit has access to private or semi-private outdoor space;
 - ii) Each dwelling unit has access to a private storage space.
- c) **Live-work:** the use of land, buildings and structures for *live-work* use is only permitted when the following condition is met:
 - i) An outside public entrance is provided; or
 - ii) An entrance onto a corridor that is open to the public, as in a commercial building.

4B 81-4 Accessory Use

- a) *Accessory uses* customarily ancillary to the principal uses are permitted.
- b) *Home occupations* are permitted in *residential* dwelling units in this zone.
- c) The production of energy for use on site or as part of a District Energy program is permitted as an *accessory use*.

4B 81 – 5 Density

- a) The maximum permitted density is 1,888 m² (20,318 sq. ft.) and 20 residential units.
- b) For the purpose of calculating *gross floor area* the following are exempted:
 - i) Any areas completely below finished or natural grade;
 - ii) Storage space located on the ground floor of residential buildings permitted in this zone and located in Development Areas A and B as noted in Schedule B, of up to 100 m² (1,076 sq. ft.) gross floor area for each residential tower to a maximum of 200m² (2,152 sq.ft.) gross floor area in total in the CD81 Zone;
 - iii) Bicycle storage located on the ground floor of up to 100 m² (1,076 sq. ft.) gross floor area for each residential tower to a maximum of 200m² (2,152 sq.ft.) gross floor area in total in the CD 81 Zone;
 - iv) The area of balconies and covered patios up to 10% of the total residential floor area for the building they are part of;
 - v) Common amenity areas that are accessory to the residential buildings permitted in this zone and located in Development Areas A and B as noted in Schedule B, of up to 400 m² (4,305 sq. ft.) gross floor area per residential tower to a maximum of 800m² (8,611 sq.ft.) gross floor area in total in the CD 81 Zone;.
 - vi) Retail floor area that is partially below grade, with the finished floor a minimum of 1.2 metres below natural and finished grade up to a maximum of 400 m² (4,306 sq. ft.) gross floor area.

4B 81 – 6 Amenities

- a) Despite Subsection 4B81 – 5, permitted density in the CD 81 Zone is increased to a maximum of 16,449 m² (177,052 sq. ft.) *gross floor area* and 172 units if \$2,828,750 is contributed to the municipality to be used for any of the following amenities benefiting the Lower Capilano Marine Village Centre (with allocation and timing of expenditure to be determined by the municipality in its sole discretion):
 - i) The provision or enhancement of public facilities which may include but are not limited to: the community centre, or a day care centre;
 - ii) Improvements to public parks, plazas, trails and greenways;
 - iii) Public art and other beautification projects; and
 - iv) Affordable or special needs housing.

- b) Despite Subsection 4B81-5 and Subsection 4B81-6 (a), permitted density in the CD 81 Zone is further increased to a maximum of 26,410 m² (284,277 sq. ft.) *gross floor area* and 280 units if an additional \$1,733,750 is contributed to the municipality to be used for the amenities listed in 4B81-6 (a).
- c) The cumulative development in the CD 81 Zone must not exceed 26,410 m² (284,277 sq. ft.) *gross floor area*, inclusive of any density bonus for energy performance.
- d) Of the total permitted *gross floor area*, no more than 24,250 m² (261,026 sq. ft.) may be used for residential purposes.
- e) A minimum of 2,160 m² (23,251 sq. ft.) of the total permissible *gross floor area* must be used for commercial purposes, occurring either singly or in combination in Development Areas A, C and D, as noted in Schedule B, where commercial purposes includes any of the following permitted uses singly or in combination: *office use, personal service use, restaurant use, and retail use*.

4B81 – 7 Height

- a) The maximum permitted height for any building in the CD 81 Zone, shall be regulated as follows, with specific building height provisions based on the Development Areas noted in Schedule B of Bylaw 8061:
 Development Area A: The maximum permitted height is 71.5 metres (235 feet) and 23 storeys.

 Development Area B: The maximum permitted height is 59.5 metres (195 feet) and 19 storeys.

 Development Area C: The maximum permitted height is 15 metres (49 feet) and 4 storeys.

 Development Area D: The maximum permitted height is 17 metres (56 feet) and 4 storeys.
- b) For the purpose of measuring building height, height is to be measured from average finished grade to the highest point on the roof surface.

- c) In addition to Part 4 General Regulations, Section 407 Height Exceptions, the following height exceptions shall apply in the CD 81 zone: Elevator penthouses, heating, cooling, ventilation and other mechanical equipment required for building operations are permitted above the maximum height limit, provided they are completely screened and integrated into the building's design and do not extend more than 5.0 metres (16.4 feet) above the highest point of any roof surface.

4B 81 – 8 Coverage

- a) Building Coverage: The maximum building coverage is 50%.
- b) Site Coverage: The maximum site coverage is 60%.

4B 81 – 9 Landscaping and Storm Water Management

- a) All land areas not occupied by buildings, and patios shall be landscaped in accordance with an approved landscape plan.
- b) A 2m (6.6. ft) high screen consisting of a solid wood fence, or landscaping or a combination thereof, with 90% opacity, is required to screen from public view:
- i) any utility boxes, vents or pumps that are not located underground and/ or within a building; and
 - ii) any surface garbage or loading areas that are not located underground and / or within a building.

4B 81- 11 Parking, Loading and Servicing Regulations

- a) Parking and loading shall be provided in accordance with Part 10 of this Bylaw except that:
- i) The provision of parking is to be based on the following ratio:

Building Type	Ratio of Parking
Residential unit in a mid rise, low rise, or high rise building	1.4 space/ unit
Townhouse unit	1.5 space/ unit
Residential Visitor Parking	0.1 space / unit
Public parking	Visitor parking, and commercial parking shall all be in a central area and available for shared use

- ii) Bicycle storage for residents shall be provided on the basis of one space per unit.
- (e) The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from the Tourist Commercial Zone (C4) and the Marine Drive Zone (C9) to Comprehensive Development Zone CD81.

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

ADOPTED

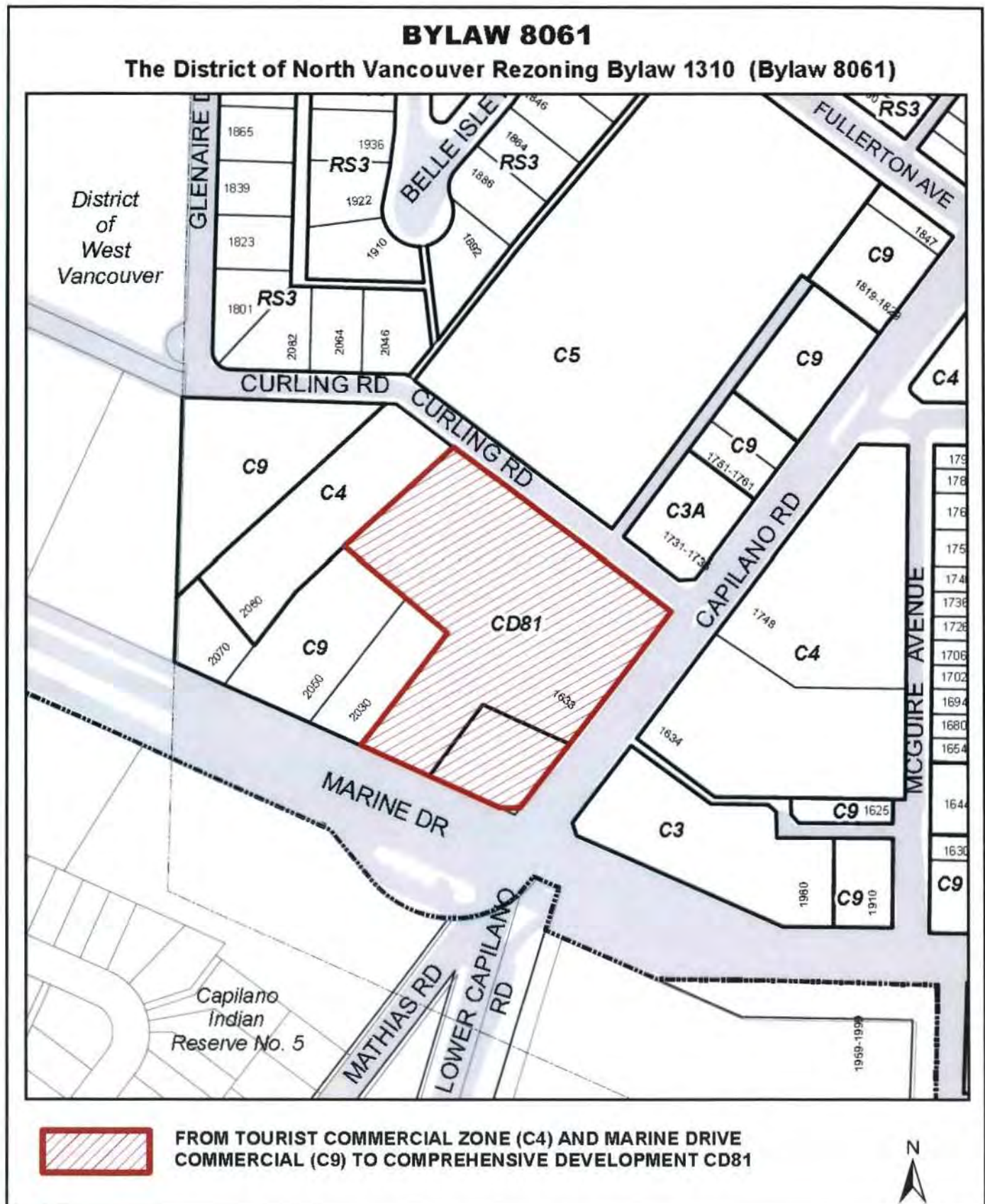
Mayor

Municipal Clerk

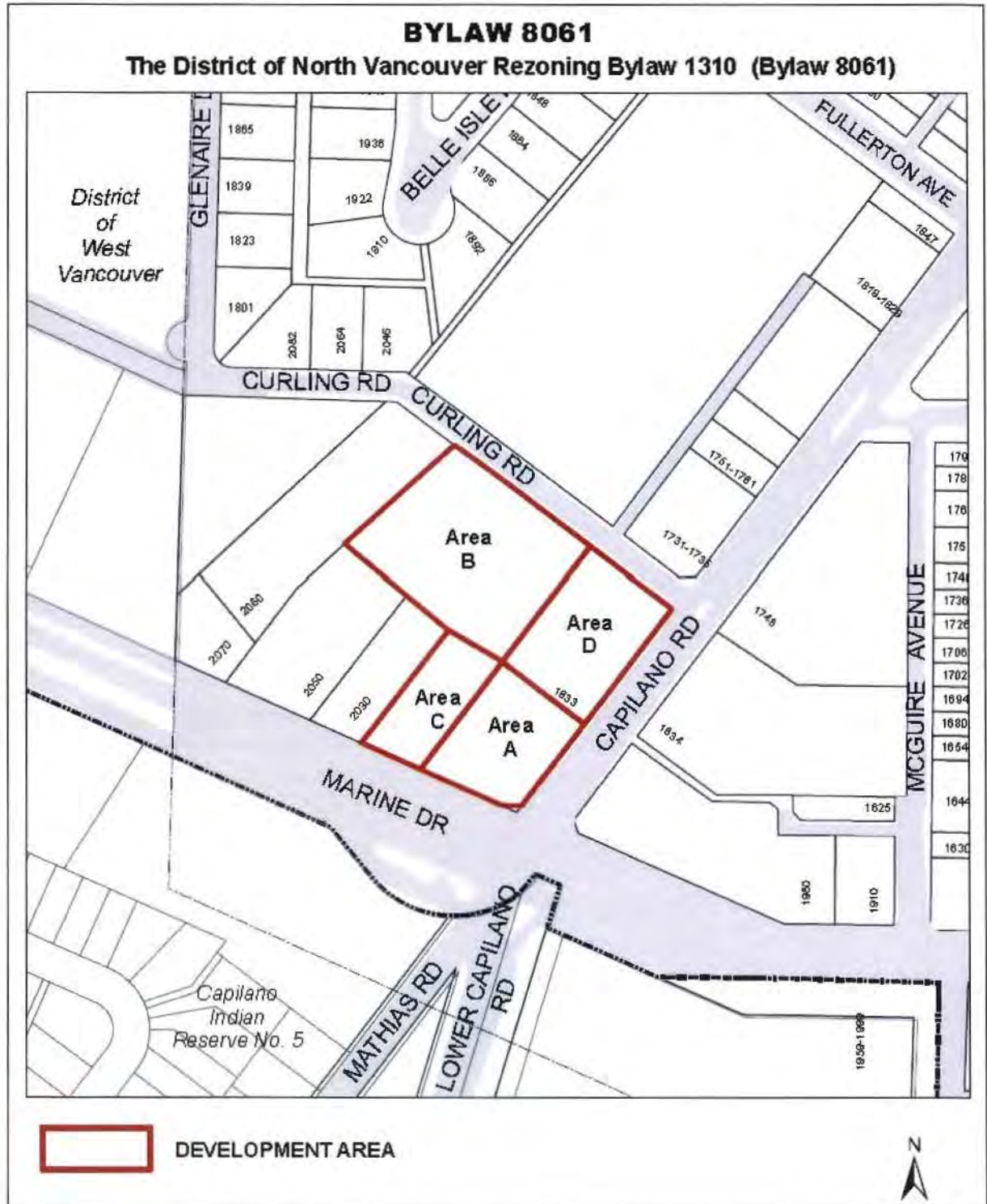
Certified a true copy

Municipal Clerk

Bylaw 8061 Schedule A: Zoning Map



Bylaw 8061 Schedule B: Zoning Map



The Corporation of the District of North Vancouver

Bylaw 8062

A bylaw to enter into a Housing Agreement (2010 Marine Drive)

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 8062, 2014".

2. Authorization to Enter into Agreement

The Council hereby authorizes a housing agreement between The Corporation of the District of North Vancouver and Marine Land Development Ltd. and Pacific Gate Investments Ltd. substantially in the form attached to this Bylaw as Schedule "A" with respect to the following lands:

- a) Lot A, Except Part in Explanatory Plan 12555, of Lot 1, Block 15 District Lot 764 Plan 6750 (PID: 010-828-303); and
- b) Amended Lot D (Reference Plan 4323) of Lot 1 Block 15 District Lot 764 Plan 7880 (PID: 003-920-445)

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 8062

SECTION 219 COVENANT – HOUSING AGREEMENT

This agreement dated for reference the ____ day of _____, 2014 is

BETWEEN:

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")

AND:

PACIFIC GATE INVESTMENTS LTD. (Inc. No. 091050) 801 – 100 Park Royal, West Vancouver, BC V7T 1A2

(the "Developer")

WHEREAS:

- A. The Developer is the registered owner of the Lands or has a right to purchase the Lands;
- B. The Developer wishes to obtain development permissions with respect to the Lands and wishes to create a condominium development which will contain housing 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. A covenant registrable under Section 219 of the *Land Title Act* may include provisions in respect of the use of land, the use of a building on or to be erected on lands; that land is to be built on in accordance with the covenant, is not to be built on except in accordance with that covenant or is not to be built on; that land is not to be subdivided unless in accordance with the covenant or is not to be subdivided.

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

parties hereto further covenant and agree that the Lands shall not be used or built on except in accordance with this Covenant as follows:

1. DEFINITIONS

Definitions

1.01 In this agreement:

- (a) "*Development Covenant*" means the covenant under section 219 of the *Land Title Act* dated for reference _____, 2014 granted by the Developer to the District and registered at the Lower Mainland Land Title Office against the Lands under number _____;
- (b) "*Lands*" means land described in Item 2 of the *Land Title Act* Form C to which this agreement is attached;
- (c) "*Owner*" means the Developer and any other the person or persons registered in the Lower Mainland Land Title Office as owner of the Lands from time to time, or of any parcel into which the Lands is consolidated or subdivided, whether in that person's own right or in a representative capacity or otherwise;
- (d) "*Proposed Development*" means the proposed development to be constructed on the Lands in accordance with the Development Covenant;
- (e) "*Unit*" means a residential dwelling strata unit in any building in the Proposed Development; and
- (f) "*Unit Owner*" means the registered owner of a Dwelling Unit in any building in the Proposed Development.

2. TERM

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

3. RENTAL ACCOMODATION

Rental Disclosure Statement

3.01 No Unit in a building in the Proposed Development may be occupied unless the Developer has:

- (a) before the first Unit in the building 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 in the building as rental strata lots and imposing a 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 in the building before the prospective purchaser enters into an agreement to purchase in respect of the Unit.

Rental Accommodation

- 3.02 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

- 3.03 This agreement shall be binding upon all strata corporations created upon the strata title subdivision of the Lands pursuant to the *Strata Property Act* or any subdivided parcel of the Lands, including the Units.

Strata Bylaw Invalid

- 3.04 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.

No Bylaw

- 3.05 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.

Vote

- 3.06 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.

Notice

- 3.07 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*.

4. DEFAULT AND REMEDIES

Notice of Default

- 4.01 The District may, acting reasonably, give to the Owner written notice to cure a default under this Agreement within 30 days of receipt of notice. The notice must specify the nature of the default. The Owner must act with diligence to correct the default within the time specified.

Costs

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

Damages an Inadequate Remedy

- 4.03 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.

Equitable Remedies

- 4.04 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.

No Penalty or Forfeiture

- 4.05 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.

Cumulative Remedies

- 4.06 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**

Indemnity

- 5.01 Except for the negligence of the District or its employees, agents or contractors, the Owner will indemnify and save harmless each of the District 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 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 or the Owner's ownership, operation, management or financing of the Proposed Development or any part thereof.

Release

- 5.02 Except to the extent such advice or direction is given negligently, 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.

Survival

- 5.03 The agreements 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**

District's Power Unaffected

- 6.01 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.

Agreement for Benefit of District Only

6.02 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; and
- (c) The District may at any time 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.

Agreement Runs With the Lands

6.03 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.

Release

6.04 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.

Priority of this Agreement

6.05 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.

Agreement to Have Effect as Deed

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

Waiver

- 6.07 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.

Time

- 6.08 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.

Validity of Provisions

- 6.09 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.

Extent of Obligations and Costs

- 6.10 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.

Notices

- 6.11 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 transmission, 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
Facsimile: (604) 984-9683

If to the Developer:

Attention:
Facsimile: (604)

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; if made by facsimile transmission, on the first business day after the date when the facsimile 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.

Further Assurances

- 6.136.12 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.

Enuring Effect

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

7. INTERPRETATION

References

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

Construction

- 7.02 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.

No Limitation

- 7.03 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.

Terms Mandatory

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

Statutes

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

Entire Agreement

- 7.06 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.
- 7.07 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 8054.

Governing Law

- 7.08 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.

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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: May 26, 2014
<input type="checkbox"/> Workshop (open to public)	Date: _____


 Dept.
Manager


 GM/
Director


 CAO

The District of North Vancouver

REPORT TO COUNCIL

May 16, 2014

File: 01.0115.30/002.000

AUTHOR: Stephen Bridger, Section Manager, Engineering Design and Planning
James Gordon, Municipal Clerk

SUBJECT: Amendment to Sewer Bylaw to Include Reference to Groundwater

RECOMMENDATION:

THAT "Sewer Bylaw 6656, 1994, Amendment Bylaw 8049, 2014 (Amendment 23)" is given Third Reading.

REASON FOR REPORT:

The reason for this report is to present Bylaw 8049 for consideration of Third Reading.

BACKGROUND:

Bylaw 8049 was presented to Council on April 28, 2014 for consideration of First, Second, and Third Readings. At that time Council had several questions of staff that required follow-up; accordingly, Council granted First and Second Readings only and asked that staff report back with answers to their questions when the bylaw is considered for Third Reading.

The purpose for this Bylaw Amendment is to assist staff and developers manage impacts to groundwater regimes and restrict discharge of groundwater to storm and sanitary sewer infrastructure. The Sewer Bylaw must also correspond with other current District policies with respect to groundwater. At present there is a disconnect between the current policies:

1. *Development Servicing Bylaw 7338* – includes the requirement for proponents of new developments to retain a hydrologist or hydrogeologist to assess the groundwater conditions;
2. *Sewer Bylaw 6656* – requires stormwater drainage to storm sewers including groundwater
3. *Streamside Protection Development Permit Area* – preservation of environmental quality of streams; and
4. *Integrated Stormwater Management Plans* – protect and improve the ecological health and biodiversity of watersheds.

Allowing groundwater to be discharged to storm sewer collection systems (as per the current Sewer Bylaw) may result in impacts to surrounding groundwater and creek systems. Furthermore, the additional discharge can overload storm sewer infrastructure.

Past developments in the District have included buildings with mainly shallow foundations and the majority being single family homes. At present, there is an influx of new large developments that often include deep excavations for parking (or storage) structures that penetrate into the groundwater table.

To better manage these new developments in the short term, the proposed Bylaw Amendment will further harmonise the Sewer Bylaw with the Development Servicing Bylaw, Streamside Protection Development Areas, and ISMPs.

For single family developments, the process will generally remain business as usual with the Director delegated the authority to decide upon pumping of building drain systems to the District storm sewer. As with all bylaws, applicants can ultimately appeal the Director's decision to Council.

In the longer term, Staff will continue to collect data on groundwater regimes using monitoring wells and track the temporal and spatial variations of groundwater flows with the goal of being able to develop further policy on the issues at hand and report back to the Committee of the Whole.

CONCLUSION:

If Council is satisfied with the need for this bylaw and the justification presented by staff, granting Third Reading would be in order.

OPTIONS:

The options available to Council are:

1. Grant the bylaw Third Reading;
2. Return the bylaw to staff for amendment prior to granting Third Reading; or,
3. Abandon the bylaw at Third Reading.

Respectfully submitted,



Stephen Bridger, M.A.Sc., P.Eng.
Section Manager, Engineering Design and Planning

James Gordon
Municipal Clerk

Attachments:

1. Sewer Bylaw 6656, 1994, Amendment Bylaw 8049, 2014 (Amendment 23)
2. April 7, 2014 report from Section Manager, Engineering Design and Planning
3. Response to comments from Corrie Kost

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

The Corporation of the District of North Vancouver

Bylaw 8049

A bylaw to amend the Sewer Bylaw 6656 (1994)

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

1. Citation

This bylaw may be cited as "Sewer Bylaw 6656, 1994, Amendment Bylaw 8049, 2014 (Amendment 23)".

2. Amendments

2.1 Sewer Bylaw 6656, 1994, is amended as follows:

Section 2- Interpretation

Old wording:

storm water means ground water or rain water with impurity levels that will not contravene the Fisheries Act, R.S.C. 1970, c.F.-14.

sewage means a liquid waste, other than clear water waste, and storm water that is or is intended to be discharged into the sanitary sewer system.

New Wording:

storm water means rain water with impurity levels that will not contravene the Fisheries Act, R.S.C. 1970, c.F.-14

sewage means a liquid waste, other than clear water waste, groundwater and storm water that is or is intended to be discharged into the sanitary sewer system.

Add groundwater definition:

groundwater means the water beneath the surface of the ground, consisting largely of surface water that has seeped down and is the source of water for aquifers, springs and wells. The upper surface of groundwater is the water table.

Section 7- Use of Storm Sewer System

Current wording:

No person may use the storm sewer system for other than the discharge of storm water or any clear water waste or both as permitted by the relevant provisions of the current Building Regulations of British Columbia.

Additional paragraph to be added:

No person shall intentionally collect groundwater for discharge to the storm sewer system in amounts greater than would be expected in typical perimeter drainage conduits above the groundwater table. The groundwater regime is to be maintained as close as possible to pre-development conditions with no detrimental impacts to creek base flows or increased loading on storm sewer infrastructure.

For all developments where groundwater is known or suspected to be present, a detailed hydrogeological report is to be prepared by a Qualified Professional to the satisfaction of the Director. Under no circumstances shall groundwater pumping systems for developments located below the water table that are intended to discharge to the storm sewer system be approved. Exceptions may be made for single family developments where the Director may grant special permission to discharge groundwater to storm sewers.

3. Effective Date

The effective date of this bylaw is.

READ a first time April 28th, 2014

READ a second April 28, 2014

READ a third time this the

ADOPTED this the

Mayor

Certified a true copy

Municipal Clerk

Municipal Clerk

COUNCIL AGENDA/INFORMATION			
<input type="checkbox"/> In Camera	Date: _____	Item # _____	
<input type="checkbox"/> Regular	Date: _____	Item # _____	
<input type="checkbox"/> Agenda Addendum	Date: _____	Item# _____	
<input type="checkbox"/> Info Package			
<input type="checkbox"/> Council Workshop	DM# _____	Date: _____	Mailbox: _____



The District of North Vancouver REPORT TO COUNCIL

April 7, 2014
File: 09.3900.01/000.000
Tracking Number: RCA - 1

AUTHOR: Stephen Bridger, M.A.Sc., P.Eng.

SUBJECT: Sewer Bylaw (No 6656) Amendment to Include Reference to Groundwater

RECOMMENDATION:

THAT Council give first, second and third reading to Sewer Bylaw 6656, 1994, Amendment Bylaw 8049, 2014 (Amendment 23).

REASON FOR REPORT:

This proposed Bylaw Amendment will assist staff and developers in managing impacts to groundwater regimes and restrict potential increases in discharge to storm and sanitary sewer infrastructure due to collection and pumping of groundwater.

The proposed Bylaw Amendment is also required to correct and clarify the definitions of storm water and sewage, add a definition for groundwater in Section 2 – Interpretation, and add additional clauses regarding the discharge of groundwater in Section 7 – Use of Storm Sewer.

SUMMARY:

The definition of storm water in Section 2 currently includes reference to groundwater as a component of storm water which is misleading and should be removed. Groundwater should be defined separately such that it can be differentiated from storm water and referred to as another source of water to be managed. Groundwater should also be excluded from the permissible fluids that are allowed to be discharged to the storm sewer system or sanitary sewer system. In addition, new sections 7.1, 7.2 and 7.3 reflect requirements to restrict discharge of groundwater to the storm sewer system.

BACKGROUND:

With an increasing number of developments occurring in the District there are larger and deeper excavations proposed in areas of high groundwater tables. If these encroachments

into the groundwater are not properly identified they may result in environmental degradation, structural or building envelope problems and increased loading on storm sewer systems.

The District storm sewer system is designed to handle overland flow only. The District prefers that groundwater is not intercepted into drainage systems but is allowed to migrate naturally thus preserving the natural migration of groundwater into District streams and wetlands.

EXISTING POLICY:

At present, management of groundwater is addressed in the Development Servicing Bylaw (No. 7388) in Schedule D.1, Design Criteria Manual, Section C8.18 Groundwater Protection. The following paragraph is an excerpt from Section C8.18:

"For new development areas on flatter slopes (less than 5%), groundwater protection can be accomplished by limiting basement depths to ensure that perimeter foundation drains empty by gravity to the storm sewer system. The Consulting Engineer is also directed to Master Requirement (MRL)# ENV110 which outlines Hydrologist or Hydrogeologist reporting requirements in cases of potential impacts to the groundwater table as a result of development."

This highlights the requirement for proponents of new developments to retain a hydrologist or hydrogeologist to assess the groundwater conditions. The purpose for the Master Requirement ENV 110 - Hydrologist or Hydro-Geologist Report is to identify potential impacts to the groundwater table or surface water characteristics as a result of development and propose methods to mitigate, monitor or alleviate impacts as a result of the proposed work, project or development.

In such case, there are currently sufficient means for the District to obtain a detailed report summarizing the specific site conditions but limited means of enforcing the implementation of a solution to maintain the groundwater regime or mitigate increased loading on storm sewer infrastructure. Furthermore, as stated above, the Sewer Bylaw (No. 6656) currently includes groundwater in the definition of storm water which is misleading and recommended to be changed as noted in this Bylaw Amendment.

ANALYSIS:

A review of similar Bylaws in neighbouring municipalities (City of North Vancouver, District of West Vancouver, and City of Vancouver) was completed.

The City of Vancouver's *Sewer and Watercourse By-law, 1999, No 8093* includes "groundwater" as a component of storm water in the definitions section and there are no restrictions specifically targeting groundwater.

The City of North Vancouver's *Sewerage and Drainage Utility Bylaw, 1995, No. 6746* does not include "groundwater" as a component of storm water and has a separate definition for "water" that includes groundwater. In *Part 7 Clause 705 Discharges to Storm Sewers and Watercourses* there are no restrictions specifically targeting the discharge of groundwater.

SUBJECT: Sewer Bylaw (No 6656) Amendment to Include Reference to Groundwater

April 7, 2014

Page 3

The District of West Vancouver's *Development Procedures Bylaw, 1996, No. 3984* (consolidated version) does not include any reference to groundwater in the context of storm sewers.

In summary, the proposed Bylaw Amendments will make the Sewer Bylaw consistent with the Development Servicing Bylaw and will restrict the discharge of groundwater to the storm sewer system.

Timing/Approval Process:

Approval and implementation of this Bylaw Amendment should occur as soon as possible due to the increasing number of development applications in the District.

Concurrence:

The proposed Bylaw Amendment has been reviewed and approved by the Engineering Services and Development Services divisions.

Financial Impacts:

By reducing the discharge of groundwater to District storm sewers, system upgrades will be minimised and long term cost savings will be realised.

Liability/Risk:

None

Social Policy Implications:

None

Environmental Impact:

The environment will benefit from implementation of this Bylaw Amendment due to increased groundwater availability for recharge of aquifers and creek base flows.

Public Input:

None required.

Conclusion:

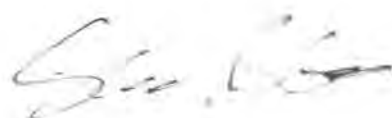
This amendment of the Sewer Bylaw No 6656 will assist staff and developers in managing impacts to groundwater regimes and restrict potential increases in discharge to storm sewer infrastructure due to collection and pumping of groundwater.

Currently, the Development Servicing Bylaw (No 7388) includes sufficient means for the District to obtain a detailed hydrogeological report summarizing the specific site conditions; however, there are limited means of enforcing the implementation of a solution to maintain the groundwater regime or mitigate increased loading on storm sewer infrastructure which this Bylaw Amendment will provide.

**SUBJECT: Sewer Bylaw (No 6656) Amendment to Include Reference to
Groundwater**

April 7, 2014

Page 4



Stephen Bridger, M.A.Sc., P.Eng.
Section Manager
Engineering Design and Planning

REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:
<input checked="" type="checkbox"/> Sustainable Community Development	<input type="checkbox"/> Clerk's Office	External Agencies:	Advisory Committees:
<input checked="" type="checkbox"/> Development Services	<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Library Board	<input type="checkbox"/> _____
<input type="checkbox"/> Utilities	<input type="checkbox"/> Communications	<input type="checkbox"/> NS Health	<input type="checkbox"/> _____
<input type="checkbox"/> Engineering Operations	<input type="checkbox"/> Finance	<input type="checkbox"/> RCMP	<input type="checkbox"/> _____
<input type="checkbox"/> Parks & Environment	<input type="checkbox"/> Fire Services	<input type="checkbox"/> Recreation Commission	
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Human resources	<input type="checkbox"/> Other: _____	
	<input type="checkbox"/> ITS		
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	<input type="checkbox"/> GIS		

The Corporation of the District of North Vancouver

Bylaw 8049

A bylaw to amend the Sewer Bylaw 6656 (1994)

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

1. Citation

- 1.1 This bylaw may be cited as "Sewer Bylaw 6656, 1994, Amendment Bylaw 8049, 2014 (Amendment 23)".

2. Amendments

- 2.1 Sewer Bylaw 6656, 1994, is hereby amended as follows:

- (a) The definition of "sewage" in Section 2- is deleted and replaced with the following new definition:

*"**sewage** means a liquid waste, other than clear water waste, groundwater and storm water."*

- (b) The definition of "storm water" in Section 2- is deleted and replaced with the following new definition:

*"**storm water** means rain water with impurity levels that will not contravene the Fisheries Act, R.S.C. 1970, c.F.-14."*

- (c) A new definition for "groundwater" is inserted in section 2 as follows:

*"**groundwater**" means the water beneath the surface of the ground, consisting largely of surface water that has seeped down and is the source of water for aquifers, springs and wells. The upper surface of groundwater is the water table."*

- (d) A new definition for "qualified professional" is inserted in section 2 as follows:

*"**qualified professional** means a professional hydrologist or hydro-geologist with appropriate education, training, credentials, certification and experience fully insured and in good standing with the relevant professional association."*

- (e) New sections 7.1 to 7.3 are inserted as follows:

- "7.1 Except as provided in sections 7.2 and 7.3, no person shall discharge groundwater to the storm sewer system.*
- 7.2 Where the Director is satisfied that a proposed development cannot proceed without discharging groundwater to the storm sewer system, ground water may be discharged to the storm sewer system provided that a detailed hydrogeological report is prepared by a qualified professional and is approved by the Director, which report must state that:*
- (a) there are no other practical alternatives;*
 - (b) the proposed discharge will have no detrimental impacts to creek base flows and the receiving environment including fisheries and aquatic life;*
 - (c) the proposed discharge will not increase loading on storm sewer system; and*
 - (d) the groundwater regime will be maintained as close as possible to pre-development conditions.*
- 7.3 For proposed single family developments the Director may permit discharge of groundwater to the storm water system without the requirement for a report from a qualified professional, provided that the Director is satisfied, in his or her sole discretion, that conditions (a) to (d) in section 7.2 are satisfied."*

3. Effective Date

3.1 The effective date of this bylaw is the date of adoption.

READ a first time this the

READ a second time this the

READ a third time this the

ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Sewer Bylaw 6656 Amendments Response to Comments from Corrie Kost

1. Should not Climate Change aspects be considered?

The District is in the process of updating the design storm intensity-duration-frequency (IDF) curves taking future climate impacts into consideration. Climate impacts are also a key component of the Integrated Stormwater Management Plans (ISMP).

2. How is this related to “inflows” and the new sewage plant?

The proposed amendments are not directly related to inflows at the new WWTP. The District is currently implementing an Inflow and Infiltration (I&I) program to reduce influx of groundwater and rainwater into sanitary sewers. Storm sewers are separate from sanitary sewers which drain to the sanitary plant.

3. “Public Input - None required” – page 3 : Questionable

No public input is required at this time as these changes are solely to harmonise the Sewer Bylaw with other existing policy documents (e.g. Development Serving Bylaw, Streamside Protection Development Areas, ISMPs). During future policy development work for broader issues surrounding groundwater management, including those alluded to by Mr Kost, public input will be sought through opportunities such as Committee of the Whole. The ISMP process will also include public input.

4. Exclusion of “groundwater” discharges from storm/sewer systems problematic.

The Bylaw Amendment is written such that groundwater discharges shall be avoided where feasible and there are specific exemptions that enable the Director to allow it to occur. It can be more problematic to artificially drawdown the water table and modify the groundwater regime while rapidly discharging water back into creek systems at storm sewer outfalls.

5. New sections 7.1-7.3 to restrict discharge of groundwater to storm sewer system seem overly restrictive. (e.g. 7.2 (c) *The proposed discharge will not [significantly?] increase loading on storm sewer system; and (d) the groundwater regime will be maintained as close as possible to pre-development conditions. [how ?]*)

These exemptions are worded as such to encourage the proponent to implement other stormwater and groundwater control mechanisms such as infiltration galleries, rain gardens, and increased use of pervious materials where feasible. To protect environmental health the goal is for the rate and quantity of discharge to storm sewers to remain the same as predevelopment conditions.

6. Literature shows that “modification of the coastal groundwater system by building foundations may have engineering and environmental implications, such as submarine groundwater discharge, foundation corrosion, and slope stability”

(Ref:http://www.researchgate.net/publication/227605835_Modelling_study_on_the_impact_of_deep_building_foundations_on_the_groundwater_system/file/50463516b94531784a.pdf)

This is an accurate statement and detailed study and policy are required to understand specific implications relevant to the District.

7. Although “The District prefers that groundwater is not intercepted into drainage systems but is allowed to migrate naturally thus preserving the natural migration of groundwater into District streams and wetlands”, this ideal may be simplistic due to influences resulting from –

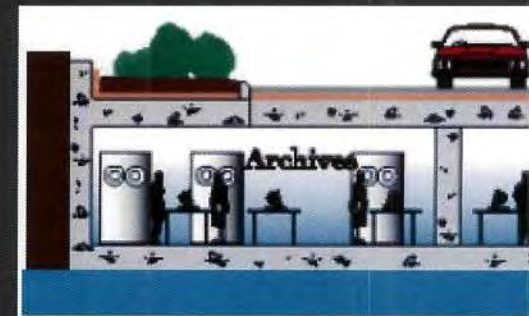
to quote the staff report - "larger and deeper excavations proposed in areas of high groundwater tables"

Detailed studies that include collection of groundwater data to measure the temporal and spatial variations of groundwater flow are required to determine the impacts. This work is intended to be pursued subject to available funding.

Bylaw 8049 Sewer Bylaw Amendment

Purpose:

Assist staff and developers manage impacts to groundwater regimes and restrict discharge of groundwater to storm and sanitary sewer infrastructure





Current Policy

- **Development Servicing Bylaw**
- **Sewer Bylaw**
- **Streamside Protection Development Permit Area**
- **Integrated Stormwater Management Plans**

Past Development

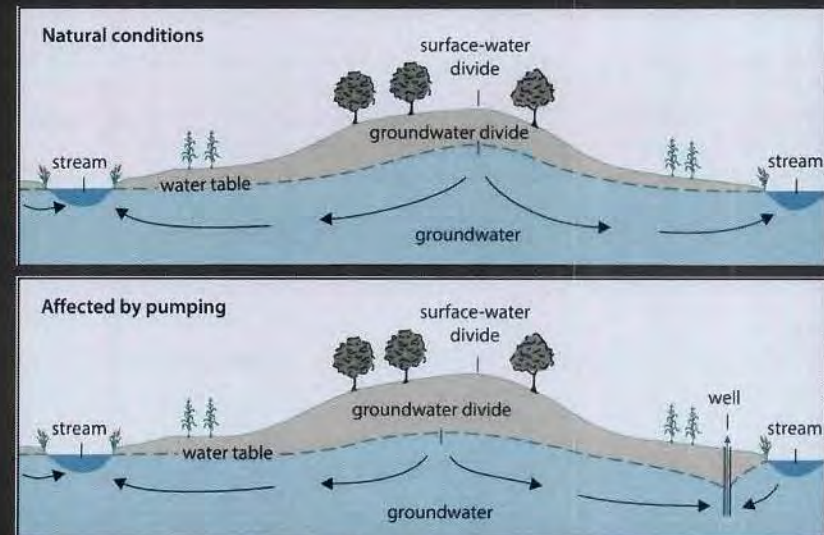
- **Mainly shallow foundations**

New Development

- **Some deep parkades into groundwater**

Issues

- Deep foundations drain to storm sewers impacting groundwater table and creek flows
- Overload storm sewer infrastructure





Short Term

- **Harmonise Sewer Bylaw with**
 - **Development Servicing Bylaw**
 - **Streamside Protection Development Areas**
 - **ISMPs**
- **Single family – Business as usual**

Longer Term

- **Collect data on groundwater regime with wells**
- **Track temporal and spatial variations of groundwater flow**
- **Report back to Committee of Whole**

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COUNCIL AGENDA/INFORMATION

<input type="checkbox"/> In-Camera	Date: _____	Item # _____
<input checked="" type="checkbox"/> Regular	Date: <u>May 26/14</u>	Item # _____
<input type="checkbox"/> Info Package	Date: _____	Item # _____
<input type="checkbox"/> Agenda Addendum	Date: _____	Item # _____

**REPORT TO THE DISTRICT OF NORTH VANCOUVER**

File: 10-4794-90 / 006

May 14, 2014

AUTHORS: John Rice, Cultural Development Officer**SUBJECT:** Arts Project and Civic Events Grants – 2014, Round Two.**RECOMMENDATION**

1. THAT \$98,750 in grants be approved to support a range of arts projects, civic events, community celebrations, cultural activities and festivals as outlined in this report;
and
2. THAT the District of North Vancouver's 50% contribution to these grants (\$49,375) be released for payment, pending confirmed approval of these same recommendations by the City of North Vancouver.

REASON FOR REPORT

The purpose of this report is to secure Council's approval for the release of project grants and civic event grants within the projected budget for 2014.

EXISTING GRANTS POLICIES

Arts Assistance Grant Program (5-1850-1).

Community Investment Program: Events / Festivals (5-1850-5).

SUMMARY

The independent peer assessment jury considered project grant requests from seventeen community groups and arts organizations. The jury recommends that grants in the amount of \$76,750 be awarded to support fifteen arts projects, community celebrations, cultural events and festivals. Two project grant requests were declined.

This report also recommends that Civic Events Grants in the amount of \$22,000 be provided to support Canada Day, the Canada Day Parade and Remembrance Day.

BACKGROUND

The Arts Office administers three grant intakes each year to process a broad range of grant requests. These include one Operating Grants intake and two Project Grants intakes.

At their regular meetings of January 20th and 27th, 2014, District and City Councils approved a first round of project grants in the amount of \$66,500, to support a mix of 15 arts projects, community celebrations, cultural events and festivals.

On May 5th, 2014 District and City Councils approved operating grants in the amount of \$98,500 to support the year-round operations and programming of eleven arts, cultural and heritage groups.

The current report covers the second intake of project grants for 2014, including civic event grants to support Canada Day, the Canada Day Parade and Remembrance Day.

ANALYSIS

Project Grants are provided to support a broad range of arts activities, community celebrations, signature events, festivals and other projects that reflect the spirit, creativity and diversity of the community. The key criteria for grant assessment include:

- The **inherent value** of the proposed program, measured in terms of artistic merit, community benefit or creative cultural impact;
- The expected **instrumental value**, measured in terms of community access or impact, cultural-tourism benefit or creative community engagement;
- The **organizational capacity** of the applicant group, measured against such questions as financial need and/or accountability;
- The **strategic value** of the proposed project, in the context of the goals and objectives outlined in the Cultural Plan or in other municipal planning documents.

The Arts Office publishes detailed Program Guidelines every year that provide full program descriptions; outline eligibility and submission requirements; and inform applicants with respect to the assessment criteria. Prospective applicants are encouraged to meet with staff to clarify any questions in advance.

Peer Jury Assessment

Project Grants recommendations are provided by an independent peer jury. Members of the

jury are invited or nominated based on their expertise in the arts, cultural and volunteer sectors, their understanding of community events, professional event management or community-based arts practises, as well as all-round knowledge of the community as a whole.

On the whole, the 2014 peer assessment jury was greatly impressed by with the high quality of projects and activities proposed by a broad range of different arts, cultural and community groups, whether viewed in terms of artistic value, program design or production quality; ambition and innovation of the work; or the reach and depth of community impact inherent in the activity.

Following careful consideration, the jury recommends that two grant requests be declined.

- (1) MUSIC BC, 'CONCERTS IN THE SQUARE:'
Envisioned as the continuation of a concert series at Shipbuilders Square on the City waterfront, Music BC is seeking support for two elements of an outdoor festival scheduled over one weekend in August: a Seniors' Dance & Tea and a Children's Festival. As the applicant has identified a significant budget need for additional municipal funding over and above the current grant request, the jury does not recommend support.
- (2) VANCOUVER INTERNATIONAL MOUNTAIN FILM FESTIVAL, 'VIMFF FALL SERIES:'
Despite scoring well in terms of programming merit, community benefit and strategic value, the applicant projects a large budget surplus significantly in excess of the grant requested. As policy restricts use of grants funds to the support of production activities, the jury does not recommend support.

A detailed **Intake Summary** – outlining grant requests, funding histories, project summaries and jury recommendations – is provided in Attachments A and B.

Project Grant Recommendations

The following chart presents the jury's project grant recommendations:

Arts Projects / Events

Blueridge Chamber Music Festival	BLUERIDGE CHAMBER MUSIC FESTIVAL	\$ 2,800
Musart Cultural Society	UNPLUGGED & INTERACTIVE	\$ 4,200
North Van Community Arts Council	TROLLEY DANCES	\$ 3,000
Presentation House Theatre	CAT KILLER	\$ 10,000
Seymour Art Gallery	REINVENTING THE CLASSICS	\$ 4,000
The Capilano Review	GEORGE BOWERING PROJECT	\$ 5,000
Vancouver Inter-Cultural Orchestra	SOUNDS GLOBAL	\$ 1,750
Vancouver Int'l Mountain Film Fest..	VIMFF FALL SERIES	DECLINED

Community Art Projects

Cascadia Society	ANNUAL SHOW: 'MOTHER HOLLE'	\$ 2,000
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Community Celebrations

North Shore Neighbourhood House	75th ANNIVERSARY CELEBRATION	\$ 1,000
North Shore Polish Association	POLISH FESTIVAL	\$ 3,000
Parkgate Community Services	PARKGATE FAMILY DAY	\$ 2,000

Major / Signature Festivals

Artists for Conservation Foundation	ARTISTS FOR CONSERVATION FESTIVAL	\$ 10,000
Coho Society of the North Shore	COHO FESTIVAL	\$ 8,000
Music BC	CONCERTS IN THE SQUARE	DECLINED
Trinidad & Tobago Cultural Society	CARIBBEAN DAYS	\$ 12,500
Tsleil Waututh Nation	SALISH SUMMER SEA GATHERING	\$ 7,500
TOTAL		\$ 76,750

Civic Event Grants

In order to maintain sustainable and predictable support for these events, civic events grants are not subject to the fluctuations of annual jury review. The following chart provides a summary of recommended civic event grants in 2014.

CANADA DAY (WATERFRONT PARK)	\$ 18,000
CANADA DAY PARADE	\$ 2,000
REMEMBRANCE DAY	\$ 2,000
TOTAL	\$ 22,000

FINANCIAL IMPLICATIONS

The 2014 grants budget, not including operating and facility grant support to the four core-funded arts organizations, is projected at \$265,000. The District's share of the budget is: \$132,500.

To date in 2014, District and City Councils have considered and approved arts and cultural grants in the amount of \$165,000: \$66,500 for a first round of project grants; and \$98,500 in operating grants. The combined total of all grants recommendations in this report (\$98,750) would bring total grants awarded in 2014 to \$263,750 and is in accordance with the approved budget.

Timing/Approval Process

In order to give applicants adequate time to plan and promote their events, Council approval is requested as soon as possible.

Community Investment

The proposed municipal investment of \$98,750 is expected to support projects and events with a total combined budget in excess of \$780,000, not including a further \$510,000 estimated in volunteer effort, donated services and in-kind support.

Representing a relatively modest 12.5% of the applicants' total budgets, the proposed grants are nevertheless critical to the success of the projects they support, as they support program capacity, facilitate events planning, make it possible to leverage investment from other funders and levels of government, and enable and strengthen program delivery.

Program Capacity

While available funds are not sufficient to meet the requests of grant applicants, it is expected that the jury's recommendations in 2014 are sufficient to ensure that the successful applicants will be able to undertake their activities as proposed. There does appear to be an increased demand for grant support from the community. In 2014 the Arts Office received 38 project and civic event grant requests with a total ask of \$290,450. This represents a 25% increase in number of applications and a 15% increase in total ask, compared with a three-year baseline from 2011–13 where an average of 30 groups per year typically requested grants in the range of \$250,500.

Concurrence

This report has been reviewed by the Finance Departments at the District and City of North Vancouver.

POLICY IMPLICATIONS

North Shore arts organizations are diverse, ranging from small community-based groups to major professional organizations. Arts and cultural events, in particular special events and festivals, feature in the current economic development and tourism strategies of both the City and the District, forming an integral part of both communities' goals for a more vibrant, diverse and liveable community.



John Rice, Cultural Development Officer
North Vancouver Arts Office

Attachments:

- A. Project Grants Intake Summary: 2014 Round Two, Grants Recommendations.
- B. Project Grants Intake Summary: 2014 Round Two, Project Descriptions & Jury Notes.

REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:
<input type="checkbox"/> Communications	<input checked="" type="checkbox"/> Finance <i>AW</i>	External Agencies:	Advisory Committees:
<input type="checkbox"/> Env. Protection	<input type="checkbox"/> Fire Services	<input type="checkbox"/> Recreation Commission	<input type="checkbox"/> _____
<input type="checkbox"/> Human Resources	<input type="checkbox"/> Legislative Services	<input type="checkbox"/> Library Board	<input type="checkbox"/> _____
<input type="checkbox"/> Eng. Trans/Public Works	<input type="checkbox"/> Land	<input type="checkbox"/> Health Dept.	<input type="checkbox"/> _____
<input type="checkbox"/> Eng. Admin	<input type="checkbox"/> Building	<input type="checkbox"/> RCMP	
<input type="checkbox"/> Eng. Parks	<input type="checkbox"/> Community Planning	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Eng. Utilities			

Attachment A

THE ARTS OFFICE

Project Grants Intake Summary: 2014 Round Two, Grants Recommendations

Organization	Project Name	2011 Grant	2012 Grant	2013 Grant	2014 REQUEST	2014 AWARD
ARTS PROJECTS / EVENTS						
Bluebridge Int'l Chamber Music Festival	2014 FESTIVAL				\$ 2,800	\$ 2,800
Musart Cultural Society	UNPLUGGED & INTERACTIVE	\$ 6,000			\$ 11,160	\$ 4,200
North Van Community Arts Council	TROLLEY DANCES			\$ 5,000	\$ 7,500	\$ 3,000
Presentation House Theatre	CAT KILLER				\$ 15,000	\$ 10,000
Seymour Art Gallery	REINVENTING THE CLASSICS		\$ 7,500	\$ 8,750	\$ 9,500	\$ 4,000
The Capilano Review	GEORGE BOWERING PROJECT				\$ 10,000	\$ 5,000
Vancouver Inter-Cultural Orchestra	SOUNDS GLOBAL			\$ 2,500	\$ 3,000	\$ 1,750
VIMFF	FALL SERIES		\$ 3,500	\$ 3,500	\$ 7,500	DECLINED
					\$ 66,460	\$ 30,750
COMMUNITY ARTS PROJECTS						
Cascadia Society for Social Working	MOTHER HOLLE	\$ 3,000	\$ 3,000	\$ 5,000	\$ 5,000	\$ 2,000
					\$ 5,000	\$ 2,000
COMMUNITY CELEBRATIONS						
North Shore Neighbourhood House	75 ANNIVERSARY				\$ 4,000	\$ 1,000
Parkgate Community Services Society	PARKGATE FAMILY DAY	\$ 1,000		\$ 1,250	\$ 2,500	\$ 2,000
North Shore Polish Association Belweder	POLISH FESTIVAL				\$ 4,000	\$ 3,000
					\$ 10,500	\$ 6,000
MAJOR / SIGNATURE FESTIVALS						
Artists for Conservation Foundation	ARTISTS FOR CONSERVATION		\$ 8,500	\$ 9,500	\$ 14,500	\$ 10,000
Coho Society of the North	COHO FESTIVAL	\$ 10,000	\$ 7,000	\$ 7,000	\$ 15,000	\$ 8,000
Music BC	CONCERTS IN THE SQUARE				\$ 12,000	DECLINED
Trinidad & Tobago Cultural Society	CARIBBEAN DAYS	\$ 11,000	\$ 11,000	\$ 11,000	\$ 15,000	\$ 12,500
Tsleil Waututh Nation	SALISH SUMMER SEA GATHERING				\$ 15,000	\$ 7,500
					\$ 71,500	\$ 38,000
TOTAL PROJECT GRANTS, 2014 - RD. 1					\$ 153,460	\$ 76,750

Project Grants Intake Summary: 2014 Round Two, Project Descriptions & Jury Notes

ARTS PROJECTS / EVENTS

Name of Project / Event / Activity	Jury Rank	Project Budget	Grant
<p>BLUERIDGE INTERNATIONAL CHAMBER MUSIC FESTIVAL Founded in 2010 by North Shore native Dorothea Hayley with a goal to present an innovative program of chamber music, to inspire the next generation of musicians, and to provide educational opportunities to young musicians, the Festival is celebrating its fifth year at Mount Seymour United Church.</p> <p>Attendance Estimate: 250–300</p>	<p>HIGH</p> <p>FULL SUPPORT</p>	<p>\$ 12,800</p>	<p>Requested \$ 2,800</p> <p>Recommended \$ 2,800</p>
<p>UNPLUGGED & INTERACTIVE (Musart Cultural Society) Musart Cultural Society focuses on providing a range of performance opportunities for local and emerging artists. The core premise of UNPLUGGED & INTERACTIVE is to present a Fall-Winter season of contemporary, popular, world and roots music concerts where established and professional local artists provide guidance and mentoring to young, emerging talent.</p> <p>Attendance Estimate: 1,000</p> <p>The jury recommends that Musart focus on a shorter series/pilot project that will provide learnings with respect to ongoing sustainability.</p>	<p>MEDIUM-HIGH</p> <p>PARTIAL SUPPORT</p>	<p>\$ 32,360</p>	<p>Requested \$ 11,160</p> <p>Recommended \$ 4,200</p>
<p>TROLLEY DANCES (North Vancouver Community Arts Council) Now entering its third year, TROLLEY DANCES transports its audience around the North Shore on replica antique trolley buses to experience dance performances at a variety of informal locations. The project serves to animate and interpret parks, open spaces and other non-tradition venues where the public is not accustomed to</p>	<p>MEDIUM-HIGH</p> <p>PARTIAL SUPPORT</p>	<p>\$ 27,000</p>	<p>Requested \$ 7,500</p> <p>Recommended \$ 3,000</p>

<p>TROLLEY DANCES (continued ...)</p> <p>seeing dance. Travel guides provide a cultural and historical narrative that provides context for the different locations and dances.</p> <p>Attendance Estimate: 128 paid attendees</p>			
<p>CAT KILLER (Presentation House Theatre)</p> <p>An international co-production developed with Theater Wrede in Germany, and providing career development opportunities for emerging theatre artists through the Capilano University Theatre and Film program, CAT KILLER is a highly innovative mix of live theatre and guided video experience. Audience members are given a small video camera and headphones with a preloaded video which then guides them through several stations inside where they confront and interact with live actors. The play has received assistance from the Canada Council for both the artistic and technical development phases, has been performed first in the partner theatre in Germany, and will receive its English-speaking premier at Presentation House.</p> <p>Attendance Estimate: 1,000 – 1,500</p> <p>The jury's recommendation reflects not only the positive merits of the proposal in terms of artistic innovation and community impact, but also speaks to the strategic importance of the project in terms of building profile and audience recognition for Presentation House Theatre.</p>	<p>HIGH</p> <p>STRONG SUPPORT</p>	<p>\$ 124,260</p>	<p>Requested \$ 15,000</p> <p>Recommended \$ 10,000</p>
<p>RE-INVENTING THE CLASSICS (Seymour Art Gallery)</p> <p>Using two master prints from sixteenth and eighteenth centuries as a starting point, this special exhibition features the work of six local artists, each of whom works in a different medium and each of whom will offer a contemporary response to and re-invention of the works. The gallery exhibit will be supplemented by: a video installation, a gallery publication, lectures and panel discussions as well as a number of instructional workshops with local schools.</p> <p>Attendance Estimate: 2,500</p>	<p>MEDIUM-HIGH</p> <p>PARTIAL SUPPORT</p>	<p>\$ 28,770</p>	<p>Requested \$ 9,500</p> <p>Recommended \$ 4,000</p>

<p>GEORGE BOWERING PROJECT (The Capilano Review)</p> <p>The Capilano Review is developing a special expanded edition on local writer and former Canadian Poet Laureate, George Bowering. It is expected that the special edition will include work by over 40 contributors drawn from across Canada: writers, photographers, book designers, publishers, editors, readers and others. In addition to the editing and publication of the printed copy, the current proposal also includes a major literary event to be hosted at the BlueShore Financial Centre for Performing Arts. Once published, the Bowering edition will be made available to schools and libraries.</p> <p>Proposed Print-Run: 1,000</p>	<p>MEDIUM-HIGH</p> <p>PARTIAL SUPPORT</p>	<p>\$ 69,517</p>	<p>Requested \$ 10,000</p> <p>Recommended \$ 5,000</p>
<p>SOUNDS GLOBAL (Vancouver Inter-Cultural Orchestra)</p> <p>Having undertaken a series of successful skills-training and educational workshops in the first part of the year, VICO proposes to build on that work with a full concert presentation that incorporates new work that has emerged from the workshops. VICO is devoted to creating and performing new "inter-cultural" music as a means of promoting connection and inclusion across ethnic and cultural communities as well as artistic disciplines.</p> <p>Attendance Estimate: 300</p>	<p>MEDIUM-HIGH</p> <p>PARTIAL SUPPORT</p>	<p>\$ 6,440</p>	<p>Requested \$ 3,000</p> <p>Recommended \$ 1,750</p>
<p>VIMFF FALL SERIES (Vancouver International Film Festival)</p> <p>Building on the success of the main festival – a ten-day celebration of mountain culture that takes place in February each year, VIMFF is seeking to establish a Fall Series of films, workshops and speakers that will continue to build the festival's brand in the off-season.</p> <p>Attendance Estimate: 1,200 in North Vancouver</p> <p>The event scores well in terms of programming merit, community benefit and strategic value. However, VIMFF projects a large budget surplus significantly in excess of the grant requested and policy does not support use of grants funds to develop organizational surpluses.</p>	<p>USE OF FUNDS NOT SUPPORTED IN POLICY</p> <p>DECLINE</p>	<p>\$ 36,550</p>	<p>Requested \$ 7,500</p> <p>Recommended DECLINE</p>

COMMUNITY ART PROJECTS

Name of Project / Event / Activity	Jury Rank	Project Budget	Grant
<p>MOTHER HOLLE (Cascadia Society for Social Working)</p> <p>Cascadia Society's annual show brings together special needs adults with students from the Waldorf school to re-enact a traditional story/fairy-tale in music and movement. The process of having the students work together directly with special needs companions produces a unique celebration of creativity in an environment of mutual recognition and respect.</p> <p>Attendance Estimate: 600–800</p> <p>While the activity scores well in terms of programming merit, community benefit and strategic value, the jury's final recommendation for "partial support" is based on the applicant's level of need, relative to other groups in this intake.</p>	<p>HIGH</p> <p>PARTIAL SUPPORT</p>	<p>\$ 11,675</p>	<p>Requested \$ 5,000</p> <p>Recommended \$ 2,000</p>

COMMUNITY CELEBRATIONS

Name of Project / Event / Activity	Jury Rank	Project Budget	Grant
<p>75th ANNIVERSARY (North Shore Neighbourhood House)</p> <p>On October 4th, 2014 NSNH will be celebrating a milestone anniversary, 75 years of providing programs and services to the community. The anniversary event is free and open to all members of the public, and is expected to include a mix of different activities, including: children's entertainments; a drumming circle; and performances from local musicians.</p> <p>Attendance Estimate: 750</p>	<p>MEDIUM-LOW</p> <p>LIMITED SUPPORT</p>	<p>\$ 12,375</p>	<p>Requested \$ 4,000</p> <p>Recommended \$ 1,000</p>

<p>POLISH FESTIVAL (North Shore Polish Association)</p> <p>Proposed as a two-day event, this community celebration of Polish culture and heritage sets out a strong program of: professional music, cultural dance, cabaret performances and puppet theatre in addition to the usual festival line-up of traditional foods, face-painting and children's entertainments.</p> <p>Attendance Estimate: 2,000–3,000</p>	<p>HIGH</p> <p>STRONG SUPPORT</p>	<p>\$ 23,608</p>	<p>Requested \$ 4,000</p> <p>Recommended \$ 3,000</p>
<p>PARKGATE FAMILY DAY (Parkgate Community Services)</p> <p>Parkgate Family Day is a free community event celebrating the anniversary of the Community Centre. It is an opportunity to get people together, and provides a venue for community members, local businesses, organizations, service clubs, municipal leaders and artisans to connect in an entertaining and comfortable environment. The program includes: local musicians, performers, children's entertainers, art demonstrations and a range of other entertainments.</p> <p>Attendance Estimate: 1,500</p>	<p>MEDIUM-HIGH</p> <p>STRONG SUPPORT</p>	<p>\$ 7,730</p>	<p>Requested \$ 2,500</p> <p>Recommended \$ 2,000</p>

MAJOR / PROFESSIONAL FESTIVALS

Name of Project / Event / Activity	Jury Rank	Project Budget	Grant
<p>ARTISTS FOR CONSERVATION FESTIVAL</p> <p>The Festival, now entering its fourth year at Grouse Mountain, includes a week-long program of activities; a major exhibit of nature art by international and local guest artists; lectures; demonstrations; documentary film screenings; discussion panels and youth workshops.</p> <p>Attendance Estimate: 20,000</p> <p>The jury's recommendation reflects the Festival's continuing development as well as its growing profile and value as a cultural tourism event.</p>	<p>HIGH</p> <p>IMPROVED SUPPORT</p>	<p>\$ 96,500</p>	<p>Requested \$ 14,500</p> <p>Recommended \$ 10,000</p>

<p>COHO FESTIVAL (Coho Society of the North Shore)</p> <p>Long regarded as one of the signature cultural events on the North Shore, COHO FESTIVAL takes place at Ambleside Park. In recent years, juries have commented that the festival program – which has traditionally consisted of: main stage and beach stage programs with music and entertainment, a salmon BBQ, roving performers and an environmental information fare – is in need of renewal to continue to attract and engage audiences.</p> <p>Attendance Estimate: 5,000–8,500</p> <p>The jury's recommendation is intended to support the society's attempts to enhance festival programming and to engage with audiences through the event.</p>	<p>HIGH</p> <p>IMPROVED SUPPORT</p>	<p>\$ 85,150</p>	<p>Requested \$ 15,000</p> <p>Recommended \$ 8,000</p>
<p>CONCERTS IN THE SQUARE (Music BC)</p> <p>Envisioned as the continuation of a concert series at Shipbuilders Square on the City waterfront, Music BC is seeking support for two elements of an outdoor festival scheduled over one weekend in August: the North Vancouver Children's Festival (featuring children's musical entertainment, costumed TV characters, hands-on crafts, educational elements, colourful décor and interactive games); and a Seniors' Strawberry Tea (a free concert and strawberry shortcake "tea," featuring music designed to appeal to seniors 55+).</p> <p>Attendance Estimate: 2,000–3,000</p> <p>The applicant has identified a significant budget need for additional municipal funding over and above the current grant request. As policy does not support the provision of grants to activities that receive municipal support from other sources, the jury does not recommend support.</p>	<p>LOW</p> <p>DECLINE</p>	<p>\$ 50,000</p>	<p>Requested \$ 12,000</p> <p>Recommended DECLINE</p>
<p>CARIBBEAN DAYS (Trinidad & Tobago Cultural Society)</p> <p>CARIBBEAN DAYS is the largest celebration of Caribbean culture in the region. Located in Waterfront Park, the two day event includes culturally diverse music, dance and cultural entertainments; a carnival parade; a main stage program; roving performers; an arts and crafts fair; community info booths; food vendors and a</p>	<p>HIGH</p> <p>IMPROVED SUPPORT</p>	<p>\$ 186,300</p>	<p>Requested \$ 15,000</p> <p>Recommended \$ 12,500</p>

<p>licensed beer garden. As a significant percentage of the audience is off-shore, the event is now well established as a regional cultural tourism product.</p> <p>Attendance Estimate: 15,000 – 20,000</p> <p>The jury's recommendation is intended to provide a level of support that is sufficient to ensure the sustainability of the event.</p>			
<p>SALISH SEA SUMMER GATHERING (Tsleil Waututh Nation)</p> <p>The 3rd Annual Salish Sea Summer Gathering takes place on the shores of the Burrard Inlet to celebrate indigenous cultures, while at the same time promoting learning, understanding and shared experiences between the Coast Salish peoples and the full diversity of settler populations. The Gathering brings peoples of all backgrounds together with professional musicians, environmental artists, media artists, dancers and storytellers.</p> <p>Attendance Estimate: 4,000 +</p> <p>As a first time applicant, the jury is pleased to provide strong support within the limitation of available funds.</p>	<p>HIGH</p> <p>STRONG SUPPORT</p>	<p>\$ 60,350</p>	<p>Requested \$ 15,000</p> <p>Recommended \$ 7,500</p>

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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

May 8, 2014
File: 16.8620.15/009.002

AUTHOR: Nicole Foth, Transportation Planning Technologist

SUBJECT: Fines for Unauthorized Road Use

RECOMMENDATION

THAT "Bylaw Notice Enforcement Bylaw No. 7458, 2004, Amendment Bylaw 8044, 2014 (Amendment 24)" and "Street and Traffic Bylaw No. 7125, 2004, Amendment Bylaw 8060, 2014 (Amendment 12)" are introduced and are given three readings.

REASON FOR REPORT

With recent increased development-related construction activity in the District, the District needs to ensure that appropriate tools are available to properly manage traffic. Higher penalties for the improper use of public roads offer a greater incentive for contractors and developers to apply for District permits to use roads and to comply with permit terms and construction traffic management plans.

Council directed staff at Committee of the Whole on April 14, 2014 to bring forward Bylaw amendments to increase the unauthorized road use fine. In addition, Council directed staff to pursue developing a deposit and fee system for unauthorized road use for larger projects. The deposit and fee system is not included in this report as it requires further development and it is important to bring forward the fines in time for construction season this year.

SUMMARY

This report recommends the following fines:

- (1) **\$500** fine for unauthorized use of major arterial, minor arterial or collector roads,
- (2) **\$250** fine for unauthorized use of roads other than major arterial, minor arterial, or collector roads,
- (3) **\$250** fine for failure to comply with permit conditions, and
- (4) **\$250** fine for interfering with a traffic control device.

EXISTING POLICY Bylaw Notice Enforcement Bylaw 7458, 2004

Currently the fine for unauthorized road use is \$90.

BACKGROUND

Currently, fines are issued by Bylaw Officers for unauthorized use of District roads. The current fine of \$90 is too low to provide an effective deterrent. By increasing the penalties for unauthorized road use, the District can increase its influence over undesirable traffic conditions resulting from construction activities.

Major projects can potentially have a longer duration of impact on traffic movements in the District. Over the past number of months, staff have taken action to educate developers about construction traffic management expectations and have been actively improving public information.

Bylaw Officers use discretion when issuing a fine, considering safety hazards, traffic consequences and previous warnings. Besides ticketing, Officers educate the public about the District's street regulations and encourage individuals to apply for permits. Officers may issue warnings and follow up to ensure any necessary permits are obtained.

ANALYSIS

FINES FOR UNAUTHORIZED ROAD USE

The Street and Traffic Bylaw provides that District road space must not be used for unauthorized uses. Under current practice, a fine (currently \$90) may be levied for each instance of unauthorized road use per 24-hour period. Given the importance of keeping traffic moving on the District's limited network of roads, it would be beneficial to assign a higher fine for infractions on busier roads and a lower fine for other roads.

Staff recommend a **\$500** fine for unauthorized road use of a major or minor arterial road and on collector roads. On other roads, a smaller fine of **\$250** would be appropriate.

FINES & ROAD CLASSIFICATION

The proposed distinction between a \$500 and \$250 fine is based on road classification (defined in the Development Servicing Bylaw). Arterial roads have the highest traffic volumes, higher vehicle speeds, and prioritize vehicle movement rather than land access compared to other road classifications.

At the Committee of the Whole meeting on April 14, 2014 it was suggested that collector roads be included in the higher fine category with arterial roads. Some collector roads

are bus routes and so their blockage may delay buses. That said, an incident of unauthorized collector road use may not cause as much disruption as if it were on an arterial road. Many collector roads service only single-family homes and so a higher penalty may not be as necessary. Therefore, as an option, Council could choose to limit the higher fine to arterial roads only.

As an alternative to imposing the fine if a severe unauthorized road use occurs (e.g. blocked road), Bylaw Enforcement officers or the RCMP can issue a Stop Work Order and order immediate clearance of the road. This can be more effective for clearing serious impediments than issuing a fine. The fine structure is for penalizing unauthorized use, not guaranteeing immediate clearance.

FINE FOR FAILURE TO COMPLY WITH PERMIT CONDITIONS

The Street and Traffic Bylaw requires permit holders to follow permit conditions. Some individuals obtain a road use permit but fail to comply with it (e.g. close a lane beyond the time allotted in a permit). In reviewing fines in the Bylaw Notice Enforcement Bylaw, staff noted there is currently no fine for failure to comply with permit conditions.

To address compliance, staff recommend introducing a **\$250** fine for failure to comply with permit conditions.

FINE FOR INTERFERENCE WITH A TRAFFIC CONTROL DEVICE

The Street and Traffic Bylaw Section 411 prohibits interfering with a traffic control device (e.g. removing a stop sign, moving a concrete barrier, et cetera). However, there is no corresponding fine in the Bylaw Notice Enforcement Bylaw. To discourage this and to recuperate some of the repair or replacement costs, staff recommend introducing a **\$250** fine for interfering with a traffic control device.

FINE MAXIMUMS

Under the Provincial legislation, the Bylaw Notice Enforcement Bylaw can assign a maximum of \$500 per fine. Disputed tickets go through local adjudication.

TIMING/APPROVAL

Early adoption of this approach and related Bylaw amendments would enable staff to take action during the 2014 construction season.

FINANCIAL IMPLICATIONS

No significant financial implications to report in terms of staff and administrative resources associated with the recommended fines.

CONCURRENCE

An interdisciplinary staff working group on construction traffic management is now working to address road use issues, including reduction of construction traffic impacts, communication with the public about road use, enforcement, and internal communication. The following internal departments generally support the approach proposed in this report: Bylaw Enforcement, Development Planning, Construction, Streets, and Legal.

CONCLUSION

In order to help manage traffic, public safety and use of District roads, staff recommend the following:

- (1) **\$500** fine for unauthorized use of major arterial, minor arterial or collector roads,
- (2) **\$250** fine for unauthorized use of roads other than major arterial, minor arterial, or collector roads,
- (3) **\$250** fine for failure to comply with permit conditions, and
- (4) **\$250** fine for damaging a traffic control device.

OPTIONS

1. THAT "Bylaw Notice Enforcement Bylaw No. 7458, 2004, Amendment Bylaw 8044, 2014 (Amendment 24)" and "Street and Traffic Bylaw No. 7125, 2004, Amendment Bylaw 8060, 2014 (Amendment 12)" are introduced and are given three readings.
2. THAT "Bylaw Notice Enforcement Bylaw No. 7458, 2004, Amendment Bylaw 8044, 2014 (Amendment 24)" includes **only major or minor arterial roads** in the \$500 fine for unauthorized use, and "Street and Traffic Bylaw No. 7125, 2004, Amendment Bylaw 8060, 2014 (Amendment 12)" are introduced and are given three readings.
3. THAT the District's practices and regulations for enforcing construction traffic management impacts remains as is.

Respectfully submitted,

Nicole Foth
Transportation Planning Technologist

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 checked="" type="checkbox"/> Finance <i>RM</i> _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: <i>RM</i> _____

ATTACHMENT 1: DRAFT BYLAW

The Corporation of the District of North Vancouver

Bylaw 8044

A bylaw to amend the Bylaw Notice Enforcement Bylaw (Bylaw 7458)

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

1. Citation

This bylaw may be cited as "Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8044, 2014 (Amendment 24)".

2. Amendments

The Street and Traffic Bylaw 7125, 2004 section of Schedule A to Bylaw Notice Enforcement Bylaw 7458, 2004 is amended by:

- (a) inserting the description and fine amounts for section 408;
- (b) inserting the description and fine amounts for section 411; and
- (c) deleting the description and fine amounts for section 703 and substituting a new description and fine amounts for section 703,

in numerical order as set out in the table below:

Bylaw Section	Description	A1 Penalty Amount (\$)	A2 Discounted Penalty: Within 14 days (\$)	A3 Late Payment: After 28 days (\$)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
Street & Traffic Bylaw 7125, 2004						
		\$	\$	\$		
408	Fail to comply with permit conditions	250	200	325	NO	N/A
411	Interfere with Traffic Control Device	250	200	325	NO	N/A

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount (\$)	A2 Discounted Penalty: Within 14 days (\$)	A3 Late Payment: After 28 days (\$)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
703(a)	Unauthorized use of major or minor arterial or collector Highway or	500	400	650	NO	N/A
703(b)	Unauthorized use of Highway other than major or minor arterial or collector	250	200	325	NO	N/A

READ a first time the

READ a second time the

READ a third time the

ADOPTED the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

ATTACHMENT 2: DRAFT BYLAW

**The Corporation of the District of North Vancouver
Bylaw 8060**

A bylaw to amend the Street and Traffic Bylaw 7125 (2004)

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

3. Citation

This bylaw may be cited as "Street and Traffic Bylaw No. 7125, 2004, Amending Bylaw 8060, 2014 (Amendment 12)".

4. Amendments

The Street and Traffic Bylaw No. 7125, 2004 is amended by deleting section 703 and substituting the following:

703. Except as specifically authorized by a Highway Use Permit, a person must not use or permit the use of any:
- (a) Highway which is classified as a major or minor arterial or collector Highway on the Highway Classification Map in the District of North Vancouver Development Servicing Bylaw 7388 (2005), as amended; or
 - (b) Highway which is classified as other than a major or minor arterial or collector Highway (as defined in subsection (a) above)

for the purpose of performing any work or doing any act not associated with normal Highway uses or which may in any way impede or interfere with traffic or deface or injure such Highway.

READ a first time the
READ a second time the
READ a third time the

ADOPTED the

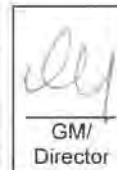
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 25, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

May 15, 2014

File: 08.3060.20/05.14

AUTHOR: James Gordon, Municipal Clerk

SUBJECT: **Bylaw 8047: Prohibit Medical Marihuana Production and Distribution
(Rezoning Bylaw 1308)**

RECOMMENDATION:

THAT "District of North Vancouver Rezoning Bylaw 1308 (Bylaw 8047)" is given SECOND and THIRD readings;

AND THAT the "District of North Vancouver Rezoning Bylaw 1308 (Bylaw 8047)" is ADOPTED.

BACKGROUND:

Bylaw 8047 received FIRST reading and referral to a Public Hearing on the 7th day of April, 2014. A Public Hearing was held on the 13th day of May, 2014. This Bylaw is now ready to be considered for SECOND and THIRD readings, followed by ADOPTION by Council.

Options:

1. Adopt the bylaw;
2. Abandon the bylaw at 2nd reading; or,
3. Debate possible amendments to the bylaw.

Respectfully submitted,

James Gordon
Municipal Clerk

Attachment: The District of North Vancouver Rezoning Bylaw 1308 (8047)
Report to Council – Dated March 31, 2014
District of North Vancouver Public Hearing Minutes – May 13th, 2014

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 & Environment	<input type="checkbox"/> ITS	<input type="checkbox"/> Recreation Com.
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Solicitor	<input type="checkbox"/> Museum & Arch.
<input type="checkbox"/> Human resources	<input type="checkbox"/> GIS	<input type="checkbox"/> Other:

The Corporation of the District of North Vancouver

Bylaw 8047

A bylaw to amend the 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 "The District of North Vancouver Rezoning Bylaw 1308" (Bylaw 8047)".

2. Amendments

The following amendments are made to the "District of North Vancouver Zoning Bylaw 3210, 1965":

- a) by deleting the following text from Section 403A, subsection (1) j):

the sale, distribution, trade or dispensing of cannabis and its preparations, derivatives and similar synthetic preparations, except as authorized under the Controlled Drugs and Substances Act, Marijuana Medical Access Regulations and any other applicable federal legislation

- b) and by replacing the deleted text with the following text into Section 403A, subsection (1) j):

the growing, harvesting, storage, packaging, dispensing or sale of marihuana and its preparations, derivatives and similar synthetic preparations whether under license through the Controlled Drugs and Substances Act, or any other applicable federal legislation, or otherwise, but this prohibition does not apply to anyone who is legally entitled to continue to grow, harvest, store, package, dispense or sale marihuana and its preparations, derivatives and similar synthetic preparations pursuant to a licence issued under the Marihuana Medical Access Regulation.

READ a first time April 7th, 2014

PUBLIC HEARING held May 13th, 2014

READ a second time

READ a third time

ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>April 7, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

March 31, 2014
File: 08.3060.20/005.14

AUTHOR: Erik Wilhelm, Community Planner

**SUBJECT: REZONING BYLAW 8047 – ZONING BYLAW AMENDMENT TO
PROHIBIT MEDICAL MARIHUANA PRODUCTION AND
DISTRIBUTION**

RECOMMENDATION:

It is recommended that Council:

Give First Reading to Bylaw 8047 (Attachment A), which initiates amendments to the Zoning Bylaw to prohibit medical marihuana production and distribution and refer Bylaw 8047 to Public Hearing.

REASON FOR REPORT:

Staff is seeking Council's support to amend the text of the zoning bylaw to prohibit the commercial production and distribution of medical marihuana.

SUMMARY:

The modification of federal legislation regulating the production and distribution of medical marihuana has initiated the proposed zoning bylaw text amendment. The recommendation would initiate a bylaw to prohibit the use of land, buildings or structures for the production and distribution of marihuana within the District. Once prohibited within the District, an applicant could apply to rezone a specific property to allow the use. Council and the public would then be afforded the opportunity to consider an individual application on its own merit. This bylaw does not apply to any personal licenses which are still valid under the old Health Canada regulations.

BACKGROUND:

As a brief overview, the *Marihuana for Medical Purposes Regulation* recently came into force (April 1, 2014) which replaced the *Marihuana Medical Access Regulation*. Under the new federal regulation, licensed producers are only allowed to grow medical marihuana

**SUBJECT: REZONING BYLAW 8047 – ZONING BYLAW AMENDMENT TO
PROHIBIT MARIHUANA PRODUCTION AND DISTRIBUTION**

March 31, 2014

Page 2

within approved commercial facilities. Distribution of medical marihuana to the consumer is only permitted to occur through secure mail delivery services.

On November 4, 2013, Council considered a background report related to fundamental changes to federal legislation governing medical marihuana (Attachment B). Council passed the following motion:

1. Council instruct staff to prepare a text amendment to the existing zoning bylaw by which licenced medical marihuana production facilities would not be permitted without a rezoning and the attendant public input process and public hearing before Council.
2. Staff submit to Council any building permit applications received after November 12, 2013 which staff consider are in conflict with the bylaw in preparation for consideration of a resolution that the building permit be withheld for 30 days pursuant to Section 929 of the Local Government Act.
3. Staff submit to Council any business licence application received after November 12, 2013 where the use to which the land would be put and to which the business licence application relates would be contrary to the use that would be permitted by the bylaw that is under preparation for consideration of a resolution that the business licence be withheld for 90 days pursuant to Section 929(5) of the Local Government Act.

When considering this report Council requested clarification regarding the incoming *Marihuana for Medical Purposes Regulation*. Accordingly, a backgrounder issued by Health Canada is provided within Attachment C.

Council also wanted more information regarding what activities licensed producers could provide onsite. The regulation allows separation of duties (growing, testing, and distributing of medical marihuana); however, staff ascertained that most licensed producers (which Health Canada has already approved 12 licenses across Canada) will be growing, testing, and distributing medical marihuana from a single facility. The only outsourced activity would be the distribution of the medical marihuana through secured mail delivery services. As the regulation requires, there will be no storefront distribution of medical marihuana. Should an applicant apply for zoning to permit this use, staff would require details on security measures, business model, employment information, air purification systems etc. to ensure Council is informed of all activities at a proposed site.

Recently, the *Marihuana for Medical Purposes Regulation* was challenged in court on grounds that the regulation infringed upon the *Canadian Charter of Rights and Freedoms*. The basis of the court challenge related to the projected price increase of medical marihuana and its effect on low income consumers. A federal court judge issued an injunction on March 21, 2014 which effectually rendered all existing licenses held under the outgoing *Marihuana Medical Access Regulation* as lawful. This injunction allows current licensees under the previous regulation to grow and distribute medical marihuana until a subsequent consideration of the injunction through the courts. Bylaw 8047 recognizes these existing licenses and allows continuation of personal production under

**SUBJECT: REZONING BYLAW 8047 – ZONING BYLAW AMENDMENT TO
PROHIBIT MARIHUANA PRODUCTION AND DISTRIBUTION**

March 31, 2014

Page 3

previous regulation. All new prospective licensed producers and consumers would need approval under the *Marihuana for Medical Purposes Regulation*.

EXISTING POLICY AND ANALYSIS:

Zoning Bylaw:

- A) The zoning bylaw currently prohibits the use of land, buildings or structures for "commercial agricultural purposes" which includes the commercial agricultural component of medical marihuana production. The proposed revised text within the zoning bylaw would clearly define the multitude of prohibited uses surrounding the production and distribution of marihuana and provide more clarity overall within the bylaw.
- B) In specific industrial zones, the zoning bylaw currently allows 'manufacture' and 'manufacturing' as a permitted use defined as "*the making, producing, processing, fabricating, assembling, repairing or salvaging of goods, materials, products, substances, things or organisms...*" This definition has created some uncertainty with regards to the processing component of medical marihuana production and distribution facilities. The proposed text amendment would clearly define and prohibit the use and not create ambiguity in relation to 'manufacture' and 'manufacturing' as defined in the bylaw.
- C) The District's zoning bylaw generally prohibits "*the sale, distribution, trade or dispensing of cannabis and its preparations, derivatives and similar synthetic Marijuana Medical Access Regulations and any other applicable federal legislation*". This text within the zoning *preparations, except as authorized under the Controlled Drugs and Substances Act*, bylaw prohibits commercial vending/retail marihuana operations; however, does allow for the sale and distribution of medical marihuana in accordance with the Marijuana Medical Access Regulations.

It must be noted that storefront distribution of medical marihuana is not permitted under the *Marihuana for Medical Purposes Regulation*. Nonetheless, staff has prepared a text amendment to the zoning bylaw that would effectively prohibit the production and distribution of marihuana in the District within the confines of the Controlled Drugs and Substances Act, or any other applicable federal legislation (i.e. *Marihuana for Medical Purposes Regulation*).

To summarize, the bylaw proposes to:

- 1) Delete the following text from Section 403A "Uses Prohibited in All Zones" of the Zoning Bylaw:

the sale, distribution, trade or dispensing of cannabis and its preparations, derivatives and similar synthetic preparations, except as authorized under the

**SUBJECT: REZONING BYLAW 8047 – ZONING BYLAW AMENDMENT TO
PROHIBIT MARIHUANA PRODUCTION AND DISTRIBUTION**

March 31, 2014

Page 4

Controlled Drugs and Substances Act, Marijuana Medical Access Regulations and any other applicable federal legislation

2) Replace the deleted text with the following text:

the growing, harvesting, storage, packaging, dispensing or sale of marihuana and its preparations, derivatives and similar synthetic preparations whether under license whether through the Controlled Drugs and Substances Act, or any other applicable federal legislation, or otherwise, but this prohibition does not apply to anyone who is legally entitled to continue to grow, harvest, store, package, dispense or sale marihuana and its preparations, derivatives and similar synthetic preparations pursuant to a licence issued under the Marihuana Medical Access Regulation.

The above amendments to the zoning bylaw would effectively prohibit licenced medical marihuana production/distribution and illegal marihuana production/distribution throughout the District.

Council could still consider site specific rezoning applications to allow the use on a specific site where the concerns of municipal staff, Fire Department, RCMP and affected neighbours could be adequately addressed. Any future rezoning of a property would require proper neighbourhood notification and Public Hearing process enabling full public engagement prior to consideration of approval.

CONCLUSION:

The recommendation would initiate a bylaw to prohibit the use of land, buildings or structures for the production and distribution of medical marihuana within the District. Once prohibited within the District, an applicant could apply to rezone a specific property to allow the use.

OPTIONS:

The following options are available for Council's consideration:


1. Give First Reading to Bylaw 8047 (Attachment A), which initiates amendments to the Zoning Bylaw to prohibit medical marihuana production and distribution and refer Bylaw 8047 to Public Hearing. (staff recommendation); or
2. Deny First Reading of Bylaw 8047.

**SUBJECT: REZONING BYLAW 8047 – ZONING BYLAW AMENDMENT TO
PROHIBIT MARIHUANA PRODUCTION AND DISTRIBUTION**

March 31, 2014

Page 5

Respectfully submitted,



Erik Wilhelm, Community Planner

Attach: Attachment A - Bylaw No. 8047

Attachment B - Background Report Regarding Medical Marihuana

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 & Environment	<input type="checkbox"/> ITS	<input type="checkbox"/> Recreation Com.
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Solicitor	<input type="checkbox"/> Museum & Arch.
<input type="checkbox"/> Human resources	<input type="checkbox"/> GIS	<input type="checkbox"/> Other:

The Corporation of the District of North Vancouver

Bylaw 8047

A bylaw to amend the 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 "The District of North Vancouver Rezoning Bylaw 1308" (Bylaw 8047)".

2. Amendments

The following amendments are made to the "District of North Vancouver Zoning Bylaw 3210, 1965":

- a) by deleting the following text from Section 403A, subsection (1) j):

the sale, distribution, trade or dispensing of cannabis and its preparations, derivatives and similar synthetic preparations, except as authorized under the Controlled Drugs and Substances Act, Marijuana Medical Access Regulations and any other applicable federal legislation

- b) and by replacing the deleted text with the following text into Section 403A, subsection (1) j):

the growing, harvesting, storage, packaging, dispensing or sale of marihuana and its preparations, derivatives and similar synthetic preparations whether under license through the Controlled Drugs and Substances Act, or any other applicable federal legislation, or otherwise, but this prohibition does not apply to anyone who is legally entitled to continue to grow, harvest, store, package, dispense or sale marihuana and its preparations, derivatives and similar synthetic preparations pursuant to a licence issued under the Marihuana Medical Access Regulation.

READ a first time this the

PUBLIC HEARING held this the

READ a second time this

READ a third time this the

APPROVED by the Ministry of Transportation and Infrastructure this the

ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Workshop (open to public)	Date: _____

Dept. Manager	GM/ Director	CAO
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8

The District of North Vancouver REPORT TO COUNCIL

October 22, 2013
File: 08.3060.01/000.000

AUTHOR: Erik Wilhelm, Planner

SUBJECT: Medical Marihuana Regulations

RECOMMENDATION:

It is recommended that:

1. Council instruct staff to prepare a zoning bylaw which licenced medical marihuana production facilities would not be permitted without a rezoning and the attendant public input process and public hearing before Council.
2. Staff submit to Council any building permit applications received after November 12, 2013 which staff consider are in conflict with the bylaw in preparation for consideration of a resolution that the building permit be withheld for 30 days pursuant to Section 929 of the Local Government Act.
3. Staff submit to Council any business licence application received after November 12, 2013 where the use to which the land would be put and to which the business licence application relates would be contrary to the use that would be permitted by the bylaw that is under preparation for consideration of a resolution that the business licence be withheld for 90 days pursuant to Section 929(5) of the Local Government Act.

REASON FOR REPORT:

To provide Council with information related to recent and pending changes to Medical Marihuana legislation and to seek Council guidance on proposed zoning bylaw text amendments to prohibit the production and distribution of medical marihuana within the District.

This approach would not preclude prospective legitimate licenced producers from applying for a rezoning on a site specific basis to enable full public consultation as part of the consideration of the proposal.

SUMMARY:

The recently introduced *Marihuana for Medical Purposes Regulation* will ultimately replace the prevailing *Marihuana Medical Access Regulation*. Under the new regulation, legally produced medical marihuana will no longer be allowed to be produced in, and distributed from, residential homes and 'licensed producers' will only be allowed to grow and distribute medical marihuana from approved facilities. The intention is for increased security, health and safety measures within medical marihuana production facilities.

In order to clarify and update language within the zoning bylaw, it is recommended that a bylaw be prepared to amend text within the zoning bylaw to prohibit 'medical marihuana licensed producer' facilities throughout the District.

BACKGROUND:

The *Marihuana Medical Access Regulation* (MMAR) was introduced in 2001 and by 2002 Health Canada had provided 422 licences to grow medical marihuana across Canada. By 2013, Health Canada had issued over 30,000 licences to grow medical marihuana and it was forecasted that a total of nearly 50,000 licenses would be issued by 2014 under the MMAR. Under the outgoing program, medical marihuana can be produced in residential homes providing the producer holds a valid Health Canada license. Growers can produce for their own consumption, with a 'personal-use production license', or produce for other consumers with a 'designated person production license'.

The outgoing MMAR has been problematic for municipalities across B.C. and Canada. Many municipalities raised concerns to Health Canada related to fire safety, crime related to 'grow-rips', overproduction and diversion of marihuana to illegal market, misuse of local government enforcement staff, police and fire resources, and lack of inspections by Health Canada.

In response to the concerns raised, the *Marihuana for Medical Purposes Regulation* (MMPR) came into force on June 19, 2013 and will run concurrently with the current regulation until March 31, 2014. After that date, the MMPR will be the prevailing regulation governing the production and distribution of medical marihuana in Canada.

For simplicity sake, the following outlines the primary characteristics of the MMPR:

- personal and designated production by individuals in their homes will be eliminated;
- current options to access marihuana for medical purposes will be replaced by regulated, commercial Licensed Producers who will be able to produce a variety of strains;
- Licensed Producers will have to demonstrate compliance with regulatory requirements such as quality control standards, record-keeping of all activities as well as inventories of marihuana, and physical security measures to protect against potential diversion;

- Licensed Producers will distribute marihuana for medical purposes to the registered client via secure courier;
- storefronts or retail outlets will not be permitted;
- Under the new regulations, licensed producers will have to meet extensive security and quality control requirements. For example, when potential licensed producers apply to Health Canada for a license, they must demonstrate that:
 - Their production site is indoors, and not in a private dwelling. This would reduce the risk of diversion posed by outdoor production and would reduce health and safety risks associated with producing marihuana in a private dwelling;
 - They have provided details of the production site, to the local police force, local fire authority and local government;
 - They employ a quality assurance person with appropriate training, experience and technical knowledge to approve the quality of their dried marihuana;
 - The production site includes restricted-access areas, which would include all areas where a licensed activity is conducted with marihuana and cannabis other than marihuana (i.e. lab, production room, etc.);
 - Access to the production site is controlled at all times and includes 24/7 visual monitoring systems and an intrusion detection system to detect unauthorized access;
 - Key personnel hold a valid security clearance, issued by the Minister of Health;
 - Production facilities are not open to the public.

EXISTING POLICY:

Growing in dwellings (MMAR):

Under the outgoing MMAR program, medical marihuana can be produced in residences providing there is a valid license.

Commercial Growing (MMPR)

The District's zoning bylaw generally prohibits the sale, distribution, trade or dispensing of cannabis and its preparations, derivatives and similar synthetic preparations, except as authorized under the Controlled Drugs and Substances Act, Marijuana Medical Access Regulations and any other applicable federal legislation and also the use of land, buildings or structures for "commercial agricultural purposes". The zoning bylaw does permit 'manufacture' and 'manufacturing' defined as "the making, producing, processing, fabricating, assembling, repairing or salvaging of goods, materials, products, substances, things or organisms..."

The definition above and the change to the Federal regulations creates some uncertainty with regards to commercial production facilities and therefore staff recommend amendments to the zoning bylaw to generally prohibit 'medical marihuana licensed producer' facilities within the District.

Timing/Approval Process:

As the MMPR is currently in force, the preparation of a zoning bylaw text amendment to define and prohibit medical marihuana licensed producer facilities within the District should occur at the earliest opportunity in conjunction with a withholding motion.

Concurrence:

Fire Department:

Planning staff consulted with members of the District's Fire Department in order to ascertain their concerns related to the MMPR. The District's Fire Department has concerns related to the potential for large scale fires within industrial buildings/units from unsafe electrical wiring or non-compliance with the BC Fire Code.

RCMP:

Planning staff consulted with local members of the RCMP in order to ascertain their position related to the MMPR. The RCMP is supportive of the proposed approach.

Other Municipalities:

The following table summarizes what other municipalities are doing related to medical marihuana and the implementation of the MMPR:

Name of Municipality	Allow Medical Marihuana Licenced Production Facilities	Land Use Areas Where Medical Marihuana is Permitted
City of North Vancouver	TBD by Council	TBD by Council
District of West Vancouver	No	None
City of Burnaby	TBD by Council	TBD by Council
City of Coquitlam	Yes	Industrial Areas
City of New Westminster	TBD by Council	TBD by Council
The Corporation of Delta	Yes	Industrial Areas
City of Richmond	TBD by Council	TBD by Council
City of Surrey	Yes	Specific Commercial Zone
District of Maple Ridge	Yes	Agricultural Land Reserve Lands Only
District of Mission	No	Spot rezoning may be considered
City of Abbotsford	No	None
District of Squamish	Yes	Industrial Areas
Village of Pemberton	Yes	Industrial and Agricultural Areas

City of Nanaimo	Yes	Industrial and Agricultural Area
Municipality of North Cowichan	Yes	Industrial Areas
District of Hope	Yes	Rural/Agricultural Areas
City of Chilliwack	Yes	Industrial Areas
City of Kamloops	Yes	Industrial Areas

Social Implications:

The proposed changes to the MMPR will no longer allow personal-use production in a personal residence. This report does not explore whether the MMPR will improve or hamper one's right to readily accessible medical marihuana.

Of note, storefront medical marihuana dispensaries are not permitted by the MMPR. Medical marihuana must be obtained through certified courier services (directly from the licensed producer) or delivered and then transferred to the consumer at a hospital.

Site Specific Applications

If Council were to move forward with the suggested approach the production and distribution of medical marihuana would be prohibited in the District. Notwithstanding this general prohibition, Council could still consider site specific rezonings on a case by case basis where the concerns of municipal staff, Fire Department and RCMP have been adequately addressed. This process would enable full public engagement prior to consideration of approval.

Public Input:

No public input has been conducted related to this staff report; however, any future zoning bylaw text amendment would require adequate public notification and a public hearing whereby affected residents could provide their comments.

Conclusion:

The recommendations would initiate a bylaw to define and prohibit 'medical marihuana licensed production facilities' within the District. If adopted, medical marihuana licensed production facilities/businesses would not be permitted.

Providing an applicant wished to open a medical marihuana production facility, a formal notification would be provided to the District outlining their intentions to operate in accordance with the MMPR. Upon notification, District staff would inform Health Canada officials and the applicant that the District's zoning bylaw prohibits the production and distributing of medical marihuana. Even if a license was issued by Health Canada, the District would be in its own right to enforce all local bylaws and effectively shut down any operation.

Of note, regardless of any prohibition of 'medical marihuana licensed production facilities' within the District, an applicant could apply to rezone a specific property to allow the use.

Council and the public would then be afforded the opportunity to consider an individual application on its own merit.

Options:

Option A (Staff recommendation):

1. Council instruct staff to prepare a zoning bylaw which generally prohibits 'medical marihuana licensed production' facilities throughout the District of North Vancouver.
2. Staff submit to Council any building permit applications received after November 12, 2013 which staff consider are in conflict with the bylaw in preparation for consideration of a resolution that the building permit be withheld for 30 days pursuant to Section 929 of the Local Government Act.
3. Staff submit to Council any business licence application received after November 12, 2013 where the use to which the land would be put and to which the business licence application relates would be contrary to the use that would be permitted by the bylaw that is under preparation for consideration of a resolution that the business licence be withheld for 90 days pursuant to Section 929(5) of the Local Government Act. (staff recommendation)

or

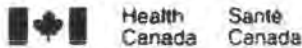
Option B:

That no further action is required and that Council receive this report as information.

Respectfully submitted,

Erik Wilhelm
Planner

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____



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About Health Canada

Marihuana for Medical Purposes Regulations

June 2013

[News Release: Harper Government Announces New Medical Marihuana Regulations](#)

[Backgrounder: Transitioning to the New System](#)

New *Marihuana for Medical Purposes Regulations* (MMPR) will come into force in June 2013.

Following broad consultations with stakeholders, the Government of Canada was concerned that the Marihuana Medical Access Program (MMAP) was open to abuse.

The MMPR represent a comprehensive response to a number of concerns raised over the past years and during the public comment period following the introduction of the draft regulations in December 2012.

The regulations aim to treat marihuana as much as possible like any other narcotic used for medical purposes by creating conditions for a new, commercial industry that is responsible for its production and distribution. The regulations will provide access to quality-controlled marihuana for medical purposes, produced under secure and sanitary conditions, to those Canadians who need it, while strengthening the safety of Canadian communities. In addition, the new regulations will also provide more choices of marihuana strains and commercial suppliers.

Under the new regulations:

- the process for applicants and health care practitioners will be streamlined, eliminating the need for individuals to provide Health Canada with their personal information or apply to the department for an Authorization to Possess;
- personal and designated production by individuals in their homes will be eliminated on March 31, 2014;
- current options to access marihuana for medical purposes will be replaced by regulated, commercial Licensed Producers who will be able to produce a variety of strains, thereby offering more choice to individuals who use marihuana for medical purposes;
- Licensed Producers will have to demonstrate compliance with regulatory requirements such as quality control standards, record-keeping of all activities as well as inventories of marihuana, and physical security measures to protect against potential diversion;
- Licensed Producers will distribute marihuana for medical purposes to the registered client via secure courier;
- storefronts or retail outlets will not be permitted; and,

- for the first time, nurse practitioners will be able to support access to dried marihuana for medical purposes, if permitted within their respective province or territory.

Under the new regulations, licensed producers will have to meet extensive security and quality control requirements. For example, when potential licensed producers apply to Health Canada for a license, they must demonstrate that:

- They employ a quality assurance person with appropriate training, experience and technical knowledge to approve the quality of their dried marihuana;
- Their production site is indoors, and not in a private dwelling. This would reduce the risk of diversion posted by outdoor production and would reduce health and safety risks associated with producing marihuana in a private dwelling;
- The production site includes restricted-access areas, which would include all areas where a licensed activity is conducted with marihuana and cannabis other than marihuana (i.e. lab, production room, etc);
- Access to the production site is controlled at all times and includes 24/7 visual monitoring systems and an intrusion detection system to detect unauthorized access;
- Key personnel hold a valid security clearance, issued by the Minister of Health; and,
- They have provided a written notification of their application, providing details regarding the location of the production site, to the local police force, local fire authority and local government.

Health care practitioners will sign a medical document enabling patients to purchase the appropriate amount for their medical condition from a Licensed Producer approved by Health Canada.

To help health care practitioners, Health Canada has updated and will soon publish the *"Information for Health Care Professionals - Cannabis (marihuana, marijuana) and the cannabinoids"* on its web site. The document will present a summary of the peer-reviewed scientific and medical literature concerning potential therapeutic uses and harmful effects of cannabis (marihuana) and cannabinoids.

In order to facilitate the transition from the MMAP to the new regime, both will operate concurrently until March 31, 2014. Program participants can continue to produce marihuana for medical purposes, designate someone to produce for them, or purchase it from Health Canada until that date.

Effective October 1, 2013, new applications for personal or designated production licences will no longer be accepted by Health Canada. At any time during the transition period, individuals can move from their current means of accessing marihuana for medical purposes to purchasing it from Licensed Producers under the new regime.

The current program costs Canadian taxpayers millions of dollars each year because the \$5/gram charged to program participants who choose to purchase from Health Canada is heavily subsidized. Under the new regime, Licensed Producers will set the price for marihuana for medical purposes. Once the first established Licensed Producers have set a price for dried marihuana, Health Canada will align the price of its supply with the market price so as not to undermine the creation of this new industry.

Date Modified: 2013-06-10

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**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

REPORT of the Public Hearing held in the Council Chambers of the Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, May 13, 2014 commencing at 7:00 p.m.

Present: Mayor R. Walton
Councillor R. Bassam
Councillor R. Hicks
Councillor M. Little

Absent: Councillor D. MacKay-Dunn
Councillor L. Muri
Councillor A. Nixon

Staff: Mr. B. Bydwell, General Manager – Planning, Properties, and Permits
Mr. B. Dwyer, Manager – Development Services
Ms. J. Paton, Manager – Development Planning
Mr. N. Letchford, Deputy Municipal Clerk
Mr. E. Wilhelm, Community Planner
Ms. L. Brick, Confidential Council Clerk

Bylaw 8047: The District of North Vancouver Rezoning Bylaw 1308

Purpose of Bylaw:

A proposal to prohibit medical marihuana production and distribution within the District

1. OPENING BY THE MAYOR

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

2. INTRODUCTION OF BYLAWS BY CLERK

Ms. Natasha Letchford, Deputy Municipal Clerk, introduced the proposed bylaw and advised that all those who consider that their interest in property may be affected by the proposed bylaw are welcome to speak.

3. PRESENTATION BY STAFF

Presentation: Mr. Erik Wilhelm, Community Planner

Mr. Erik Wilhelm, Community Planner, provided an overview of the proposal which would prohibit medical marihuana production and distribution within the District.

Mr. Wilhelm advised that the Marihuana Medical Access Regulation (MMAR), which was introduced in 2001:

Public Hearing Minutes – May 13, 2014

- Allowed the growing of medical marihuana within residences; and,
- Allowed the designation of someone else to produce medical marihuana on behalf of a permit holder.

The concerns with this legislation included a lack of Health Canada oversight, mould in homes, and safety concerns for residents and the community.

The new regulation, Marihuana for Medical Purposes Regulation (MMPR), was adopted on April 1, 2014 with the following changes:

- Production is not permitted within residences;
- No on-site sales and product is distributed through a secure courier;
- Security, product quality, and air quality are ensured;
- Commercial scale operations;
- Able to distribute across Canada; and,
- Health Canada oversight.

The proposed bylaw will amend the Zoning Bylaw to prohibit MMPR commercial production/distribution facilities in the District. Commercial medical marihuana production and distribution facilities would require site specific rezoning.

The rezoning process would allow neighbourhood concerns to be appropriately addressed and include the examination of security measures, building design, air quality, and neighbourhood suitability.

4. REPRESENTATIONS FROM THE PUBLIC

4.1 Mr. Martin Drobny, 4000 Block Mountain Highway: IN FAVOUR

- Spoke in support of the new Health Canada regulations and the proposed District bylaw;
- Commented that the regulations will improve the safety and security of production sites and address the flaws of the previous regulation; and,
- Spoke to the air quality filtration systems which will be required by Health Canada.

4.2 Mr. Corrie Kost, 2800 Block Colwood Drive: IN FAVOUR

- Spoke regarding the authority of the regulating body;
- Spoke in favour of the proposed bylaw, but commented that more flexibility may be needed; and,
- Commented on the regulations being imposed in other communities.

4.3 Mr. Mark Vanous, 18000 Block Waltzen Court, Delta: IN FAVOUR

- Commented on the Health Canada standards for security and air purification; and,
- Requested that guidelines be developed which could assist applicants when making applications for rezoning.

5. QUESTIONS FROM COUNCIL

In response to a Council query regarding air quality standards, staff advised that the Health Canada approval process requires applicants to submit detailed designs of the air

purification system which will address odour. The Health Canada approval process also lists stringent requirements for security measures and employment information.

Council discussion ensued regarding the proposed bylaw and the lack of specific regulations for rezoning for commercial production and distribution of medical marihuana; staff noted that the current Zoning Bylaw prohibits commercial agriculture and the proposed bylaw will amend the Zoning Bylaw to include the production and distribution of marihuana as commercial agriculture. Staff advised that the second step in the process will be to research and develop specific guidelines outlining the process and criteria for consideration of rezoning applications.

6. COUNCIL RESOLUTION

MOVED by Councillor LITTLE

SECONDED by Councillor BASSAM

THAT the April 8, 2014 Public Hearing be closed;

AND THAT "The District of North Vancouver Rezoning Bylaw 1308" be returned to Council for further consideration.

CARRIED
(7:38 p.m.)

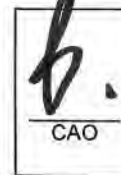
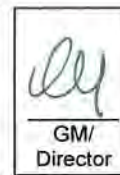
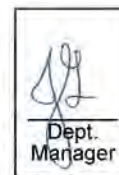
CERTIFIED CORRECT:



Confidential Council Clerk

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 26, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

May 15, 2014
File: 08.3160.20/045.000

AUTHOR: James Gordon, Municipal Clerk

SUBJECT: Bylaw 8059: Highway Closing Bylaw (West 1st Street)

RECOMMENDATION:

THAT "West 1st Street Highway Closure Bylaw 8059, 2014" is ADOPTED.

BACKGROUND:

Bylaw 8059 received First Reading on April 7, 2014. Notice was given under Section 94 of the *Community Charter* on April 16 and 23, 2014. Opportunity for representations to Council was provided in accordance to Section 40 of the *Community Charter*, followed by Second and Third Readings on April 28, 2014. The Bylaw is now ready to be considered for Adoption by Council.

OPTIONS:

1. Adopt the bylaw;
2. Abandon the bylaw at Third Reading; or,
3. Rescind Third Reading and debate possible amendments to the bylaw.

Respectfully submitted,

James Gordon
Municipal Clerk

Attachment: West 1st Street Highway Closure Bylaw 8059, 2014
Report to Council – April 23, 2014

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 & Environment	<input type="checkbox"/> ITS	<input type="checkbox"/> Recreation Com.
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Solicitor	<input type="checkbox"/> Museum & Arch.
<input type="checkbox"/> Human resources	<input type="checkbox"/> GIS	<input type="checkbox"/> Other:

The Corporation of the District of North Vancouver

Bylaw 8059

A bylaw to close and remove highway dedication.

WHEREAS under the *Community Charter* the Council may close to traffic and remove the dedication of a highway; and,

WHEREAS the Council has posted and published notices of its intention to close the highway referred to in this Bylaw and remove its dedication, and has provided an opportunity for persons who consider they are affected to make representations to the Council; and,

WHEREAS the Council does not consider that the closure will affect the transmission or distribution facilities or works of utility operators;

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

1. Citation

This bylaw may be cited as "West 1st Street Highway Closure Bylaw 8059, 2014".

2. Bylaw to close and remove highway dedication

2.1 The portion of highway dedicated by Highway Plan EPP39628 which is shown outlined in bold of the Plan attached to this bylaw as Schedule A, are closed to all types of traffic and the dedication as highway of both is removed.

2.2 The Mayor and Clerk are authorized to execute and deliver such transfers, deeds of land, plans and other documents as are required to effect the aforesaid closure and removal of highway dedication.

READ a first time April 7th, 2014

NOTICE given under Section 94 of the *Community Charter* on April 16th and 23rd, 2014

OPPORTUNITY for representations to Council provided in accordance with Section 40 of the *Community Charter* on April 28th, 2014

READ a second time April 28th, 2014

READ a third time April 28th, 2014

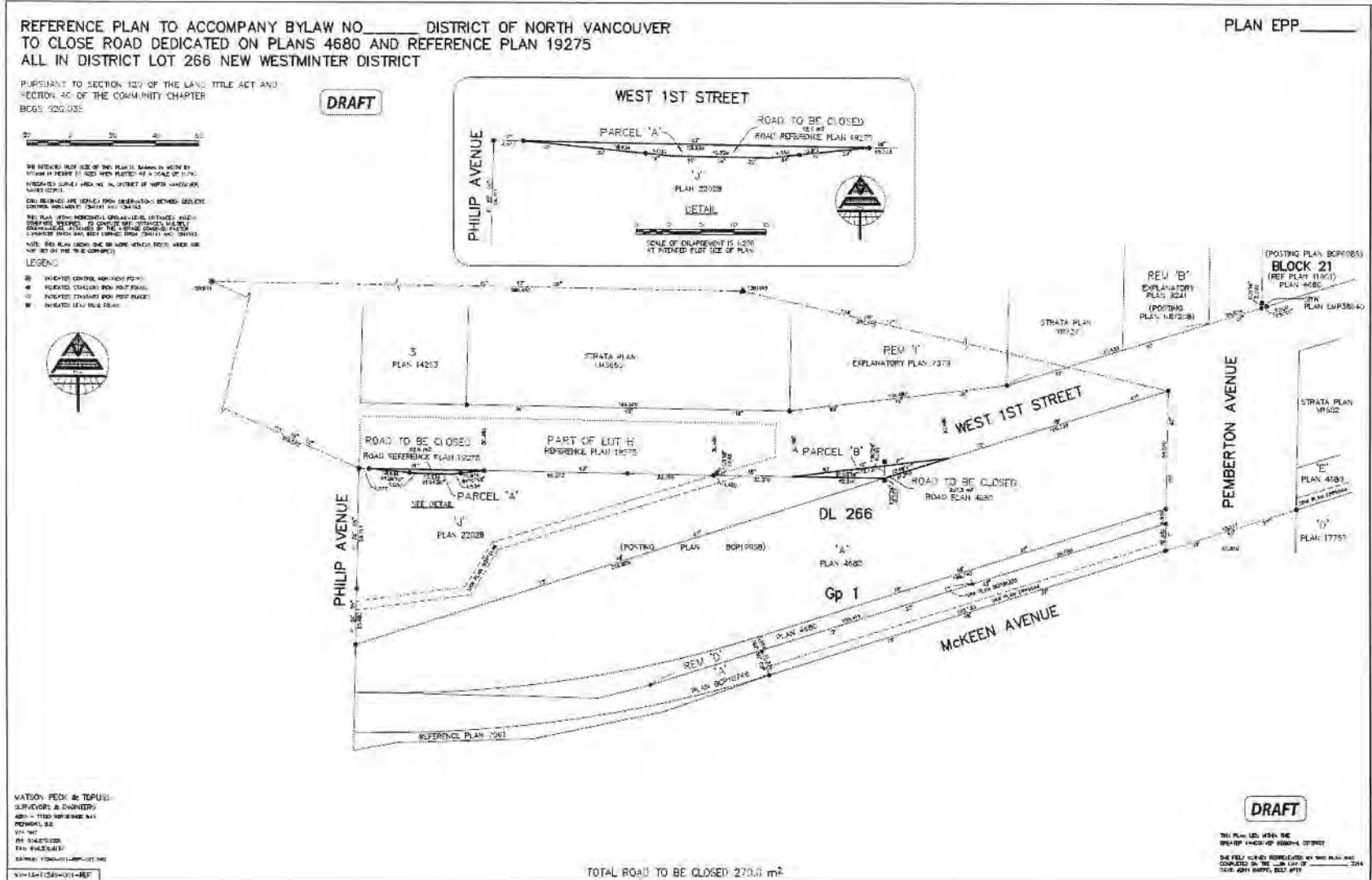
ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Schedule A Road Closure Plan



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>APRIL 28</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____


Dept.
Manager


Director


CAO

The District of North Vancouver REPORT TO COUNCIL

April 23, 2014
File: 02.0930.20/472

AUTHOR: Natasha Letchford, Deputy Municipal Clerk

SUBJECT: Bylaw 8059: Highway Closing Bylaw (West 1st Street)

RECOMMENDATION:

THAT, following the required opportunity for public input, "West 1st Street Highway Closure Bylaw 8059, 2014" is given a SECOND and THIRD Reading.

BACKGROUND:

Bylaw 8059 received First Reading on April 7, 2014. Before Bylaw 8059 may be adopted, Council must:

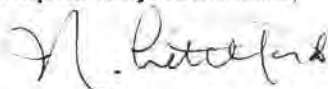
- Give notice of its intention to close the road;
- Provide an opportunity for public input; and,
- Deliver notice to potentially affected utilities.

Notices were published in the North Shore News on the 16th and 23rd day of April, and letters sent to Shaw, Telus, Fortis and BC Hydro. Council must now allow an opportunity for public input. Following this, Bylaw 8059 will be ready for consideration of Second and Third Readings by Council.

OPTIONS:

1. Give the bylaw Second and Third Readings;
2. Give no further Readings to the bylaw and abandon the bylaw at First Reading; thereby defeating the bylaw

Respectfully submitted,



Natasha Letchford
Deputy Municipal Clerk

Attachment: West 1st Street Highway Closure Bylaw 8059, 2014
 Report to Council – March 31, 2014
 Notice – April 16, 2014 and April 23, 2014

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

The Corporation of the District of North Vancouver

Bylaw 8059

A bylaw to close and remove highway dedication.

WHEREAS under the *Community Charter* the Council may close to traffic and remove the dedication of a highway; and,

WHEREAS the Council has posted and published notices of its intention to close the highway referred to in this Bylaw and remove its dedication, and has provided an opportunity for persons who consider they are affected to make representations to the Council; and,

WHEREAS the Council does not consider that the closure will affect the transmission or distribution facilities or works of utility operators;

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

1. Citation

This bylaw may be cited as "West 1st Street Highway Closure Bylaw 8059, 2014".

2. Bylaw to close and remove highway dedication

2.1 The portion of highway dedicated by Highway Plan EPP39628 which is shown outlined in bold of the Plan attached to this bylaw as Schedule A, are closed to all types of traffic and the dedication as highway of both is removed.

2.2 The Mayor and Clerk are authorized to execute and delivered such transfers, deeds of land, plans and other documents as are required to effect the aforesaid closure and removal of highway dedication.

READ a first time this the 7th day of April, 2014

NOTICE given under Section 94 of the Community Charter this the 16th day of April, 2014 and the 23rd day of April, 2014

OPPORTUNITY for representations to Council provided in accordance with Section 40 of the Community Charter

READ a second time this the

READ a third time this the

Certified a true copy of "West 1st Street Highway Closure Bylaw 8059, 2014" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on this the

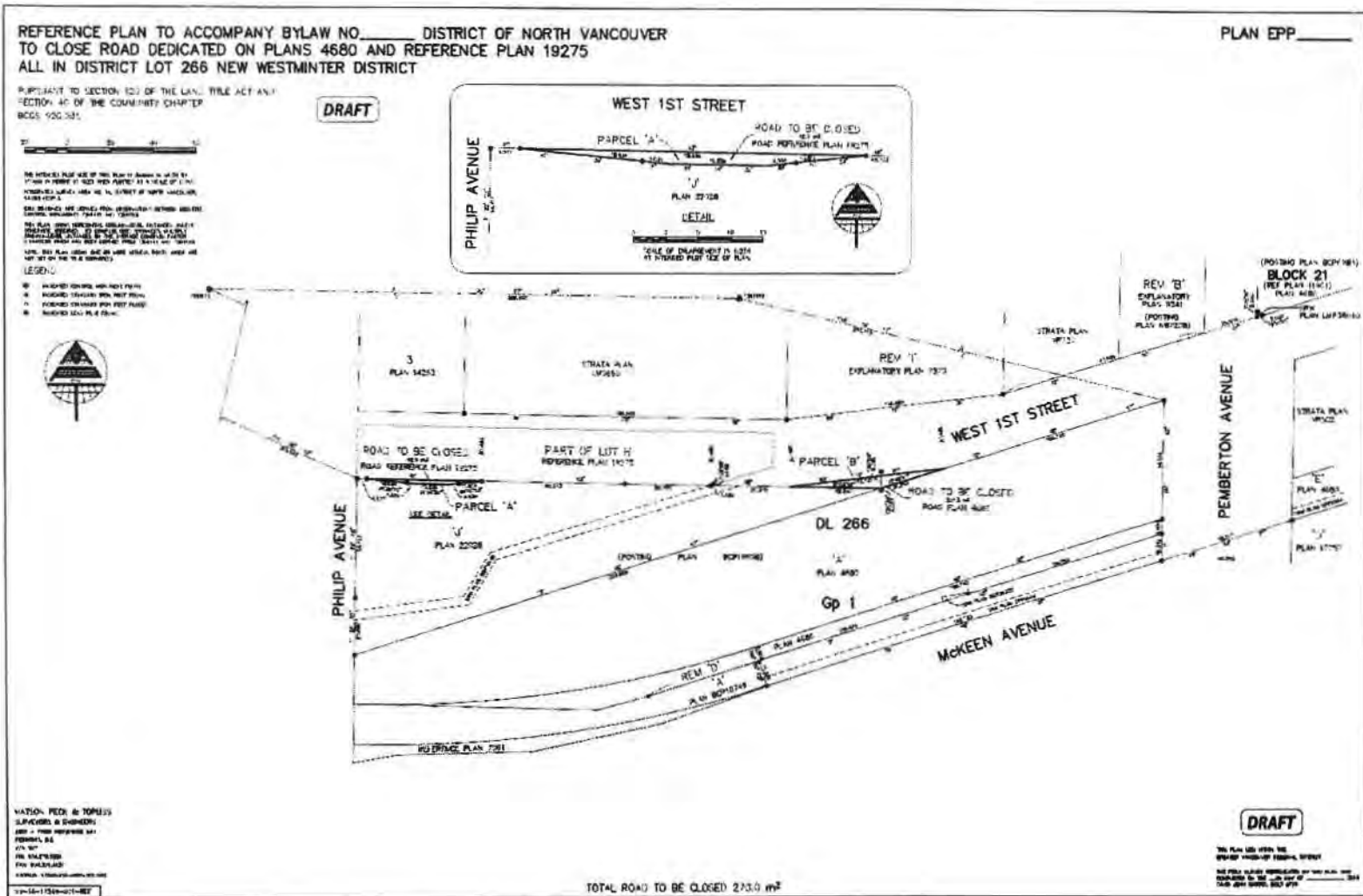
ADOPTED this the

Mayor

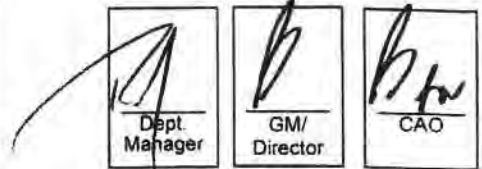
Municipal Clerk

Certified a true copy

Schedule A Road Closure Plan



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: April 7 th , 2014
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

March 31, 2014
File: 02.0930.20/481

AUTHOR: Janine Ryder – Property Services Agent

SUBJECT: **Proposed Highway Closing and Dedication Removal Bylaw 8059 -
1300 Block West 1st Street – Land Exchange with Metro Vancouver**

RECOMMENDATION:

**THAT “West 1st Highway Closure Bylaw 8059 2014” is given FIRST
READING.**

REASON FOR REPORT:

“West 1st Highway Closure Bylaw 8059, 2014” will authorize the closure and the raising of title to 2,906 square feet of road within the 1300 Block of West 1st Street (the “Road Allowance”), and will authorize the subsequent transfer of the two portions of surplus road allowance to Metro Vancouver (“Metro Van”) for the purpose of consolidation with the future Metro Vancouver Sanitation Plant property.

SUMMARY:

The District has entered into a Land Exchange Agreement (the “Agreement”) with Metro Van for the exchange of two portions of surplus road allowance with a total area of 2,906 square feet (270 square metres) (**See Attachment 1**), for 151 square feet of Metro Van property, required for the Philip Overpass Project. Due to the differences in the size of properties being exchanged Metro Vancouver will compensate the DNV in the amount of \$137,750. Prior to completing the transaction contemplated in the Agreement, the District must close to traffic, and remove that dedication of this portion of road as set out in the proposed Bylaw (**See Attachment 2**).

BACKGROUND:

At a closed meeting held on March 24, 2014 Council authorised Mayor and Clerk to execute the Land Exchange Agreement for the exchange of two portions of surplus road allowance within the 1300 Block of West 1st Street for 151 square feet of Metro Van property, and a payment of \$137,750 payable to the DNV, subject to the required road closure processes.

**SUBJECT: Proposed Highway Closing and Dedication Removal Bylaw - 1300
Block West 1st Street – Land Exchange with Metro Vancouver**

March 31, 2014

Page 2

EXISTING POLICY:

Sections 26 and 40 of the *Community Charter*, governs road closures and dispositions of municipal land.

Timing/Approval Process:

In accordance with Section 40 and Section 94 of the *Community Charter* council must provide notice of its intention to close a portion of Road Allowance. Council must then provide an opportunity for persons who consider they are affected by the bylaw to make representations to Council.

Notification for the disposition of the surplus road allowance has already been approved by Council and will be advertised concurrently.

Concurrence:

The proposed Road Closure has been reviewed and approved by the Finance and Transportation departments.

Financial Impacts:

Both Metro Vancouver and DNV obtained their own property appraisals and both appraisers concluded similar industrial land values of approximately \$50 per square foot so the value of the 151 square foot of Metro Vancouver property is \$7,650 and the value of the DNV road allowance is worth \$145,400.

Due to the differences in the size of properties being exchanged Metro Vancouver will compensate the DNV with a balancing of \$137, 750. These funds from the disposition will be deposited into the Land Opportunity Fund.

Liability/Risk:

The portions of Road Allowance do not contain any utilities and are surplus to District requirements. The Exchange will allow the District to acquire 151 square feet of property required for the Philip Avenue Overpass.

Public Input:

There will be opportunities for public input on this application before the adoption of the road closure bylaw.

Conclusion:

Staff recommends that Council give the proposed Bylaw 8059 first reading and direct staff to publish notice of the road closure and disposition in accordance with the *Community Charter*.

**SUBJECT: Proposed Highway Closing and Dedication Removal Bylaw - 1300
Block West 1st Street – Land Exchange with Metro Vancouver**

March 31, 2014

Page 3


Options:

1. Council to give the proposed Bylaw 8059 first reading and direct staff to publish notice of road closure in accordance of the *Community Charter*.
2. Council could not give the proposed Bylaw 8059 first reading.
3. Council could choose to make changes to the proposed Bylaw prior to First Reading.

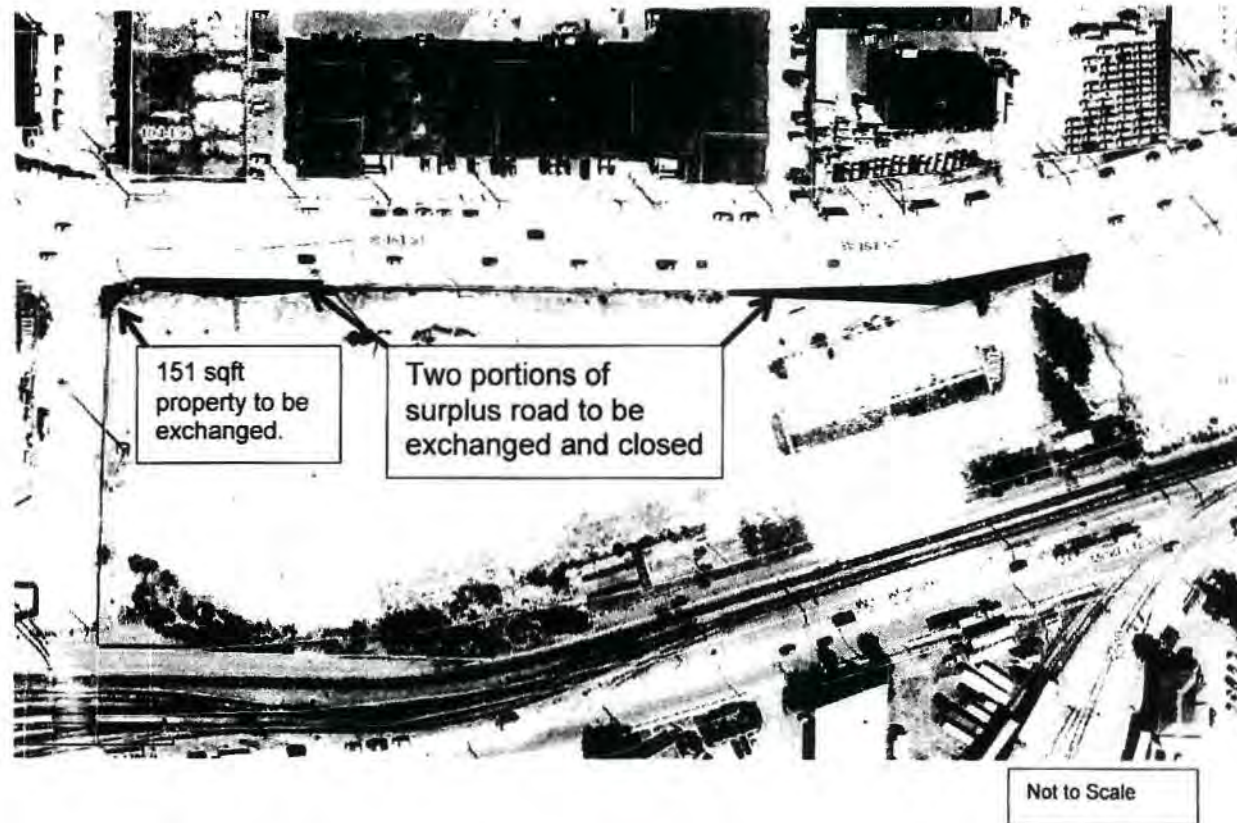
Respectfully submitted,



Janine Ryder
Property Services Agent

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 checked="" 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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

Attachment 1
Site Plan



The Corporation of the District of North Vancouver

Bylaw 8059

A bylaw to close and remove highway dedication.

WHEREAS under the *Community Charter* the Council may close to traffic and remove the dedication of a highway; and,

WHEREAS the Council has posted and published notices of its intention to close the highway referred to in this Bylaw and remove its dedication, and has provided an opportunity for persons who consider they are affected to make representations to the Council; and,

WHEREAS the Council does not consider that the closure will affect the transmission or distribution facilities or works of utility operators;

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

1. Citation

This bylaw may be cited as "West 1st Street Highway Closure Bylaw 8059, 2014".

2. Bylaw to close and remove highway dedication

2.1 The portion of highway dedicated by Highway Plan EPP39628 which is shown outlined in bold of the Plan attached to this bylaw as Schedule A, are closed to all types of traffic and the dedication as highway of both is removed.

2.2 The Mayor and Clerk are authorized to execute and delivered such transfers, deeds of land, plans and other documents as are required to effect the aforesaid closure and removal of highway dedication.

READ a first time this the

NOTICE given under Section 94 of the Community Charter this the

OPPORTUNITY for representations to Council provided in accordance with Section 40 of the Community Charter

READ a second time this the

READ a third time this the

Certified a true copy of "West 1st Street Highway Closure Bylaw 8059, 2014" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on this the

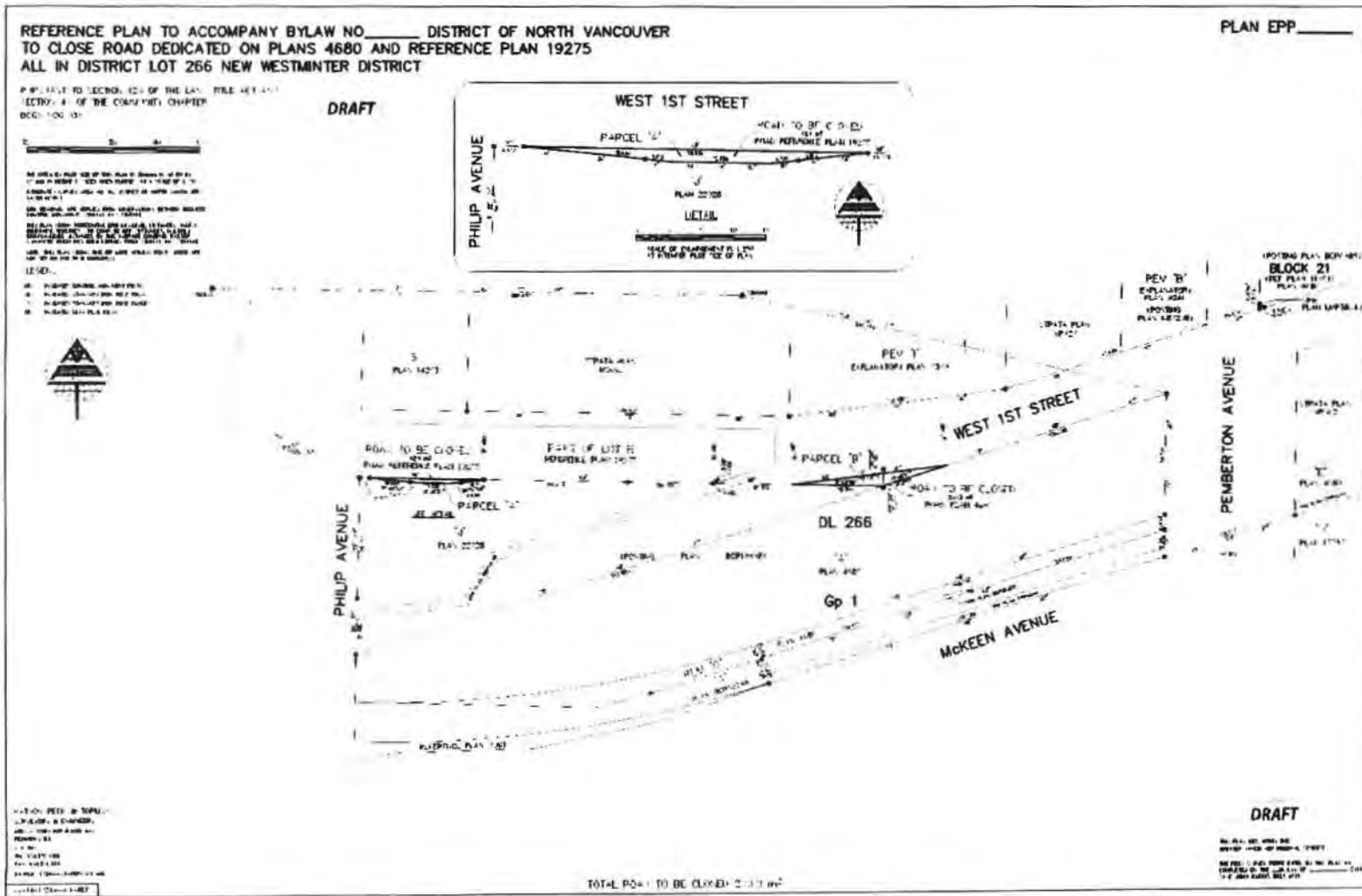
ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Schedule A Road Closure Plan

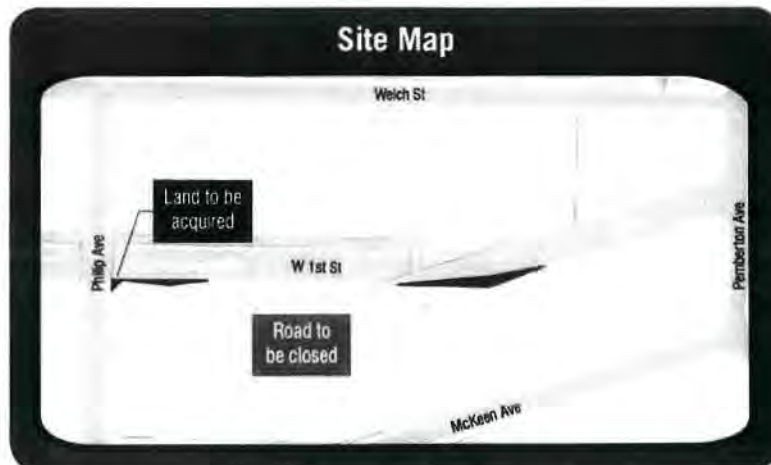




Notice of Road Closure and Property Disposition

1300 Block West 1st Street

- What:** Public input opportunity on the closure of a 270 m² portion of road allowance in the 1300 block of West 1st Street.
- When:** 7 pm, Monday, April 28, 2014
- Where:** Council Chambers, North Vancouver District Hall,
355 W. Queens Road



- What changes?** Bylaw 8059 proposes to close two unused portions of road allowance. If the bylaw is adopted, the District intends to dispose of the land to Metro Vancouver for consolidation with their adjacent lots. In exchange the District will receive \$137,750 and acquire a 14 m² parcel of land that is necessary for the Philip Avenue Overpass Project.
- When can I speak?** If you are affected by this proposed closure, please join us **Monday, April 28, 2014 at 7 pm.**
- Need more info?** The bylaw and staff reports are available online at dnv.org/road_closures or at the Municipal Clerk's Office, Monday to Friday 8 am to 4:30 pm.
- Who can I speak to?** Ryan P. Malcolm, Manager, Real Estate and Properties at malcolmr@dnv.org or 604-990-2264.

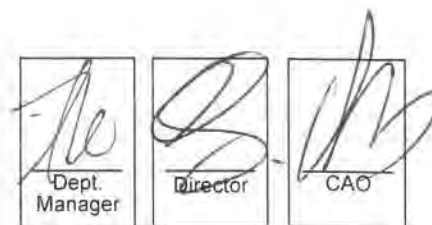


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dnv.org

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COUNCIL AGENDA/INFORMATION			
<input type="checkbox"/> In Camera	Date: _____	Item # _____	
<input type="checkbox"/> Regular	Date: _____	Item # _____	
<input type="checkbox"/> Agenda Addendum	Date: _____	Item# _____	
<input type="checkbox"/> Info Package			
<input type="checkbox"/> Council Workshop	DM# _____	Date: _____	Mailbox: _____



The District of North Vancouver REPORT TO COUNCIL

May 13, 2014

File: 5320-40

Tracking Number: RCA -

AUTHOR: Marcel Bernier, P. Eng., Project Engineer

SUBJECT: **Local Area Service Bylaw 8064 - Lane paving west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue**

RECOMMENDATION:

- 1) Pursuant to Section 211 of the Community Charter, a local area service project for the paving of the existing gravel lane located in the 1900 block west of Pemberton Avenue and the lane north of the 1200 block of West Keith Road between Bridgman Avenue and Pemberton Avenue, be approved; and
- 2) Bylaw 8064 be now read a FIRST, SECOND, THIRD TIME.

REASON FOR REPORT:

A Local Area Service petition has been received and validated by the Municipal Clerk's office. Council approval is now required for the adoption of the construction bylaw.

SUMMARY:

A petition signed by seventeen (17) of the twenty-five (25) or 68% of the benefiting property owners was received by Engineering Services to undertake paving and drainage works along the existing gravel lanes located west of the 1900 block Pemberton Avenue and north of the 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue. The Municipal Clerk has determined that this petition is valid. Sufficient funds are available to complete the works.

The benefiting properties and proposed Local Area Service works are shown on the appended Attachment 1. A construction bylaw is required in order to proceed with the works.

BACKGROUND:

The petition is in compliance with Section 212 of the Community Charter and was certified by the Municipal Clerk on May 7, 2014.

The Municipal Clerk has determined that this petition is in accordance with Section 212 of the Community Charter; therefore, the works may proceed as a "Local Area Service Project" subject to Council's adoption of a construction bylaw.

SUBJECT: Local Area Service Bylaw 8064 - Lane paving west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue

May 13, 2014

Page 2

The proposed lane improvements qualify for funding under the Local Area Service lane paving program. The paving work specified on the petition includes the installation drainage works, the repair and re-grading of the existing gravel base, asphalt paving having an average width of 3.4 metres (11.1 ft), and other related work as deemed necessary.

The Community Charter regulates Local Area Service projects, and as required under Section 212 of the Charter, Council shall, before adopting the construction bylaw, have a report stating:

- a) Description of the service;
- b) Definition of the boundaries of the local service area;
- c) Identification of the methods of cost recovery for the service, including the form of local service tax and the portion of the costs of service that are to be recovered by the local service tax;
- d) If applicable, identify the portion of the costs of the service that are to be recovered by a general property tax.

EXISTING POLICY:

Under Division 5 of the Community Charter, a Local Area Service Project may be achieved by Council Initiative (Section 213), or by Petition to Council (Section 212). This petition has met the criteria of Section 212, "Petition to Council for Local Area Service" which states in part:

1. The petition must be signed by the owners of at least 50% of the parcels that would be subject to the Local Area Service tax;
2. The persons signing must be the owners of parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the Local Area Service tax.

Local Improvement Cost Sharing Bylaw 3711, a bylaw that establishes the owners' portion of the costs of certain classes of Local Area Service works, and provides for 50% cost sharing of paved surfacing on residential and commercial lanes. This lane paving project meets those conditions.

ANALYSIS:

There are twenty-five (25) parcels of real property abutting the proposed improvements. Of these parcels, seventeen (17) property owners or 68% signed the petition. The total assessed value of the properties owned by the owners that signed the petition represents 69.5% of the total value of all properties benefiting from the Local Area Service. As a result, conditions 1 and 2 comply with the Community Charter.

Timing/Approval Process:

The Municipal Clerk certified the Petition on May 7, 2014.

Financial Impacts:

The owners' share of the cost is \$53,177.00 and the District's share is \$53,177.00 for an estimated total of \$106,354.00. Funds for Local Area Service paving have been approved through the District's 2014 Financial Plan. The local improvement charges can be paid by the owners at the conclusion of the work, either in full without interest or by annual instalments over a five (5) year period at the prevailing market interest rate. The proposed lane paving is expected to reduce long term maintenance costs such as grading, pothole repairs and will also reduce dust problems for the residents during the summer months.

SUBJECT: Local Area Service Bylaw 8064 - Lane paving west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue

May 13, 2014

Page 3

Environmental Impact:

Minor landscaping encroachments into the lane allowance may need to be trimmed back to facilitate construction. Otherwise, no significant environmental impacts are foreseen as a result of the proposed improvements to the lane.

Public Input:

To our knowledge, the petitioner has made an effort to contact all property owners who potentially benefit from the improvements. Seventeen of the twenty-five owners have signed the petition and wish to proceed with the paving as soon as possible.

Options:

1. Council may adopt Bylaw 8064 as proposed, and the project will proceed.
2. Alternatively, Council may, at their discretion, not enact the Bylaw.



Marcel Bernier, P. Eng.,
Project Engineer

REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:
<input type="checkbox"/> Sustainable Community Development	<input type="checkbox"/> Clerk's Office	External Agencies:	Advisory Committees:
<input type="checkbox"/> Development Services	<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Library Board	<input type="checkbox"/> _____
<input type="checkbox"/> Utilities	<input type="checkbox"/> Communications	<input type="checkbox"/> NS Health	<input type="checkbox"/> _____
<input type="checkbox"/> Engineering Operations	<input checked="" type="checkbox"/> Finance <i>MB</i>	<input type="checkbox"/> RCMP	<input type="checkbox"/> _____
<input type="checkbox"/> Parks & Environment	<input type="checkbox"/> Fire Services	<input type="checkbox"/> Recreation Commission	
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Human resources	<input type="checkbox"/> Other: _____	
	<input type="checkbox"/> ITS		
	<input type="checkbox"/> Solicitor		
	<input type="checkbox"/> GIS		



Lane Paving 1900 blk Pemberton Ave between W 20th St and W Keith Road and 1200 blk W Keith Road between Bridgman Ave and Pemberton Ave

LOCAL IMPROVEMENT PROJECT

Scale 1:1,500

Published Date: March 3, 2014

LIP #
2014-01

The Corporation of the District of North Vancouver

Bylaw 8064

A bylaw to establish a local area service of generally constructing lane improvement works for the benefit of a part of the District of North Vancouver (LIP2014-01; lane west of 1900 Block Pemberton Avenue, and lane north of 1200 Block West Keith Road between Bridgman Avenue and Pemberton Avenue)

WHEREAS section 210 of the *Community Charter* authorizes a municipality to establish a local area service for the particular benefit of a part of the municipality, to be paid for in whole or in part by a property value tax or a parcel tax, or both, imposed only within the Local Service Area;

WHEREAS pursuant to section 212 of the *Community Charter*, the owners of parcels within the Local Service Area (as defined in this bylaw) have submitted a sufficient and valid petition proposing the service of the construction of road improvements on the lane located west of the 1900 Block Pemberton Ave, and the lane north of 1200 Block West Keith Road between Bridgman Avenue and Pemberton Avenue, as shown in Attachment "1" appended to this bylaw, including the installation of storm sewers and appurtenances, the repair and re-grading of the existing gravel base, asphalt paving, and other works as necessary ("The Works"); and

WHEREAS The Council for the District of North Vancouver wishes to provide the local area service contemplated in this bylaw and considers that such service will provide particular benefit to the Local Service Area.

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

1. Citation

This bylaw may be cited as "Lane Paving – Lane West of 1900 Block Pemberton Avenue and Lane North of 1200 Block West Keith Road Bylaw 8064, 2014".

2. Establishment of Local Area Service

The District hereby establishes the service of the construction and installation of the Works in accordance with the District's current engineering standards and specifications for the benefit of the local service area described in section 3 of this bylaw. The following will be included in the cost of the Works as necessary:

- i. all hard construction costs;
- ii. engineering and administration expenses;

- iii. cost of advertising and mailing of notices;
- iv. interest on temporary loans and discount and expenses relating to security issuing bylaws;
- v. compensation for land taken for the purpose of the Works or injuriously affected by it and for the expenses incurred by the corporation in connection with determining such compensation;
- vi. cost to acquire all such property, easements, rights-of-way, licences, rights or authorities that may be requisite or desirable for and in connection with the construction of the Works.

3. Local Area Service Boundaries

The local service area includes all of the parcels within the area outlined in bold on the plan attached to and forming part of this bylaw as Attachment "1" (the "Local Service Area").

4. Proportion of the Cost of the Works to be Specially Charged

The share or proportion of the total cost of the Works which will be specially charged against the parcels in the Local Service Area is 50%.

5. Cost Recovery Method

The total cost of providing the service established under section 2 of this bylaw is estimated to be \$106,354.00 and the portion of the cost to be charged against the parcels in the Local Service Area is estimated to be \$53,177.00 and will be recovered by means of a parcel tax imposed for a five (5) year period only on the parcels within the Local Service Area based on a single rate per taxable frontage of each parcel.

6. Frontage

The total actual frontage of the parcels in the Local Service Area is 589.032 metres and the total taxable frontage is 493.051 metres.

7. Frontage Tax Assessment Roll

A parcel tax roll shall be prepared for the purpose of imposing the parcel tax on each of the parcels in the Local Service Area based on the taxable frontage of the parcels determined in accordance with Local Improvement Cost Sharing Bylaw 3711.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Attachment 1



COUNCIL AGENDA/INFORMATION			
<input type="checkbox"/> In Camera	Date: _____	Item # _____	
<input type="checkbox"/> Regular	Date: _____	Item # _____	
<input type="checkbox"/> Agenda Addendum	Date: _____	Item# _____	
<input type="checkbox"/> Info Package	_____	_____	
<input type="checkbox"/> Council Workshop	DM# _____	Date: _____	Mailbox: _____



The District of North Vancouver REPORT TO COUNCIL

May 13, 2014

File: 5320-40

Tracking Number: RCA -

AUTHOR: Marcel Bernier, P. Eng., Project Engineer

SUBJECT: Local Area Service Bylaw 8068 - Speed humps in lane west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue

RECOMMENDATION:

- 1) Pursuant to Section 211 of the Community Charter, a Local Area Service project for the construction of speed humps along the lane located west of 1900 block Pemberton Avenue and the lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue, be approved; and
- 2) Bylaw 8068 be now read a FIRST, SECOND, THIRD TIME.

REASON FOR REPORT:

A Local Area Service petition has been received and validated by the Municipal Clerk's office. Council approval is now required for the adoption of the construction bylaw.

SUMMARY:

A petition signed by thirteen (13) of the twenty-five (25) or 52% of the benefiting property owners, to undertake the installation of speed humps along the lane located west of the 1900 block Pemberton Avenue and the lane north of the 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue, was received by Engineering Services. The Municipal Clerk has determined that this petition is valid.

The benefiting properties and proposed Local Area Service works are shown on the appended Attachment 1. A construction bylaw is required in order to proceed with the works.

BACKGROUND:

The petition is in compliance with Section 212 of the Community Charter and was certified by the Municipal Clerk on May 7, 2014. Therefore, the works may proceed as a "Local Area Service Project" subject to Council's adoption of a construction bylaw.

SUBJECT: Local Area Service Bylaw 8068 - Speed humps in lane west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue

May 13, 2014

Page 2

The proposed works specified on the petition include the construction of seven (7) asphalt speed humps in the locations and to the dimensions shown on Attachment 1, complete with road markings and signage.

The Community Charter regulates local area service projects, and as required under Section 211 of the Charter, Council shall, before adopting the construction bylaw, have a report stating:

- a) Description of the service;
- b) Definition of the boundaries of the local service area,
- c) Identification of the methods of cost recovery for the service, including the form of local service tax and the portion of the costs of service that are to be recovered by the local service tax,
- d) If applicable, identify the portion of the costs of the service that are to be recovered by a general property tax.

EXISTING POLICY:

Under Division 5 of the Community Charter, a local area service project may be achieved by Council Initiative (Section 213), or by Petition to Council (Section 212). This petition has met the criteria of Section 212, "Petition to Council for Local Area Service" which states in part:

1. The petition must be signed by the owners of at least 50% of the parcels that would be subject to the local service tax;
2. The persons signing must be the owners of parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the local service tax.

In accordance with the Corporate Policy on Traffic Calming (Policy No. 11-8620-1), the District shall use traffic calming as a means to "improve the quality of life of the residents and incorporate the requirements and preferences of the residents." In 2012, the policy was amended whereby traffic calming can be implemented provided (1) there is 2/3 majority approval from the benefiting property owners and, (2) Council approval. This policy conflicts with the provisions in the Community Charter where Traffic Calming is being considered as a Local Area Service.

The advice we have from our solicitors is that the Municipal Clerk must validate the speed hump petition as it meets the statutory minimum of at least 50% and 50%. The Corporate Policy stating 2/3 support of benefiting properties for traffic calming does not prevent the petition from being validated and cannot fetter Council's decision making authority on the subsequent bylaw consideration. The Traffic Calming Policy is meant to provide guidance for traffic calming initiatives but cannot limit Council's consideration of Local Area Services; therefore this portion of the Traffic Calming Policy should be reconsidered and rescinded. Council does, however, have broad discretion on what it considers relevant in considering a bylaw for adoption and the level of support of surrounding property owners could be considered at that time.

ANALYSIS:

There are twenty-five (25) parcels of real property abutting the proposed works. Of these parcels, thirteen (13) property owners signed the petition. The total value of the properties owned by the owners that signed the petition represents 54.0% of the total value of all properties benefiting from the Local Area Service. As a result, conditions 1 and 2 of the existing policy have been met.

SUBJECT: Local Area Service Bylaw 8068 - Speed humps in lane west of 1900 block Pemberton Avenue and lane north of 1200 block West Keith Road between Bridgman Avenue and Pemberton Avenue

May 13, 2014

Page 3

Timing/Approval Process:

The Municipal Clerk certified the Petition on May 7, 2014.

Financial Impacts:

The property owners' share of the cost is \$11,534.00 which amounts to the entire cost of constructing the asphalt speed humps. For local roads and lanes, the present local improvement cost sharing Bylaw 3711 makes no allowance for any funding of speed humps by the District.

While the District will be front-ending the capital needed for the improvements, the costs incurred will be completely recovered from the benefiting property owners. The charges can be paid by the owners at the conclusion of the work either in full without interest or by annual instalments over a five (5) year period at the prevailing market interest rate.

Public Input:

The property owners are very concerned about the excessive speed of vehicles that make use of this lane. Moreover, some parents who drop off and pick up their children at nearby Capilano Elementary School make use of the lane as a shortcut during periods of congestion at peak travel times. More than 50% of the property owners are in favour of having traffic calming measures put in place after the lane is paved.

Options:

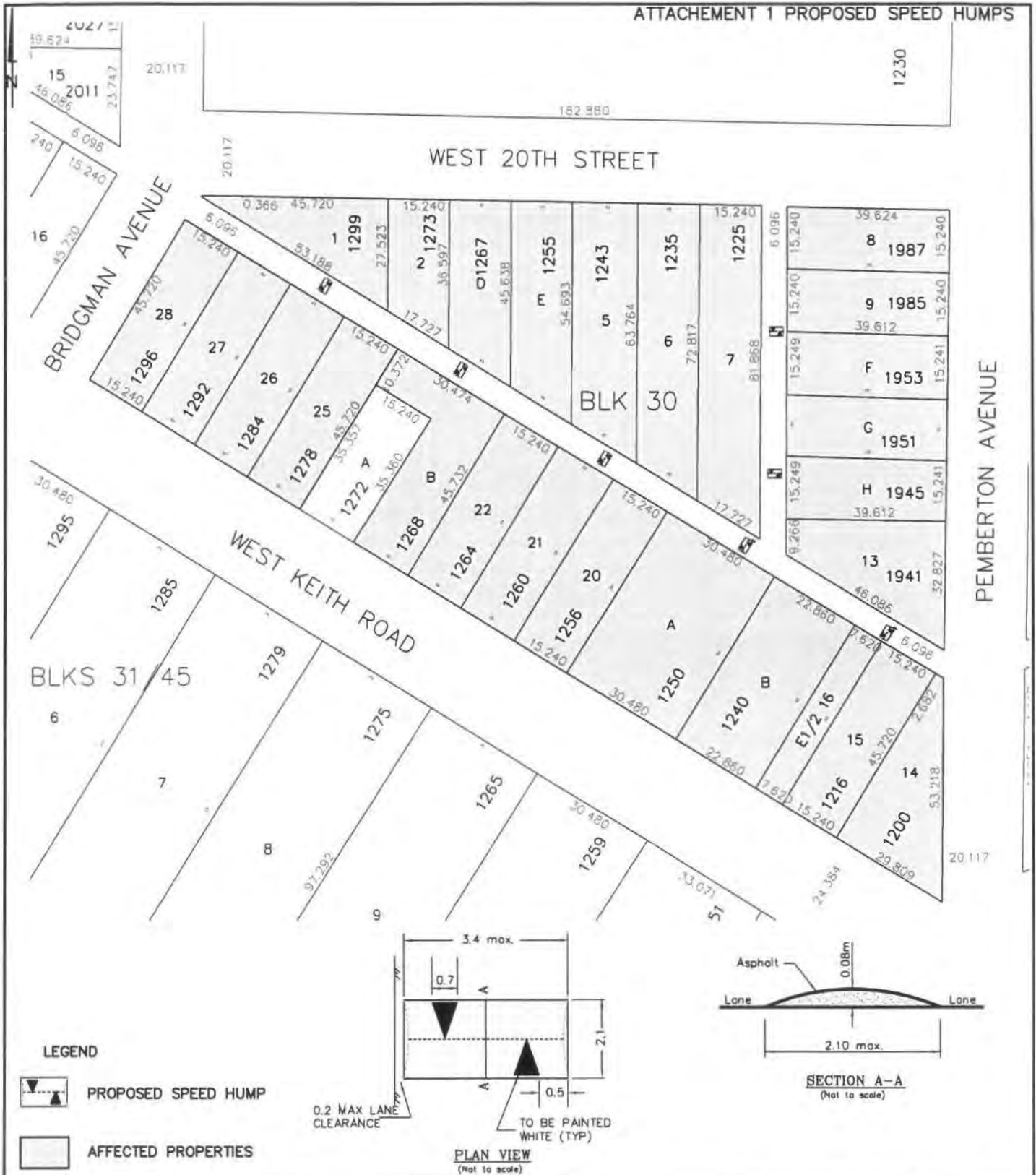
1. Council may adopt Bylaw 8068 as proposed, and the project will proceed.
2. Alternatively, Council may at their discretion, not enact the Bylaw.




Marcel Bernier, P. Eng.,
Project Engineer

REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:
<input type="checkbox"/> Sustainable Community Development	<input type="checkbox"/> Clerk's Office	External Agencies:	Advisory Committees:
<input type="checkbox"/> Development Services	<input type="checkbox"/> Corporate Services	<input type="checkbox"/> Library Board	<input type="checkbox"/> _____
<input type="checkbox"/> Utilities	<input type="checkbox"/> Communications	<input type="checkbox"/> NS Health	<input type="checkbox"/> _____
<input type="checkbox"/> Engineering Operations	<input checked="" type="checkbox"/> Finance <i>WNO</i>	<input type="checkbox"/> RCMP	<input type="checkbox"/> _____
<input type="checkbox"/> Parks & Environment	<input type="checkbox"/> Fire Services	<input type="checkbox"/> Recreation Commission	
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Human resources	<input type="checkbox"/> Other: _____	
	<input type="checkbox"/> ITS		
	<input type="checkbox"/> Solicitor		
	<input type="checkbox"/> GIS		

ATTACHEMENT 1 PROPOSED SPEED HUMPS



 <p>NORTH VANCOUVER DISTRICT MUNICIPAL ENGINEERING DEPARTMENT</p>	<p>Lane Paving 1900 blk Pemberton Ave between W 20th St and W Keith Road and 1200 blk W Keith Road between Bridgman Ave and Pemberton Ave</p>	
<p><small>DISCLAIMER AND TERMS OF USE</small></p> <p>LIABILITY: The District of North Vancouver makes no representation or warranty whatsoever with respect to the accuracy, the timeliness or the quality of information found on this website or service. The responsibility for performing the accuracy, content and availability of the product or service rests solely with the user. The District of North Vancouver assumes no responsibility for damages, losses, business interruption or expenses incurred as a result of using this product or service.</p> <p>DISTRIBUTION: The District of North Vancouver does not permit the user to rent, sell, distribute, transfer or grant any rights in this product or service in whole or in part to another person or organization. The District of North Vancouver reserves the right to discontinue or modify this product or service without notice.</p> <p><small>Source: The District of North Vancouver (Municipal Engineering Department)</small></p>	<p>LOCAL IMPROVEMENT PROJECT</p> <p>Scale Plan 1:1,250 Published Date March 4, 2014</p>	<p>LIP # 2014-01</p>

The Corporation of the District of North Vancouver

Bylaw 8068

A bylaw to establish a local area service of generally constructing lane improvement works for the benefit of a part of the District of North Vancouver (LIP 2014-01; Speed Humps – lane located west of 1900 block Pemberton Avenue and lane north of 1200 Block West Keith Road between Bridgman Avenue and Pemberton Avenue).

WHEREAS section 210 of the *Community Charter* authorizes a municipality to establish a local area service for the particular benefit of a part of the municipality, to be paid for in whole or in part by a property value tax or a parcel tax, or both, imposed only within the local service area;

WHEREAS pursuant to section 212 of the *Community Charter*, the owners of parcels within the Local Service Area (as defined in this bylaw) have submitted a sufficient and valid petition proposing the construction of asphalt speed humps, complete with road markings, signage and other works as necessary ("The Works") on the lane located west of 1900 block Pemberton Avenue and lane north of 1200 Block West Keith Road between Bridgman Avenue and Pemberton Avenue, as shown on Attachment "1" appended to this bylaw; and

WHEREAS The Council for the District of North Vancouver wishes to provide the local area service contemplated in this bylaw and considers that such service will provide particular benefit to the Local Service Area,

The Council for the District of North Vancouver, in open meeting assembled, enacts the following:

1. Citation

This bylaw may be cited as "Speed Humps - Lane West of 1900 Block Pemberton Avenue and Lane North of 1200 Block West Keith Road, Bylaw 8068, 2014".

2. Establishment of Local Area Service

The District hereby establishes the service of the construction and installation of the Works in accordance with the District's current engineering standards and specifications for the benefit of the Local Service Area described in section 3 of this bylaw. The following will be included in the cost of the Works as necessary:

- i. all hard construction costs;
- ii. engineering and administration expenses;
- iii. cost of advertising and mailing of notices;

- iv. interest on temporary loans and discount and expenses relating to security issuing bylaws;
- v. compensation for land taken for the purpose of the Works or injuriously affected by it and for the expenses incurred by the corporation in connection with determining such compensation;
- vi. cost to acquire all such property, easements, rights-of-way, licences, rights or authorities that may be requisite or desirable for and in connection with the construction of the Works.

3. Local Area Service Boundaries

The Local Service Area includes all of the parcels within the area outlined in bold on the plan attached to and forming part of this bylaw as Attachment "1" (the "Local Service Area").

4. Proportion of the Cost of the Works to be Specially Charged

The share or proportion of the total cost of the Works which will be specially charged against the parcels in the Local Service Area is 100%.

5. Cost Recovery Method

The total cost of providing the service established under section 2 of this bylaw is estimated to be \$11,534.00 and the portion of the cost to be charged against the parcels in the Local Service Area is estimated to be \$11,534.00 and will be recovered by means of a parcel tax imposed for a five (5) year period only on the parcels within the Local Service Area based on a single rate per taxable frontage of each parcel.

6. Frontage

The total actual frontage of the parcels in the Local Service Area is 589.032 metres and the total taxable frontage is 493.051 metres.

7. Frontage Tax Assessment Roll

A parcel tax roll shall be prepared for the purpose of imposing the parcel tax on each of the parcels in the Local Service Area based on the taxable frontage of the parcels determined in accordance with Local Improvement Cost Sharing Bylaw 3711.

READ a first time

READ a second time

READ a third time

ADOPTED

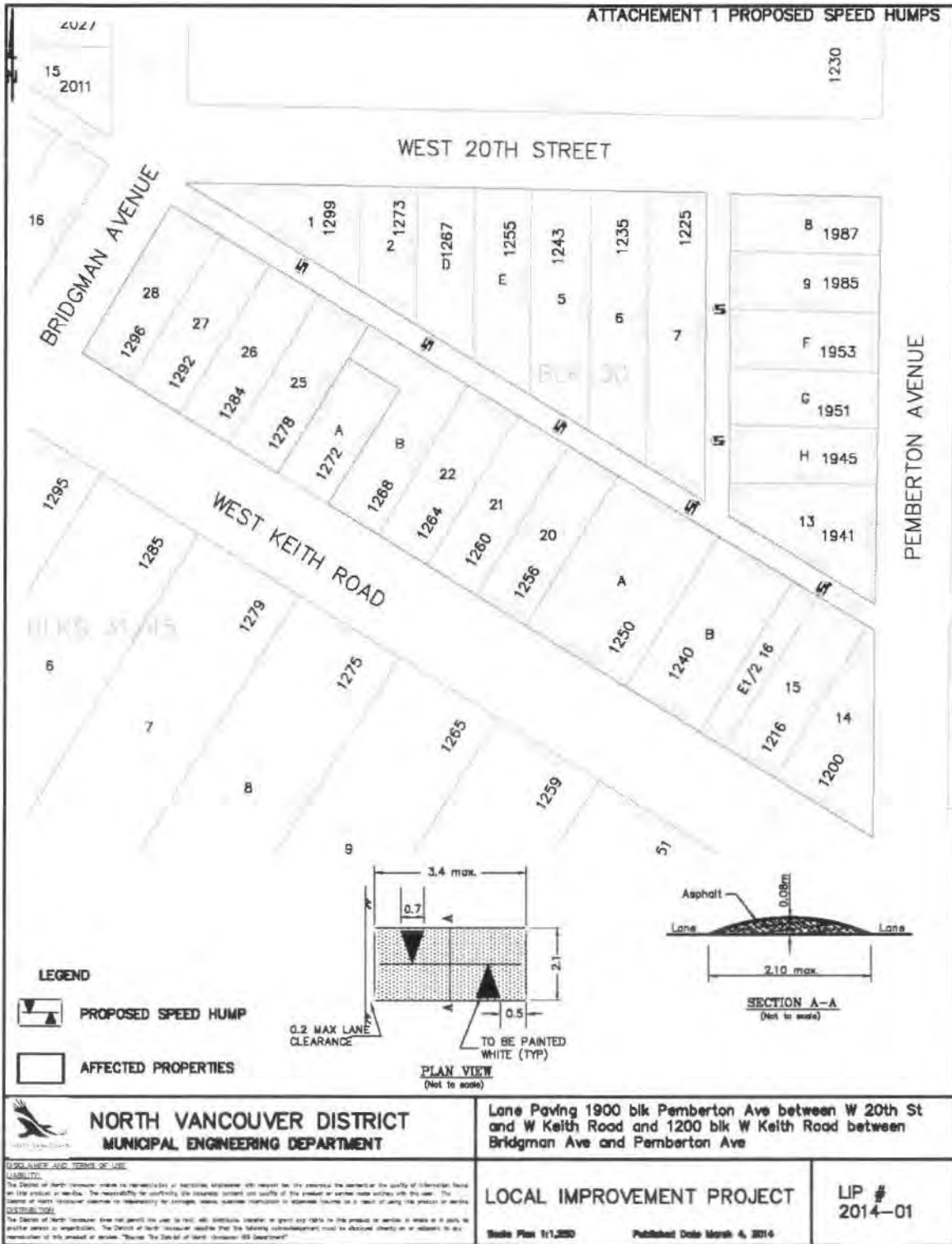
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Attachment 1 to Bylaw 8068 Local Service Area




Bylaws 7987 & 7988: Recreation and Arts Bylaws

Material to be circulated via agenda addendum.

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 26 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____


 Dept.
 Manager


 GM/
 Director


 CAO
 acting

The District of North Vancouver REPORT TO COUNCIL

May 20, 2014

File: 01.0115.30/002.000

AUTHOR: James Gordon, Municipal Clerk

SUBJECT: Reconsideration of Vote on Bylaw 8024 - Noble Cove OCP Amendment

RESOLUTION ON THE FLOOR:

MOVED by Councillor NIXON

SECONDED by Councillor LITTLE

THAT the "The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2014 (Amendment 8)" is given SECOND and THIRD Readings.

REASON FOR REPORT:

The reason for this report is to return the item "*The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2014 (Amendment 8)*" to Council for reconsideration and to vote again on granting Second and Third Readings.

BACKGROUND:

On April 28, 2014 Council considered Bylaw 8024 for Second and Third Readings. The bylaw did not pass as it received a 3-2 affirmative vote when section 882 of the *Local Government Act* requires each reading of an OCP bylaw to receive a majority of all council members – this would be a minimum affirmative vote of at least four council members.

The Mayor has directed that this matter be reconsidered and voted on again pursuant to his authority under section 131 of the *Community Charter*; accordingly, the resolution is put before Council again as it was at the time of the original vote. Council is entitled to debate the matter prior to voting.

Respectfully submitted,


 James Gordon
 Municipal Clerk

Attachments:

1. The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2014 (Amendment 8)

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

The Corporation of the District of North Vancouver

Bylaw 8024

A bylaw to amend The 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 “The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2013 (Amendment 8)”.

2. Amendments

- a. The following amendment is made to the “District of North Vancouver Official Community Plan Bylaw 7900, 2011”:
 - i. Map 2 Land Use: by changing the land use designation of the site, legally described as: Lot 1, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-358); Lot 2, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-404); the east 66 feet of the west 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-937); and, the centre 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-902) from “**Commercial Residential Mixed Use Level 1 (CRMU1)**” to “**Residential Level 4: Transition Multi-Family (RES4)**” as illustrated on Bylaw 8024 Schedule “A” attached, with the exception of any part of said lands that are dedicated as highway pursuant to section 107 of the Land Title Act.

READ a first time January 6th, 2014

PUBLIC HEARING held on April 8th, 2014

READ a second time

READ a third time

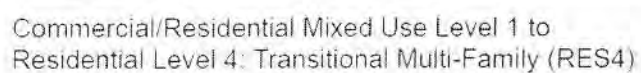
ADOPTED this the

Mayor

Municipal Clerk


Certified a true copy

Municipal Clerk



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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 26, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____


Dept.
Manager


Director


CAO
acting

The District of North Vancouver REPORT TO COUNCIL

May 16, 2014
File: 3060-20/28.13

AUTHOR: Doug Allan, Community Planner

SUBJECT: **BYLAWS 8024, 8025 AND 8030: OCP AMENDMENT, REZONING AND HOUSING AGREEMENT BYLAWS FOR 3829/3919 DOLLARTON HIGHWAY (POLYGON DEVELOPMENT 270 LTD.)**

RECOMMENDATION:

THAT "The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2014 (Amendment 8)" is ADOPTED;

AND THAT "The District of North Vancouver Rezoning Bylaw 1301 (Bylaw 8025)" is ADOPTED;

AND THAT "Housing Agreement Bylaw 8030, 2014" is ADOPTED.

BACKGROUND:

Bylaws 8024, 8025 and 8030 received First Reading on January 6, 2014. A Public Hearing was held and closed for Bylaws 8024 and 8025 on April 8, 2014. Bylaws 8024, 8025, and 8030 received Second and Third Readings on April 28, 2014. The bylaws are now ready to be considered for adoption by Council.

SUMMARY:

Bylaws 8024, 8025 and 8030 are now ready for consideration of adoption as a Development Covenant has been executed.

Briefly, the Development Covenant requires:

- dedication of the lands required for the waterfront path;
- that, prior to issuance of a building permit, the contaminated development lands and in Cates Park/Whew-ah-Wichen must be remediated and, the District must accept the plans for the foreshore restitution/planting;

SUBJECT: BYLAWS 8024, 8025 AND 8030: OCP AMENDMENT, REZONING AND HOUSING AGREEMENT BYLAWS FOR 3829/3919 DOLLARTON HIGHWAY (POLYGON DEVELOPMENT 270 LTD.)

May 16, 2014

Page 2

- that, prior to issuance of occupancy permits: the foreshore lands must be restored and enhanced; Roche Point Creek must be restituted; the waterfront trail must be constructed; and the trail connection to Cates Park/Whey-ah-Wichen must be constructed; and
- that the developer disclose to prospective purchasers that the site may be subject to impacts associated with the operation of the working port;

A Development Permit will be forwarded for Council consideration. The landscape plans will identify the species of street and riparian area trees to address view concerns.

OPTIONS:

The following options are available for Council's consideration:

1. adopt Bylaws 8024, 8025 and 8030 (staff recommendation);
2. abandon Bylaws 8024, 8025 and 8030 at Third Reading; or,
3. rescind Third Reading and debate possible amendments to Bylaws 8024, 8025 and 8030.

Respectfully Submitted,



Doug Allan
Community Planner

Attachments:

- Official Community Plan Bylaw, Amendment Bylaw 8024, 2014 (Amendment 8)
- Rezoning Bylaw 1301" (Bylaw 8025)
- Housing Agreement Bylaw 8030, 2014
- Public Hearing Minutes- April 8, 2014
- Report to Council- March 20, 2014
- Report to Council - December 13, 2013

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

The Corporation of the District of North Vancouver

Bylaw 8024

A bylaw to amend The 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 "The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2013 (Amendment 8)".

2. Amendments

- a. The following amendment is made to the "District of North Vancouver Official Community Plan Bylaw 7900, 2011":
 - i. Map 2 Land Use: by changing the land use designation of the site, legally described as: Lot 1, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-358); Lot 2, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-404); the east 66 feet of the west 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-937); and, the centre 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-902) from "**Commercial Residential Mixed Use Level 1 (CRMU1)**" to "**Residential Level 4: Transition Multi-Family (RES4)**" as illustrated on Bylaw 8024 Schedule "A" attached, with the exception of any part of said lands that are dedicated as highway pursuant to section 107 of the Land Title Act.

READ a first time January 6th, 2014

PUBLIC HEARING held on April 8th, 2014

READ a second time

READ a third time

ADOPTED this the

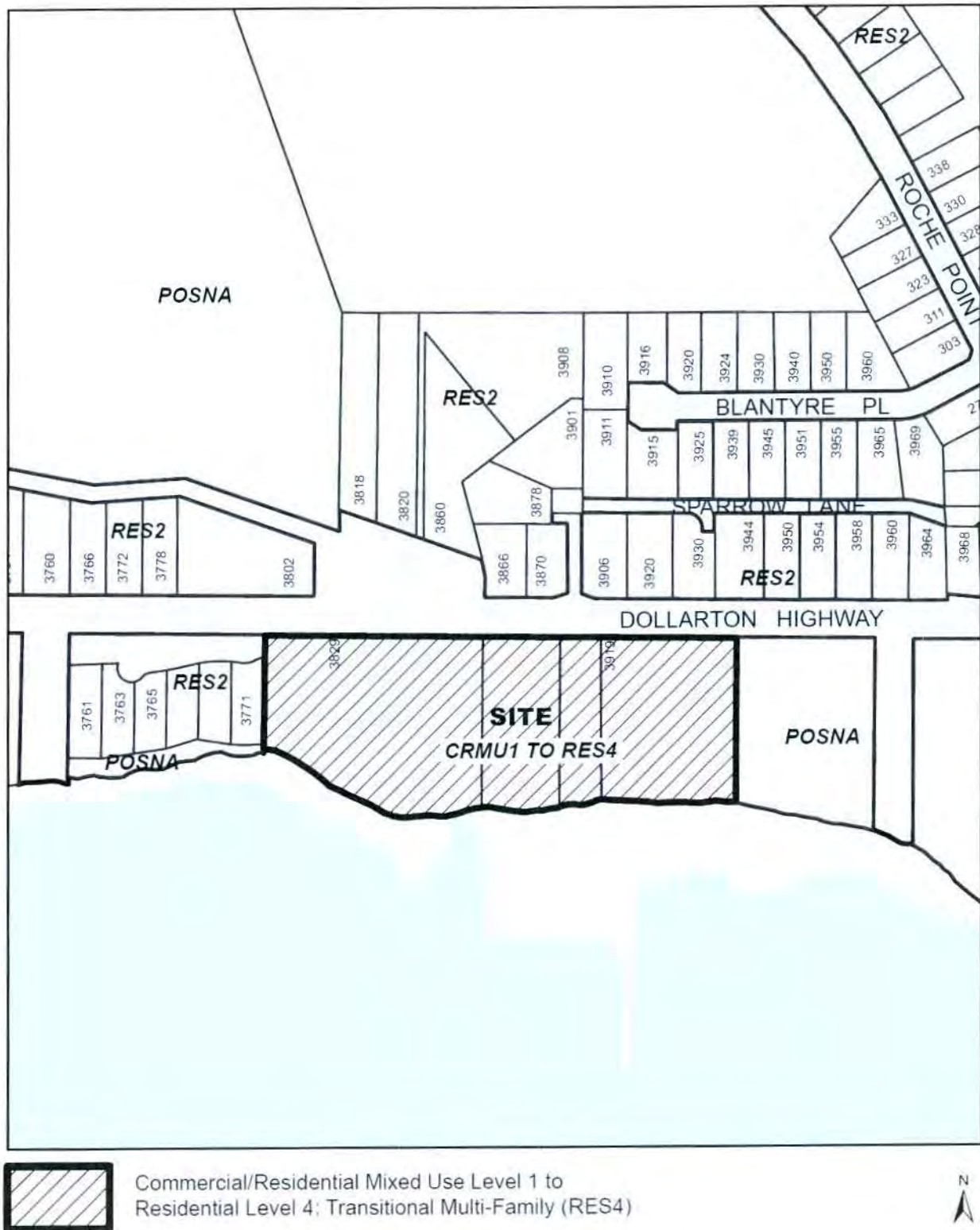
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

BYLAW 8024 SCHEDULE A: OCP MAP



The Corporation of the District of North Vancouver

Bylaw 8025

A bylaw to amend the 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 “The District of North Vancouver Rezoning Bylaw 1301” (Bylaw 8025).

2. Amendments

The following amendments are made to the “District of North Vancouver Zoning Bylaw 3210, 1965”:

(A) Section 301(2) by inserting the following zoning designation:

“Comprehensive Development Zone 77 CD77”

(B) Part 4B Comprehensive Development Zone Regulations by inserting the following:

“ 4B77 Comprehensive Development Zone 77 CD77

4B77-1) Intent:

The purpose of the CD77 Zone is to establish specific land use and development regulations for a 95 unit mixed apartment and townhouse project.

4B77-2) Uses:

The following *principal uses* shall be permitted in the Comprehensive Development 77 Zone:

(a) Uses Permitted Without Conditions:

- (i) Residential building, low rise apartment; and
- (ii) Residential building, multiple-family townhouse

(b) Conditional Uses:

Not Applicable

4B77-3) Conditions of Use:

Not Applicable

4B77-4) Accessory Uses:

(a) *Accessory uses* are permitted and may include but are not necessarily limited to:

- (i) Home occupations in accordance with the regulations in Section 405 of the Zoning Bylaw, 1965

4B77-5) Density:

- (a) The maximum permitted density in the CD77 Zone is limited to a floor space ratio (FSR) of 0.3, inclusive of any density bonus for energy performance;
- (b) For the purposes of calculating floor space ratio, the area of underground parking garages, underground mechanical rooms, underground garbage and recycling collection areas, underground storage areas and above ground electrical/mechanical rooms, is exempted.

4B77-6) Amenities:

Despite subsection 4B77-5, density in the CD77 Zone is increased to a maximum floor space ratio of 0.9 FSR, inclusive of any density bonus for energy performance, if the owner:

1. Enters into a Housing Agreement requiring a rental disclosure statement to be filed and prohibiting any strata bylaw or regulation rental restrictions; and
2. Contributes \$1,863,720 to the municipality to be used for any or all of the following amenities (with allocation to be determined by the municipality in its sole discretion): public art; park, trail, environmental or other public realm improvements; municipal or recreation service or facility improvements; and/or the affordable housing fund.

4B77-7) Maximum Principal Building Size:

Not applicable

4B77-8) Setbacks:

Buildings and structures shall be set back from property lines to the principal building face in accordance with the following setback plan:

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

4B77-14) Landscaping:

- (a) All land areas not occupied by buildings, structures, parking spaces, loading spaces, driveways, manoeuvring aisles and sidewalks shall be landscaped or finished in accordance with an approved landscape plan; and
- (b) All electrical kiosks and garbage and recycling container pads not located underground or within a building shall be screened with landscaping.

4B77-15) Subdivision Requirements:

Not Applicable

4B77-16) Additional Accessory Structure Regulations:

Not applicable.

4B77-17) Parking and Loading Regulations:

- (a) Parking spaces shall be provided on the basis of 2 spaces/unit inclusive of designated visitor and parking for persons with disabilities;
 - (b) All regular, small car and handicapped parking spaces shall meet the minimum width and length standards established in Part 10 of this Bylaw;
 - (c) All manoeuvring aisles shall meet the minimum width standards established in Part 10 of this Bylaw; and
 - (d) A minimum of 16 Class 2 bicycle parking spaces are required for the apartment units."
- (C) The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from the Waterfront Industrial Zone (I1) to Comprehensive Development Zone 77 (CD 77), with the exception of any part of the said lands that are dedicated as highway pursuant to section 107 of the Land Title Act.

READ a first time January 6th, 2014

PUBLIC HEARING held on April 8, 2014

READ a second time April 28th, 2014

READ a third time April 28th, 2014

ADOPTED on this the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

The map displays a central area labeled "SITE I1 TO CD77" which is shaded with diagonal lines. This site is bordered by "DOLLARTON HIGHWAY" to the north. To the west of the site, there are several small parcels labeled "RS3" with addresses 3761, 3763, 3765, and 3771. To the east, there are parcels labeled "SP" and "PRO". The area to the north of Dollarton Highway is divided into several sections, including "RS1", "NPL", "RS3", and "CP". A road labeled "BLANTYRE PL" runs east-west, and "SPARROW LANE" runs north-south. Other roads shown include "ROCHE POINT" and "DOLLARTON HIGHWAY". Numerous individual parcels are labeled with their addresses, such as 3760, 3766, 3772, 3778, 3802, 3818, 3820, 3860, 3866, 3870, 3878, 3901, 3906, 3910, 3911, 3915, 3916, 3920, 3924, 3930, 3940, 3950, 3960, 3964, 3968, 3969, 3975, 3979, 3985, 3986, 3990, 3994, 3995, 3996, 3997, 3998, 3999, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4076, 4077, 4078, 4079, 4080, 4081, 4082, 4083, 4084, 4085, 4086, 4087, 4088, 4089, 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, 4098, 4099, 4100, 4101, 4102, 4103, 4104, 4105, 4106, 4107, 4108, 4109, 4110, 4111, 4112, 4113, 4114, 4115, 4116, 4117, 4118, 4119, 4120, 4121, 4122, 4123, 4124, 4125, 4126, 4127, 4128, 4129, 4130, 4131, 4132, 4133, 4134, 4135, 4136, 4137, 4138, 4139, 4140, 4141, 4142, 4143, 4144, 4145, 4146, 4147, 4148, 4149, 4150, 4151, 4152, 4153, 4154, 4155, 4156, 4157, 4158, 4159, 4160, 4161, 4162, 4163, 4164, 4165, 4166, 4167, 4168, 4169, 4170, 4171, 4172, 4173, 4174, 4175, 4176, 4177, 4178, 4179, 4180, 4181, 4182, 4183, 4184, 4185, 4186, 4187, 4188, 4189, 4190, 4191, 4192, 4193, 4194, 4195, 4196, 4197, 4198, 4199, 4200, 4201, 4202, 4203, 4204, 4205, 4206, 4207, 4208, 4209, 4210, 4211, 4212, 4213, 4214, 4215, 4216, 4217, 4218, 4219, 4220, 4221, 4222, 4223, 4224, 4225, 4226, 4227, 4228, 4229, 4230, 4231, 4232, 4233, 4234, 4235, 4236, 4237, 4238, 4239, 4240, 4241, 4242, 4243, 4244, 4245, 4246, 4247, 4248, 4249, 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259, 4260, 4261, 4262, 4263, 4264, 4265, 4266, 4267, 4268, 4269, 4270, 4271, 4272, 4273, 4274, 4275, 4276, 4277, 4278, 4279, 4280, 4281, 4282, 4283, 4284, 4285, 4286, 4287, 4288, 4289, 4290, 4291, 4292, 4293, 4294, 4295, 4296, 4297, 4298, 4299, 4300, 4301, 4302, 4303, 4304, 4305, 4306, 4307, 4308, 4309, 4310, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4319, 4320, 4321, 4322, 4323, 4324, 4325, 4326, 4327, 4328, 4329, 4330, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4338, 4339, 4340, 4341, 4342, 4343, 4344, 4345, 4346, 4347, 4348, 4349, 4350, 4351, 4352, 4353, 4354, 4355, 4356, 4357, 4358, 4359, 4360, 4361, 4362, 4363, 4364, 4365, 4366, 4367, 4368, 4369, 4370, 4371, 4372, 4373, 4374, 4375, 4376, 4377, 4378, 4379, 4380, 4381, 4382, 4383, 4384, 4385, 4386, 4387, 4388, 4389, 4390, 4391, 4392, 4393, 4394, 4395, 4396, 4397, 4398, 4399, 4400, 4401, 4402, 4403, 4404, 4405, 4406, 4407, 4408, 4409, 4410, 4411, 4412, 4413, 4414, 4415, 4416, 4417, 4418, 4419, 4420, 4421, 4422, 4423, 4424, 4425, 4426, 4427, 4428, 4429, 4430, 4431, 4432, 4433, 4434, 4435, 4436, 4437, 4438, 4439, 4440, 4441, 4442, 4443, 4444, 4445, 4446, 4447, 4448, 4449, 4450, 4451, 4452, 4453, 4454, 4455, 4456, 4457, 4458, 4459, 4460, 4461, 4462, 4463, 4464, 4465, 4466, 4467, 4468, 4469, 4470, 4471, 4472, 4473, 4474, 4475, 4476, 4477, 4478, 4479, 4480, 4481, 4482, 4483, 4484, 4485, 4486, 4487, 4488, 4489, 4490, 4491, 4492, 4493, 4494, 4495, 4496, 4497, 4498, 4499, 4500, 4501, 4502, 4503, 4504, 4505, 4506, 4507, 4508, 4509, 4510, 4511, 4512, 4513, 4514, 4515, 4516, 4517, 4518, 4519, 4520, 4521, 4522, 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4538, 4539, 4540, 4541, 4542, 4543, 4544, 4545, 4546, 4547, 4548, 4549, 4550, 4551, 4552, 4553, 4554, 4555, 4556, 4557, 4558, 4559, 4560, 4561, 4562, 4563, 4564, 4565, 4566, 4567, 4568, 4569, 4570, 4571, 4572, 4573, 4574, 4575, 4576, 4577, 4578, 4579, 4580, 4581, 4582, 4583, 4584, 4585, 4586, 4587, 4588, 4589, 4590, 4591, 4592, 4593, 4594, 4595, 4596, 4597, 4598, 4599, 4600, 4601, 4602, 4603, 4604, 4605, 4606, 4607, 4608, 4

The Corporation of the District of North Vancouver

Bylaw 8030

A bylaw to enter into a Housing Agreement (3829 and 3919 Dollarton Highway)

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 8030, 2014".

2. Authorization to Enter into Agreement

2.1 The Council hereby authorizes the agreement, substantially in the form attached to this Bylaw as Schedule "A", between The Corporation of the District of North Vancouver and Polygon Development 270 Ltd. with respect to the following lands:

- a) Lot 1, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-358);
- b) Lot 2, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-404);
- c) the east 66 feet of the west 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-937); and,
- d) the centre 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-902)

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 January 6th, 2014

READ a second time April 28, 2014

READ a third time April 28, 2014

ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8030

SECTION 219 COVENANT – HOUSING AGREEMENT

This agreement dated for reference the ____ day of _____, 20____ is

BETWEEN:

POLYGON DEVELOPMENT 270 LTD. of _____

(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;
- B. The Owner wishes to obtain development permissions with respect to the Lands and wishes to create a condominium development which will contain housing 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. A covenant registrable under Section 219 of the *Land Title Act* may include provisions in respect of the use of land, the use of a building on or to be erected on lands; that land is to be built on in accordance with the covenant, is not to be built on except in accordance with that covenant or is not to be built on; that land is not to be subdivided unless in accordance with the covenant or is not to be subdivided.

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 is 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*, and as a contract and a deed under seal between the parties and the parties hereto further covenant and agree that the Lands shall not be used or built on except in accordance with this Covenant as follows:

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 development on the Lands contemplated in the Development Permit containing not more than 95 Units;
- (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 8030 and will remain in effect until terminated by the District.

3. **RENTAL ACCOMODATION**

3.01 Rental Disclosure Statement

No Unit in any building on the Lands that has been strata title subdivided under the *Strata Property Act* may be occupied unless the Owner has:

- (a) before the first Unit in the said strata subdivision 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 in the said strata subdivision 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 in the said strata subdivision before the prospective purchaser enters into an agreement to purchase in respect of the Unit.

3.02 Rental Accommodation

Every Unit 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.

3.03 Binding on Strata Corporation(s)

This agreement shall be binding upon all strata corporations created upon the strata title subdivision of the Lands or any building on the Lands pursuant to the *Strata Property Act*.

3.04 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.

3.05 No Bylaw

The strata corporation(s) 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.

3.06 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.

3.07 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*.

4. DEFAULT AND REMEDIES

4.01 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 receipt of 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 on demand by the District 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 for the negligence of the District or its employees, agents or contractors, the Owner will indemnify and save harmless each of the District 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 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 or the Owner's ownership, operation, management or financing of the Proposed Development or any part thereof.

5.02 Release

Except to the extent such advice or direction is given negligently, 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 or powers 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; and
- (c) The District may at any time 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 in priority to all charges and encumbrances which are registered, or pending registration, against title to the Lands in the Land Title Office, save and except those as have been approved by the District or have been granted in favour of the District.

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, by facsimile transmission, 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
Facsimile: (604) 984-9683

If to the Owner:

Attention:
Facsimile: (604)

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; if made by facsimile transmission, on the first business day after the date when the facsimile 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.

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” 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 8030.

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.

CONSENT AND PRIORITY AGREEMENT

GIVEN THAT:

- A. _____ (the "Owner") is the Registered Owner of the Land described in Item 2 of Page 1 of the Form C (the "Land");
- B. The Owner granted _____ (the "Prior Chargeholder") a Mortgage and Assignment of Rents registered against title to the Land in the Lower Mainland Land Title Office (the "LTO") under Nos. _____, as extended by _____ and _____, as extended by _____ (together, the "Prior Charge");
- C. The Owner granted to THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER (the "District") a Covenant attached to this Agreement and registered against title to the Land in the LTO immediately before registration of this Agreement (the "Subsequent Charge"); and
- D. Section 207 of the *Land Title Act* permits the Prior Chargeholder to grant priority over a charge to the District as Subsequent Chargeholder.

THEREFORE this Agreement is evidence that in consideration of \$1.00 and other good and valuable consideration received by the Prior Chargeholder from the District (the receipt and sufficiency of which the Prior Chargeholder acknowledges):

- 1. The Prior Chargeholder consents to the granting and registration of the Subsequent Charge and the Prior Chargeholder agrees that the Subsequent Charge shall be binding upon their interest in and to the Land.
- 2. The Prior Chargeholder grants to the District, as a Subsequent Chargeholder, priority for the Subsequent Charge over the Prior Chargeholder's right, title and interest in and to the Land, and the Prior Chargeholder postpones the Prior Charge and all of their right, title and interest thereunder to the Subsequent Charge as if the Subsequent Charge had been executed, delivered and registered prior to the execution, delivery and registration of the Prior Charge.

As evidence of its agreement to be bound by the terms of this instrument, the Prior Chargeholder has executed the Land Title Office Form C to which this Agreement is attached and which forms part of this Agreement.

- END OF DOCUMENT -

**DISTRICT OF NORTH VANCOUVER
PUBLIC HEARING**

REPORT of the Public Hearing held in the Council Chambers of the Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, April 8, 2014 commencing at 7:00 p.m.

Present: Mayor R. Walton
Councillor M. Little
Councillor L. Muri
Councillor A. Nixon

Absent: Councillor R. Bassam
Councillor R. Hicks
Councillor D. MacKay-Dunn

Staff: Mr. B. Bydwell, General Manager – Planning, Properties, and Permits
Mr. B. Dwyer, Manager – Development Services
Mr. J. Gordon, Municipal Clerk
Mr. D. Allan, Community Planner
Ms. S. Berardo, Confidential Council Clerk

**Bylaw 8024: The District of North Vancouver Official Community Plan Bylaw 7900, 2011,
Amendment Bylaw 8024, 2013 (Amendment 8)**

Bylaw 8025: The District of North Vancouver Rezoning Bylaw 1301

Purpose of Bylaws:

The proposed bylaws will allow for the redevelopment of four industrial lots located at 3829 and 3919 Dollarton Highway. The proposed development will consist of a ninety-five unit mixed apartment/townhouse project.

1. OPENING BY THE MAYOR

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

2. INTRODUCTION OF BYLAWS BY CLERK

Mr. James Gordon, Municipal Clerk, introduced the proposed bylaws and advised that all those who consider that their interest in property may be affected by the proposed bylaws are welcome to speak.

3. PRESENTATION BY STAFF

Presentation: Mr. Doug Allan, Community Planner

Mr. Doug Allan, Community Planner, provided an overview of the proposal which would allow for redevelopment of four industrial lots located at 3829 and 3919 Dollarton

Public Hearing Minutes – April 8, 2014

Highway. The proposed development will consist of a ninety-five unit mixed apartment/townhouse project.

Mr. Allan advised that:

- The site layout and building arrangement has been influenced by the need to maintain a 15 metre riparian area setback on each side of Roche Point Creek;
- The apartments are all two bedroom suites ranging from 997 square feet to 1426 square feet in size;
- The townhomes are three bedroom units ranging from 2728 square feet to 3008 square feet in size;
- Five additional surface visitor spaces have been provided for a total of 195 spaces;
- A key public amenity to be provided with this project is a public path along the waterfront which will connect the existing path to the west with the path system in Cates Park/Whey-au-Wichen;
- A public path is provided from Dollarton Highway along the east side of the creek riparian area to the internal drive leading to a second connection down to the waterfront trail;
- The foreshore restoration will restrict public access below the proposed waterfront path and it represents a significant departure from the urbanized waterfront treatment suggested in the Preliminary Application that generated public support;
- The applicant will reconfigure the lane marking on Dollarton Highway to create a westbound left turn lane into the site;
- The extension of the sidewalk from the west across the site, along with a new landscaped boulevard and two on-street parking pockets have been included;
- Environmental benefits include remediation of the contaminated site and foreshore and the rehabilitation of Roche Point Creek; and,
- The total community amenity contribution is estimated to be approximately \$1.87 million.

4. PRESENTATION BY APPLICANT

4.1 Ms. Rene Rose, Senior Vice President Development – Polygon Homes Ltd:

- Spoke to the complexity of the proposed project;
- Noted that the developer has worked with the community to address their needs; and,
- Commented on the support received from the community.

4.2 Mr. Keith Hemphill, Rositch Hemphill Architects:

- Provided an architectural update on the proposed building;
- Commented that the site has been heavily industrialized; and,
- Spoke to the community benefits which include: a waterfront walkway; public waterfront views; revitalization of Roche Creek; rehabilitation of the foreshore; and, preservation of the heritage artifacts.

5. REPRESENTATIONS FROM THE PUBLIC

5.1 Mr. Greg Hope, 600 Block Beachview Drive:

IN FAVOUR

- Spoke in support of the proposed development; and,

- Expressed concern that the foreshore restoration will restrict public access below the proposed waterfront path.
- 5.2 Ms. Toby Smith, 3900 Block Dollarton Highway: OPPOSED**
- Commented that the proposed development will negatively impact the surrounding space;
 - Expressed concern with the loss of views;
 - Stated that the proposed development is too big;
 - Expressed concern over insufficient parking; and,
 - Commented that the proposed development will change the character of the area.
- 5.3 Mr. Mike Parmanter, 2500 Block Badger Road: IN FAVOUR**
- Spoke in support of the project;
 - Commented on the importance of the rehabilitation of the foreshore;
 - Spoke to the importance of having diverse housing in the community; and,
 - Commented that the foreshore pedestrian connection to Cates Park will provide a positive addition to the community.
- 5.4 Mr. Wolf Klein, 4000 Block Cummins Place: IN FAVOUR**
- Spoke in support of the proposed development;
 - Commented on the opportunity to remove the existing buildings and clean up the site; and,
 - Stated that the proposed development is aesthetically pleasing.
- 5.5 Mr. John Hunter, 300 Block Roche Point Drive: COMMENTING**
- Expressed concern that significant changes have been made since the Preliminary Application;
 - Expressed concern that the foreshore pedestrian connection to Cates Park will not progress;
 - Commented on the lack of visibility to traffic on the south side of Dollarton Highway; and,
 - Expressed concern regarding parking issues.
- 5.6 Mr. Brad Taylor, 3700 Block Dollarton Highway: IN FAVOUR**
- Spoke in support of the proposed development; and,
 - Commented on the benefits of having a foreshore pedestrian connection to Cates Park.
- 5.7 Ms. Simone VanderRoest, 400 Block North Dollarton Highway: IN FAVOUR**
- Spoke in support of the proposed development;
 - Questioned if bike lanes along Dollarton Highway will remain and how the development will impact cyclists; and,
 - Commented that small businesses in the Dollarton Plaza will benefit from the growth in this area.
- 5.8 Mr. Tim Waring, 3700 Block Dollarton Highway: COMMENTING**
- Spoke in support of the proposed development;
 - Expressed concern with the height of the proposed building;

- Expressed concern with the stability of the slope; and,
 - Spoke in support of public access to the foreshore waterfront.
- 5.9 Mr. David Roskell, 1700 Block Larkhall Crescent: IN FAVOUR**
- Spoke in support of the proposed development; and,
 - Commented that rehabilitation of the foreshore is long overdue.
- 5.10 Ms. Anne Adde, 2800 Block Dollarton Highway: OPPOSED**
- Expressed concern with the loss of views;
 - Stated that there is too much congestion along Dollarton Highway;
 - Expressed concern that there will not be public waterfront access; and,
 - Urged Council to deny this proposal.
- 5.11 Ms. Megan Gnadt, 3700 Block Dollarton Highway: IN FAVOUR**
- Spoke in support of the proposed development; and,
 - Commented that the benefits of the proposed development out way the negatives.
- 5.12 Mr. Max Zahedi, 3900 Block Sparrow Lane: OPPOSED**
- Expressed concern with the loss of views;
 - Requested that the height be reduced by one storey; and,
 - Expressed concern with traffic issues.
- 5.13 Mr. Justin Kemp, 800 Block Strathhaven Drive: IN FAVOUR**
- Stated that the environmental cleanup would be a major benefit;
 - Spoke in support of multi-family development; and,
 - Commented that a pedestrian trail linking to Cates Park would benefit the community.
- 5.14 Mr. Eric Anderson, 3500 Block Derbyshire Way: OPPOSED**
- Spoke on behalf of the Seymour Local Plan Committee;
 - Expressed concern that public access to the waterfront is not included in the proposed development;
 - Stated that a community amenity space should be included;
 - Noted that there is insufficient above ground parking; and,
 - Urged Council to reject the proposed project.
- 5.15 Mr. Jim Hudson, 5400 Block Cortez Crescent: IN FAVOUR**
- Commented that the proposed development would be appealing to most downsizing families; and,
 - Commented on the importance of the rehabilitation of Roche Point Creek.
- 5.16 Mr. Nick Waddell, 3800 Block Dollarton Highway: IN FAVOUR**
- Express concern with the height of the proposed building;
 - Spoke to the importance of the environmental cleanup;
 - Requested a crosswalk bottom of the Dollarton Highway hill; and,
 - Spoke in support of the proposal.

- 5.17 Ms. Linda Polleck, 3800 Block Dollarton Highway: COMMENTING**
- Expressed concern with the loss of views; and,
 - Expressed concern with traffic issues.

Council recessed at 8:51 pm and reconvened at 9:02 pm.

- 5.18 Ms. Rene Rose, Polygon: COMMENTING**
- Confirmed that the height of the buildings have not been increased;
 - Noted that more parking spaces are provided than are required;
 - Stated that the intent is to provide a pedestrian trail connecting to Cates Park;
 - Commented on the efforts made to address concerns raised from the Seymour Local Plan; and,
 - Commented on the complexity of the site.

- 5.19 Ms. Donna Howes, Polygon: COMMENTING**
- Noted that on-street parking pockets should provide sufficient sightlines;
 - Noted shared bike lanes will remain on Dollarton Highway;
 - Opined that crosswalks are not necessarily safer; and,
 - Stated that a signal would not be warranted.

- 5.20 Mr. Barry Fenton, 2700 Block Byron Road: IN FAVOUR**
- Spoke in support of the proposed development;
 - Commented on the benefits of the proposed development include the environmental cleanup and the trail connection to Cates Park;
 - Noted that the site provides many challenges;
 - Spoke to the importance of the removal of the industrial site; and,
 - Commented that local business will benefit in the Seymour area.

- 5.21 Ms. Pam McDonald, 4100 Block Fairway Place: OPPOSED**
- Expressed concern that public access is not included in this proposal; and,
 - Expressed concern that trees will block views.

- 5.22 Mr. John Hunter, 300 Block Roche Point Drive: SPEAKING A SECOND TIME**
- Questioned how many industrial jobs will be lost;
 - Commented that eighteen months of construction will disrupt traffic; and,
 - Urged Polygon to ensure that the pedestrian trail connection to Cates Park be completed.

- 5.23 Ms. Tara Waddell, 3800 Block Dollarton Highway: IN FAVOUR**
- Spoke in support of the proposed development;
 - Expressed concern with the loss of views; and,
 - Expressed concern with regards to the height of the proposed buildings.

- 5.24 Mr. Jeff Henderson, 2400 Block Dollarton Highway: IN FAVOUR**
- Spoke in support of the proposed development;
 - Noted that cleaning up the shores is a benefit to the community;
 - Commented that local businesses will benefit from the proposed development; and,

- Commented on the benefit of the pedestrian path connection to Cates Park.

5.25 Mr. Corrie Kost, 2800 Block Colwood Drive: COMMENTING

- Requested that absent members of Council be informed of the Public Hearing;
- Noted that the materials available on the District's web have poor resolution;
- Commented that rentals should be allowed;
- Commented that areas outside of town centre's should have lower density; and,
- Stated that some contamination will remain on the site.

5.26 Mr. Alf Cockle, 2800 Block Berkley Road: COMMENTING

- Urged the District to ensure the pedestrian walkway to Cates Park be completed.

Council recessed at 9:49 pm and reconvened at 9:52 pm.

6. QUESTIONS FROM COUNCIL

Staff advised that the District will enter into a Housing Agreement to ensure that the proposed units remain available as rental units.

In response to the District's Adaptable Design Guidelines, staff advised that the revised project now includes one hundred percent Level 2 units.

Council queried if there will be a traffic light at the entrance of the development. Staff advised that the traffic density will be approximately one vehicle per minute during commute hours and it has been determined that a signal is not warranted.

Council requested a copy of the detailed landscape plan.

In response to a question from Council regarding parking, staff advised that a total of one hundred and ninety parking spaces, inclusive of designated visitor parking are required in accordance with the Zoning Bylaw requirements. The proposal meets that requirement and the applicant has provided five additional surface visitor spaces for a total of one hundred and ninety five spaces. All of the apartment parking is provided on one or two underground levels beneath each building with access off the internal driveway. Two garage spaces are provided for each townhouse.

Council expressed concern that public access to the waterfront will be prohibited. The applicant advised that the foreshore lands are intended to be an area used for habitat compensation.

Staff advised that the District is working with both Polygon and Tsleil Waututh Nation with regards to a public path along the waterfront which will connect the existing path to the west with the path system in Cates Park.

Staff advised it is Port Metro Vancouver's responsibility to monitor public access on foreshore lands.

Staff advised that the proposed walkway connecting to Cates Park will become District property.

In response to a question regarding maximum tree height, staff advised that eight 25 foot maple trees are proposed.

In response to a question from Council regarding site contamination, staff advised that the consultant has proposed a remediation approach to be undertaken in tandem with site preparation and construction consisting of:

- Further site investigation in areas currently occupied by buildings and structures during the decommissioning and demolition process;
- Excavation and off-site disposal of:
 - A pocket of creosote-contaminated soil near the northeast corner of the Noble Towing building adjacent to Roche Point Creek;
 - Fill on Port Metro Vancouver lands south of Cates Park and east of the McKenzie Barge marine way; and,
 - Surface Materials under building decking.
- The removal of the structures on the Port Metro foreshore lands;
- The excavation of the tidal marsh and channel;
- The removal of contaminated soils from the affected area of Cates Park;
- The capping of contaminated soil on the freehold lands that can remain in place with either buildings, asphalt, or a minimum of one metre of clean fill; and,
- The preparation of risk-based remedial goals for the foreshore sediments and capping or dredging of those sediments requiring management.

7. COUNCIL RESOLUTION

MOVED by Councillor NIXON

SECONDED by Councillor LITTLE

THAT the April 8, 2014 Public Hearing be closed;

AND THAT "The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2013 (Amendment 8)" be returned to Council for further consideration;

AND THAT "The District of North Vancouver Rezoning Bylaw 1301" be returned to Council for further consideration.

CARRIED
(10:00 p.m.)

CERTIFIED CORRECT:



Confidential Council Clerk

AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Workshop (open to public)	Date: _____

 Dept Manager	 GM/ Director	 CAO
--	--	--

The District of North Vancouver REPORT TO COUNCIL

March 20, 2014
File: 3060-20/28.13

AUTHOR: Doug Allan, Community Planner

SUBJECT: BYLAWS 8024 AND 8025 – OCP AMENDMENT AND REZONING FOR A MIXED APARTMENT/TOWNHOUSE PROJECT AT 3829/3919 DOLLARTON HIGHWAY

RECOMMENDATION:

It is recommended that Council receive this report for information.

REASON FOR REPORT:

On January 6, 2014, Council introduced an OCP amendment (Bylaw 8024), a rezoning bylaw (Bylaw 8025) and a Housing Agreement Bylaw (Bylaw 8030) for a multi-family residential project on the Dollarton Shipyard and McKenzie Barge and Marineways sites at 3829/3919 Dollarton Highway. Bylaws 8024 and 8025 were referred to a public hearing, however, before setting a public hearing date, Council requested additional information on several issues. This report is provided in response to Council's direction.

SUMMARY:

During the discussion on the project, Council raised the following issues:

- public access to the waterfront and connection to Cates Park/Whey-au-Wichen;
- plans for the remediation of the Port Metro Vancouver foreshore lands;
- port nuisances;
- absence of a commercial component in the project; and
- loss of waterfront industrial lands.

Staff and Port Metro Vancouver have continued discussions regarding the foreshore lands and Port permitting. A public hearing date on Bylaws 8024 and 8025 has been set for Tuesday, April 8, 2014.

**SUBJECT: BYLAWS 8024 AND 8025 – OCP AMENDMENT AND REZONING FOR A
MIXED APARTMENT/TOWNHOUSE PROJECT AT 3829 AND 3919
DOLLARTON HIGHWAY**

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ANALYSIS:

Public Access:

As illustrated on the following plan, public access to the waterfront is encompassed by:

- a public pathway with two view points, located immediately upland of the foreshore lands. This path will connect to the existing waterfront path to the west and the existing trail network in Cates Park/Whey-au-Wichen; and
- a public path, leading from Dollarton Highway adjacent to the Roche Point Creek riparian area to the internal driveway with a connection down to the waterfront trail, west of Roche Point Creek.



Connection to Cates Park/Whey-au-Wichen:

Staff and the applicant are currently working with the Tsleil Waututh Nation to define a specific alignment for the extension of the waterfront path to the existing trail network in Cates Park/Whey-au-Wichen. As this has not yet been established, staff will report on this connection at the development permit stage if the project proceeds.

**SUBJECT: BYLAWS 8024 AND 8025 – OCP AMENDMENT AND REZONING FOR A
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DOLLARTON HIGHWAY**

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Foreshore Access and Planting:

As illustrated on the concept plan above and detailed in the plan included as Attachment A, the plan will create several layers including an intertidal marsh up to the high tide line with a riparian bench from that point to the global high tide line. The intention is that the public will not have access beyond the waterfront pathway to the remediated lands. The cross sections included as Attachment B illustrate the relationship between the path and the remediated and enhanced foreshore lands.

The following images from the detail plan illustrate cross sections at various points on the foreshore to illustrate the different components of the remediation plan.



The following photographs are examples of what the foreshore lands could look like once they are re-contoured and planted/armoured.



Rip Rap Shoreline



Tidal Pool



Marsh Bench



Marsh Bench

**SUBJECT: BYLAWS 8024 AND 8025 – OCP AMENDMENT AND REZONING FOR A
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Industrial Uses in Burrard Inlet:

Port Metro staff have advised that, in the event of contamination of the foreshore lands due to port- or ship-related activities, the responsibility for the clean up rests with the polluter.

Council raised the issue of port-related nuisances such as noise and odors. Staff considered the registration of a nuisance easement on the property. However, the municipal solicitor recommended against an easement (or covenant) which had the potential to draw the municipality into a dispute on issues over which we have no control. If the project proceeds, the development covenant will require that the disclosure statement identify that purchasers will be buying a home adjacent to a working port.

For Council's reference, the accompanying image illustrates the location of the subject site and the existing Westridge Terminal on the south side of the harbour which are approximately 1.6km apart.



Commercial Uses:

At the public information meeting there were comments relating to the provision of a small commercial component in the project and this was also noted in comments from both the Seymour Community Association and the Seymour Local Plan Monitoring Committee. In response, the applicant provided a report assessing the viability of a small commercial outlet on the site such as a coffee shop but the study concluded that there were not enough residents in the area or parking to make a potential commercial use viable.

Loss of Waterfront Industrial Lands:

In a letter dated August 2, 2013 ([Attachment C](#)), the Port indicated that while its mandate is to protect waterfront port lands, there was benefit in remediating and restoring the foreshore lands that would result from the redevelopment of the upland property. On that basis, the Port was not opposed to the proposal. This was re-affirmed by the Port in February 2014.

Under the draft Port Land Use Plan, the foreshore lands are designated 'Commercial'. The Port has advised that this will not preclude the remediation of the foreshore as a habitat restoration area and will allow for the consideration of a future dock facility upon application.

**SUBJECT: BYLAWS 8024 AND 8025 – OCP AMENDMENT AND REZONING FOR A
MIXED APARTMENT/TOWNHOUSE PROJECT AT 3829 AND 3919
DOLLARTON HIGHWAY**

March 20, 2014

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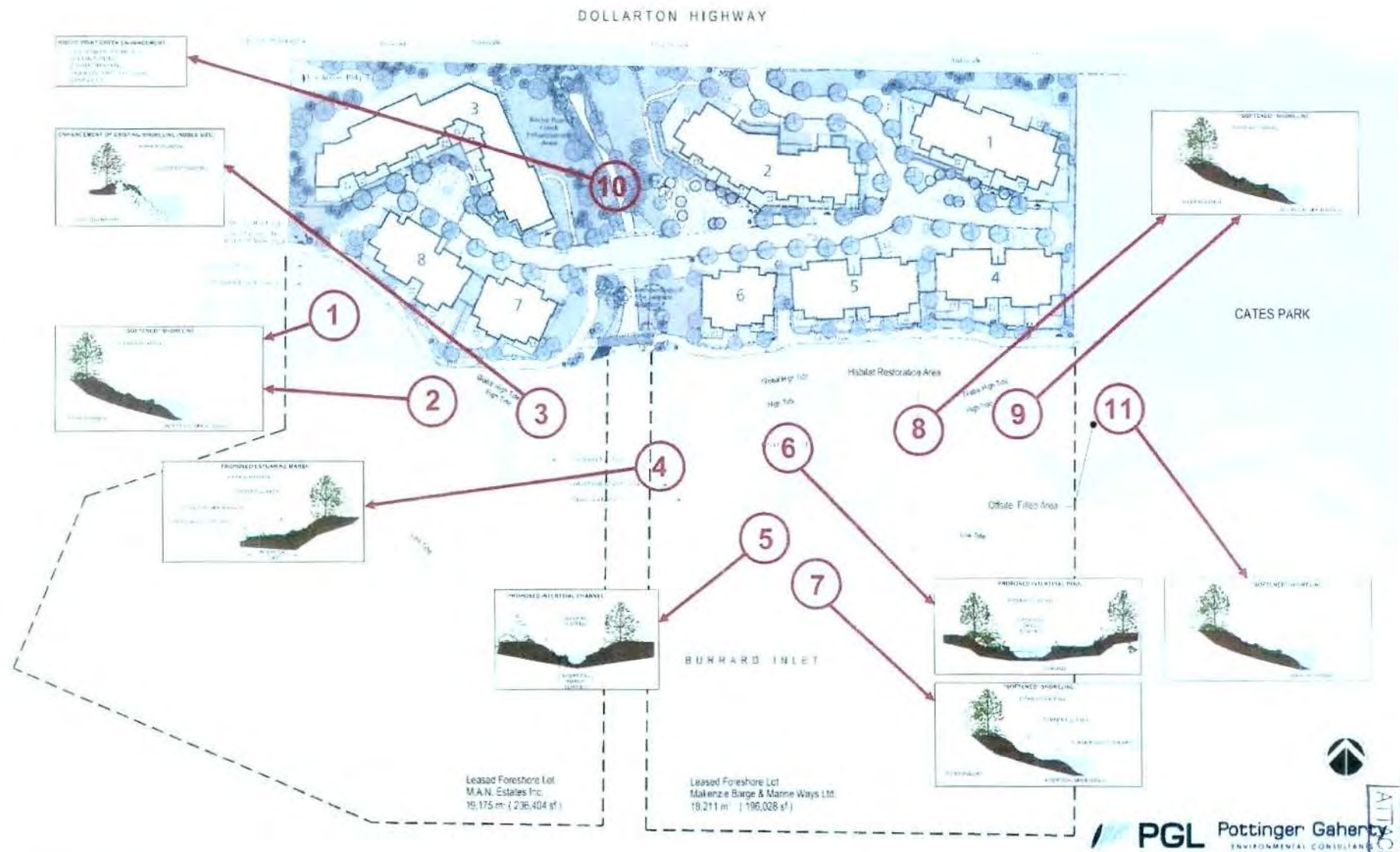
Conclusion:

This report has been prepared in response to the issues raised by Council on January 6, 2014 when Bylaws 8024 and 8025 were given First Reading. A Public Hearing on the two Bylaws has been established for Tuesday, April 8, 2014.

Respectfully submitted,


Doug Allan
Community Planner
da/
attach.

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other _____



Raschke Hemphill Architects
120 Powell Street, Unit 10 Vancouver, BC Canada V6A 1G1
1 604 669 8002 / 604 669 1091 www.marchitects.ca



PROJECT:
DOLLARTON RZ
3829 & 3919 Dollarton Highway,
North Vancouver, BC

DRAWING TITLE:
**HABITAT RESTORATION PLAN
WITH REFERENCE IMAGES**



POLYGON
1000-1100 West Broadway, Vancouver, BC
604-681-2222 / 604-681-2223

DATABASE: 1333.1.2
PROJECT NO: 1033
DATE: 04 MARCH 2014
SCALE:

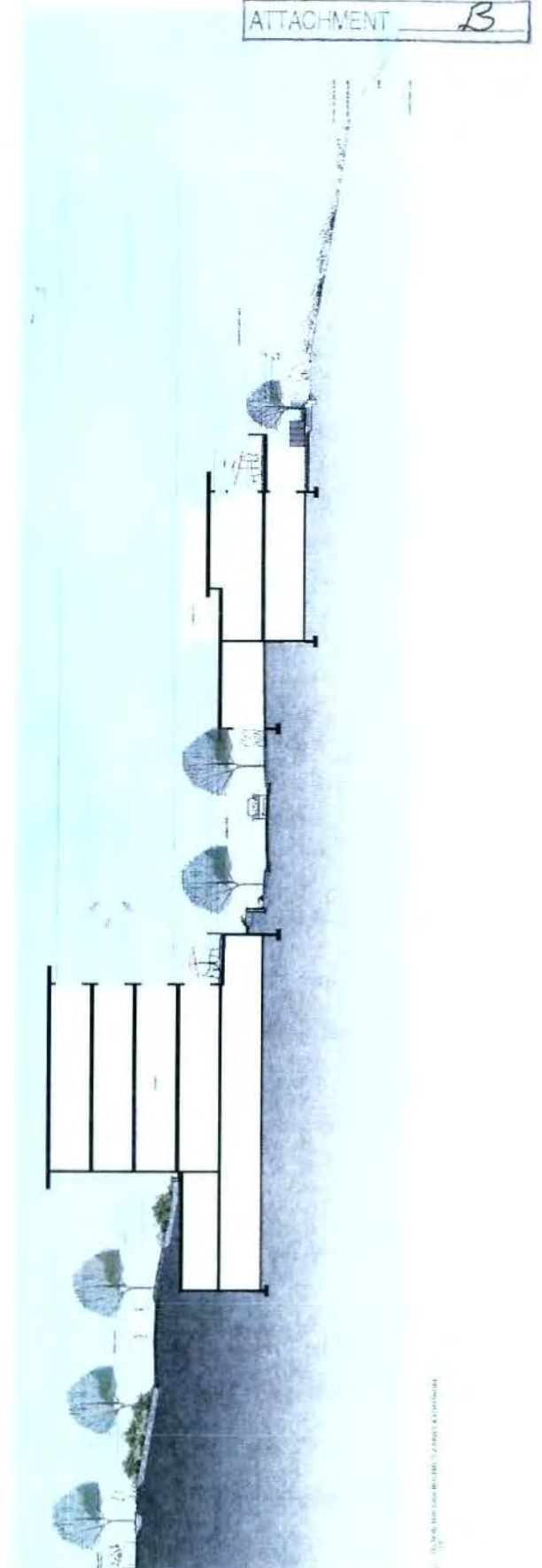
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ATTACHMENT

A



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PORT METRO
vancouver

PORT METRO VANCOUVER C

August 2, 2013

VIA E-MAIL & MAIL

Doug Allan
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

Dear Mr. Allan,

**Re: Preliminary Application – Mixed Apartment/Townhouse Project
3829/3919 Dollarton Highway (Polygon Development 270 Ltd.)**

Thank you for your letter of June 4, 2013, regarding a preliminary application by Polygon Development for the redevelopment of 4 legal lots at 3829 and 3919 Dollarton Highway with 95 multi-family residential units. As described in your letter, a key component of the project involves the development of a public amenity and recreational area along the foreshore, some of which is land under the jurisdiction of Port Metro Vancouver (PMV). PMV staff have reviewed the material provided and have the following preliminary comments.

In general, Port Metro Vancouver encourages the retention of industrial lands, which are a critical resource not just for the port but for the regional as whole. In this particular case, consideration of non-industrial uses as proposed presents an opportunity to rehabilitate a valuable waterfront site and address other important issues related to the riparian area and, potentially, public access to the waterfront, though in the broader context, PMV would like to ensure that there is no net loss to industrial land. Part of this would involve remediation of any site contamination arising from historic industrial uses to standards appropriate for the intended use.

It would be important to ensure that future residents of the new development be fully aware of the on-going industrial activity in the working port, including the noise and other potential impacts. This can be addressed through a variety of means, including project marketing, disclosure statements on title, etc.

The development is associated with a separate proposal for redevelopment of the (currently industrial) foreshore area for public access and recreational use. This portion of the overall development would have to be carefully designed to allow public access and activity and ensure the protection of riparian and habitat values. Considerable discussion between the District, project proponents and Port Metro Vancouver will be required on matters of tenure, use and associated conditions for the foreshore area. We look forward to continued productive dialogue between the parties in this regard.

...2.

100 The Pointe, 999 Canada Place, Vancouver, B.C. Canada V6C 3T4

100 The Pointe, 999 Canada Place, Vancouver, C.-B. Canada V6C 3T4

portmetrovanancouver.com

Canada

District of North Vancouver
August 2, 2013
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Thank you for the opportunity to comment on this proposal. We would appreciate further opportunities to provide input to this proposal as it proceeds. If you have any questions or concerns, please do not hesitate to contact Colleen Wickstrom at 604-665-9047 or colleen.wickstrom@portmetrovanouver.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Colleen Wickstrom'.

PORT METRO VANCOUVER

Colleen Wickstrom for
Sarah Farina
Planner

Cc: Christine Eriksen, Property Administrator, PMV
Greg Yeomans, Manager, Planning, PMV
Cari St. Pierre, Planner, PMV

AGENDA INFORMATION

- ☒ Regular Meeting
☐ Workshop (open to public)

Date: JAN 6, 2014
 Date:



The District of North Vancouver REPORT TO COUNCIL

December 13, 2013
 File: 3060-20/28.13

AUTHOR: Doug Allan, Community Planner

SUBJECT: BYLAWS 8024, 8025 AND 8030: OFFICIAL COMMUNITY PLAN AMENDMENT, REZONING AND HOUSING AGREEMENT BYLAWS FOR A 95 UNIT APARTMENT/TOWNHOUSE PROJECT AT 3829/3919 DOLLARTON HIGHWAY

RECOMMENDATION

It is recommended that:

1. Bylaw 8024, which amends the District of North Vancouver Official Community Plan by changing the land use designation for the subject property from "Commercial Residential Mixed Use Level 1" to "Residential Level 4: Transition Multi-Family", be given FIRST Reading;
2. Bylaw 8025 which rezones the subject site from 'Waterfront Industrial' (I1) to Comprehensive Development 77 (CD 77) to enable the development of a 95 unit apartment/townhouse project, be given FIRST Reading;
3. Bylaw 8030, which authorizes a Housing Agreement to prevent future rental restrictions, on the subject property be given FIRST Reading;
4. Bylaws 8024 and 8025 be referred to a Public Hearing;
5. Pursuant to Section 879 of the Local Government Act, additional consultation is not required beyond that already undertaken with respect to Bylaw 8024; and
6. In accordance with Section 882 of the Local Government Act, Council has considered Bylaw 8024 in conjunction with its Financial and applicable Waste Management Plans



REASON FOR REPORT

To obtain Council's authorization to proceed to Public Hearing with amendments to the District Official Community Plan (Bylaw 8024) and the site's zoning (Bylaw 8025) for the redevelopment of the existing industrial properties to a development consisting of 80 condominium apartment units and 15

**SUBJECT BYLAWS 8024, 8025 AND 8030: OFFICIAL COMMUNITY PLAN
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DOLLARTON HIGHWAY**

December 13, 2013

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townhouses. Associated with the OCP Amendment and Rezoning bylaws is a Housing Agreement to prevent future rental restrictions.

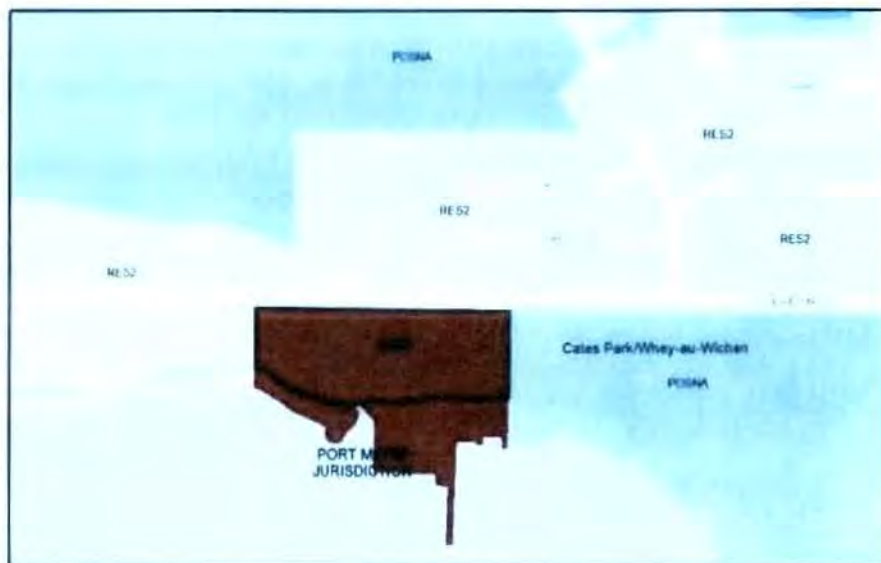
SUMMARY

The applicant, Polygon Development 270 Ltd., proposes to redevelop 4 industrial lots located at 3829 and 3919 Dollarton Highway for a 95 unit mixed apartment/townhouse project. Implementation of the project requires an amendment to the OCP land use designation, rezoning, issuance of a development permit and subdivision, to consolidate the site and dedicate a portion of the site along the waterfront as 'Road' for a public pedestrian path. The OCP amending bylaw, Bylaw 8024, the rezoning bylaw, Bylaw 8025, and the Housing Agreement Bylaw, Bylaw 8030, are recommended for First Reading and Bylaws 8024 and 8025 are recommended for referral to a Public Hearing.

EXISTING POLICY

Official Community Plan

As illustrated on the following map, the subject properties, located immediately west of Cates Park/Whey-au-Wichen, are designated as *Commercial Residential Mixed Use Level 1* which is "intended predominantly for general commercial purposes, such as retail, service and offices throughout the District. Residential uses above commercial uses at street level are generally encouraged. Development in this designation is permitted up to approximately 1.75 FSR."



Seymour Local Plan Reference Document

Under the Seymour Local Plan reference document, the site was designated as 'Future Mixed Use Residential' and the Plan indicated that the site was suitable for a mix of local or community level

Document 2236801

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retail, office, service uses or a mix of these uses with a minimal residential component. Plan Policy 6.3.5 indicated that "Any future re-development of the McKenzie Barge/Noble Towing site west of Cates Park should be treated as a comprehensive development focusing on the arts, culture, economic and tourism opportunities for the site. Such future comprehensive development could include 25 or fewer residential units..."

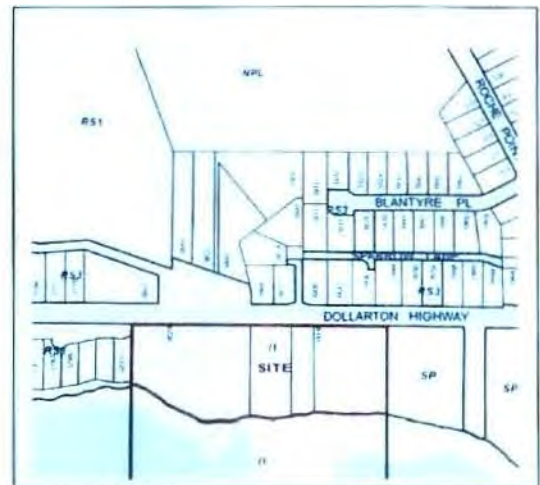
Zoning

The subject properties are zoned Waterfront Industrial (I1) as shown on the accompanying map and, therefore, rezoning is required to permit this multi-family project. Bylaw 8025 proposes the establishment of a new Comprehensive Development Zone 77 (CD77) tailored specifically to this project.

Development Permit Areas

The subject lots are designated as Development Permit Areas for:

- Form and Character of Commercial and Mixed Use Development; and
- Energy and Water Conservation and Greenhouse Gas Emission Reductions.



In addition, the westerly lot is designated as a Development Permit Area for Streamside Protection purposes and portions of this lot adjacent to the foreshore are identified as a potential tsunami hazard area. A detailed development permit report outlining the project's compliance with the applicable DPA guidelines, will be provided for Council's consideration at the Development Permit stage should the OCP amendment and rezoning advance.

Strata Rental Protection Policy

Corporate Policy 8-3300-2 ("Strata Rental Protection Policy") applies to this project as the rezoning application would permit development of more than five units. The policy requires a Housing Agreement to ensure that future strata bylaws do not prevent owners from renting their units and, therefore, Bylaw 8030 is provided to implement that Policy.

ANALYSIS

The Site and Surrounding Area

The site consists of 4 industrial lots located on the south side of Dollarton Highway, immediately west of Cates Park/Whey-au-Wichen as illustrated on the following aerial photograph. The site is currently occupied by Noble Towing (Dollarton Shipyard) and McKenzie Barge and Marineways and has been historically used for ship building/repair purposes. The gross site area is approximately 1.92ha (4.74 acres) and the net area less the creek area, land over 50% slope and a strip of land for waterfront

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path is 1.62ha (4.01 acres). The lots slope down from Dollarton Highway to the foreshore property line by 13.4m (44ft) and 18.3m (60ft) at the west and east property lines respectively.



As shown, portions of both businesses extend onto filled foreshore lands owned by Port Metro Vancouver under waterlot leases. The lower reach of Roche Point Creek exits a culvert beneath Dollarton Highway and flows in a narrow, vegetated channel under a concrete deck and the foundation of the Dollarton Shipyard building, discharging to Burrard Inlet.

Aside from Cates Park/Whalley-au-Wichien to the east, surrounding properties consist of developed single family lots (RS3). Burrard Inlet adjoins the site on the south.

The following images illustrate the current industrial development on the properties.

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Dollarton Shipyard



McKenzie Barge and Marineways

Project Description:

a) Site Plan/Building Description:

As shown on the following site plan, the project consists of 95 multi family units: 80 condominium units in three, 4 storey apartment buildings, and, 15 townhouses in five blocks containing 2 to 4 units, arranged along the waterfront

The site layout and building arrangement has been influenced by the need to maintain a 15m riparian area setback on each side of Roche Point Creek. The applicant has also tried to address and minimize the loss of view from the uphill single family lots on the north side of Dollarton Highway as much as possible which has impacted the location, shape and height of the apartment buildings

The apartments are all 2 bedroom suites ranging from 92.6m² (997ft²) to 132.5m² (1426ft²) in size. The townhomes are 3 bedroom units, from 253.4m² (2728ft²) to 279.5m² (3008ft²) excluding the double garages. The total floor area is 14,222.3m² (153,088ft²) which based on the net site area, results in an FSR of approximately 0.9.

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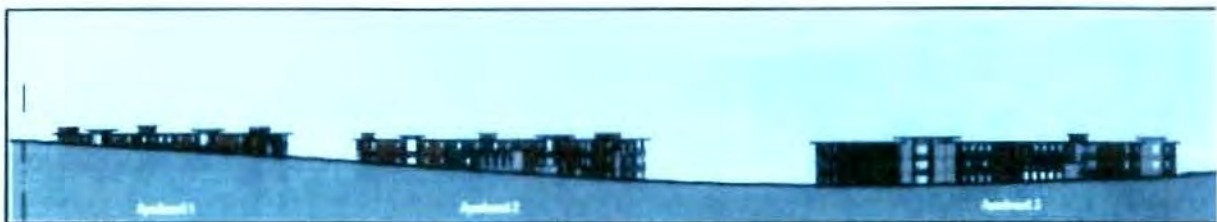
December 13, 2013

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Proposed Site Plan

The apartment buildings vary between 9.75m-16.2m (32-53ft) in height. The townhouses are three storey units with a height of approximately 5.2m-9.75m (17-32ft). The range of building heights for each type is due to the differences in average grade at the individual building locations. While the apartment buildings are 4 storeys in height, the site grades are such that the full building height is not visible from Dollarton Highway. The following image illustrates those portions of the buildings which will be visible above the grade of Dollarton Highway.



Height Of Apartments Relative To Grade of Dollarton Highway

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The following images illustrate examples of the apartment and townhouse designs, the relationship between the buildings taking into account the grade of the site and the view east along the internal driveway.



South (Internal) Elevation of Apartment 2



South Elevation of 4 Unit Townhouse Block

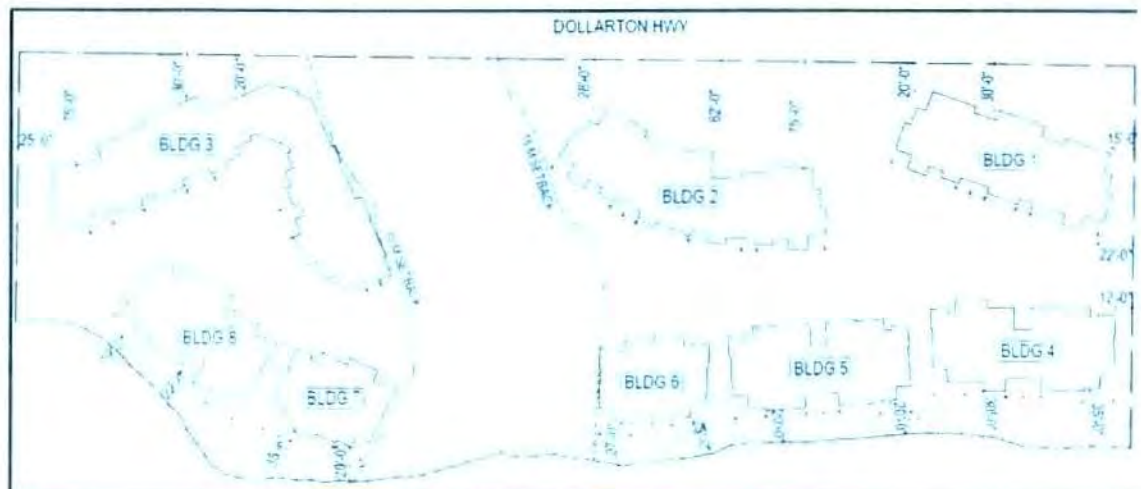


Typical Section Through Site



East View Along Internal Driveway from Bridge

The following plan illustrates the setbacks from the property lines and Roche Point Creek.



Setback Plan

Document 2236801

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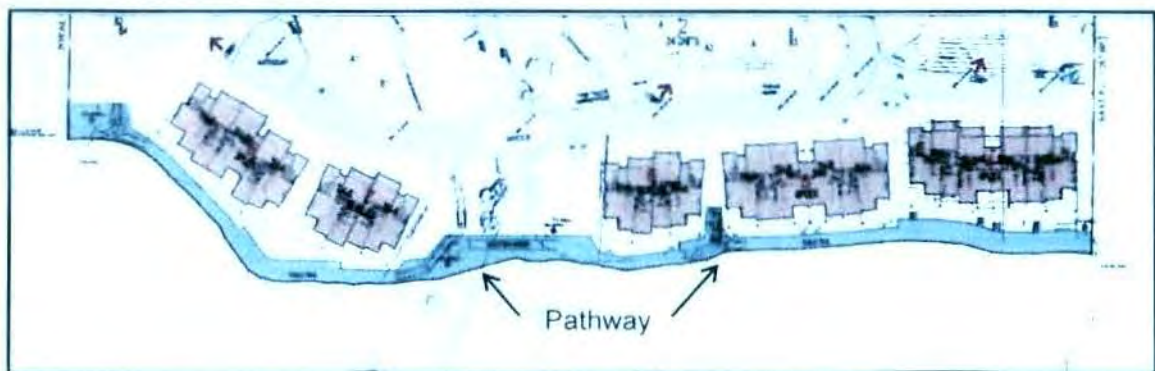
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b) Parking/Access

A total of 190 parking spaces, inclusive of designated visitor parking are required in accordance with the Zoning Bylaw requirements. The proposal meets that requirement and the applicant has provided 5 additional surface visitor spaces for a total of 195 spaces. All of the apartment parking is provided on 1 or 2 underground levels beneath each building with access off the internal driveway. Two garage spaces are provided for each townhouse.

c) Waterfront Pathway

A key public amenity to be provided with this project is a public path along the waterfront which will connect the existing path to the west with the path system in Cates Park/Whey-au-Wichen. The waterfront pathway land will be dedicated to the municipality as 'Road' on a plan of subdivision and will be a minimum of 3.1m (10.2ft) wide, including the path, retaining wall/fence along the south property line and a landscaped buffer on the north side. A pedestrian bridge will connect the path across Roche Point Creek. The following image illustrates the general alignment of the path and the area to be dedicated. The pathway also includes two hammerheads between Blocks 5 and 6 east of the creek and at the west end of the site, to enable maintenance vehicles to turn around.



Should the project proceed, a Development Covenant and development permit will require that the applicant, staff and the Tsleil Waututh Nation establish the alignment of the path from the site to connect with the existing trail system in Cates Park/Whey-au-Wichen, to avoid any areas of cultural significance in the park.

d) Landscaping and Courtyard

The landscaping concept is illustrated on the following plan. The landscape concept consists of several different elements, including

- street trees and lawn areas, creating a more formal planting appearance along the interior driveway and around the drive entry courts at each apartment building.
- shrub planting in front of and between the townhouse units and separating the rear (south facing) yards.

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- open lawn areas behind each apartment building
- more naturalized, informal planting around the perimeter of the site
- street tree planting along Dollarton Highway and
- re-use of existing industrial artifacts

In terms of on-site pedestrian connectivity, a public path is provided from Dollarton Highway, along the east side of the creek riparian area to the internal drive leading to a second connection down to the waterfront trail.



Landscape Concept Plan

e) Riparian Area

The lower reach of Roche Point Creek within the site is contained in a narrow vegetated corridor. At one time, the creek provided spawning and rearing habitat for trout and salmon and trout currently exist in the creek upstream of Dollarton Highway. However, the culvert beneath Dollarton Highway acts as a barrier to upstream migration of salmon.

In addition to establishing a 15m wide riparian area setback on each side of the creek, the applicant is proposing a range of instream and riparian habitat restoration measures to enhance the creek channel including:

- removing all existing structures
- building up the streambed to the level of the culvert to allow upstream fish access
- adding baffles to the culvert to aid in fish passage

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- creating undercut banks and adding boulders, spawning gravel and woody debris,
- daylighting a portion of the creek currently located under the Dollarton Shipyard building
- removing invasive plant species and developing a long term invasive species management plan for the entire site, and
- introducing appropriate native plant species within the riparian area

The suggested restoration directions are supported and the Development Covenant will require a detailed restoration plan and restrictive covenant for maintenance and monitoring

During the Preliminary Application review, staff indicated that the Roche Point Creek watershed provided habitat that could support the Pacific Water Shrew (PWS) an endangered species under the Federal Species at Risk Act and is a red-listed species Provincially. A habitat assessment of the creek corridor was undertaken to assess potential habitat suitability for this species. The results indicated that the habitat suitability was high upstream but it was low within the site. While restoration of the creek channel and the enhancement of the riparian areas with planting and the placement of woody debris can provide an improved habitat for the PWS, the consultant suggested that the potential for the shrew to utilize new habitat is likely low but it still a worthwhile undertaking

f) Foreshore Lands

As a component of the project, but outside of the District's jurisdiction, the Port requires that the industrial foreshore lands be rehabilitated with the removal of the existing industrial buildings and structures and the implementation of a habitat compensation plan prepared by Polygon for the Port's approval and implementation by the developer

This approach to the foreshore restoration will restrict public access below the proposed waterfront path and it represents a significant departure from the urbanized waterfront treatment suggested in the Preliminary Application that generated public support

To partially compensate for that lost opportunity, the waterfront pathway will incorporate two enhanced viewing/seating areas, one on either side of the creek. The developer also proposes to reconfigure the existing pier located south of the Dollarton Shipyard building for private moorage for approximately 15 boats. It is also proposed that the upper section of the pier will be designed to allow for public viewing. The public will also be afforded access to the bottom of the ramp to enable residents and the public to launch kayaks and canoes. However, any changes to this pier are within the jurisdiction of the Port and do not require District approval

Access to the white sand beach in the southwest corner of the site adjacent to the Dollarton Shipyard building was requested during the public information meeting but this area will be part of the Port's habitat compensation package and is not accessible during periods of high tide

g) Accessible Units

In response to the District's Adaptable Design Guidelines, approximately 70% of the apartment units will be designed to meet Level 1B and 30% of the units will meet Level 2. The townhouses will all meet the Level 1A guidelines

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Reduced copies of site, architectural and landscape plans are included as [Attachment A](#) for Council's reference.

OFF-SITE IMPROVEMENTS:

The application includes the extension of the sidewalk from the west across the site, along with a new landscaped boulevard and two on-street parking pockets. In addition, based on staff requirements, the applicant will reconfigure the lane marking on Dollarton Highway to create a westbound left turn lane into the site.

SITE CONSTRAINTS:

Site Contamination

Given the heavy industrial nature of uses on the subject lots, the site has been identified on the Province's Contaminated Sites Registry, as a high risk site. A Detailed Site Investigation has been submitted to the Province for review. Based on the information submitted, the Province has provided a letter ([Attachment B](#)) authorizing Council to consider the OCP amending and rezoning bylaws and issuance of a development permit.

Based on the consultant's Summary of Findings, contaminants are predominantly shallow metals related to paints and blasting grit, creosote and fuels and lubricants in the soil and foreshore sediment. The consultant also confirmed that impacts on groundwater quality are localized.

Contaminants were also found on the Port Metro Vancouver filled foreshore south of Cates Park; in intertidal and subtidal sediments south of the waterlot lease areas and in front of Cates Park and close to the surface on about 100m² of land in Cates Park immediately adjacent to the McKenzie Barge property. The consultant advised the District that the contaminants in Cates Park exceed the applicable Contaminated Sites Regulation Parkland Standard. Since Cates Park/Whalley-au-Wichen is subject to a joint management agreement with the Tsleil Waututh Nation, both the District and TWN need to be consulted on a remediation approach. If the project is to proceed, the Development Covenant and the Development Permit will require the approval of a remediation plan prior to the issuance of a building permit for any proposed structures.

The consultant has proposed a remediation approach to be undertaken in tandem with site preparation and construction, consisting of:

- further site investigation in areas currently occupied by buildings and structures during the decommissioning and demolition process;
- excavation and off-site disposal of
 - a pocket of creosote-contaminated soil near the northeast corner of the Noble Towing building adjacent to Roche Point Creek;
 - fill on Port Metro Vancouver lands south of Cates Park and east of the McKenzie Barge marine way; and
 - surface materials under building decking;
- the removal of the structures on the Port Metro foreshore lands;
- the excavation of the tidal marsh and channel;
- the removal of contaminated soils from the affected area of Cates Park;

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- the capping of contaminated soil on the freehold lands that can remain in place with either buildings asphalt or a minimum of 1m of clean fill and
- the preparation of risk-based remedial goals for the foreshore sediments and capping or dredging of those sediments requiring management

The public pedestrian pathway lands are expected to have a mix of both uncontaminated soil and contaminated soils capped with a minimum of 1m clean fill.

Coastal and Creek Hazards

In support of the application, the developer has provided several reports which address the potential for coastal impacts and the potential for flooding of Roche Point Creek.

The report on coastal impacts indicates that the site is exposed to fluctuating water levels, wind- and boat-generated waves and tidal currents. Removal of the existing structures on the foreshore, which will return the foreshore to a natural state, could also increase the potential for wave related erosion and impact shoreline stability in front of the site.

Based on an analysis of sea level rise, wave analyses and an assessment of tsunami potential, the consultants have established a minimum flood construction level of 5.3m, inclusive of a 0.6m freeboard. The consultant also developed a bank armoring design to provide protection for the development and create a more stable foreshore to reduce the potential for erosion. The report also concludes that the removal of the foreshore structures, could lead to increased waves and erosion along the shoreline of Cates Park and that monitoring should be considered.

The applicant has also provided a flood hazard assessment of Roche Point Creek which takes into account, the proposed reconfiguring of the channel. The report concludes that the channel improvements will have the capacity to contain the 200 year design flood return event and confirms the recommended flood construction level. It does, however, identify a small area in the northeast corner of Apartment 3, west of the creek where the existing grades are less than the creek grade and therefore, it will be necessary to build up the ground level to the FCL.

The development covenant will require a separate flood hazard covenant to ensure the project is constructed in accordance with the consultant's FCL recommendations.

Archaeology

In support of the Preliminary Application, Polygon submitted an Archaeological Impact Assessment (AIA) to

- identify, record and assess archaeological sites located with the development site
- identify and evaluate possible impacts to archaeological sites due to the proposed development and
- recommend viable options for managing potential adverse impacts to any identified sites

Based on the results of both background historical research and field testing, several buried middens were uncovered adjacent to Roche Point Creek. However, the archaeologist recommended leaving them in place as they are located within the creek riparian area.

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Recognizing that cultural resources may be uncovered during the site preparation and construction process the applicant has provided an additional report which sets out a process to be followed in that event

Traffic

A transportation assessment was provided which projected the expected morning and afternoon peak hour traffic volumes. The study concluded that, for left out/right out turns in the morning and afternoon peak hours, the driveway intersection with Dollarton Highway would operate at a Level of Service 'C' which represents good operating conditions, and, overall, the intersection would operate at a Level of Service 'A' or generally free flowing, in the peak hours. The study also concluded that the addition of the westbound left turn lane will enhance traffic operations and provide a measure of safety by allowing the storing of left turning vehicles without impacting westbound through traffic.

IMPLEMENTATION:

Implementation of this project will require consideration of: an OCP amendment (Bylaw 8024), rezoning (Bylaw 8025), a Housing Agreement Bylaw, (Bylaw 8030); issuance of a development permit; subdivision to consolidate the 4 lots into one parcel and dedicate 'Road' along the waterfront for the public path; and, registration of a Development Covenant and other legal agreements.

Bylaw 8024 (Attachment C), amends the OCP by changing the land use designation from Commercial Residential Mixed Use Level 1 to Residential Level 4: Transition Multi-Family. The OCP amendment is supportable as it will tailor the designation to more accurately reflect the proposed residential use on the site. The proposed residential designation also lowers the maximum floor space ratio permitted on the site from 1.75 to 1.2.

Bylaw 8025 (Attachment D) rezones the subject properties from Waterfront Industrial (I1) to a new Comprehensive Development 77 Zone (CD77) which

- establishes low rise apartment and multiple family townhouses as permitted uses;
- allows home occupations as an accessory use;
- establishes a base density (Floor Space Ratio) of 0.3;
- requires a housing agreement and a community amenity contribution to support an FSR increase to 0.9 (inclusive of green building density bonus);
- establishes setback, height and building and site coverage regulations;
- incorporates acoustic requirements; and
- establishes parking and bicycle parking regulations unique to this project.

Bylaw 8030 (Attachment E) authorizes the District to enter into a Housing Agreement to ensure that the proposed units remain available as rental units.

A Development Covenant will be required prior to the adoption of the bylaws and will include requirements for

- a green building covenant;
- a stormwater management covenant;
- a creek restoration and maintenance covenant.

**SUBJECT BYLAWS 8024, 8025 AND 8030: OFFICIAL COMMUNITY PLAN
AMENDMENT, REZONING AND HOUSING AGREEMENT BYLAWS FOR A
95 UNIT APARTMENT/TOWNHOUSE PROJECT AT 3829/3919
DOLLARTON HIGHWAY**

December 13, 2013

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- a flood hazard covenant;
- preparation and implementation of a remediation plan to remove the contaminants in Cates Park; and
- a public art maintenance agreement

COMMUNITY AMENITY CONTRIBUTION:

The District's Community Amenity Policy requires an amenity contribution for projects including an increase in density. As this project is not located in an OCP Growth Centre, the CAC is based on \$15.00/sq ft of floor area for the apartments and \$5.00/sq ft for the townhouses for a total contribution estimated at approximately \$1,863,720.

The community amenity contribution has been included as part of the density bonus provisions in the proposed CD77 Zone and the zoning provisions note that the District may use the CAC funds at its discretion.

The applicant has provided a letter of commitment to provide public art as a component of the project. The applicant has advised that, in discussion with the Public Art Coordinator, the intention is to utilize approximately 50% of the public art funds for a First Nations-influenced installation that may include a welcoming pole adjacent to Dollarton Highway and Cates Park as well as interpretive elements along the waterfront path. The remainder of the funds will be used for the installation of 'medallions' within the pathway to continue the theme established on the pathway to the west of the site and pathway benches. A public art plan is tentatively scheduled to be considered by the Public Art Advisory Committee at the January 2014 meeting. The public art component of the CAC is estimated to be about \$250,000 based on 1% of the anticipated cost of construction.

GREEN BUILDING MEASURES:

Compliance with the Green Building Strategy is mandatory for projects including rezoning. The project is targeting an energy performance rating 33% better than the Model National Energy Code for Buildings and will achieve a building performance equivalent to Built Green HD™ 'Gold' for both building forms. A detailed review of the green building measures will be provided in the development permit report should the project proceed.

CONCURRENCE:

Staff

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

Advisory Design Panel

The application was considered by the Advisory Design Panel on June 13, 2013 and the Panel passed the following motion:

**SUBJECT: BYLAWS 8024, 8025 AND 8030: OFFICIAL COMMUNITY PLAN
AMENDMENT, REZONING AND HOUSING AGREEMENT BYLAWS FOR A
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DOLLARTON HIGHWAY**

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THAT the ADP has reviewed the proposal and commends the applicant for the quality of the proposal and recommends **APPROVAL** of the project **SUBJECT** to addressing the following items to the satisfaction of staff:

- Further exploration of articulation of roofs with consideration of materials, colour and treatment of appurtenances;
- Consider greater variety of colour selections;
- Explore opportunities for enhancement of public realm with specific attention to Dollarton Highway frontage;
- Review of public pathway from Dollarton Highway to explore options for improving accessibility; and
- Explore opportunities for preserving or reflecting existing building elements and artifacts on site in the proposed development.

The applicant's design team has been working with staff to address these issues and will be discussed in a report on the development permit. An excerpt from the adopted minutes is included as Attachment F.

PUBLIC INPUT:

Public Information Meeting

The applicant held a Public Information Meeting, hosted by an independent facilitator, on June 11, 2013 at the Seymour Golf Club which was attended by between 60 and 70 residents. The initial open house was followed by presentations from the project team and a facilitated question and answer session. Questions related to:

- the potential loss of views from uphill lots;
- the potential widening of Dollarton Highway at the entry;
- design of the vehicle bridge to accommodate the weight of a fire truck;
- the provision of a traffic signal on Dollarton Highway at the entry;
- compliance with the Green Building Strategy;
- incorporation of geothermal heating;
- potential cost of the apartment and townhouse units;
- loss of industrial lands;
- public access to water;
- will there be a coffee shop/restaurant;
- potential for street trees to eventually block views from the north side of Dollarton Highway;
- the number of parking spaces proposed;
- provision of an eastbound right-turn lane into the project;
- inclusion of accessibility measures

The facilitator's report is included as Attachment G.

**SUBJECT BYLAWS 8024, 8025 AND 8030: OFFICIAL COMMUNITY PLAN
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DOLLARTON HIGHWAY**

December 13, 2013

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Comments to the District

In addition to the questions at the public information meeting the Planning Department also received a number of comment sheets and emails. Positive comments related to

- removal of the existing buildings and clean up the site.
- environmental enhancements to the creek,
- site remediation;
- opportunities for new views of the waterfront and public access to the foreshore,
- foreshore pedestrian connection to Cates Park, and
- a reduction in negative industrial impacts (noise, etc.)

On the negative side, concerns included

- potential loss of views from some residences across Dollarton Highway,
- the proposed parking variance for the apartment units and the suggestion that residents and visitors will park on surrounding streets. This concern is due, to resident experiences with overflow parking from Cates Park during summer months,
- increased traffic volumes,
- the proposed density of development;
- the desire by some for a small commercial space,
- the loss of waterfront industrial land, and
- the inability for the public to access the foreshore waterfront as suggested in the Preliminary Application

With respect to the reference to the parking, the applicant was initially seeking a variance for the apartment parking but has since revised the project to comply with current requirements. It was also suggested that the project contain a small amount of commercial space to accommodate a coffee shop or other type of retail food service. The developer commissioned a retail feasibility study which concluded that, given the limited residential population in the area, and the physical location of the site, a retail use would not be a viable component of the project.

Seymour Community Association and Seymour Local Plan Monitoring Committee

The proposal was circulated to the Seymour Community Association and the Seymour Local Plan Monitoring Committee and their comments are included as Attachments H and I, respectively. It should be noted that the Community Association's comments were those provided at the Preliminary Application stage and that since comments from both groups were prepared, aspects of the project have been revised (eg. parking for the apartment units).

Tsleil Waututh Nation

Upon application, the initial proposal, and subsequently the Detailed Site Investigation, were forwarded to the Tsleil Waututh Nation for comment and to date, no comments have been provided. However, Band staff indicated that comments may be forthcoming prior to a public hearing on the OCP and Rezoning bylaws.

**SUBJECT BYLAWS 8024, 8025 AND 8030: OFFICIAL COMMUNITY PLAN
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DOLLARTON HIGHWAY**

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Port Metro Vancouver

The project was also referred to Port Metro Vancouver for comment and the Port provided a response included as Attachment J. However, staff anticipate receiving additional comments from Port staff based on their discussions between the Port and Polygon on the rehabilitation plan for the foreshore lands.

CONCLUSION

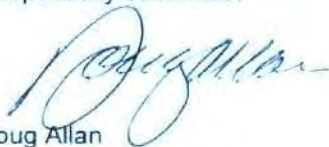
Aside from the change in the land use designation, this project addresses various OCP directions, in particular, those related to the protection of aquatic systems and the applicable development permit area guidelines related to form and character of multi-family development, energy and water conservation and greenhouse gas emission reductions and streamside protection. The project is now ready for Council consideration.

OPTIONS

The following options are available Council's consideration:

- 1) Introduce Bylaws 8024, 8025 and 8030 and refer Bylaws 8024 and 8025 to a Public Hearing (staff recommendation), or
- 2) Defeat Bylaws 8024, 8025 and 8030 at First Reading.

Respectfully submitted,



Doug Allan
Community Planner

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 & Environment	<input type="checkbox"/> ITS	<input type="checkbox"/> Recreation Com
<input type="checkbox"/> Economic Development	<input type="checkbox"/> Solicitor	<input type="checkbox"/> Museum & Arch
<input type="checkbox"/> Human resources	<input type="checkbox"/> GIS	<input type="checkbox"/> Other

3829 & 3919 Dollarton Highway, North Vancouver B.C.

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CHARACTER IMAGE



Appendix

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Journal of Internal Medicine 247: 391–396

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category: [Mammals](#) [Birds](#) [Reptiles](#) [Amphibians](#) [Fish](#) [Invertebrates](#) [Plants](#) [Fungi](#) [Protists](#)

Model	Log-likelihood
Model 1	-100.00
Model 2	-95.00
Model 3	-90.00

STAFF REPORT RESPONSE

www.ck12.org



DOLLARTON REZONING
3829 & 3919 Dollarton Highway
NORTH VANCOUVER, B.C.

COVER PAGE
STATISTICS

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Stem length	10.0 x 10.0 mm
Stem weight	10.0 x 10.0 mm

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DOLLARTON REZONING
3425 & 3515 Dolan Drive SE
NORTH WASHINGTON, DC

CHARACTER IMAGES

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1. Apartment 1 Perspective View
2. Apartment 2 Main Lobby View Looking East
3. Apartments Main Entry Lobby



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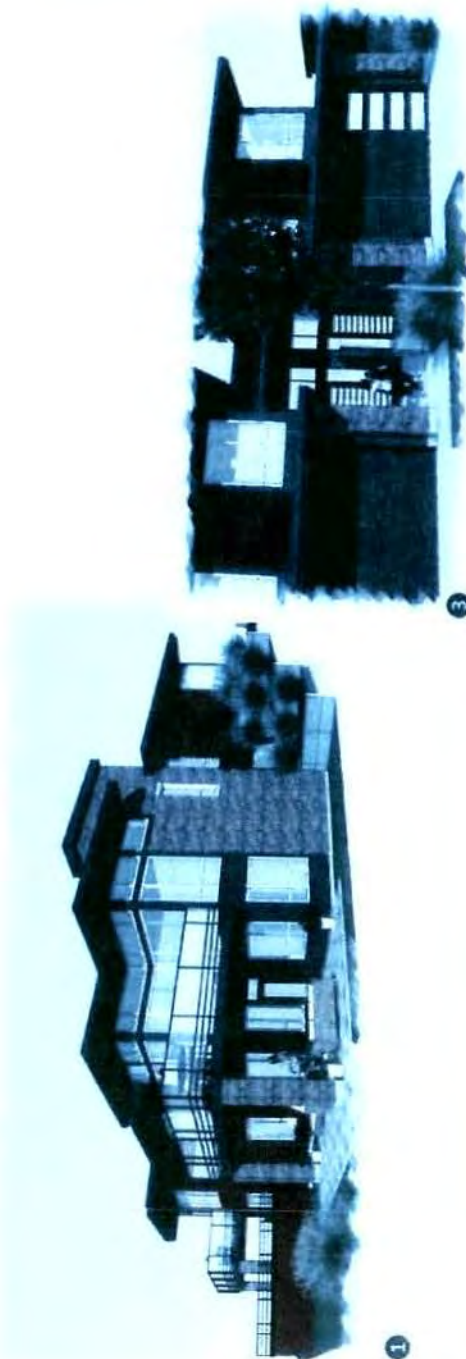
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- 1 Townhouse Duplex Side View
- 2 Townhouse 4Plus Rear Perspective View
- 3 Townhouse Middle Units Entry



3



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NOBLE COVE PHASE 1

BURRARD INLET

FUTURE RECREATION
BOATDOCK FACILITY

PROPOSED 15.5 SP



Richard H. Harris, Architect

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PROJECT
1. DOLLARTON REZONING
2. APARTMENT #1
3. SOUTH & EAST ELEVATIONS
4. 10/1/2012

STAFF REPORT RESPONSE

10/1/2012

10/1/2012
1. DOLLARTON REZONING
2. APARTMENT #1
3. SOUTH & EAST ELEVATIONS
4. 10/1/2012



DOLLARTON REZONING
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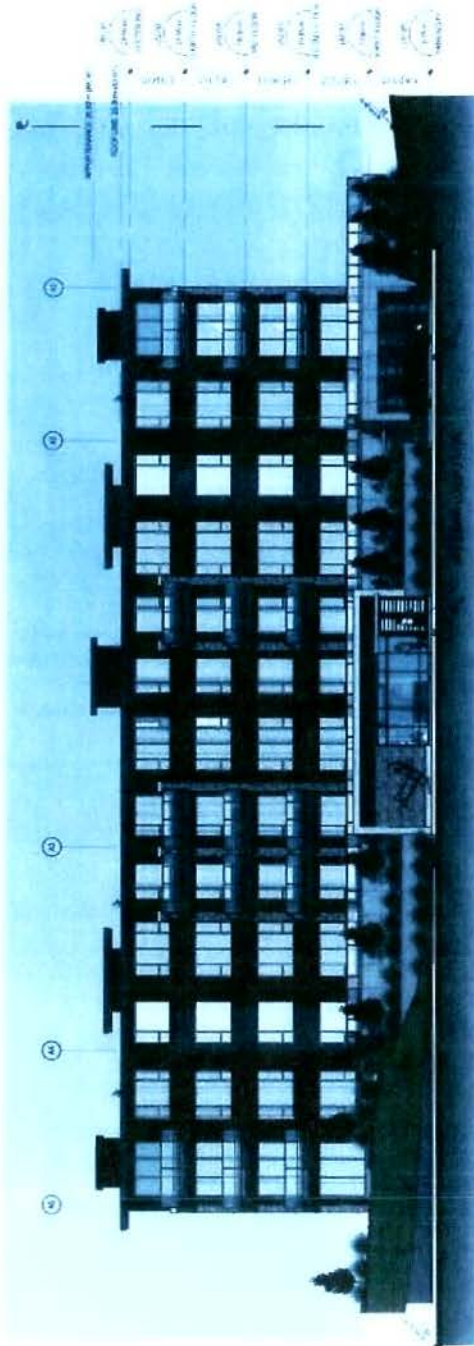
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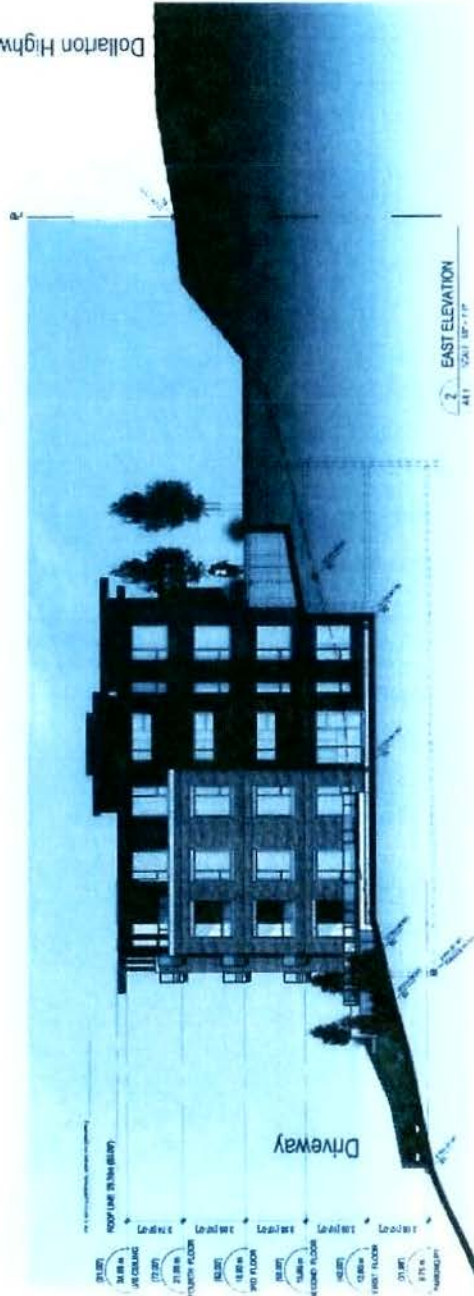
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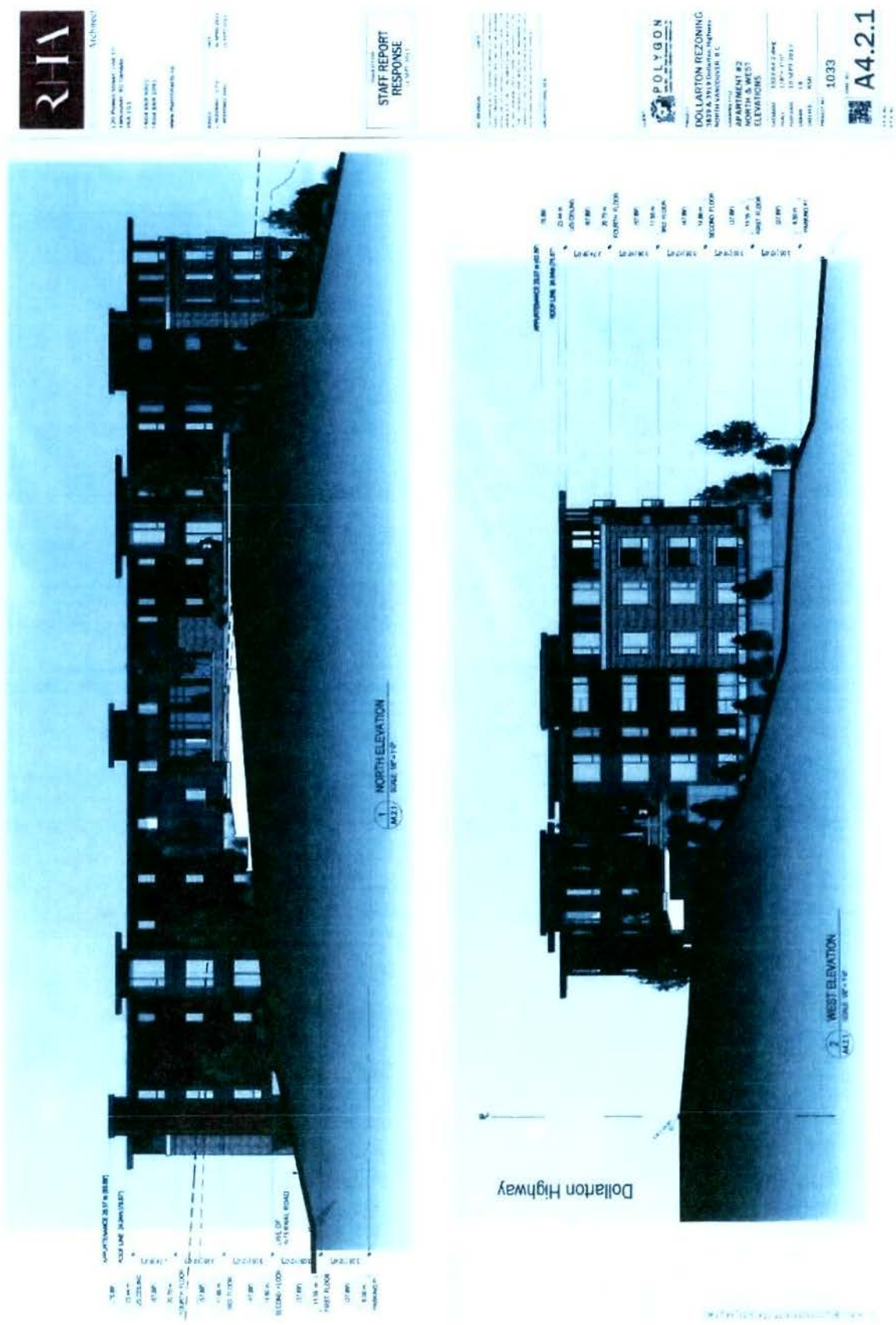
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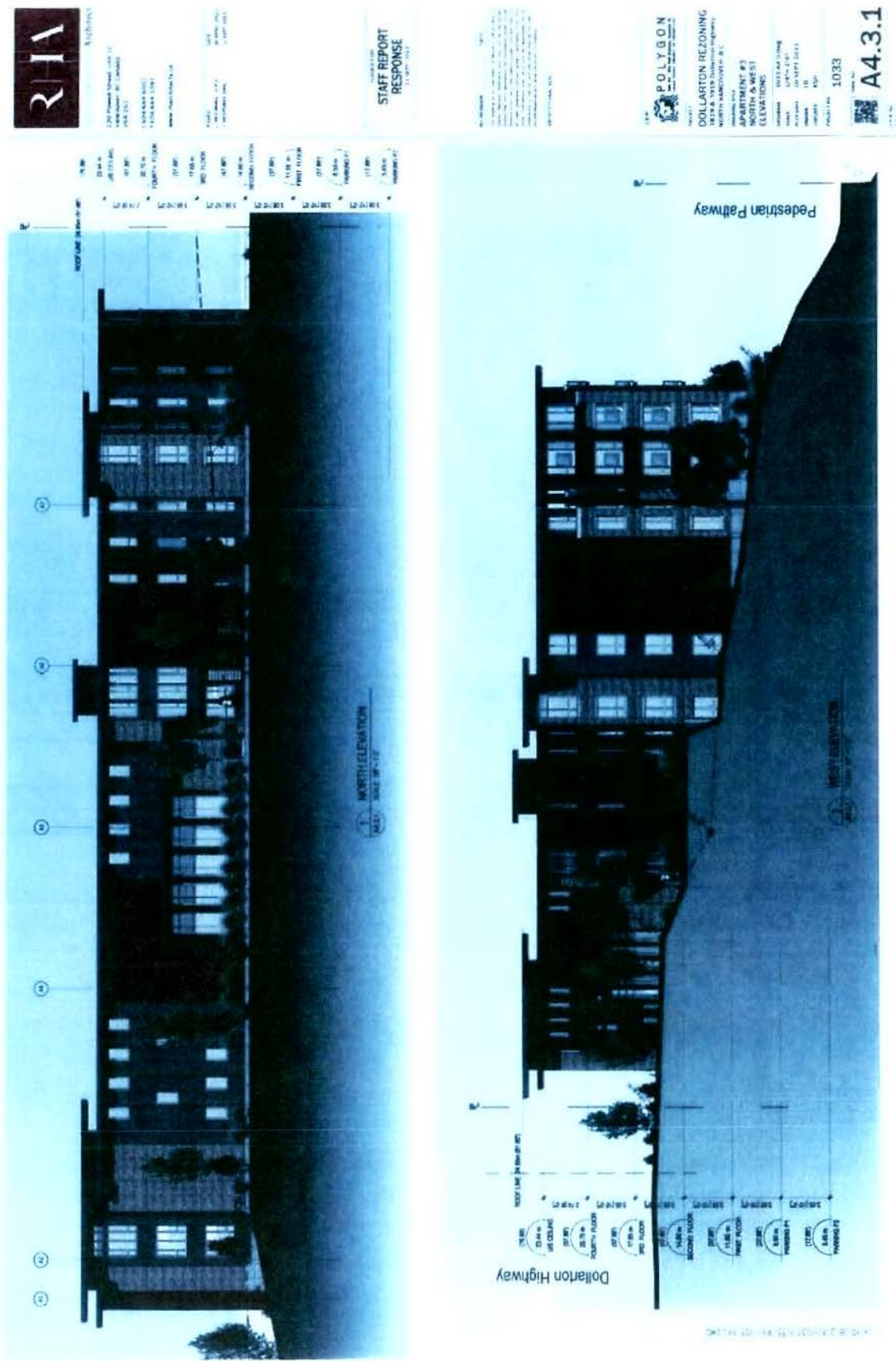


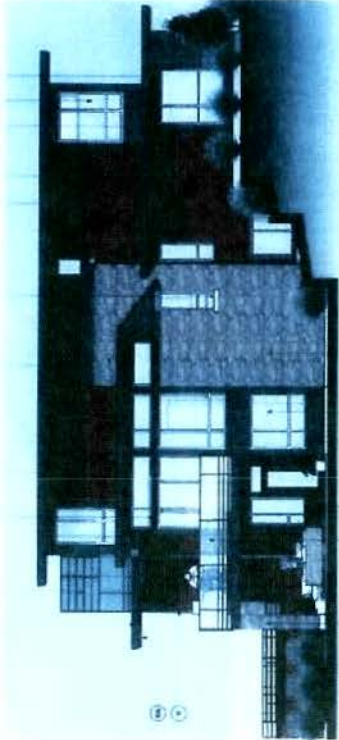
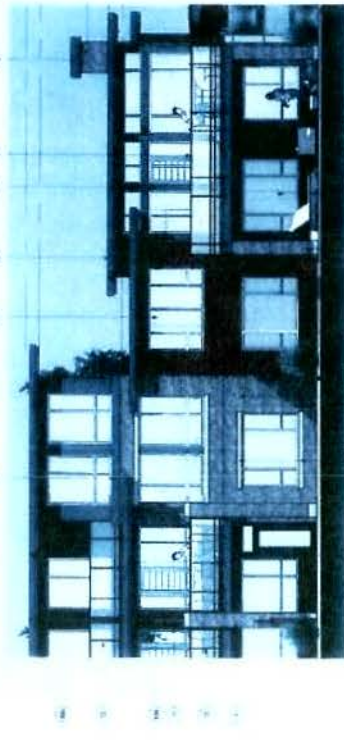

Dollarton Highway



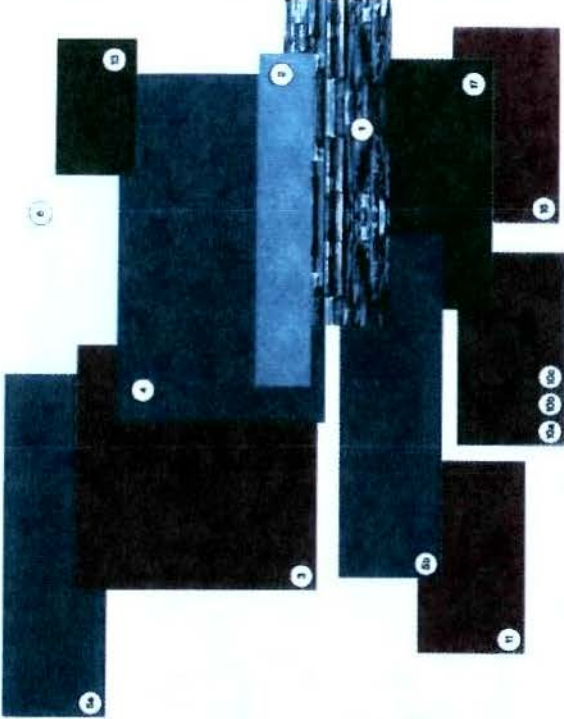






Materials Board



MATERIALS LEGEND

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Polygon Development

Ventable Cover

Site plan



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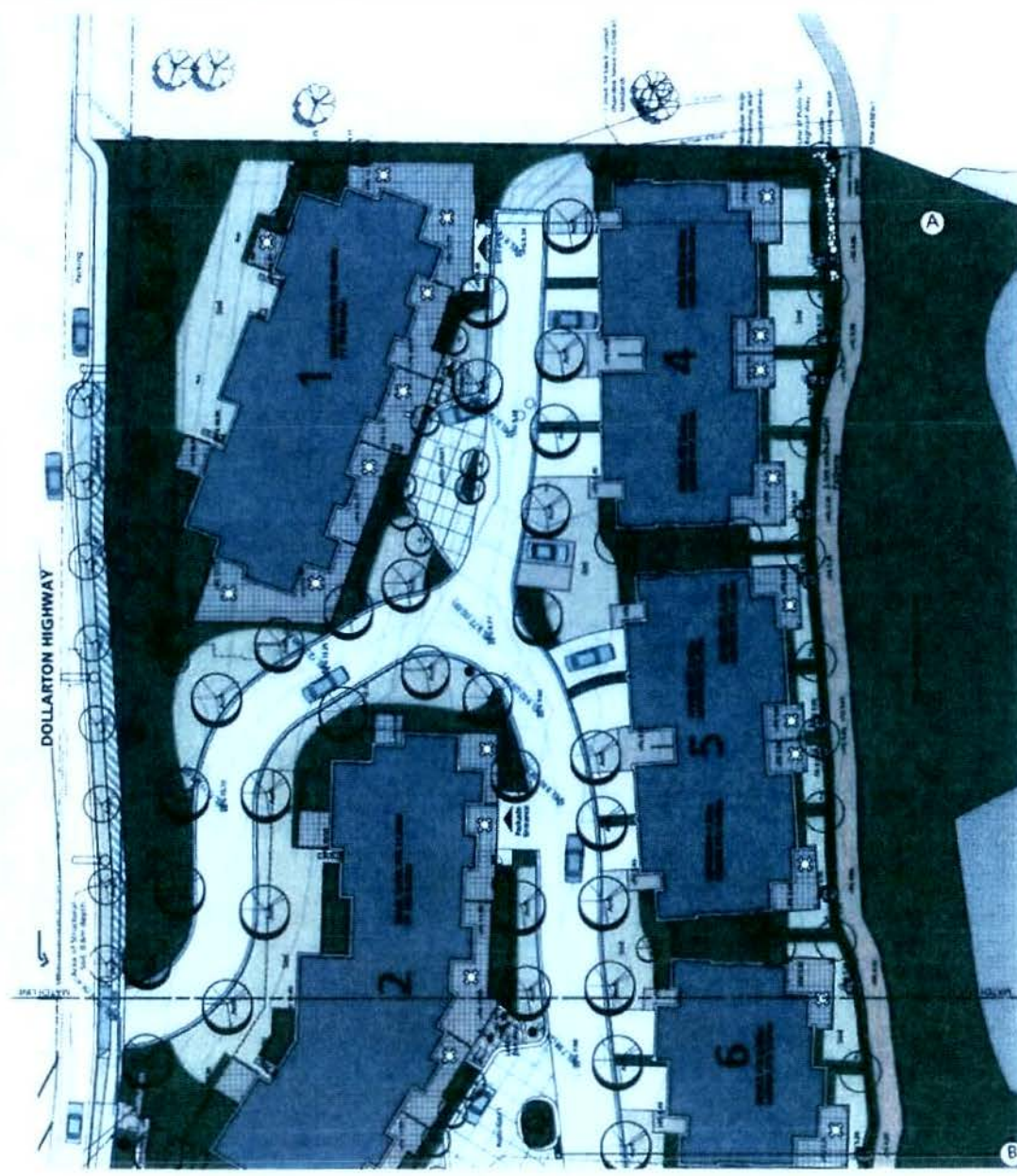
Polygon Development

Noble Cove

Landscape Plan



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P+A

Project: Noble Cove
 Location: Noble Cove
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 Scale: 1/8" = 1'-0"

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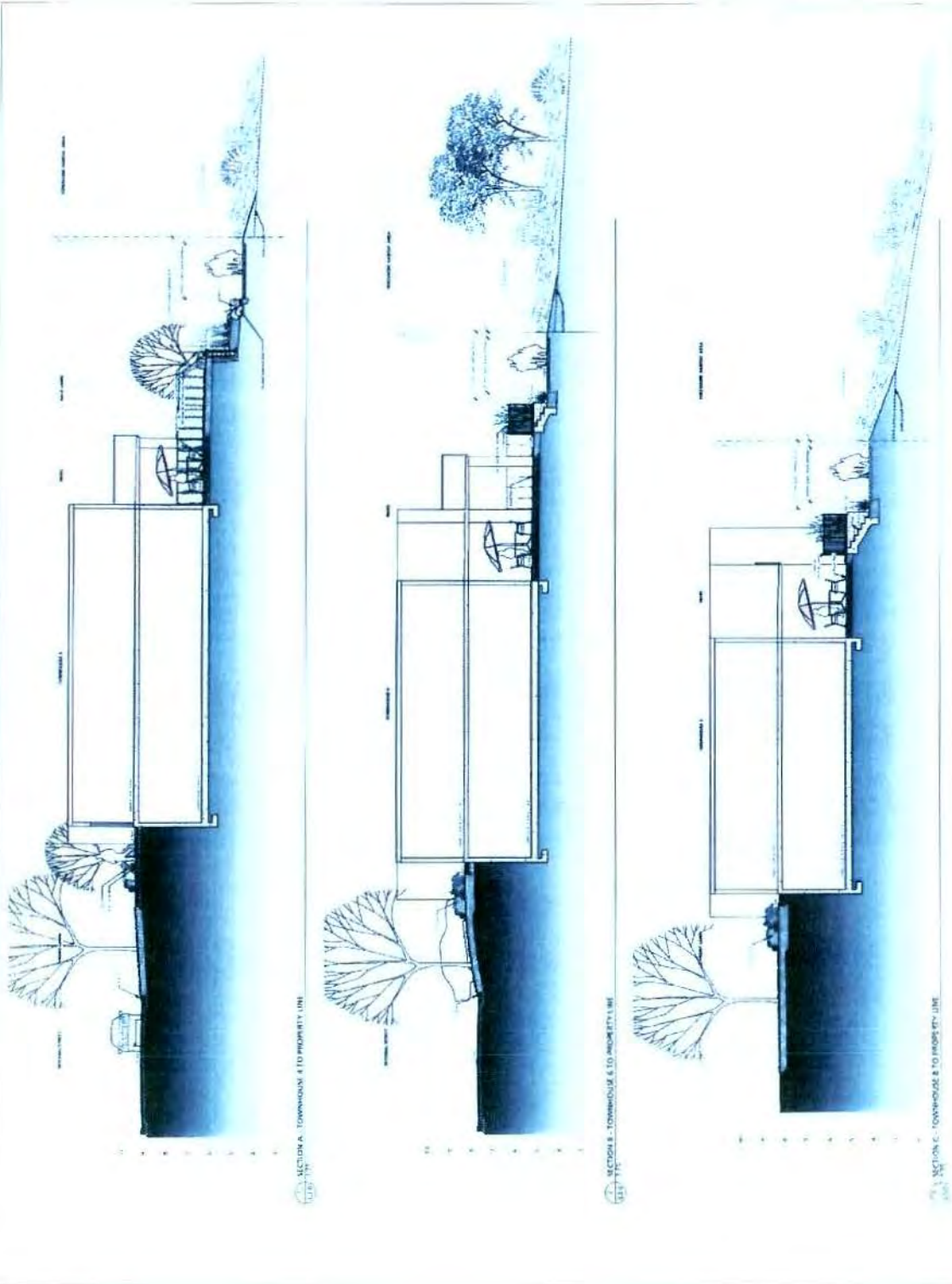
Polygon Development

Noble Cove

Landscape Sections

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19 November, 2013

Victoria File: 26250-20/3412 and 14456
Regional File: 26250-20/3412
SITE: 3412 and 14456

VIA FAX ONLY: 604 682-3497 and 604 984-9638

Pottinger Gaherty Environmental Consultants Ltd.
Suite 1200, 1185 West Georgia Street
Vancouver, B.C. V6E 4E6
Attention: David Bell

District of North Vancouver
355 West Queens Road
North Vancouver, B.C.
Attention: Richard Boase

Dear David Bell and Richard Boase:

Re: Release Request – Zoning, Subdivision and Development Permit Applications
3829 and 3919 Dollarton Highway, North Vancouver
PIDs: 008-965-358, 008-965-404, 015-994-937 and 015-994-902

This letter is to acknowledge receipt of the proponent's request for release of the above-referenced zoning, subdivision and development permit applications. According to our records, there is an outstanding requirement for a detailed site investigation for the subject site as outlined in our site profile decision letters dated 9 October, 2012. Investigation of all environmental media must be conducted until the full extent of contamination is determined at the site and which has migrated from the site. Section 58 and 59 of the Contaminated Sites Regulation describe the requirements for the conduct of preliminary and detailed site investigation and the content of reports based on those investigations.

The ministry has received the following information in support of a release request for the above-referenced application(s):

1. Written opinions from Duncan MacDonald, Approved Professional, dated 29 October, 2013 and from Marc Cameron, Approved Professional, dated 31 October, 2013 with the site investigation reports and remediation plan and schedule attached, confirming that:
 - (a) the parcel is a high risk site,

Ministry of Environment

Environmental Protection Division
Environmental Management Branch
Land Remediation Section

Mailing/Location Address
Second Floor
10470 162 Street
SURREY BC V3R 0Y3

Telephone (604) 582-5200
Facsimile (604) 584-9751
<http://www.env.gov.bc.ca>

- 2 -

- (b) all contamination at and migrating from the proponent's parcel has been delineated on the proponent's parcel and neighbouring parcels;
 - (c) remediation of all contamination at the proponent's parcel to applicable standards is achievable prior to occupancy; and
 - (d) once remediation is complete, the proponent's parcel will meet applicable environmental quality standards and criteria in the Regulation and will be eligible for a Certificate of Compliance.
2. A commitment in writing from Cynthia Melosky, Polygon Development Ltd., dated 28 October, 2013 indicating that the parcel will be remediated in accordance with the remediation plan

Based on the information provided, we are prepared to provide the necessary release so that the District of North Vancouver may proceed with approval of the zoning, subdivision and development permit applications. To that end, please accept this letter as notice pursuant to the *Local Government Act* (section 946.2(2)(e)) and *Land Title Act* (section 85.1(2)(e)), that the District of North Vancouver may approve the zoning, subdivision and development permit applications under this section because the Director has received and accepted a notice of independent remediation with respect to the site.

As a condition of the release and pursuant to section 54(3)(d) of the *Environmental Management Act* (Act), the Director imposes the following requirements on the proponent with respect to the site:

1. Remediation, including monitoring, inspections and maintenance of any works, undertaken on the parcel being developed must be completed in the manner specified in the remediation plan reports entitled "Stage 2 Preliminary Site Investigation, and Detailed Site Investigation 3829 to 3919 Dollarton Highway, North Vancouver, BC" and "Preliminary Problem Formulation 3829 to 3919 Dollarton Highway, North Vancouver, BC", prepared by Pottinger Gaherty Environmental Consultants Ltd., dated October 2013 for as long as the project proceeds, or as agreed by the Director in response to an acceptable request for modification.
2. Remediation must be completed within five years of the date of issue of this letter.
3. Additional reporting requirements are included in the ministry letter issued to Polygon Developments Ltd. for SITE 14456 dated 19 November, 2013.
4. Remediation must be confirmed in accordance with applicable legislation and ministry guidance. Within 90 days of completing remediation, a report summarizing confirmation of remediation must be prepared in accordance with section 49 (2) of the Contaminated Sites Regulation and submitted to the Director.
5. Immediately notify a Director and register a covenant under section 219 of the *Land Title Act*, incorporating the contents of the remediation plan, if the property is sold to

- 3 -

someone other than Polygon Development Ltd. before completion of the proposed development.

Please be advised of the following:

- The ministry recommends that the proponent review all aspects of the government's contaminated sites legislation and supporting guideline documents and protocols to ensure that all required information is collected and documented during investigation and where necessary, remediation of the site;
- Those persons undertaking site investigations and remediation at contaminated sites in British Columbia are required to do so in accordance with the requirements of the Act and its regulations. The ministry considers these persons responsible for identifying and addressing any human health or environmental impacts associated with the contamination;
- In cases of site demolition, we recommend that a survey of building materials and equipment be undertaken to identify any materials that require special management;
- Under the authority of the Act, all applications eligible under Protocol 6 must be submitted by an Approved Professional via the Contaminated Sites Approved Professional Society. For further clarification of application eligibility please see Protocol 6, "Eligibility of Applications for Review by Approved Professionals";
- Fees are applicable for the ministry's contaminated sites services, pursuant to section 9 of the Contaminated Sites Regulation. Information on the government's contaminated sites legislation and supporting guideline documents and protocols as well as a Contaminated Sites Services Application Form can be obtained from the ministry's Land Remediation web page located at: <http://www.env.gov.bc.ca/epd/remediation/>; and
- Penalties for noncompliance with the contaminated sites requirements of the Act and Regulation are provided in section 120(17) of the Act.

Decisions of a Director may be appealed under Part 8 of the Act.

- 4 -

Please contact the undersigned at 604 582-5377 if you have any questions about this letter.

Yours truly,



Vincent Hanemayer
for Director, *Environmental Management Act*

vch\

cc: Cynthia Melosky, Polygon Development Ltd. Fax: 604 876-1258

The Corporation of the District of North Vancouver

Bylaw 8024

A bylaw to amend The 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 "The District of North Vancouver Official Community Plan Bylaw 7900, 2011, Amendment Bylaw 8024, 2013 (Amendment 8)".

2. Amendments

- a. The following amendment is made to the "District of North Vancouver Official Community Plan Bylaw 7900, 2011":
 - i. Map 2 Land Use: by changing the land use designation of the site, legally described as Lot 1, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-358); Lot 2, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-404); the east 66 feet of the west 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-937), and the centre 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-902) from "**Commercial Residential Mixed Use Level 1 (CRMU1)**" to "**Residential Level 4: Transition Multi-Family (RES4)**" as illustrated on Bylaw 8024 Schedule "A" attached, with the exception of any part of said lands that are dedicated as highway pursuant to section 107 of the Land Title Act

READ a first time this the

PUBLIC HEARING held on this the

READ a second time this the

READ a third time this the

ADOPTED this the

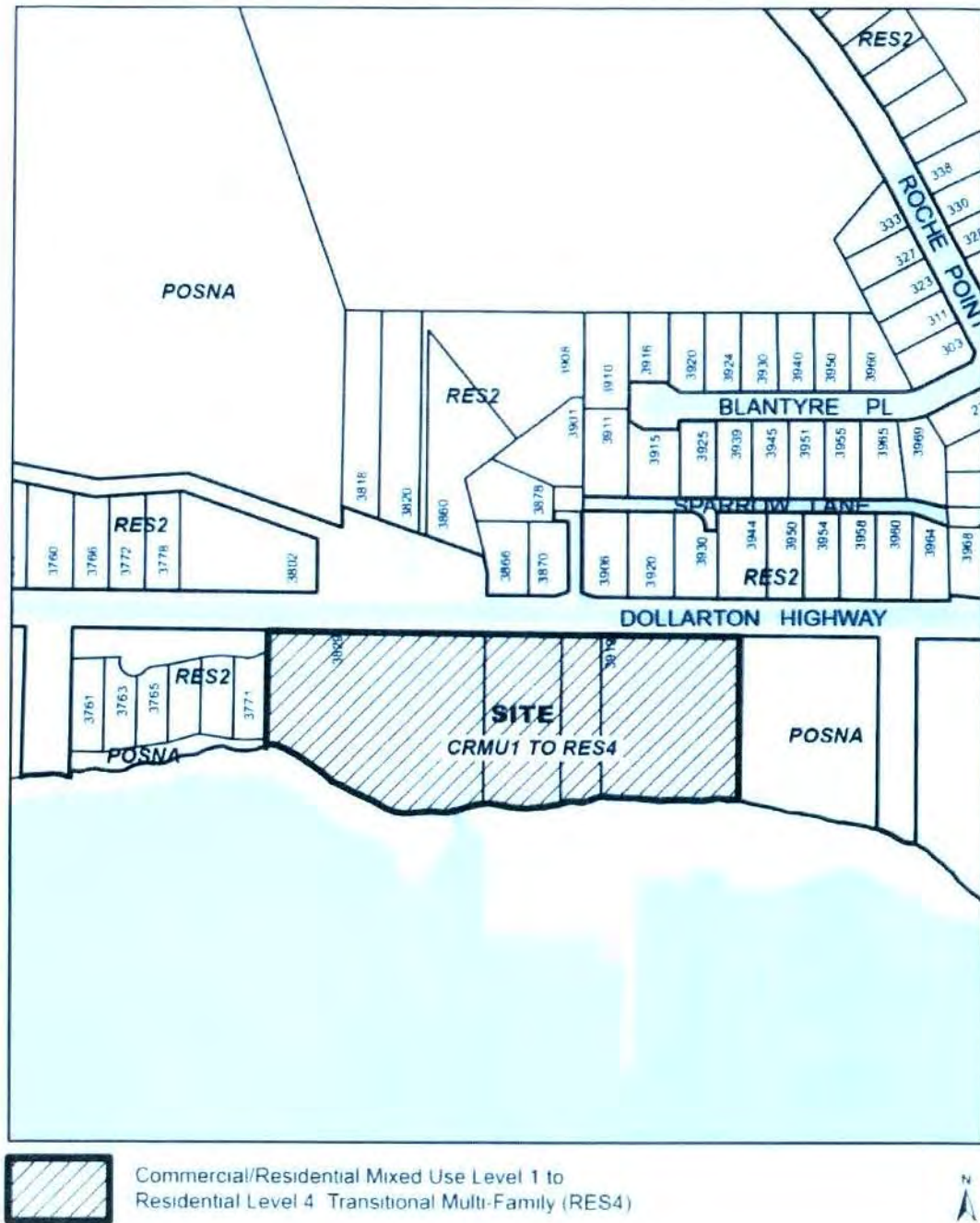
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

BYLAW 8024 SCHEDULE A: OCP MAP



Document 2229038

The Corporation of the District of North Vancouver

Bylaw 8025

A bylaw to amend the 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 "The District of North Vancouver Rezoning Bylaw 1301" (Bylaw 8025)".

2. Amendments

The following amendments are made to the "District of North Vancouver Zoning Bylaw 3210, 1965":

(A) Section 301(2) by inserting the following zoning designation:

"Comprehensive Development Zone 77 CD77"

(B) Part 4B Comprehensive Development Zone Regulations by inserting the following:

" 4B77 Comprehensive Development Zone 77 CD77

4B77-1) Intent:

The purpose of the CD77 Zone is to establish specific land use and development regulations for a 95 unit mixed apartment and townhouse project.

4B77-2) Uses:

The following *principal uses* shall be permitted in the Comprehensive Development 77 Zone:

(a) Uses Permitted Without Conditions:

- (i) Residential building, low rise apartment, and
- (ii) Residential building, multiple-family townhouse

(b) Conditional Uses:

Not Applicable

4B77-3) Conditions of Use:

Not Applicable

4B77-4) Accessory Uses:

(a) *Accessory uses* are permitted and may include but are not necessarily limited to

- (i) Home occupations in accordance with the regulations in Section 405 of the Zoning Bylaw, 1965

4B77-5) Density:

(a) The maximum permitted density in the CD77 Zone is limited to a floor space ratio (FSR) of 0.3, inclusive of any density bonus for energy performance.

(b) For the purposes of calculating floor space ratio, the area of underground parking garages, underground mechanical rooms, underground garbage and recycling collection areas, underground storage areas and above ground electrical/mechanical rooms, is exempted.

4B77-6) Amenities:

Despite subsection 4B77-5, density in the CD77 Zone is increased to a maximum floor space ratio of 0.9 FSR, inclusive of any density bonus for energy performance, if the owner:

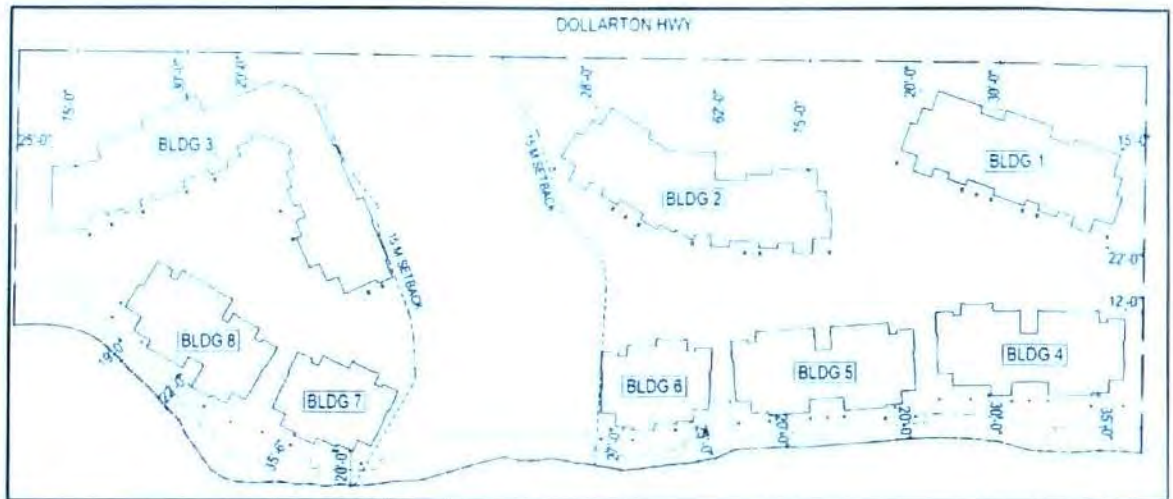
1. Enters into a Housing Agreement requiring a rental disclosure statement to be filed and prohibiting any strata bylaw or regulation rental restrictions; and
2. Contributes \$1,863,720 to the municipality to be used for any or all of the following amenities (with allocation to be determined by the municipality in its sole discretion): public art; park, trail, environmental or other public realm improvements; municipal or recreation service or facility improvements, and/or the affordable housing fund

4B77-7) Maximum Principal Building Size:

Not applicable

4B77-8) Setbacks:

Buildings and structures shall be set back from property lines to the principal building face in accordance with the following setback plan:



4B77-9) Building Orientation:

Not applicable

4B77-10) Building Depth and Width:

Not applicable

4B77-11) Coverage:

- (a) Building Coverage shall not exceed 42%.
- (b) Site Coverage shall not exceed 60%.

4B77-12) Height:

The maximum permitted height for each building type is

- (a) Apartment building: 16.2m (53ft.)
- (b) Townhouse building: 9.9m (32.5ft.)

4B77-13) Acoustic Requirements:

In the case of residential purposes, a development 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 in those portions of the dwelling listed below shall not exceed 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

4B77-14) Landscaping:

- (a) All land areas not occupied by buildings, structures, parking spaces, loading spaces, driveways, manoeuvring aisles and sidewalks shall be landscaped or finished in accordance with an approved landscape plan; and
- (b) All electrical kiosks and garbage and recycling container pads not located underground or within a building shall be screened with landscaping

4B77-15) Subdivision Requirements:

Not Applicable

4B77-16) Additional Accessory Structure Regulations:

Not applicable

4B77-17) Parking and Loading Regulations:

- (a) Parking spaces shall be provided on the basis of 2 spaces/unit inclusive of designated visitor and parking for persons with disabilities;
 - (b) All regular, small car and handicapped parking spaces shall meet the minimum width and length standards established in Part 10 of this Bylaw;
 - (c) All manoeuvring aisles shall meet the minimum width standards established in Part 10 of this Bylaw; and
 - (d) A minimum of 16 Class 2 bicycle parking spaces are required for the apartment units "
- (C) The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from the Waterfront Industrial Zone (I1) to Comprehensive Development Zone 77 (CD 77), with the exception of any part of the said lands that are dedicated as highway pursuant to section 107 of the Land Title Act

READ a first time this the day of

PUBLIC HEARING

READ

READ

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

BYLAW 8025 SCHEDULE A: ZONING MAP



The Corporation of the District of North Vancouver

Bylaw 8030

A bylaw to enter into a Housing Agreement (3829 and 3919 Dollarton Highway)

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 8030, 2014".

2. Authorization to Enter into Agreement

2.1 The Council hereby authorizes the agreement, substantially in the form attached to this Bylaw as Schedule "A", between The Corporation of the District of North Vancouver and Polygon Development 270 Ltd. with respect to the following lands:

- a) Lot 1, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-358);
- b) Lot 2, Blocks A and D, District Lot 230, Plan 12037 (PID: 008-965-404);
- c) the east 66 feet of the west 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-937); and,
- d) the centre 1/3 of Lot A (Reference Plan 757), District Lot 230, Group 1, New Westminster District (PID: 015-994-902)

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 this the

READ a second time this the

READ a third time this the

ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8030

SECTION 219 COVENANT – HOUSING AGREEMENT

This agreement dated for reference the _____ day of _____, 20____ is

BETWEEN:

POLYGON DEVELOPMENT 270 LTD. of _____

(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;
- B. The Owner wishes to obtain development permissions with respect to the Lands and wishes to create a condominium development which will contain housing 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. A covenant registrable under Section 219 of the *Land Title Act* may include provisions in respect of the use of land, the use of a building on or to be erected on lands; that land is to be built on in accordance with the covenant, is not to be built on except in accordance with that covenant or is not to be built on; that land is not to be subdivided unless in accordance with the covenant or is not to be subdivided.

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 is 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*, and as a contract and a deed under seal between the parties and the parties hereto further covenant and agree that the Lands shall not be used or built on except in accordance with this Covenant as follows:

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 development on the Lands contemplated in the Development Permit containing not more than 95 Units;
- (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 8030 and will remain in effect until terminated by the District.

3. RENTAL ACCOMMODATION

3.01 Rental Disclosure Statement

No Unit in any building on the Lands that has been strata title subdivided under the *Strata Property Act* may be occupied unless the Owner has:

- (a) before the first Unit in the said strata subdivision 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 in the said strata subdivision 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 in the said strata subdivision before the prospective purchaser enters into an agreement to purchase in respect of the Unit.

3.02 Rental Accommodation

Every Unit 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.

3.03 Binding on Strata Corporation(s)

This agreement shall be binding upon all strata corporations created upon the strata title subdivision of the Lands or any building on the Lands pursuant to the *Strata Property Act*.

3.04 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.

3.05 No Bylaw

The strata corporation(s) 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.

3.06 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.

3.07 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*.

4. DEFAULT AND REMEDIES

4.01 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 receipt of 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 on demand by the District 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 for the negligence of the District or its employees, agents or contractors, the Owner will indemnify and save harmless each of the District 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 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 or the Owner's ownership, operation, management or financing of the Proposed Development or any part thereof.

5.02 Release

Except to the extent such advice or direction is given negligently, 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 or powers 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; and
- (c) The District may at any time 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 in priority to all charges and encumbrances which are registered, or pending registration, against title to the Lands in the Land Title Office, save and except those as have been approved by the District or have been granted in favour of the District.

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, by facsimile transmission, 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
Facsimile: (604) 984-9683

If to the Owner:

Attention:
Facsimile: (604)

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; if made by facsimile transmission, on the first business day after the date when the facsimile 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.

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" 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 8030.

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.

CONSENT AND PRIORITY AGREEMENT

GIVEN THAT:

- A. _____ (the "Owner") is the Registered Owner of the Land described in Item 2 of Page 1 of the Form C (the "Land");
- B. The Owner granted _____ (the "Prior Chargeholder") a Mortgage and Assignment of Rents registered against title to the Land in the Lower Mainland Land Title Office (the "LTO") under Nos. _____, as extended by _____ and _____, as extended by _____ (together, the "Prior Charge");
- C. The Owner granted to THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER (the "District") a Covenant attached to this Agreement and registered against title to the Land in the LTO immediately before registration of this Agreement (the "Subsequent Charge"); and
- D. Section 207 of the *Land Title Act* permits the Prior Chargeholder to grant priority over a charge to the District as Subsequent Chargeholder.

THEREFORE this Agreement is evidence that in consideration of \$1.00 and other good and valuable consideration received by the Prior Chargeholder from the District (the receipt and sufficiency of which the Prior Chargeholder acknowledges):

- 1. The Prior Chargeholder consents to the granting and registration of the Subsequent Charge and the Prior Chargeholder agrees that the Subsequent Charge shall be binding upon their interest in and to the Land.
- 2. The Prior Chargeholder grants to the District, as a Subsequent Chargeholder, priority for the Subsequent Charge over the Prior Chargeholder's right, title and interest in and to the Land, and the Prior Chargeholder postpones the Prior Charge and all of their right, title and interest thereunder to the Subsequent Charge as if the Subsequent Charge had been executed, delivered and registered prior to the execution, delivery and registration of the Prior Charge.

As evidence of its agreement to be bound by the terms of this instrument, the Prior Chargeholder has executed the Land Title Office Form C to which this Agreement is attached and which forms part of this Agreement.

- END OF DOCUMENT -

EXCERPT FROM THE MINUTES OF THE JUNE 13, 2013 MEETING OF THE ADVISORY DESIGN PANEL

a. 3829-3919 Dollarton Highway – Detailed Application for 95 unit apartment/townhouse project.

Mr. Doug Allan of the Planning Department provided a brief review of the application and the site context. It was noted that the proposal is a detailed application that involves the redevelopment of 4 ship repair properties to a mixed apartment and townhouse project involving 80 apartment units and 15 townhomes. The apartment units are located in three, four-storey buildings each with underground parking. The townhouses are in five blocks arranged along the waterfront.

It was noted that this project has a number of development issues that the design team have taken into consideration, including impacts on neighborhood views, site contamination, creek restoration, wildlife protection, flood construction levels, public access to the foreshore, and archeological impacts.

The Chair thanked Mr. Allan for his presentation and welcomed the applicant team to the meeting. The Chair outlined the procedure to be followed in presenting the proposal and for the review by the Panel.

Mr. Keith Hemphill of Rositch Hemphill Architects made some opening comments and reviewed the proposal. Mr. Hemphill commented that the site includes a number of constraints which the design team has taken into consideration. It was noted that the site planning is derived by the contours of the site, with the taller buildings tucked into the slope and the townhomes near the waterfront. Walkways and driveways have been designed to provide for ease of accessibility by pedestrians, visitors and emergency vehicles.

Existing views of residents on the north side of Dollarton Highway were consulted and the impacts on their views modeled. The project's height and preferred flat roof design are outcomes of this consultation.

Mr. Hemphill reviewed the colour and material choices for the development.

Mr. Rob Barnes from Perry and Associates Landscape Architecture spoke to the landscaping plans noting the intention to create a sustainable landscape using native materials and plantings, pathways with permeable surfaces, and clean-up and enhancement of the waterfront. As part of the development, the existing stream that crosses the site is proposed to be rehabilitated to improve its usefulness as fish habitat.

Many of the industrial artifacts from the prior shipbuilding businesses are planned to be used as public art throughout the development.

Pedestrian access is proposed from Dollarton Highway down to the waterfront. The proposal includes a waterfront pathway to allow easy access along the waterfront, which will connect to the trail fronting Cates Park. The townhome patios facing south will be slightly elevated to improve the relationship the public pathway. Discussions are

currently underway with Port Metro Vancouver to allow for 14-15 boat slips for the use of the homeowners.

The Chair thanked the project team for the presentation and asked if there were any questions of clarification from the Panel members

Questions of clarification were asked on the following topics

Proposed boat slips for private or public use? Private.

Has the provision of boat slips at the existing pier been reviewed, including potential for public use? As the structure extends a water lot lease, Port Metro Vancouver has jurisdiction and will be reviewing this component of the project. While the applicant views this as a private dock for the benefit of the project residents, the District would like to discuss with the applicant and Port Metro Vancouver the opportunity of accommodating some public access to the proposed dock.

Type of roof and material? Flat roofs, with centralized exhaust air ducting to reduce the number of vent perforations. The roof material has not been finalized, and it is possible that some form of pattern or texture may be incorporated

Paving material of road? Asphalt will be used with some feature paving elements to be used at the entrance to each apartment building.

Stormwater management? Drainage is proposed into the ocean but will be bio-filtered in creek riparian areas.

Lighting plans? Low impact street lighting is intended and finalized approach will balance the intent to reduce light levels with the need for safe vehicle movements.

Sustainability target? Built Green Gold.

Approved fire access locations? Main entrance and secondary emergency access on the west end of the property. It was noted that fire truck ladders can access the roofs of all three buildings apartment buildings from Dollarton Highway

Clarification on stone trim material? The use of a high quality cultured stones in warm earth tones is proposed.

Clarification on panel material and installation? Grey or brown Hardi-plank is proposed with exposed fasteners.

Consideration of green roof elements? Have not been considered as green roofs create design and certification challenges on wood frame buildings.

Fence proposed along Dollarton Highway? No, the area at the entrance is very steep so access is clearly defined.

Has accessible parking been clearly identified? Yes, there will be visitor stalls and marked accessible parking stalls in the underground parking garages

Will underground parking entrance allow for access by special needs vans? Yes, garage has been designed to accommodate these vans

Is the proposed stone element related to any visible natural stone in the environment? There is not much visible stone in this area but the intent is to use a type of stone that occurs elsewhere in BC.

The Chair thanked the applicant team and staff for their clarifications and asked for comments from the District Urban Design Planner, Mr. Alfonso Tejada.

Mr. Tejada made some comments with regard to the relationship of the project to the homes to the north on Dollarton Highway and how these homeowners will perceive the development. Mr. Tejada suggested that the relationship could be improved by creating some minor variations in the proposed flat roofline, particularly to reflect the fact that not all of the existing homes have the same view of the proposed development.

It was noted that the appearance of proposed "building two" and "building three" are each very long (in excess of 45 meters). Further, the north and south elevations of all of the apartment buildings is somewhat lacking in articulation or variation in colour.

Mr. Tejada concluded his comments by suggesting that some attention be paid to the pedestrian path from Dollarton Highway with a suggestion that the entrance area should be highlighted and made more accessible, with exploration of an opportunity to extend the central pedestrian spine to the water's edge.

The Chair thanked Mr. Tejada for his input and invited comments from the Panel.

The Panel members thanked the applicant for their presentation and remarked on the applicant's positive effort with a very challenging site.

Panel members echoed many of Mr. Tejada's comments regarding the large expanses of flat roofs. Suggestions were made that the project would appear ideal for a green roof approach, but it was recognized that the wood frame construction presents challenges.

Panel members suggested that the applicant consider adding some variation to the roofs, minimize the dark color, and reduce the roof overhang. Also offered, was a suggestion that the design team provide a setback at the fourth floor levels of each of the apartment buildings to help break up the roof lines.

It was noted that the project could benefit from a warmer and more varied colour palette and the use of cedar siding instead of Hardi-plank. It was also suggested that the elevator penthouses could be finished in a more neutral colour to avoid drawing attention to them. It was further suggested that thinner design for the window frames would help achieve a cleaner result.

Some concerns were expressed as to whether the proposed apartment buildings would be considered as five-storey buildings with regard to fire code compliance, and that this issue, as well as the need for fire walls, should be explored carefully.

Panel members noted some concern with a lack of gathering spaces for residents could gather, and it was suggested that the creek crossing seemed like a good location for these types of activities. Further, it was noted that some pedestrian presence on Dollarton Highway would be positive, and related to this, an opportunity for improved wayfinding, perhaps through the use of different materials.

Some discussion took place regarding the history of the area and while Panel members noted an appreciation for the various artifacts to be placed at the site, it was felt there could be more opportunity to reflect the history of the area

The Panel commented that a physical model would have been very helpful in understanding the site challenges. It was noted that the horizontal elements highlighted in the project at the preliminary application stage could be further accentuated in the current design of the project.

The Chair thanked the Panel for their comments and invited the project architect to respond to the comments made by the Panel.

Mr. Keith Hemphill of Rositch Hemphill Architects thanked the Panel for the comments and input and noted that the design team will take these comments into consideration.

The Chair thanked the project architect and invited the Panel to compose a motion.

MOVED by Cedric Burgers and **SECONDED** by Kevin Hanvey.

THAT the ADP has reviewed the proposal and commends the applicant for the quality of the proposal and recommends **APPROVAL** of the project **SUBJECT** to addressing the following items to the satisfaction of staff:

- Further exploration of articulation of roofs with consideration of materials, colour and treatment of appurtenances;
- Consider greater variety of colour selections;
- Explore opportunities for enhancement of public realm with specific attention to Dollarton Highway frontage;
- Review of public pathway from Dollarton Highway to explore options for improving accessibility, and
- Explore opportunities for preserving or reflecting existing building elements and artifacts on site in the proposed development.

MOTION CARRIED
(1 opposed)



Proposed Project
Polygon Development 270 Ltd.
3829 – 3919 Dollarton Hwy
District of North Vancouver
Public Information Meeting
Tuesday, June 11, 2013

Summary Report of the Evening

Duration of Event 7:00 p.m. to 8:30 p.m.

Location: Seymour Golf and Country Club

District of North Vancouver:

Doug Allan – Community Planning Department

Project Consultant Team:

Cynthia Melosky, VP Development, Polygon
 Keith Hemphill, Rositch Hemphill Architects
 Rob Barnes, Perry + Associates, Landscape Architects
 Fred Ciambrelli, Creus Engineering Ltd.
 Brian Wallace, BWB Consulting Ltd.
 Bruce Nidle, Pottinger Gaherty Ltd.
 Will Gaherty, Pottinger Gaherty Ltd.

Facilitator: Brenda Chaddock, Odyssey Leadership Centre

Attendees: Approximate estimate of attendees is between 60 and 70. Some arrived early and left during the meeting and others arrived later.

6:30 : Gathering of attendees. Refreshments and informal review of project display boards with informal conversations with the Consultant Team members.

7:00 pm. Welcome by Cynthia Melosky, on behalf of Polygon

Brenda Chaddock provided an overview of the agenda, introduced the Consultant Team and their roles, including formal presenters of information on the development plan and those acting as resources for

specific areas of inquiry. Brenda also introduced Doug Allan, Community Planner who attended both as an observer and to provide clarification on applicable processes and policies.

Presentations:

Keith Hemphill opened with a comprehensive summary of the development plan using projected drawings to illustrate various aspects of the proposed project and referred to the plans displayed around the room.

Rob Barnes described the landscape plans including the intention of using as many indigenous plants / trees as possible.

Bruce Nidle spoke to the Habitat Enhancement plan for Roche Point Creek and **Will Gaherty** acknowledged the potential for contamination and described the site investigation process as a precursor to developing a specific remediation plan.

7:30 p.m.: Questions and Responses:

Q: Were the sight lines from the streets above Dollarton Highway considered?

R: Keith – In addition to meeting with residents at their homes, opposite the development site on Dollarton Highway, he visited residences individually on Sparrow & Blantyre.

Q: Will Dollarton Highway be widened at the entrance to the complex?

R: Keith – The existing apron will be added to Dollarton Hwy and a left hand turn lane for west bound traffic has been provided at the request of the District.

Q: Does the fire department have sufficient access and are there any concerns regarding the ability of the bridge to carry the weight of the fire truck. The speaker also inquired as to whether a fire truck would drive over any of the apartment building underground parking structures. (It was later learned that this questioner was a fireman who had experiences with damage to bridges).

R: Keith – Assured that the bridge capacity is sufficient to handle the weight of the fire trucks. Access is from the main road and via the separate fire access road to the west.

Q: Is the project being built with LEED Green standards?

R: Keith - Yes, LEED Green standards will be followed including water management, lighting, heating and ventilation.

Q: Will the project incorporate a geothermal heating system?

R: No

Q: Will there be a traffic light at the entrance?

R: Brian – No. The traffic density will be approximately one vehicle per minute during commute hours and it has been determined that a signal is not warranted.

Q: Has the issue regarding the walking trail been resolved with Tsleil-Waututh?

R: Keith – Yes

Q: How much will the units cost?

R: Cynthia – Apartments will be \$650,000 to \$850,000. The townhouses will be roughly \$1.5 million. These are approximate projections as pricing will be driven by the market at the time

Q: Is access affected by District land ownership (lease)?

R: Cynthia – All land is freehold except for the foreshore which is Ports Metro Vancouver land.

Comment: Industry is being eliminated by this project

Q: Does this fit with the OCP?

R: Doug Allan -The site is currently designated as Commercial Residential Mixed Use Level 1. As the project is for residential uses only, an amendment to the OCP is required if the project is to move ahead.

Q: Will there be public access to the water?

R: Keith – As designed, the public will be able to approach the waterfront but only on the proposed waterfront walkway. Port Metro Vancouver is the owner of the foreshore lands and in discussions with the applicant have advised that they do not see the public being able to access this area which is intended as an area to be used for habitat compensation. The interior trail from Dollarton Highway towards the foreshore is public but the intention is to prohibit any public access to the proposed dock which is to be a private facility for the future residents. However, it remains to be determined how residents with kayaks or canoes will be able to launch their craft if there is no access to the Port's foreshore lands.

Q: Will there be a coffee shop / restaurant?

R: Cynthia -This has been previously explored and is not in the current plan as it is not deemed to be economic.

Q: Can this topic be re-opened for consideration?

R: Cynthia - The application is for rezoning to residential with no commercial component.

Note: Regarding this topic, there were several opinions expressed both for and against, including the current distance to a coffee shop at Dollarton Village, which was seen to be an increasing challenge to aging residents. Others felt commercial business was not appropriate nor of benefit.

Comment: Concern about trees growing too tall and obscuring view of uphill residents, and attendee made recommendations regarding what types of trees to avoid.

R: Rob – Thanked the respondent and agreed to review the choice of street trees.

Comment: Sight lines are deceiving as the existing buildings only block a small portion of the view.

R: Keith – We will be happy to show the three dimensional model as observed from the residents of the uphill houses. These illustrations can be ready for staff and Council's consideration.

Q: Is the land at the foreshore public land and is it accessible to the public?

R: Bruce –The foreshore lands are owned by Port Metro Vancouver and the plan is to utilize these lands for habitat compensation. Several speakers requested that Polygon discuss this issue with the Port as expanded public access towards the water was seen as a benefit to the project and community.

Q: How many parking spaces are proposed?

R: Keith – 167 spaces are proposed for both the apartment and townhouse units but the project would entail that staff and Council consider a reduction in the total number of spaces

Comment: There was a concern that reducing the parking for the apartment units was not appropriate as there is an assumption that many of the residents will be two-car families and there is limited transit service in the area.

Q: Will there be an eastbound right turn in lane off Dollarton Hwy (The speaker was concerned that people wishing to enter the site will slow down to make the turn in which could affect eastbound through traffic).

R: Brian – The road and driveway are designed to comply with typical exits of this traffic volume and impacts on eastbound traffic had not been identified as an issue.

Q: Are units designed for accessibility by the handicapped?

R: Keith – the design has three levels of accessibility (in different units) as per the District's adaptable design guidelines.

8:28 Formal question period was concluded and attendees were assured that the communication pathways continue to be open through the comments sheets, e-mail & telephone. Independent notes of this meeting were recorded

Informal conversation after the formal meeting continued which allowed participants to discuss aspects of the project with the presenters.

Note about venue:

This venue (room) was not quite sufficient to accommodate the number of attendees, with a number people standing at the sides and back of the room through the meeting.

Attendees had difficulty hearing the presenters due in part to noise coming through the wall to the dining room and voices from front of room not being able to project sufficiently.

There is accommodation for a microphone set up in the room and this should be considered in the future.

Brenda Chaddock
Odyssey Leadership Centre
June 12, 2013

4070 Dollard Road, Deep Cove, BC Ph 604 929 4290 Fax 604 929 0180
e-mail Brenda@followtheleader.ca website www.followtheleader.ca

Polygon proposal for development of the McKenzie Barge site
on Dollarton Highway

ATTACHMENT 4

**Re: Seymour Local Plan Monitoring Committee Comments
Polygon Development Proposal for
South Side of Dollarton Highway (Dollarton Shipyard & McKenzie Barge)**

RECEIVED

JUL 30 2013

Community Services Dept
District of North Vancouver

The SLP Monitoring Committee (SLP MC) would like to thank The Planning Department for the opportunity to submit comments and a recommendation on the Polygon project proposal for the Dollarton Shipyard site. The SLP MC discussed the proposed development at a recent meeting and makes the following comments:

THAT Council take into account the specific comments of the SLP MC listed in the Discussion Sections below, which are referenced to the Seymour Local Plan, before proceeding with further consideration of the development proposal. The SLP MC specifically urges Council to **reject** the Polygon proposal as presented.

1. Recreational Access to the Waterfront

In the SLP, Policy 3.2.3 (pg 5) is to "Promote environmental objectives by managing recreational access to and use of Seymour's trails, wilderness areas and **waterfront**." (emphasis added)

As well, Objective 7.6 of the SLP (pg 37) is "Increase public access to the Waterfront." Under that objective, Implementation 7.6.1.7 says, "Any future re-development of the McKenzie Barge/Noble Towing site will provide for waterfront access, views between Dollarton Highway and the waterfront and linkages to Cates Park and other neighbourhood destinations (see also 9.2.5)."

The Polygon proposal, although it provides a path to the waterfront, misses the opportunity to provide real public access to the waterfront; rather, the developers' representatives at the most recent public meeting stated they would discourage the public from leaving fairly high-level paths to approach the actual waterfront.

We do acknowledge that several of the implementation steps set out under Policy 3.2.3 have been undertaken – although without the desired result of improving real public access.

2. Re-development of the McKenzie Barge Site

Policy 6.3.5 of the SLP (pg 26) is "Any future re-development of the McKenzie Barge/Noble Towing site west of Cates Park should be treated as a comprehensive development focusing on the arts, culture, economic and tourism opportunities for the site. Such future comprehensive development **could include 25 or fewer residential units**, to be incorporated into the conceptual phasing strategy detailed in Section 4.0" (emphasis added)

It should be clear that the intention of the SLP was that re-development of the subject site might include some housing as an incidental part of the project; however, the Polygon proposal has housing as its sole objective, and **does not include any** of the arts, culture, economic and tourism opportunities which were intended. Moreover, when challenged on this point at the recent public meeting, the Polygon representative made it clear Polygon had no intention of including those other opportunities because "they do not fit the Polygon economic model", and that she felt confident District Council would accept that view.

It has been suggested to Polygon that the development might include at least a community coffee shop (as has been hugely successful at Parkgate) and some community amenity space (for meetings, art displays and the like); but those suggestions have been flatly rejected by Polygon.

3. Possible Alternative use for the Site

In the SLP under Policy 7.3.2 (pg 34) Implementation 7.3.2.10 says, "Investigate the demand for and possible future location of a new public marina outside of the Deep Cove area; e.g., the McKenzie Barge site." We have seen no evidence of such investigation – development of a public marina or a similar endeavour might also tie in very well with Objectives 4.6 and 4.7 (pg 13) of the SLP for increased recreational and tourism opportunities and increased economic and employment opportunities in

Seymour. Such development could provide an ongoing opportunity for the whole community rather than a one-shot opportunity for a developer.

4. Economic Development

Aside from Maplewood and Deep Cove, there are very few areas east of the Seymour River available for economic development. The McKenzie Barge site is one of those few areas, as recognized by the discussion in Section 9.0 of the SLP, beginning on pg 49. On pg 49 there is the statement, "Currently, Seymour has approximately 202,052 square feet of commercial (retail, service) space and minimal industrial activity on the McKenzie Barge-Noble Towing site on Dollarton Highway (approximately 4.2 net acres). ***The Plan anticipates that any future commercial needs can be met on this site with redevelopment from industrial to mixed commercial use, with a strong public component and minimal residential use.***" (emphasis added)

The SLP goes on in the following paragraph to say, "***The Plan*** encourages current waterfront and wilderness recreation and tourism activities such as rentals, lessons and services and also ***supports a comprehensive tourism strategy***, which balances opportunities with local area impacts. Plan policies also support growth in home-based business for its benefits in utilizing local skills and reducing commuting, while acknowledging the need to mitigate negative impacts on neighbours." (emphasis added)

5. Plan Map Designations

In the SLP, Section 12.0 (pp 57-59) there are several land use designations, including COMMERCIAL which is applied to "existing and proposed sites suitable for a range of local or community level retail, office, service or a mix of these uses. A separate designation for the McKenzie Barge/Noble Towing site – ***Future Mixed Use*** – indicates its suitability for a mix of such uses with a ***minimal*** residential component." (emphasis added)

6. Non-SLP Issues

Aside from issues specifically related to the SLP, members of the Monitoring Committee have commented on the following issues:

- There is an apparent lack of enough above-ground parking in the development – although perhaps adequate to serve day visitors, it does not allow for the inevitable presence of service vehicles for such as contractors working for residents, nor for longer-term parking by out-of-town guests of residents.
- In view of the aging population in Seymour, it would appear that only 10% of the total units are Level 3 Adaptable, which is considered rather paltry for the suggested project.

Conclusion

Although we recognize that with the adoption of the current OCP the "unit count" limitations of the SLP no longer apply, we also are aware that in its closed meeting of March 4, 2013, Council reaffirmed the status of the SLP as a reference policy document "to help inform land use decisions". It is on that basis that the Monitoring Committee now respectfully brings to the attention of Council some specific policies and objectives with respect to land use as set out in the SLP.

We would particularly like to emphasize the point that the McKenzie Barge site is the last remaining site in Seymour with the real potential for mixed use (which does not preclude *some* residential development). We believe it would be very short-sighted to succumb to the lure of immediate totally residential development and thus lose the ability to provide long-term economic and employment opportunities in Seymour for all time.

Polygon proposal for development of the McKenzie Barge site
on Dollarton Highway

3

In light of the stated policies and objectives set out in the SLP and of the very obvious and determined inability or unwillingness of Polygon to abide by those policies and objectives in their proposal to develop the McKenzie Barge property, we do hereby urge Council to reject the Polygon proposal as presented.

Submitted by
Seymour Local Plan Monitoring Committee
July 26, 2013

Document 2152674



The Seymour Community Association

3802 Brockton Crescent, North Vancouver, B.C. V7G 1R6
604-929-7957(T) 604-929-1913 (F)

August 3rd, 2012

Mr. Doug Allan
Planning Department
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

Dear Mr. Allan:

Re: Polygon Developments' request for Noble Cove OCP Amendment & Rezoning Application

Thank you for the package on the above proposed development. We have reviewed the proposal from the Community Association perspective, and one of our members, John Hunter, has made some comments from the perspective of a resident living near the site.

Polygon has undertaken a fairly extensive consultation process with local residents, and we are not aware of any significant opposition to the project, in fact, just the opposite, with many residents expressing varying levels of approval over the removal of what they consider to be an eyesore.

The SLP Monitoring Committee will no doubt be making their own comments to you with regard to unit counts and zoning. We would however like to provide a couple of comments that might overlap with theirs, and that is with regard to current zoning which envisages some commercial component on the site. We note from the proposal that Polygon intends to retain an existing house and turn it into a storage facility for boats and other marine gear for residents in the development. Given the proximity to the road and the topography, we wonder if the upper floor of this building might be converted into a coffee shop or similar that could be accessed from Dollarton Highway by a footbridge. This would provide a bit of a gathering place for area residents, both existing and potential. We also wonder if the amenity space in the first building might be made available to area residents as a rented boardroom, or similar, as there is very little in East Seymour currently available for this purpose.

Listed below are John Hunter's (paraphrased) comments sent to us prior to him leaving on vacation. Although some of his concerns have been addressed in the development proposal, we forward them to you so they are on record.

- Environmental Remediation: Ensure that the District is not responsible for any of the costs of cleaning up the existing environmental contamination, expected to be significant

August 3rd, 2012

Page 2 of 2

- Visitor Parking: Is it sufficient, especially on weekends when residents are more likely to have guests. If not, where will they park? The parking along the south side of Dollarton is often near full and is limited as to number of spaces.
- Increased traffic: The added volume on Dollarton Highway from 95 units is potentially 190 vehicles. John Hunter drove onto the site of the new houses above the shipyards and then tried to exit, turning left onto Dollarton, during afternoon rush hour. The cars parked along the south side of Dollarton block the view of eastbound cars coming down the hill (often well above the 50 KPH speed limit), making an exit dangerous. Perhaps the base plan should be a stoplight at this location, timed to allow exit based on a pressure pad or "electric eye" that only stops Dollarton traffic when someone wants to exit the project. We dislike more stoplights, but that may be a suitable base plan to be implemented if and when problems arise when the project is complete.
- Effects of Construction: Dollarton Highway has only two lanes at this point. Heavy equipment coming and going during construction will very likely block the flow of traffic for significant periods. Construction is also a dirty business, especially during site preparation and excavation. How does the developer intend to mitigate these concerns?
- Lack of any commercial component. This is contrary to the intended use of this site in the new OCP. Dollar Shopping Centre is heavily utilized with the parking lot often completely full. A convenience store included in the plans would benefit new and existing area residents alike.
- Is there some plan for a marina? A restrictive covenant should be place on the property to ensure that this is not added in the future. Boats are noisy and oil/fuel spills are a risk.

These comments are a bit overdue, and we apologize for that. We look forward to further communication from you as this development application progresses.

Yours truly,

Seymour Community Association

Board of Directors
Seymour Community Association

Copy to: Mayor and Council
Seymour Local Plan Monitoring Committee



August 2, 2013

VIA E-MAIL & MAIL

Doug Allan
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

Dear Mr. Allan,

**Re: Preliminary Application – Mixed Apartment/Townhouse Project
3829/3919 Dollarton Highway (Polygon Development 270 Ltd.)**

Thank you for your letter of June 4, 2013, regarding a preliminary application by Polygon Development for the redevelopment of 4 legal lots at 3829 and 3919 Dollarton Highway with 95 multi-family residential units. As described in your letter, a key component of the project involves the development of a public amenity and recreational area along the foreshore, some of which is land under the jurisdiction of Port Metro Vancouver (PMV). PMV staff have reviewed the material provided and have the following preliminary comments.

In general, Port Metro Vancouver encourages the retention of industrial lands, which are a critical resource not just for the port but for the regional as whole. In this particular case, consideration of non-industrial uses as proposed presents an opportunity to rehabilitate a valuable waterfront site and address other important issues related to the riparian area and, potentially, public access to the waterfront, though in the broader context, PMV would like to ensure that there is no net loss to industrial land. Part of this would involve remediation of any site contamination arising from historic industrial uses to standards appropriate for the intended use.

It would be important to ensure that future residents of the new development be fully aware of the on-going industrial activity in the working port, including the noise and other potential impacts. This can be addressed through a variety of means, including project marketing, disclosure statements on title, etc.

The development is associated with a separate proposal for redevelopment of the (currently industrial) foreshore area for public access and recreational use. This portion of the overall development would have to be carefully designed to allow public access and activity and ensure the protection of riparian and habitat values. Considerable discussion between the District, project proponents and Port Metro Vancouver will be required on matters of tenure, use and associated conditions for the foreshore area. We look forward to continued productive dialogue between the parties in this regard.

...2.

100 The Pointe, 999 Canada Place, Vancouver, B.C. Canada V6C 3T4

portmetrovancover.com

100 The Pointe, 999 Canada Place, Vancouver, C.-B. Canada V6C 3T4

Canada

District of North Vancouver
August 2, 2013
Page 2

Thank you for the opportunity to comment on this proposal. We would appreciate further opportunities to provide input to this proposal as it proceeds. If you have any questions or concerns, please do not hesitate to contact Colleen Wickstrom at 604-665-9047 or colleen.wickstrom@portmetrovanouver.com.

Sincerely,



PORT METRO VANCOUVER

Colleen Wickstrom for
Sarah Farina
Planner

Cc: Christine Eriksen, Property Administrator, PMV
Greg Yeomans, Manager, Planning, PMV
Cari St. Pierre, Planner, PMV

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 26, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____

Dept. Manager	GM/ Director	CAO
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The District of North Vancouver

REPORT TO COUNCIL

May 9, 2014

AUTHOR: Richard Walton, Mayor

SUBJECT: Social Policy Framework for British Columbia

RECOMMENDATION:

WHEREAS the Roundtable of Provincial Social Service Organizations (RPSSO) is an affiliation of umbrella organizations for social service organizations, whose purpose is to generate collaborative projects aimed at bringing to the public the scope, depth and importance of the social care sector; and,

WHEREAS in 2013 RPSSO initiated a campaign to develop a comprehensive Social Policy Framework for British Columbia, modelled on the success of a social policy framework developed by the community and adopted by the Alberta Provincial Government;

THEREFORE BE IT RESOLVED that Council forward the following motion to the 2014 Union of BC Municipalities Annual General Meeting:

WHEREAS every British Columbian depends on social services, health care, justice and education services;

AND WHEREAS our communities are partners in the delivery of many of these services and are facing increasingly complex social challenges requiring coordination between multiple social ministries of government, municipalities and the community agencies and organizations that deliver services to the public;

THEREFORE BE IT RESOLVED that the municipal governments of British Columbia call upon the Premier to begin a consultation with British Columbians to initiate the development of a Social Policy Framework that will set out key policy directions,

values, priorities, roles and expectations, and guide the creation of public policy to meet our social needs now and into the future.

REASON FOR REPORT:

To bring forward a resolution recommended by the Board Voice Society of BC; the Board Voice is advocating for a strategic vision in the form of a social policy framework so as to achieve big social goals over time.

SUMMARY:

Board Voice is asking the District of North Vancouver to join other municipalities in supporting a resolution to UBCM requesting that the Provincial Government support the development of a Social Policy Framework

BACKGROUND:

Board Voice is the provincial organisation of board members for community social service agencies throughout British Columbia; they are dedicated to improving social services in the province. Board Voice is proposing a social framework for BC so as to guide the work of both social ministries and related community agencies. Board Voice is asking for the support of municipalities in bringing their proposal to UBCM.

The goal of a social policy framework is to clearly define a vision of better lives for citizens of BC. Currently, it can be incredibly daunting to access necessary support services, whether it is support for mental health, child care, elder care, or addiction. The Board Voice is proposing that a social policy framework can improve access to social services by eliminating duplication, bridging ministerial, government, and non-profit silos, simplifying processes, and helping ensure fewer people fall through the cracks. The ultimate goal is to create and support healthy, thriving, and vibrant communities.

As every level of government and non-profit knows, there is limited funding for social service providers. One way to address limited resources is to become more efficient and better

coordinated – a social policy framework should help manage costs and ensure the best value for dollars spent.

On May 13, 2014, the City of Vancouver voted in support of the motion; the Surrey Board of Trade has also supported the motion. In addition, the Association of Vancouver Island and Coastal Communities and the Association of Kootenay Boundary Local Governments have already recommended the resolution to UBCM. Finally, the Province of Alberta adopted a social policy framework in February 2013.

Options:

1. Council could choose to support the resolution and to send it to UBCM
2. Council could choose not to support the resolution.

Respectfully submitted,



Richard Walton,
Mayor

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____


SUBJECT: Social Policy Framework
Framework for British Columbia

Social Policy

May 9, 2014

Page 4

COUNCIL AGENDA/INFORMATION		
<input type="checkbox"/> In-Camera	Date: _____	Item # _____
<input type="checkbox"/> Regular	Date: _____	Item # _____
<input type="checkbox"/> Info Package	Date: _____	Item # _____
<input type="checkbox"/> Agenda Addendum	Date: _____	Item # _____


 Dept.
Manager


 Director


 Municipal
Manager

The District of North Vancouver REPORT TO COUNCIL

May 12, 2014

File: 5600-50/003

Tracking Number: RCA -

AUTHOR: Lorn Carter, P.Eng. - Manager, Utilities

SUBJECT: District of North Vancouver Drinking Water Quality - 2013

RECOMMENDATION:

THAT this report be received for information.

REASON FOR REPORT:

To inform Council on the status of drinking water quality in the District of North Vancouver (DNV) and to provide background information on the *District of North Vancouver Drinking Water Quality Annual Report – 2013*.

SUMMARY:

The DNV's *Drinking Water Quality Annual Report – 2013* is included as Attachment 1. A letter-report from the Medical Health Officer (MHO) for the North Shore commenting on the 2013 report is included as Attachment 2.

- The DNV operates its waterworks system under a permit issued by the Ministry of Health Services. For many years, DNV staff have worked with Vancouver Coastal Health (North Shore) to ensure the delivery of high quality drinking water. Dr. Mark Lysyshyn, the MHO for the North Shore, has been empowered through the B.C. Drinking Water Protection Act and Regulation to require permit holders to conduct testing, provide information and notify the public on drinking water quality issues.
- In 2013 tests for drinking water quality in the DNV showed overall good bacteriological and chlorine results, with none of the samples out of a total of about 1321 samples collected containing coliform bacteria (standard indicator of bacterial contamination). Turbidity (cloudiness) in the regional water supply has become less of an issue since the Seymour-Capilano Filtration Plant was commissioned in early 2010. Low turbidity results were again recorded in 2013 with only 0.2% of all samples exceeding 1 Nephelometric Turbidity Units (NTU), which is a measure of cloudiness. In 2012 0.4% of all samples exceeded 1 NTU.
- The Capilano water supply was out of service for 248 days in 2013.
- Recorded Haloacetic Acids (HAAs) and Trihalomethanes (THMs) concentrations (associated with health risks at high concentrations) were within the Canadian standard for all 16 samples. The running annual average for HAAs and THMs concentrations remain significantly lower than they were prior to the operation of the Seymour-Capilano filtration plant.
- The MHO is pleased with the progress made over the past few years towards improving water quality for DNV residents. He has not identified any specific water quality issues requiring rectification. He has agreed that there is no longer a need for the regular water quality advisory

notifications and has suggested using other methods (District Dialogue, Facebook, etc.) to notify residents to the presence of our annual report on our website.

BACKGROUND:

The DNV receives all of its treated drinking water from the GVWD and is supplied through two sources; the Capilano Reservoir and the Seymour Reservoir via the Seymour-Capilano Filtration Plant (SCFP). The GVWD and its member municipalities have adopted a "multi-barrier" approach to reduce the risk of water borne infection. The main barriers are: watershed protection; treatment; distribution system maintenance (to maintain chlorine residuals for the control of bacteria regrowth); and water quality monitoring. Starting in early 2010, filtration, UV, and chlorination were used to treat water supplied by the SCFP. Chlorine provides primary disinfection for protection against bacteria, waterborne parasites, and viruses.

For many years, the DNV has been working with the MHO and his staff to ensure the delivery of high quality drinking water. Beginning in 2001, the MHO requested formal annual water quality reports from each North Shore municipality for water quality data collected. The MHO has completed his annual review of our current municipal annual report and has forwarded a letter-report to DNV's Mayor and Council. The DNV's *Drinking Water Quality Annual Report – 2013* is included with this report as Attachment 1. The MHO's letter-report to Mayor and Council is included as Attachment 2.

EXISTING POLICY:

Amendments to the B.C. Drinking Water Protection Act came into force on May 16, 2003. The amendments included a new Drinking Water Protection Regulation, replacing the B.C. Safe Drinking Water Regulation. The Act and Regulation provides a more comprehensive framework for the protection of drinking water.

In 2012 Health Canada published new water quality guidelines in the *Guidelines for Canadian Drinking Water Quality*. There were no significant updates from that release that impacted our municipal system.

Each member municipality of the GVWD is considered a water purveyor and must operate its waterworks system under a permit issued by the Ministry of Health Services.

ANALYSIS:**DNV Drinking Water Quality Annual Report – 2013**

The DNV's 2013 report is included with this report as Attachment 1. Highlights of the DNV's report are as follows:

Physical Parameters

- In 2013, turbidity (cloudiness caused by fine sediment suspended in the water) continued to be less of a challenge to the GVWD due to the SCFP, with only 2 samples (0.2% in 2013) containing high turbidity of greater than 1 NTU which was less than in 2012 (0.4%). Of the 2 samples over 1 NTU, one was over 5 NTU.
- The Capilano source was out of service for a total of 248 days in 2013 due to a combination of source water turbidity issues and operational preferences.
- As in previous years, samples from most sampling locations had average water temperatures above 15° C (the aesthetic objective) during June, July, August, September, and October 2013. Temperatures above 15° C can promote bacteria regrowth in the piping system. During the months in question the temperature of GVWD-supplied water depends mainly on the amount of snowmelt contributing to reservoir inflow.

Bacteriological Quality

- From a total of over 1301 samples tested in 2012, all samples met the bacteriological standards of the Regulation, which require 10 or less total coliform and no fecal coliform or *e-coli* per 100 millilitres of sample volume.

Chemical Parameters

- All of the locations identified as having low chlorine residuals in 2001 had average chlorine residuals at or above the desirable target of 0.2 mg/L (milligrams per litre) from 2002 to present. Only 3 of 1301 samples showed chlorine residual concentrations below 0.2 mg/L in 2012 and none of these were below 0.17 mg/L. Two "real-time" chlorine residual recording station are installed at a Seymour source water pump station and a Capilano Source water pump station.
- A graph of average chlorine residuals for each sampling site is presented in Appendix B of the attached report.
- Monitoring of disinfection by-products in 2012 has indicated that Haloacetic Acids (HAAs) and Trihalomethanes (THMs) remained at acceptable levels. All of the sixteen quarterly average HAAs and THMs at all four locations tested on the DNV distribution system were within allowable standard levels in 2012. The running annual average for HAAs and THMs concentrations continue to be significantly lower than they were prior to the operation of the Seymour-Capilano filtration plant.
- In 2012 eight samples for metals, including copper, lead and zinc were collected. Concentrations of all metals tested were less than the recommended maximum concentrations.

Operator Training and Certification

- The DNV currently has the appropriate levels of certified operating staff to remain in full compliance with the Drinking Water Protection Regulation.
- Province-wide discussions continue on the imposition of continuing education requirements on all certified operators by the Environmental Operators Certification Program, which is the agency designated by the Province to certify operators. The requirements have issues related to additional training expenses for operators or their employers, and of remuneration for employees who maintain their certified status. To date, the GVRD Labour Relations department has not addressed the remuneration issue.

The Medical Health Officer Comments

The MHO's letter-report commenting on 2012 DNV drinking water quality is included in Attachment 2. At present the MHO has not identified any specific water quality issues requiring rectification. He has suggested that the DNV use a range of communication methods to notify residents to the presence of our annual report on our website. We plan to advertise in the newspaper (District Dialogue), on Facebook, by tweeting, and putting postings on our Website to accomplish this.

Timing/Approval Process:

The GVWD's Seymour-Capilano Filtration Plant was filtering Seymour water as of January 15, 2010, however Capilano water will not be filtered until the twin tunnels connecting the Capilano and Seymour sources are completed in 2014.

Financial Impacts:

There is the potential for additional water-related expenditures based on any changes in mandated monitoring procedures, recommended monitoring procedures, or physical system

additions/modifications that would benefit water quality. However, we currently do not foresee any significant expenditures related to these area.

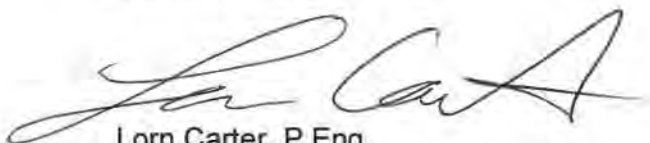
Liability/Risk:

Chlorine residual in the distribution system is one of several "barriers" in place to ensure the safety of drinking water in the DNV. Although the risk of infection from our drinking water is very low, if efforts to provide adequate chlorine residuals are not continued and a serious outbreak occurs, the DNV could be in a position of liability. Continuous or recurrent high concentrations of disinfection by-products in drinking water can present long-term health risks as they are potential carcinogens. Although the MHO has not expressed any concern that current concentrations are presenting any risks, he would urge the DNV to ensure that processes are in place to keep concentrations as low as possible while at the same time ensuring a chlorine residual adequate to assure water quality.

Business Plan:

- **Social Policy Implications:** The adequate supply of safe drinking water is a fundamental service that a community requires in order to ensure a high standard of public health.
- **Environmental Impact:** Higher chlorine residuals can increase the risk of harm to fish and aquatic life if large quantities of drinking water are released to creeks during uncontrolled events such as watermain breaks.
- **Public Input:** The public will continue to be advised of the status of the DNV's drinking water quality by:
 - the prominent posting of the DNV's annual water quality reports, along with the MHO's comments, in their entirety on the DNV web site
 - publicizing the presence of annual reports on the DNV website
- **Other Business Plan Areas:** Not applicable.

Options: Not applicable.



Lorn Carter, P.Eng.
Manager, Utilities

Attach: 1) District of North Vancouver Drinking Water Quality Annual Report – 2013
2) Letter-report from the Medical Health Officer

REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:	REVIEWED WITH:
<input type="checkbox"/> Eng. Trans/Public Works	<input type="checkbox"/> Clerk's Office	External Agencies:	Advisory Committees:
<input type="checkbox"/> Eng. Services	<input type="checkbox"/> Communications	<input type="checkbox"/> Library Board	<input type="checkbox"/> _____
<input type="checkbox"/> Eng. Parks	<input type="checkbox"/> Finance	<input type="checkbox"/> NS Health	<input type="checkbox"/> _____
<input type="checkbox"/> Eng. Utilities	<input type="checkbox"/> Fire Services	<input type="checkbox"/> RCMP	<input type="checkbox"/> _____
<input type="checkbox"/> Plg. Community Planning	<input type="checkbox"/> Human Resources	<input type="checkbox"/> Recreation Commission	
<input type="checkbox"/> Plg. Social Planning	<input type="checkbox"/> ITS	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Plg. Permits & Licenses			
<input type="checkbox"/> Plg. Land			
<input type="checkbox"/> Plg. Env. Protection			



**NORTH VANCOUVER
DISTRICT**

DRINKING WATER QUALITY ANNUAL REPORT

2013

Feb 2014

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APPENDICES

APPENDIX A

1. Map of Water System, Sampling Site Locations and Pressure Zones
2. List of Sampling Site Locations
3. 2013 Schedule for Sampling and Reporting

APPENDIX B

1. Graphs (39) - Water Quality Results by Sample Site, 2000, 2010 - 2013
2. Graph – 2013 Heterotrophic Plate Count (HPC) results over 500 CFU/ml
3. Graph – Number of Samples Analyzed Monthly for Presence of Coliform
4. Graph – Coliform and E. coli Test Results
5. Graph (2) - Average Chlorine Residuals for DNV Sampling Sites, 2000, 2010 - 2013

APPENDIX C

1. District of North Vancouver Response Procedures For Loss of Municipal System Integrity

A. INTRODUCTION

This report represents the thirteenth Drinking Water Quality Annual Report prepared by the District of North Vancouver (DNV) under the *Water Quality Monitoring and Reporting Plan For The GVRD and Member Municipalities*. The purpose of the report is to provide DNV water consumers with drinking water sampling test results for 2013, as well as to present background information on DNV and regional issues concerning water supply, treatment, and specific measures being taken to protect and enhance drinking water quality as per requirements under the Drinking Water Protection Act.

B. GENERAL DESCRIPTION

The DNV delivers potable water to its customers via a waterworks system incorporating approximately 364 km of watermain, 7 water pumping stations, 11 water storage reservoirs, and 34 pressure reducing stations. A population of approximately 88,000 is served through approximately 21,000 water connections.

In 2013, 17.5 million cubic metres of water were consumed by businesses and residents. All of this water was purchased from the Greater Vancouver Water District (GVWD).

A map of the overall water system, showing pressure zones and water quality sampling site locations, is included in Appendix A.

C. SOURCE WATER

1. General

All drinking water supplied to customers in the DNV is purchased from the GVWD and is drawn from both the Capilano and Seymour sources. The GVWD tests untreated source water for pathogens including total coliforms and *E. coli*, giardia, and cryptosporidium. Source waters are also tested for general water chemistry, softness, turbidity, metals, and contaminants such as pesticides and organic compounds. For 2013, the GVWD used a combination of the Capilano Source and the new Seymour-Capilano Filtration Plant (supplying filtered Seymour source waters) to the DNV. This is discussed in more detail in Section D. After treatment, but prior to transmission in GVWD watermain, the GVWD tests for total coliforms and *E. coli*, general water chemistry, turbidity, and metals.

Water quality information on these source waters, will be available from "*The Greater Vancouver Water District Quality Control Annual Report, 2013*".

2. Challenges

The Capilano source was only in service from May 4, 2013 to August 30th, 2013 for a total of 117 days due mostly to operational preferences related to GVWD's ability to meet the demand using filtered water. The GVWD maintains a rigorous program of enhanced sampling and reporting to continually monitor turbidity, bacteriology, and chlorine residuals in the region's drinking water.

3. Issues

The peak demand day for 2013 occurred on July 24, when 1.61 BL of water was delivered through the GVWD system. This was similar to the previous year's 1.56 BL peak day and GVWD's and DNV's water delivery systems performed well, with no problems encountered.

4. Proposed Work

Available supply capacity will be enhanced for the Capilano reservoir once the tunnel system connecting the filtration plant near Rice Lake with the Capilano system are commissioned in 2014. The reason for this capacity improvement is that with the completion of the tunnels the Capilano intake will be pumped to convey Capilano water to the filtration plant. This will improve the intake hydraulics, allowing the Capilano reservoir to be drawn down to a lower elevation, which in turn will increase the reservoir's useable storage volume.

D. WATER TREATMENT

1. General

Until December 2009 the GVWD's only form of treatment for both the Capilano and Seymour sources was primary disinfection using chlorine. As of January 15, 2010 all Seymour water supplied to the DNV has been filtered by the new Seymour-Capilano Filtration Plant. The plant site is located near Rice Lake in the Lower Seymour Conservation Reserve, with Capilano water to be conveyed to and from the site via twin tunnels bored deep in the bedrock between the Capilano reservoir and the plant. Metro plan to commission the tunnels in 2014 at which time all DNV would receive filtered water the entire year. In order to reduce the amount of chemicals used in water treatment as well as to provide additional protection against giardia and cryptosporidium, the treatment includes ultra-violet (UV) light for primary disinfection. Seymour water is also partially treated to reduce corrosiveness by increasing the pH with the addition of soda ash (sodium carbonate), while Capilano disinfection utilizes sodium hypochlorite rather than gaseous chlorine, resulting in improved pH levels in Capilano water.

The Capilano source was off-line a significant time in 2013, and as a result, all DNV customers received filtered water during that time. When the Capilano source was in service (when the Capilano supply source is needed to satisfy regional seasonal water demands) only areas of the DNV east of approximately St. Georges Avenue received filtered water from Seymour. Due to the lower turbidity levels, lower amounts of chlorine were required to maintain a chlorine residual that remained higher in the system for longer than for prefiltration.

The GVWD tests treated water for total coliforms and *E. coli*, general water chemistry, turbidity and metals prior to transmission in GVWD watermains.

Water quality information on treated water, will be available from "*The Greater Vancouver Water District Quality Control Annual Report, 2013*".

There are no secondary chlorination stations in the DNV.

2. Challenges

One of the regional Medical Health Officers' historic concerns was turbidity in the Capilano and Seymour source waters. Filtration for Seymour water has greatly reduced the turbidity issue. Filtered Capilano water will not be available until 2014, however, Metro plans to remove the Capilano source from service during the off-peak season in late fall, winter, and early spring when most turbidity events occur. This should greatly reduce the risk of high turbidity in the DNV until the time that both water sources supplying the DNV are filtered.

3. Issues

GVWD supplies monthly plant performance and water quality data to Vancouver Coastal Health. To date there have been no issues as result of this process.

The GVWD continued moving ahead with the implementation of the Seymour-Capilano Filtration Plant Project in 2014, focussing on the twin tunnel construction. The plant is capable of delivering filtered water to all of the DNV in off peak winter periods using only the Seymour source.

4. Proposed Work

The filtration plant was completed in 2010, with planned overall project completion and filtration of Capilano water in 2014. Tunnel work, above ground piping construction, and system commissioning still remain outstanding.

E. DISTRIBUTION SYSTEM

1. General

The water distribution system is comprised of two separately operated networks; the GVWD water transmission mains and the DNV distribution system. For the purposes of water quality monitoring and reporting in the DNV, the locations where water is drawn from the GVWD transmission system into the DNV system are considered "sources" for the DNV system.

In 2012 the Village of Belcarra (VOB) connected their water distribution network to the DNV water distribution network to allow the VOB to supply Seymour-Capilano filtered water to their residents. The VOB will be discussing their water quality in a separate report.

The document entitled "*Water Quality Monitoring And Reporting Plan For The GVRD and Member Municipalities – 2006*" (the Plan) provides a common template for all municipalities within Metro Vancouver (formerly the GVRD) to report annually on water quality results and issues. That document has been followed as closely as possible in the creation of this report. It is envisioned that an update to the template will be completed in 2014.

A map of the overall water system, showing pressure zones and water quality sampling site locations, is included in Appendix A. Appendix A also includes a list of water quality sampling site locations and a schedule of sampling and reporting for 2013.

2. Testing

a. Bacteria

Sample collection for monitoring bacteria levels in the DNV water distribution system is performed twice-weekly by DNV Utilities personnel. Samples are delivered to the Metro Vancouver lab for analysis and reporting. Standard bacteriological parameters analysed by the Metro Vancouver lab are total coliform, *E. coli* and heterotrophic plate count (HPC). Standard testing for *E. coli* rather than fecal coliform was implemented in January 2006 in accordance with a 2005 amendment to the *BC Drinking Water Protection Regulation* (the Regulation). The sampling locations are listed in Appendix A.

Approximately 13 samples are collected twice each week for a total of 26 samples per week. These are collected on a rotational basis from 3 groupings of 13 sampling sites (39 sampling sites in all), with each grouping comprised of sampling site locations that are widely distributed across the District.

In addition, random samples may be taken from areas where water quality complaints have originated or where waterworks construction or maintenance activities are underway.

Locations of water quality sampling points in the DNV system are based on a guideline provided by the regional Medical Health Officers as follows:

- i. 10% of sampling points at "source" (supply points off GVWD transmission mains)
- ii. 40% of sampling points at locations with medium flow
- iii. 40% of sampling points at locations with low flow
- iv. 10% of sampling points at system dead-ends (very low flow)

Sampling frequency for presence of bacteria was completed in accordance with the Plan and the Regulation in 2013, with an average of 110 samples per month collected.

A graph showing the number of samples collected and analysed per month in 2013 is included in Appendix B. Appendix B also contains graphs showing the 2013 coliform and *E. coli* test results as well as the 2013 HPC test results.

b. Physical Parameters

Drinking water in the distribution system is tested for turbidity and temperature when bacteriological lab testing is carried out by the GVRD lab. Taste, odour and turbidity are monitored on a complaint basis and comprise the majority of water quality complaints.

c. Chemical Parameters

In 2013, chemical monitoring in the water distribution system was conducted for the following:

- i. **Free chlorine residual** – measured at all sampling sites when bacteriological samples are collected

- ii. **Haloacetic acids (HAA's)** – HAA's are disinfection by-products sampled from 4 selected sampling sites and tested by the Metro Vancouver lab. In 2013, 4 separate tests were carried out for each of the 4 selected sites.
- iii. **Trihalomethanes (THM's)** – THM's are disinfection by-products sampled with HAA's.
- iv. **pH** – measured on samples collected at one of the sample sites for HAA/THM testing
- v. **Metals** – during 2001, the regional Medical Health Officers developed a strategy for sampling metals “at the tap”. The requirement is to sample 10% of the sample sites twice yearly for lead, copper and zinc, with sample locations consisting of a mixture of private homes and public buildings, including schools. In 2013, the required total of eight samples was collected.

No testing for PAH's (polynuclear aromatic hydrocarbons) or BETX (benzene, ethylbenzene, toluene, xylene) was conducted. These are compounds associated with pipe wall lining materials in steel watermain, and usually they can only be detected in watermain newer in age than approximately five years. The newest lined steel watermain in the DNV was constructed in 1969. Since there are no significant lengths of PVC watermain in the DNV, no testing was performed for vinyl chloride.

3. Results

Test results for bacteria, turbidity, and chlorine residual are compiled for each sample site in Appendix B. The data for each site for the years 2000 (included as the “baseline” year for comparison) and 2010 through 2013 are presented in graphs to more clearly indicate trends over this period.

a. Bacteria

Bacteriological standards in water distribution systems should meet the requirements of the *BC Drinking Water Protection Regulation*, which stipulates the following criteria for sample tests results:

- i. *E. coli* – no detectable *E. coli* / 100 mL
- ii. Total Coliform – 10 or less total coliform / 100 mL
- iii. Total Coliform - 90% or more of the samples for a given month must have no detectable total coliform / 100 mL
- iv. HPC – Currently no maximum acceptable concentration limit. Increases in HPC concentrations above baseline levels are considered undesirable. Historic limits were set at 500 CFU/mL.

All samples collected in 2013 satisfied the bacteriological requirements of the *BC Drinking Water Protection Regulation*.

A graph of results of bacteriological testing for 2013 is included in Appendix B.

b. Physical Parameters

All sample test results of turbidity levels in the DNV distribution system in 2013 were less than 1 NTU, except for 2 readings, with one (6 NTU) greater than 5 NTU. It is believed that a draw at a hydrant, and the resultant high flow rates, experienced prior to the sample being taken caused sediment in the piping system to be stirred up for one of the readings exceeding 1 NTU. The cause for the 6 NTU reading has not been determined. A follow-up sample taken then next day at the issue site returned a reading of 0.37 NTU, confirming the quality at the site of issue had returned to well within acceptable limits. In 2012, there were 5 (compared to 2 in 2013) samples exceeding 1 NTU.

During the months of June, July, August and September, October average water temperatures of several sample sites were above 15° C, which is the aesthetic objective.

Water temperature and turbidity are measured for all samples collected for bacteriological testing and are reported in the overall microbiology test results from the Metro Vancouver lab. Turbidity test results are presented along with bacteriological results and chlorine residuals in the graphs for each sample site in Appendix B.

c. Chemical Parameters

- i. **Free chlorine residual** – free chlorine residual results are provided with the bacteriological sample test results for each sample site in the graphs in Appendix B. Locations with low chlorine residuals (less than 0.2 mg/l) are discussed in Sub-section 5.
- ii. **Haloacetic acids (HAA's)** – In 2008 a new Canadian standard for HAA concentrations was established in the *Guidelines for Canadian Drinking Water Quality* (GCDWQ). The maximum acceptable concentration for HAA's is 80 ppb (based on a running annual average calculated with quarterly results for different locations within the system). None out of the sixteen quarterly average HAA's at all four locations tested on the DNV distribution system were above 80 ppb in 2013. This was discussed at Section 5. Issues. Sample test results for HAA's are shown in Table 1 below.
- iii. **Trihalomethanes (THM's)** – the *Guidelines for Canadian Drinking Water Quality* (GCDWQ) list a maximum acceptable concentration for THM's at 100 ppb (based on a running annual average calculated with quarterly results for different locations within the system). Quarterly average THM's for all four locations tested on the DNV distribution system were below 100 ppb in 2013. This was discussed at Section 5. Issues. Sample test results for THM's are shown in Table 1 below.

- iv. **pH** – the GVWD analyzed 4 HAA/THM samples at one sample location for pH in 2013.

TABLE 1 2013 DISINFECTION BYPRODUCTS SAMPLING PROGRAM						
		Total Trihalomethanes (THM's) (ppb)	Running Annual Average THM's (ppb) MAC* = 100	Total Haloacetic Acids (HAA's) (ppb)	Running Annual Average HAA's (ppb) MAC* = 80	pH AE** = 6.5-8.5
DNV – 727	1 st Quarter 2013	14	17	9	34	
	2 nd Quarter, 2013	17	17	10	30	
	3 rd Quarter, 2013	21	17	21	27	
	4 th Quarter, 2013	19	17	23	27	
DNV – 733	1 st Quarter 2013	14	19	8	39	
	2 nd Quarter, 2013	31	21	41	38	
	3 rd Quarter, 2013	24	22	23	39	
	4 th Quarter, 2013	19	22	25	36	
DNV – 734	1 st Quarter 2013	15	19	10	37	
	2 nd Quarter, 2013	54	28	59	35	
	3 rd Quarter, 2013	25	29	21	37	
	4 th Quarter, 2013	23	29	25	33	
DNV – 736	1 st Quarter 2013	10	25	16	32	
	2 nd Quarter, 2013	51	31	58	38	7.0
	3 rd Quarter, 2013***					
	4 th Quarter, 2013	25	NA	29	NA	7.2

*MAC = Maximum Acceptable Concentration

**AE = Aesthetic Objective

***missing sample due to PRV (sample site) renovation at time of sample

- v. **Metals** – a total of eight samples for metals, including copper, lead and zinc, were collected from four locations in 2013. Sample locations, results, and maximum limits are given in Table 2 below. All the metals tested were under the recommended maximum concentrations.

TABLE 2
2013 METALS SAMPLING PROGRAM

Sample	CDNV 5396 - 1181 West 22nd #734	CDNV 5396 - 1181 West 22nd #734	CDNV 5397 - 2838 Panorama Dr #721	CDNV 5397 - 2838 Panorama Dr #721	Carisbrooke Elem. School	Carisbrooke Elem. School	Seymour Heights Elementary School	Seymour Heights Elementary School	Limits
Date Collected	May15, 2013	Nov.13, 2013	May15, 2013	Nov.13, 2013	May15, 2013	Nov.13, 2013	May15, 2013	Nov.13, 2013	
Aluminum Total µg/L	98	23	43	24	90	22	39	27	*100 - 200
Antimony Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	6
Arsenic Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	10
Barium Total µg/L	2.3	4.1	3.1	4.2	2.5	3.9	2.6	3.8	1,000
Boron Total µg/L	<10	<10	<10	<10	<10	<10	<10	<10	
Cadmium Total µg/L	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	5
Calcium Total µg/L	1180	3330	3180	3680	1380	3530	2690	3700	
Chromium Total µg/L	0.06	<0.05	0.05	0.06	0.06	0.05	<0.05	0.07	50
Cobalt Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	
Copper Total µg/L	14.0	8.1	3.6	1.7	42.9	31.7	21.6	34.9	1,000
Iron Total µg/L	58	8	28	28	44	17	8	7	300
Lead Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.7	10
Magnesium Total µg/L	133	165	128	148	117	146	131	171	
Manganese Total µg/L	1.8	1.9	0.8	1.1	1.0	0.7	1.9	4.7	5
Mercury Total µg/L	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	1
Molybdenum Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	
Nickel Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	
Potassium Total µg/L	125	215	136	197	131	200	128	201	
Selenium Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	10
Silver Total µg/L	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	
Sodium Total µg/L	1670	1480	1300	1460	1680	1480	1290	1520	200,000
Zinc Total µg/L	3.8	<3	<3	<3	<3	<3	<3	<3	5,000

* No health-based guideline for aluminium has been established in Canada, however where aluminium-based coagulants are used in water treatment plants, these operational guidelines should be targeted.

4. Challenges

Challenges facing the DNV in 2013 for maintaining good water quality in the distribution system were ensuring that water system maintenance and replacement programs have the greatest possible positive effect on maintaining good water quality, while at the same time achieving target levels for infrastructure repair and replacement.

Chlorine residual issues, generally related to flow from the Capilano Source during times of high turbidity, have been substantially reduced due to GVWD's operational strategy of the two sources and the performance of the filtration plant.

5. Issues

a. Chlorine Residuals

In October 2001, during a review of 2000 water quality data with the three North Shore municipalities, the Medical Health Officer for Vancouver Coastal Health (North Shore) determined that there were locations in all three North Shore municipalities where chlorine residual levels in the water distribution system were below a level that is desirable for the prevention of regrowth of bacteria in the piping system. Chlorine is added by the GVWD at the source to initially disinfect the water, but because of the elapsed time from adding chlorine to the time of water consumption, it may have dissipated (disappeared).

The Medical Health Officer has indicated that the minimum concentration for chlorine residual in the distribution system should be 0.2 mg/L free chlorine. All of the locations identified as having low chlorine residuals in 2001 had average chlorine residuals at or above 0.2 mg/L from 2002 to present. Ten of 1321 samples showed chlorine residual concentrations below 0.2 mg/L in 2013, from 4 separate sites. Real-time chlorine residual monitoring is active at two of DNV's water pump stations and allows real time analysis and alarming for low chlorine conditions. Issues related to high equipment maintenance requirements have caused readings from these sites to vary from Metro's Seymour water and Capilano water source chlorination recorded levels. We continue to make changes in equipment and practices to allow a better alignment between DNV and Metro readings in the future.

Results from sample sites receiving filtered water from the new Seymour-Capilano Filtration Plant continue to show that chlorine residuals are lasting longer and residuals have improved at sites where historically residuals have been low. The average chlorine residual just downstream of the Seymour filtration plant was 0.72 mg/L (0.80 in 2012). The average system chlorine residual through the system in 2013 was 0.64 mg/L (0.71 in 2012). This shows that the level of chlorination continued to provide good chlorine residual levels throughout the water distribution system and on average Metro used less chlorine in 2013 than in 2012 to maintain good chlorine residuals in our system.

A comparison of average chlorine residuals at DNV sampling sites for 2000 (“baseline” year) and 2010 through 2013 is included in Appendix B.

b. Disinfection By-Products

Ongoing monitoring of disinfection by-products has indicated that Haloacetic acids (HAA) levels in DNV water remain at acceptable levels. The running annual average levels of HAAs are now significantly lower than they were prior to the operation of the Seymour-Capilano filtration plant.

Trihalomethanes (THMs) also remain at acceptable levels. The running annual average levels of THMs in DNV water are now significantly lower than they were prior to the operation of the Seymour-Capilano filtration plant.

6. Work Program

a. 2013

Approximately 43,000 m, (about 12% of DNV’s watermain network) of watermain cleaning was completed in the City zone, between Sutherland Ave (west boundary), East Keith Road (south boundary), East 14th (north boundary), and Mountain Hwy (east boundary). We also cleaned our C1 zone, between Fullerton (west boundary), West 17th St (north boundary), Mackay Rd (east Boundary), and McKeen Ave (south boundary).

About 4.4 km of watermain was replaced in 2013.

b. 2014

System operational refinements will be made, if necessary, in 2014 to continue delivering water with optimum chlorine residuals to all areas. The 2014 watermain cleaning program (Unidirectional flushing) will focus on the L1, L1a, and part of L2 pressure zones, or approximately 43,000 m (about 12 % of DNV’s network) of watermain.

The 2014 watermain replacement program consists of about 5,400 metres as follows.

Project Name	Length (m)	Project Name	Length (m)
Ruby Ave	250	E. Windsor Rd	220
E 29th St	740	Duval Rd/Scott Rd	170
Ayleslynn Dr	125	Chamberlain Dr	164
Welch	20	Ranger	210
Edgemont Bvd	50	Haverhill Place	140
Roslyn Bvd	730	West 15th St	120
Pierard Rd	280	Wellington Dr	60
Sarita Ave, Sarita Pl	400	Laing Dr	125
Byron Rd/Bronte	340	S of Summerside Ln	140
Phillip Ave	110	Banbury Rd	235
Cove Cliff Rd	400	Cortell St	115
Gladstone Ave	450		

Approximately 1.1 km of this replaces cast iron pipe, which will improve water quality by replacing old unlined pipe with new cement mortar-lined ductile iron pipe

F. INCIDENTS/SIGNIFICANT COMPLAINTS

There were no significant incidents or complaints in 2013.

G. GENERAL WATER ADVISORIES

In his November 23, 2001 report on drinking water quality in the DNV, the local Medical Health Officer requested that general drinking water advisories be published on a quarterly basis. In late 2011 the MHO agreed that there is no further need to advertise these advisories.

H. OPERATOR TRAINING/QUALIFICATIONS

The *BC Drinking Water Protection Regulation*, which came into effect on May 16, 2003, outlines qualification standards for water supply system operators. Water systems are to be classified by the Environmental Operators Certification Program (EOCP) based on the complexity of the system and the population served. System classifications range from Level 1 for the smallest, simplest systems to Level 4 for the largest, most complex systems. The chief "operator(s)" of the system must be certified by the EOCP at a level matching the level of classification of the system.

In April 2004 the DNV received a Level 3 classification from the EOCP for its water distribution system. The DNV currently has three distribution system operators with Level 3 operator's certification from the EOCP, keeping the DNV in full compliance with the Regulation.

The DNV, in association with Metro Vancouver and its other member municipalities, has continued its efforts to obtain clarification from the EOCP and the Ministry of Health with respect to operator training, continuing education and certification requirements for all employees engaged in work on the water distribution system. Unfortunately, a process that had been established in 2007 to work through the issues with the EOCP has fallen behind schedule, although discussions continued in 2013. In addition, as a result of EOCP continuing education requirements for all certified operators, the issue of remuneration of employees for maintaining their certification status still exists. The DNV and other municipalities are attempting to resolve this issue through the Metro Vancouver labour classification system.

I. SECURITY MEASURES

Events both locally and internationally in 2001 brought increased attention to the security of water supply systems. In early 2001, incidents of tampering at water storage reservoirs (tanks) in other lower mainland municipalities prompted a complete review of security at DNV facilities. All DNV water storage reservoirs consist of either steel or concrete tanks, and although existing security measures were sound, some improvements were considered to be necessary, including:

- Modifying and strengthening points of access
- Improved alarm capability
- Increased frequency of inspections and patrols
- Details and locations provided to RCMP for increased security surveillance
- Detailed incident-response procedures developed

Assessments of new technology and improved systems to protect DNV water supply facilities are ongoing.

J. NOTIFICATION AND EMERGENCY RESPONSE PLAN

1. Notification Requirements

Table 4 below outlines the notification process for unusual situations that could potentially affect water potability.

TABLE 4
NOTIFICATION FOR UNUSUAL SITUATIONS POTENTIALLY AFFECTING WATER QUALITY

Situation	Notifying Agency	Agency Notified	Time Frame For Notification
<i>E. coli</i> -positive sample	M.V. Laboratory or BC Centre for Disease Control	DNV and Vancouver Coastal Health (North Shore)	Immediate
Total coliform over 10 mg/L and no free chlorine residual	DNV	Vancouver Coastal Health (North Shore)	Immediately upon receipt of sample test results
Chemical Contamination	DNV	Vancouver Coastal Health (North Shore)	Immediate
Turbidity > 5 NTU	M.V. Laboratory or GVWD Operations	DNV and Vancouver Coastal Health (North Shore)	Immediate
GVWD Disinfection failure	GVWD Operations	DNV and Vancouver Coastal Health (North Shore)	Immediate in any situation in which the BCSDWR or the GCDWQ may not be met
Loss of pressure due to high demand	DNV	GVWD Operations and Vancouver Coastal Health (North Shore)	Immediate
Watermain break where contamination is suspected	DNV	Vancouver Coastal Health (North Shore)	Immediate

2. Response Plans

The flow diagram in Appendix C illustrates the process that has been put in place for response to incidents that could potentially affect water quality.

a. *E. coli*-Positive Samples

If a sample analysed by the Metro Vancouver laboratory or the BC Centre for Disease Control tests positive for *E. coli*, the following response plan will be put into action.

E. coli-Positive Sample From DNV Water Distribution System

- i) Results of interim samples, if any, from the site will be examined by the lab. Interim samples are any samples that may have been taken from the site in the period between when the *E. coli* -positive sample was taken and when it was determined to be positive.

- ii) The chlorine residual noted on the sampler's field sheet will be reviewed by the lab and compared to previous readings to determine if there had been a localized loss of disinfectant residual.
- iii) The DNV Section Manager of Utilities Construction and Maintenance (SMUCM) or designate and Vancouver Coastal Health (North Shore) will be notified immediately by the laboratory.
- iv) Arrangements will be made for the immediate collection of a repeat sample (including, where possible, samples from upstream and downstream of the positive sample location).
- v) Vancouver Coastal Health (North Shore) will be contacted and the need for a "boil water" advisory will be evaluated.
- vi) If a "boil water" advisory is warranted, the public notification process as outlined in the *Water Quality Monitoring And Reporting Plan For The GVRD and Member Municipalities* will be followed.
- vii) The lab will contact the DNV with repeat sample results and the results of the species identification tests. The DNV will contact Vancouver Coastal Health (North Shore) to evaluate these results and to determine whether or not the advisory can be lifted.

b. Chemical Contamination

In the event of chemical contamination in the DNV water distribution system, Vancouver Coastal Health (North Shore) will be immediately notified. Immediate steps will be taken to isolate the contaminated area and the level of contamination will be determined through water sampling and testing. The chemical will be identified and any public health risk factors associated with the chemical presence will be determined. Through consultation with Vancouver Coastal Health (North Shore), a public advisory will be carried out.

c. Turbidity Events

Turbidity in the DNV water distribution system is monitored on a regular basis through the water sampling program. Water sampling results yielding readings greater than 1 NTU are scrutinized, along with corresponding free chlorine. Any areas from which high turbidity results came will be re-sampled for chlorine residual and turbidity and flushed if necessary.

In 2007 a task force comprised of Metro Vancouver, Vancouver Coastal Health, Fraser Health and member municipalities developed a communications template for source water major turbidity events. The template outlines the responsibilities of Metro Vancouver, the Health Authorities, and municipalities for notification and communications to each other and the public.

d. GVRD Disinfection Failure

Upon notification by GVWD Operations that an interruption in disinfection has occurred, DNV Water Quality personnel will immediately commence monitoring free chlorine

residual levels at strategic locations and will contact the Vancouver Coastal Health (North Shore) if continued loss of residual is observed.

e. Loss of Pressure Due to High Demand

In the event of adverse pressure loss due to high demand, DNV Utilities crews will make adjustments to the system to isolate the section or facility from the system and then take measures to supplement pressure in the affected area. The DNV will immediately consult with GVWD and Vancouver Coastal Health (North Shore) regarding further actions, and all water quality complaints from the public will be immediately and thoroughly investigated for potential contamination.

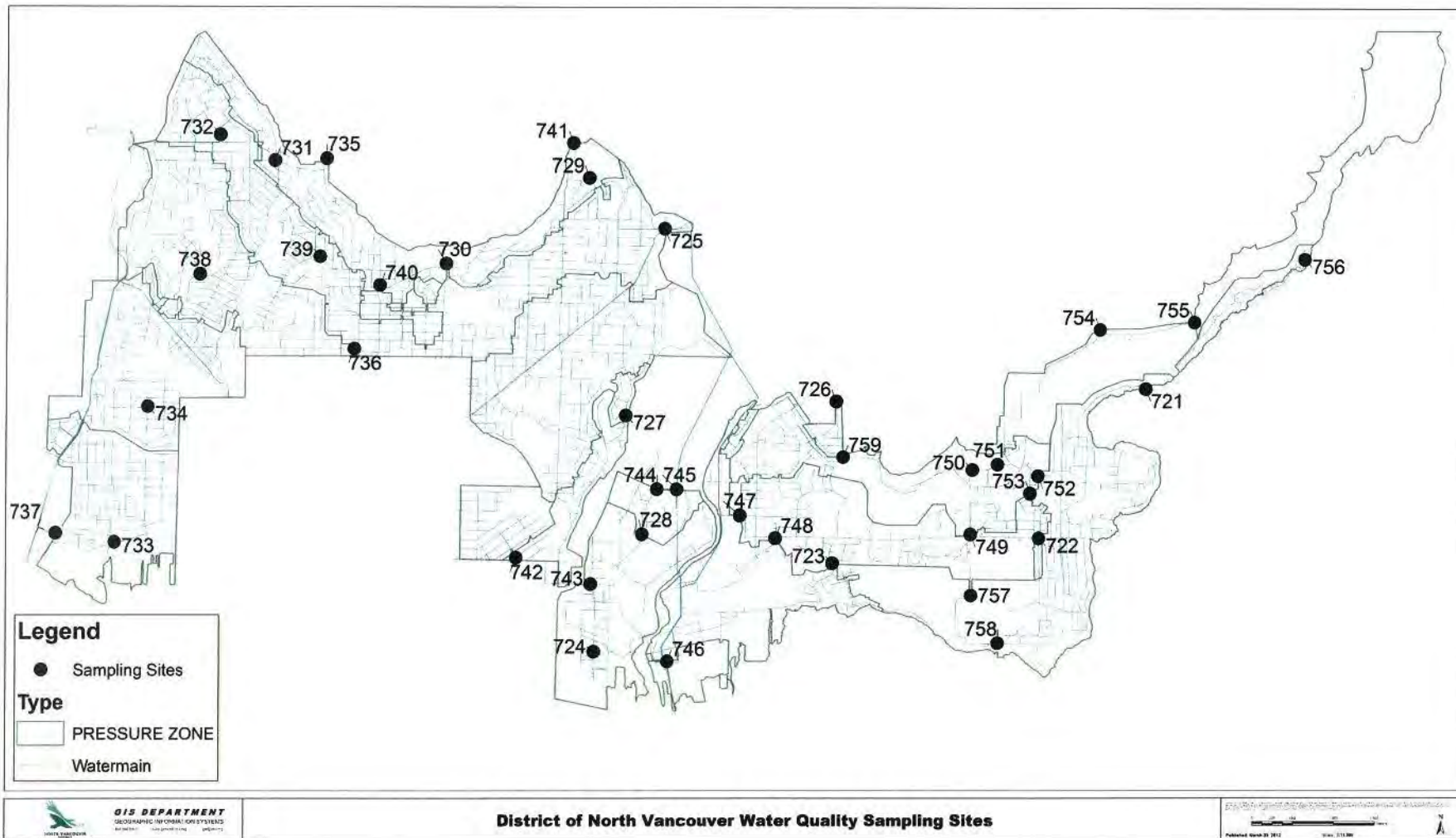
f. Watermain Break Where Contamination is Suspected

For watermain breaks where chemical or microbiological contamination of the system is suspected, DNV Utilities crews will make adjustments to the system to isolate the section or facility from the system. The DNV will immediately consult with Vancouver Coastal Health (North Shore) regarding further actions, and all water quality complaints from the public will be immediately and thoroughly investigated for potential contamination.

For all watermain breaks, water samples will be taken from the vicinity of the break and tested for bacteria. If chemical contamination is suspected, the procedures outlined in 2. Response Plans, b) chemical contamination, will be carried out.

APPENDIX A

1. Map of Water System, Sampling Site Locations and Pressure Zones
2. List of Sampling Site Locations
3. 2013 Schedule for Sampling and Reporting



List of Sampling Site Locations

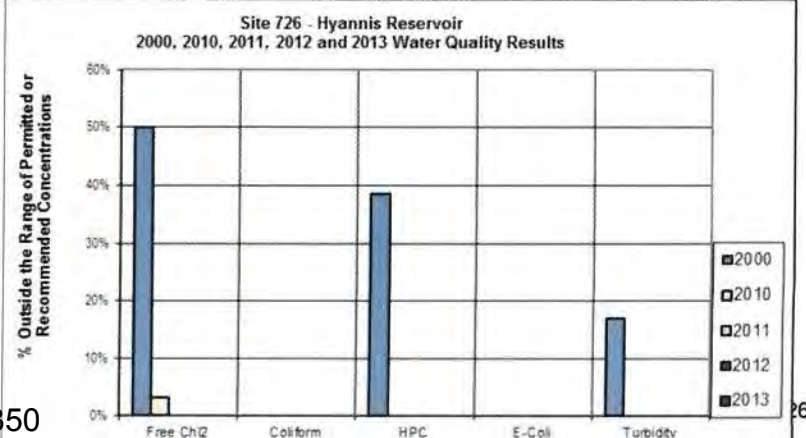
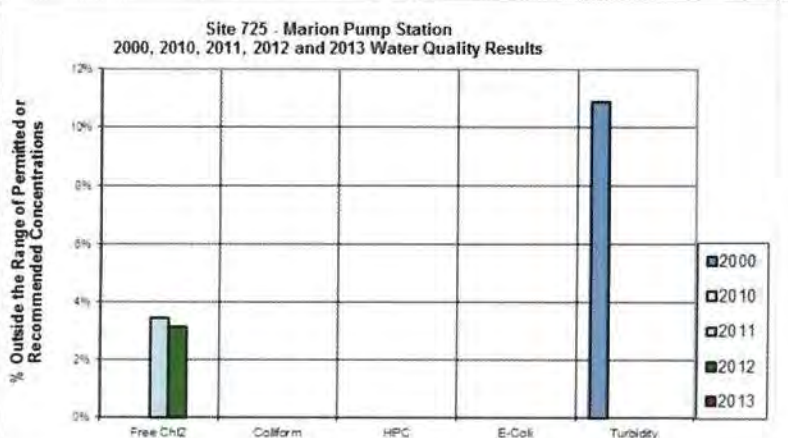
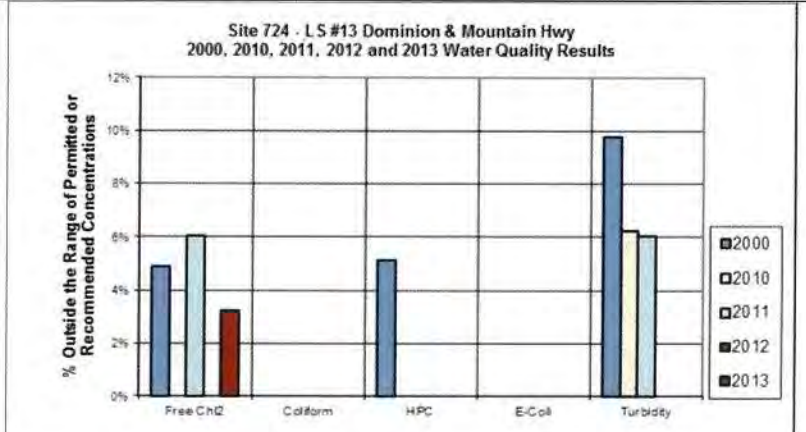
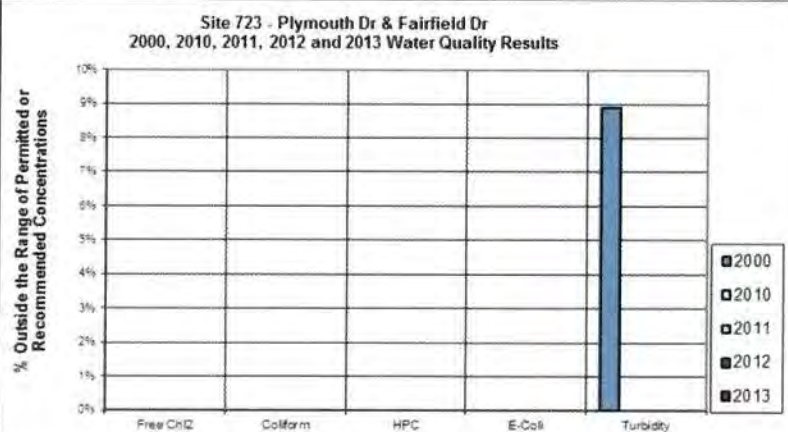
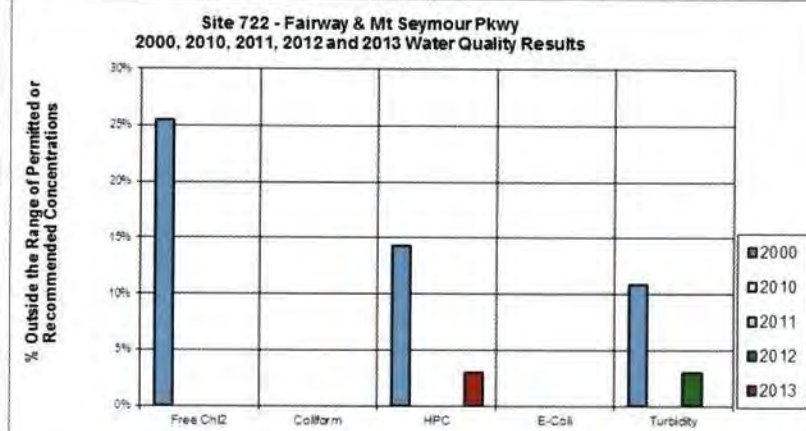
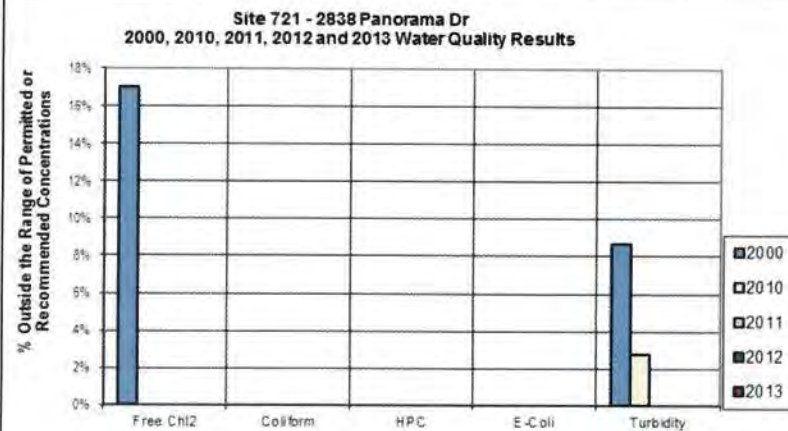
Site I.D.	Lab No.	Location	Flow Rate
1	721	2838 Panorama Dr.	Low
2	722	Fairway & Mt Seymour Pkwy.	Medium
3	723	Plymouth Dr & Fairfield Dr.	Low
4	724	LS #13 Dominion & Mountain Hwy.	Low
5	725	Marion Pump Station	Source
6	726	Hyannis Reservoir	Low
7	727	Hoskins Rd & Kilmarnock Cres.	Medium
8	728	Lillooet Road	Low
9	729	Ramsay Pump Station	Medium
10	730	Braemar Reservoir	Low
11	731	Skyline Pump Station	Medium
12	732	Sarita Pump Station	Source
13	733	McKeen Ave & Phillip Ave.	Medium
14	734	Pemberton Heights	Low
15	735	Prospect Reservoir	Medium
16	736	PRV #4 (W Queens Rd. & Lonsdale Ave.)	Dead End
17	737	N. of BC Rail Tracks just East of Lower Cap. Rd.	Source
18	738	3906 Sunnycrest Dr.	Medium
19	739	376 Cartelier Rd.	Medium
20	740	PRV #5 (190 E. Braemar Rd.)	Medium
21	741	Mountain Hwy Reservoir (North up access Rd., N. of Mountain Hwy.)	Low
22	742	PRV # 11 (Across from 1086 Cloverly St.)	Source
23	743	PRV #7 (N across from 481 Mountain Highway)	Dead End
24	744	Not in use	
25	745	PRV # 13 (N. of 1388 Monashee Drive (Capilano College))	Source
26	746	PRV #17 (60 Riverside Dr.)	Medium
27	747	PRV # 19 (1231 Lennox St.)	Dead End
28	748	PRV # 16 (2592 Bendale Rd.)	Dead End
29	749	PRV # 18 (3728 Mt. Seymour Parkway)	Low
30	750	up path behind 1610 Mt. Seymour Rd.	Medium
31	751	Access Rd, N. end of Cascade Ct.	Low
32	752	PRV # 25 (4068 Deane Pl.)	Medium
33	753	PRV # 20 (1501 Theta Ct.)	Low
34	754	Woodlands reservoir (2.1 km N. of Hixon Rd. on Indian River Dr.)	Low
35	755	PRV # 26 3.7 km NE of Hixon Rd. on Indian River Dr.	Low
36	756	End of Fire Lane # 7 (Firelane #7 is 3.6 km from Hixon Rd.)	Dead End
37	757	PRV 200 m south of 879 Roche Point Dr.	Medium
38	758	3860 Dollarton Hwy.	Medium
39	759	Hyannis Pump Station (1919 Hyannis drive)	Low
40	760	3000 Block Dollarton Hwy.	Low

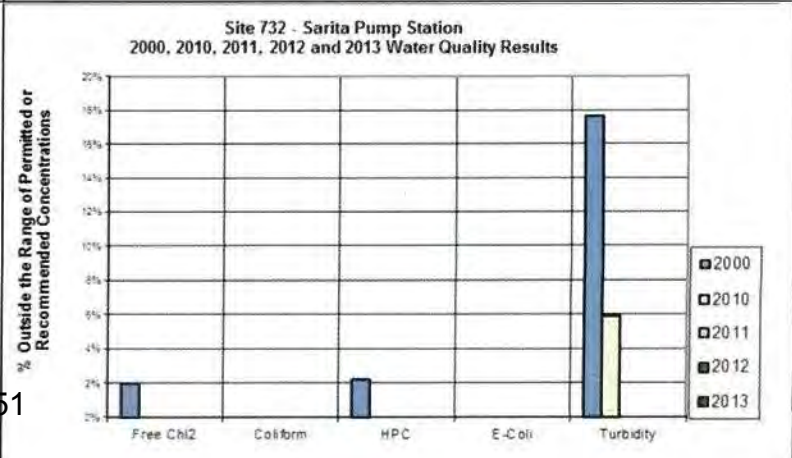
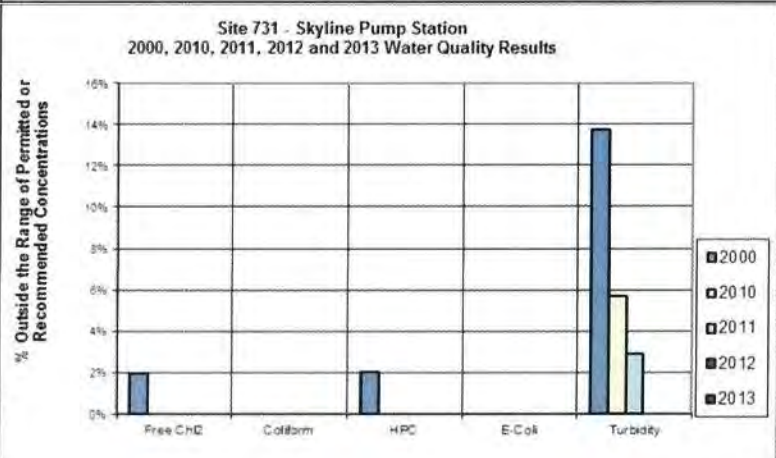
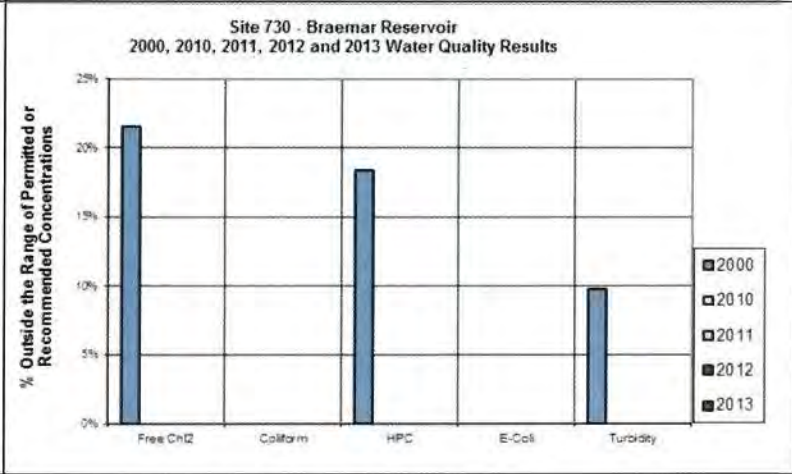
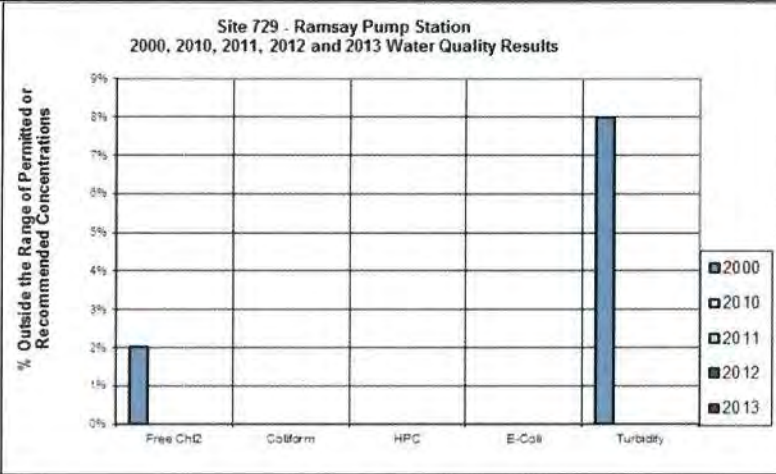
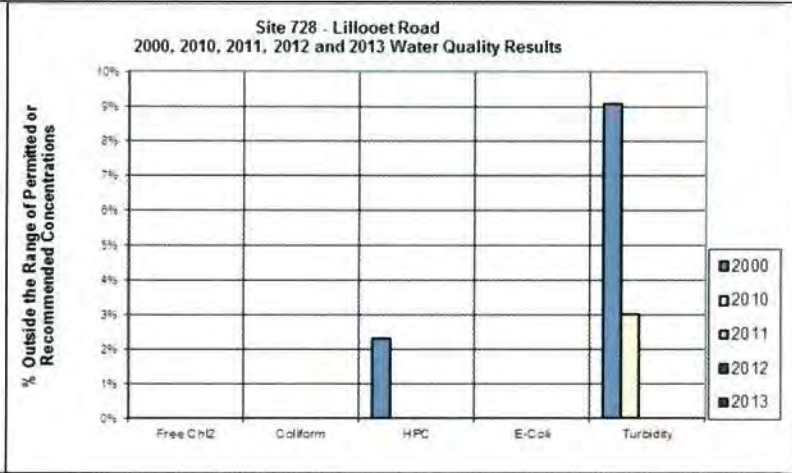
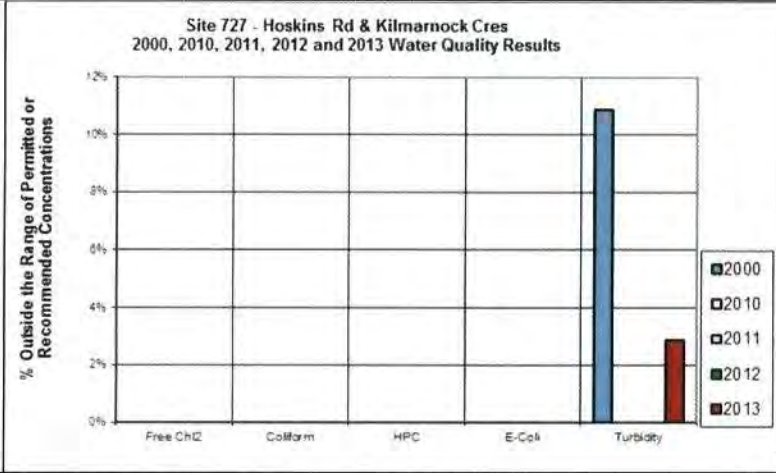
DISTRICT OF NORTH VANCOUVER WATER QUALITY SAMPLING AND REPORTING CALENDAR - 2013

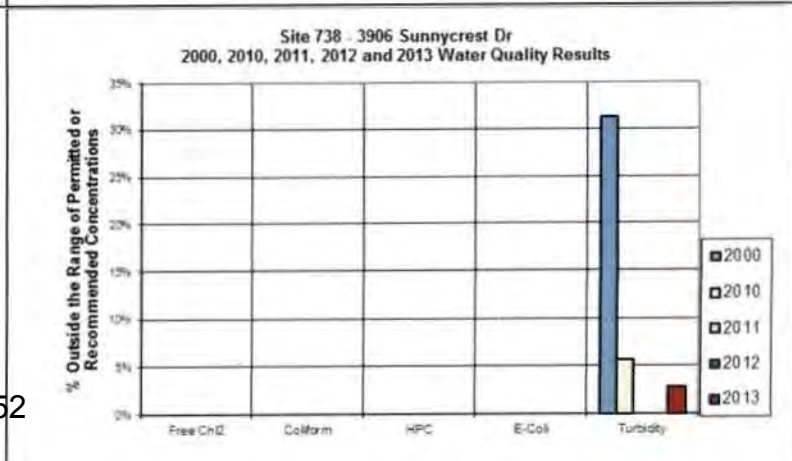
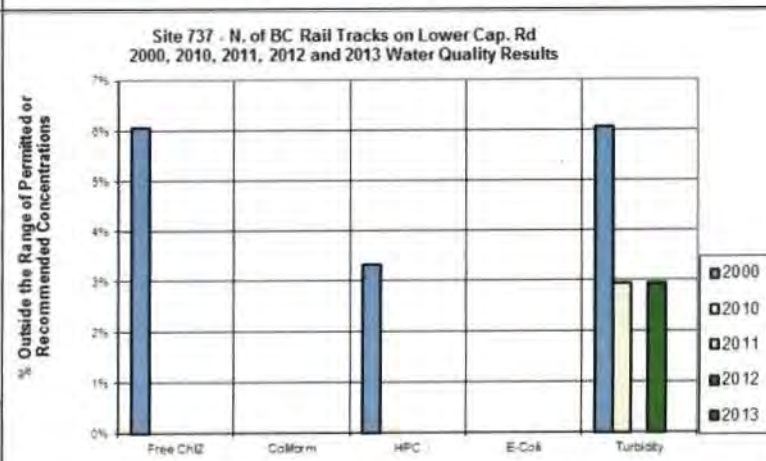
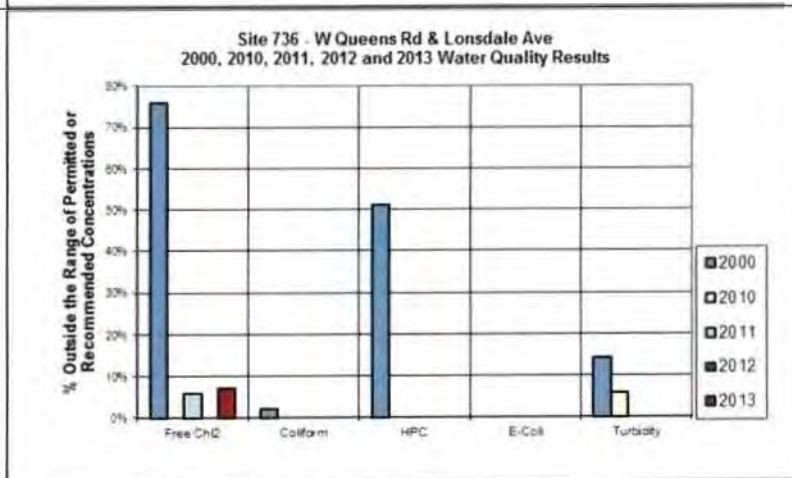
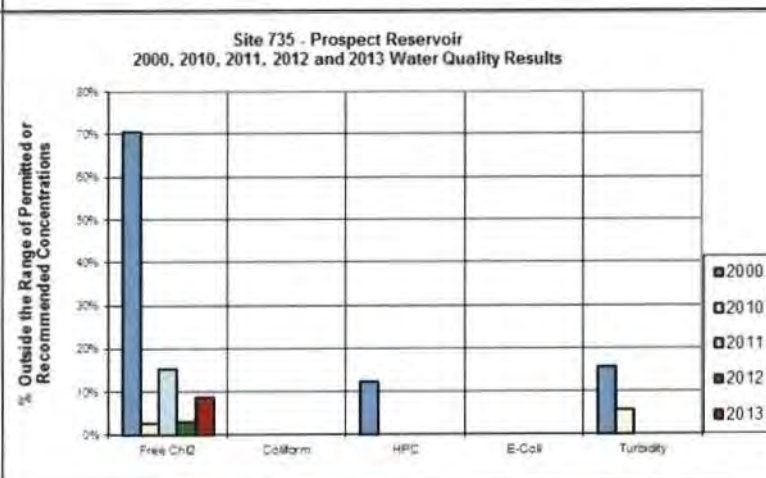
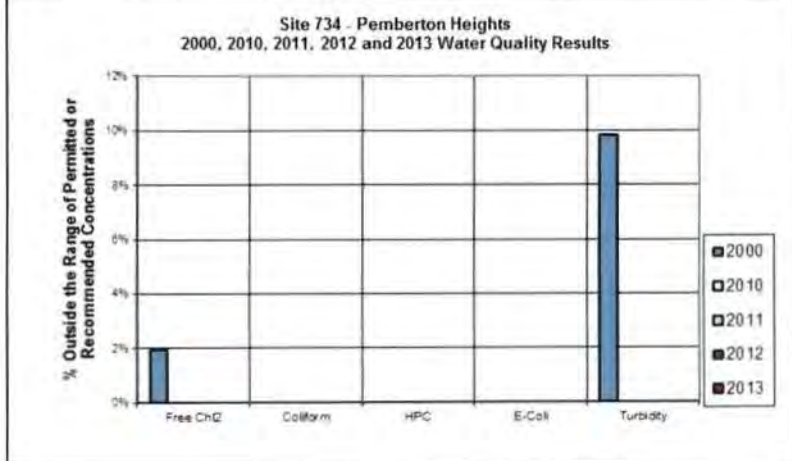
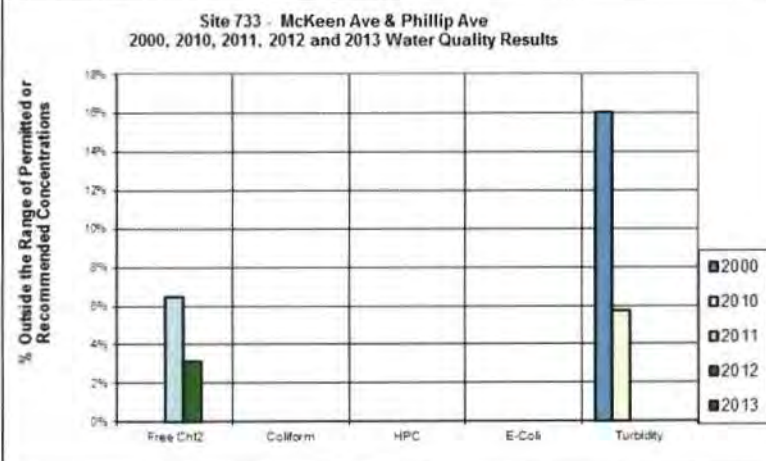
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<u>DISTRIBUTION SYSTEM SAMPLING</u>												
bacteria, turbidity, chlorine, temperature (twice weekly)	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
HAA's, THM's, pH (quarterly)		x			x				x		x	
metals - copper, lead, zinc (semi-annually)					x						x	
<u>NOTIFICATION</u>												
Annual Report:												
Annual report sent to MHO					x							
MHO sends Council his response						x						
Staff report to Council							x					
Posted on Web								x				

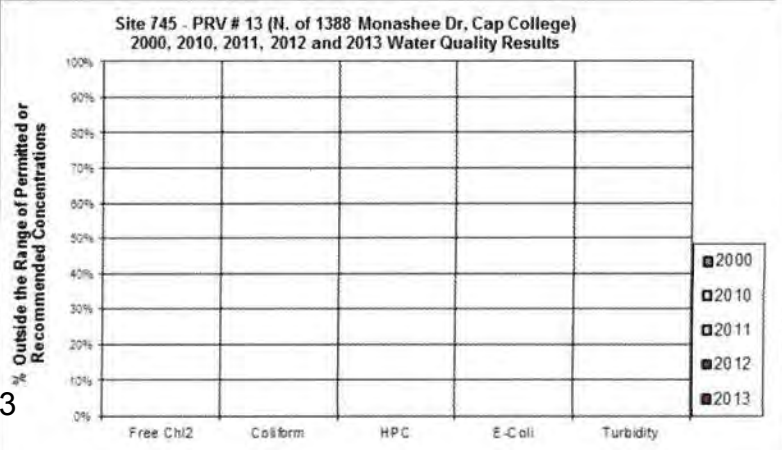
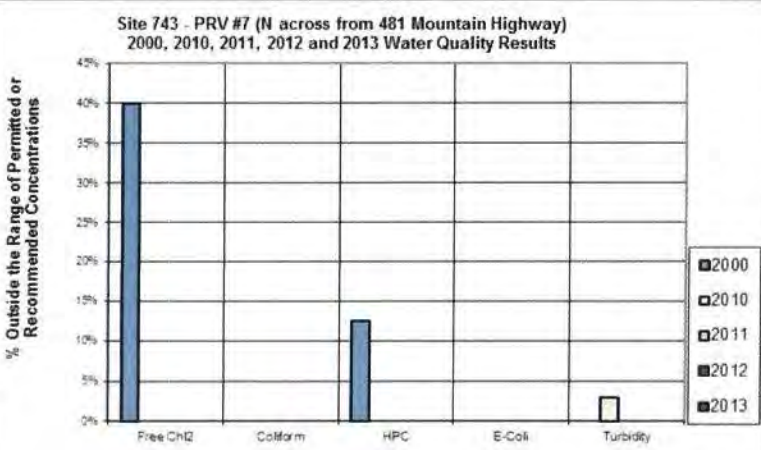
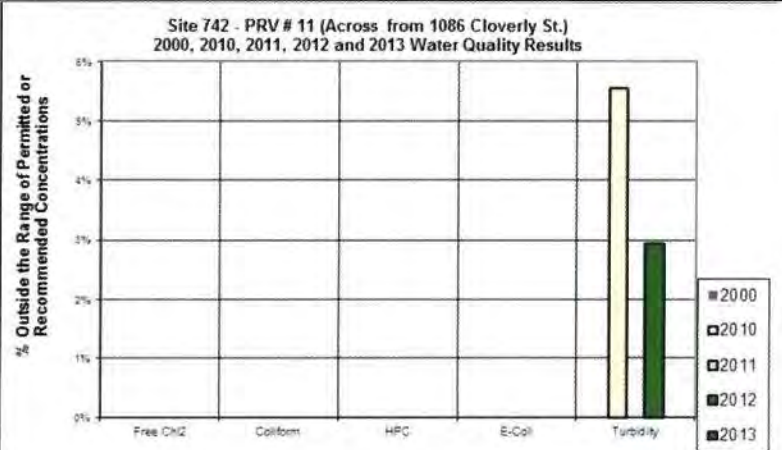
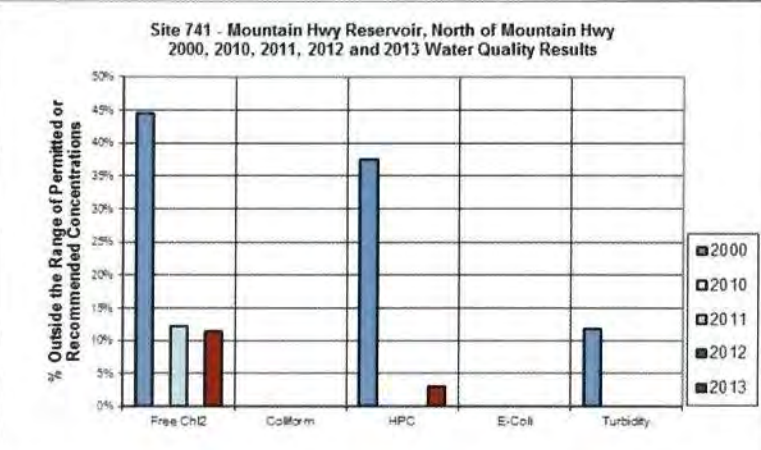
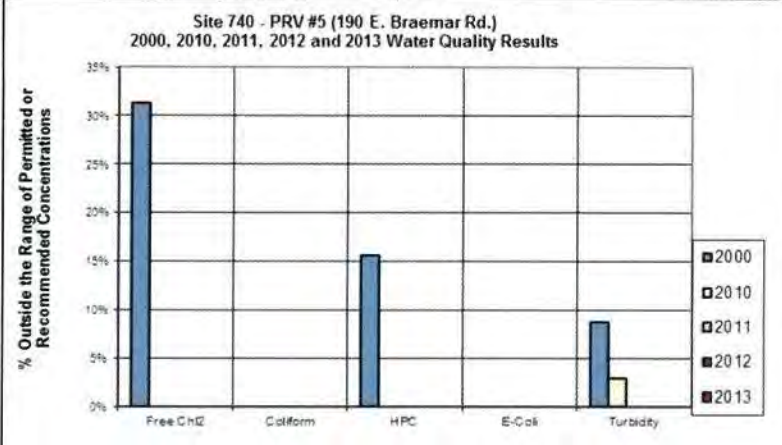
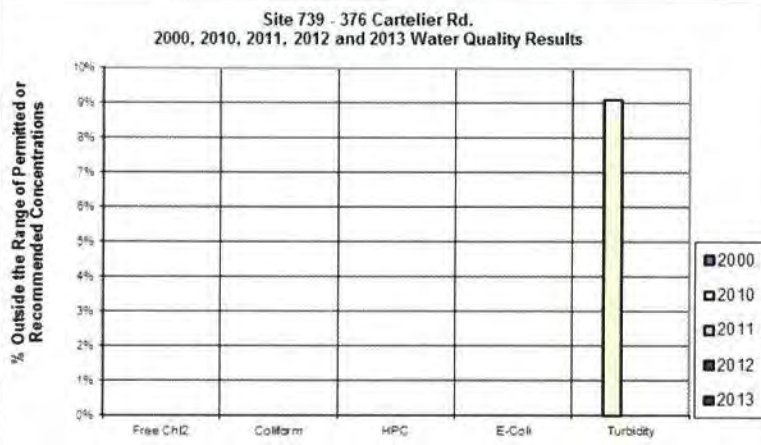
APPENDIX B

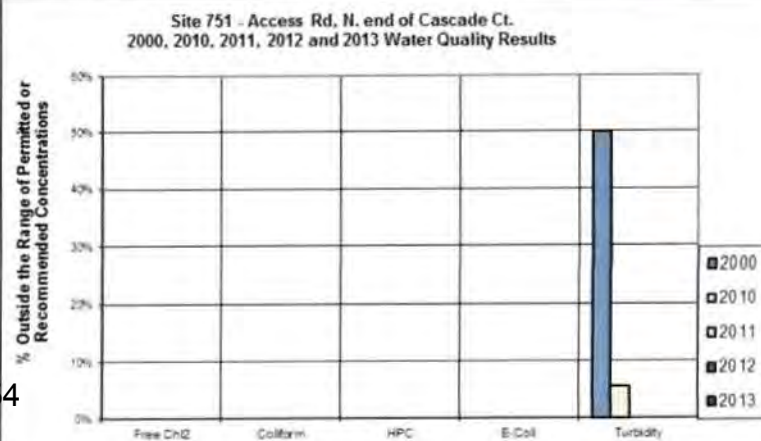
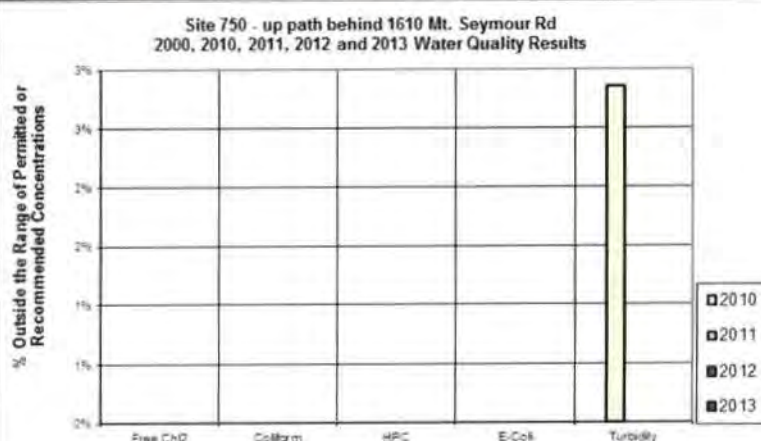
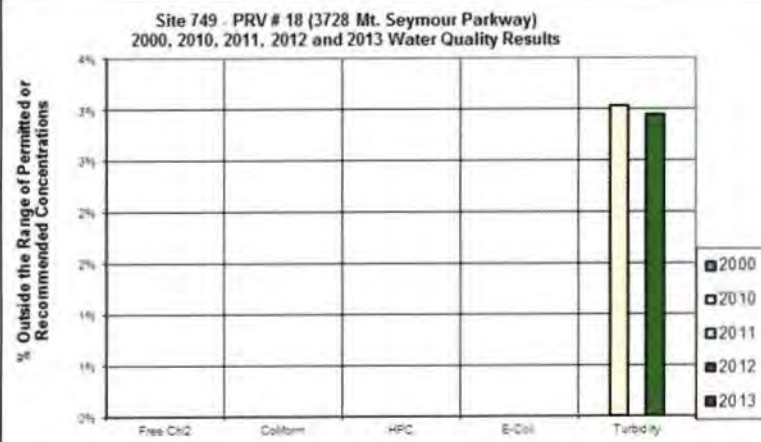
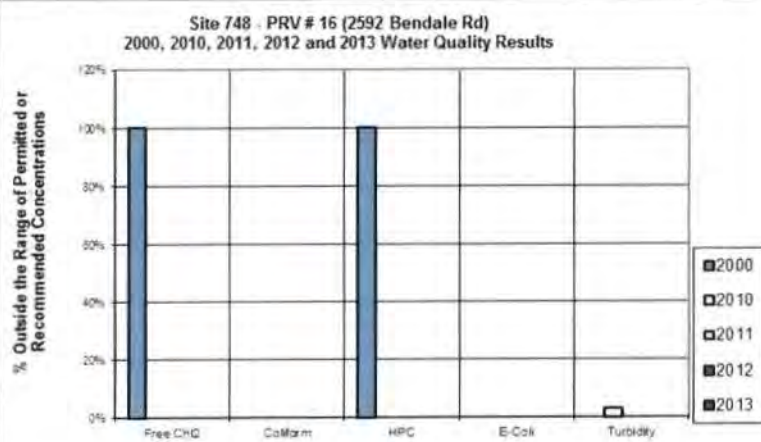
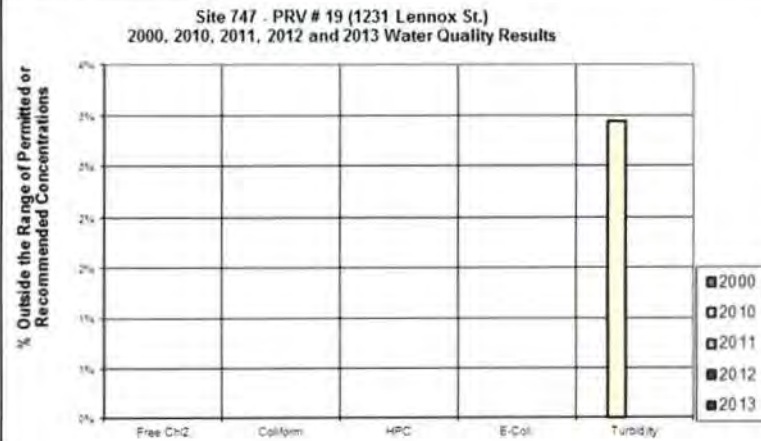
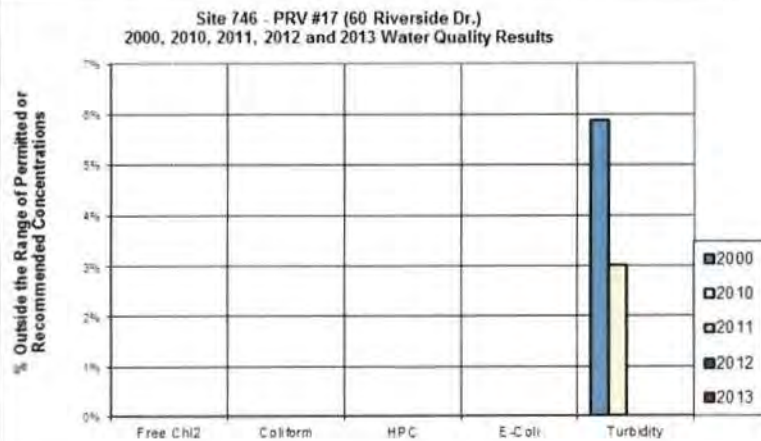
1. Graphs (39) - Water Quality Results by Sample Site, 2000, 2010 - 2013
2. Graph – 2013 Heterotrophic Plate Count (HPC) results over 500 CFU/ml
3. Graph – Number of Samples Analyzed Monthly for Presence of Coliform
4. Graph – Coliform and E. coli Test Results
5. Graph (2) - Average Chlorine Residuals for DNV Sampling Sites, 2000, 2010 - 2013

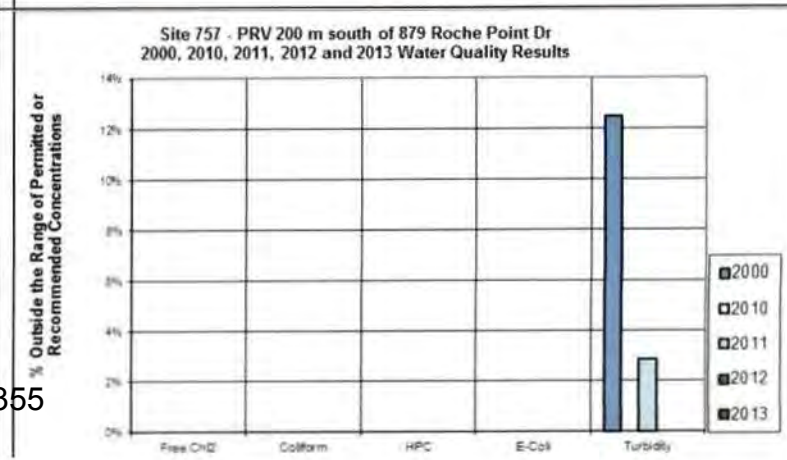
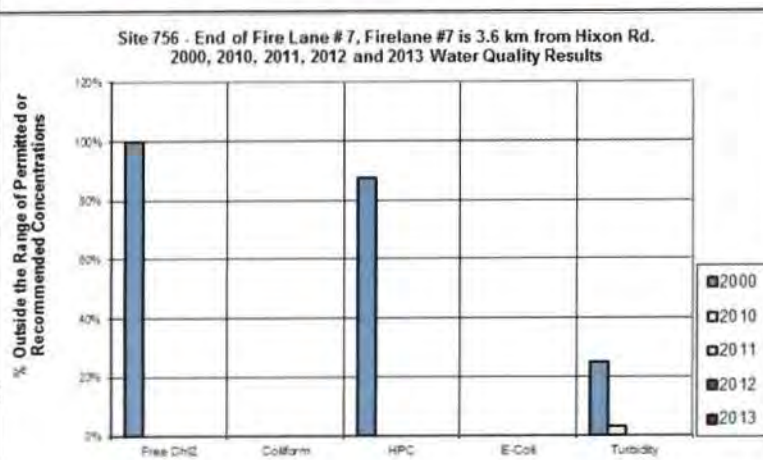
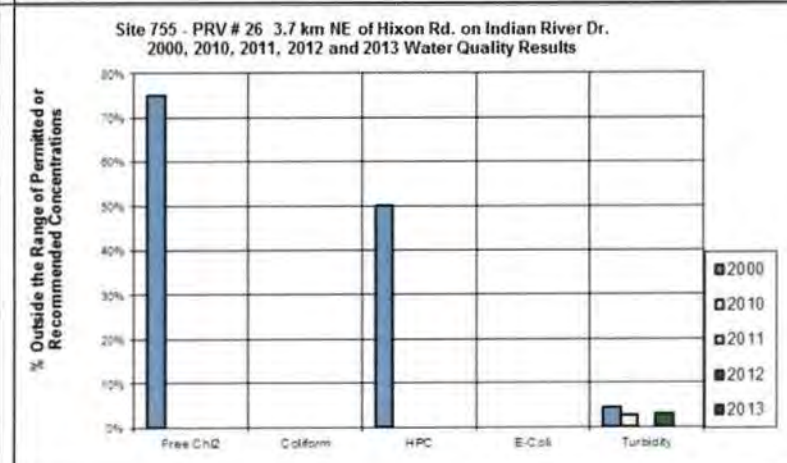
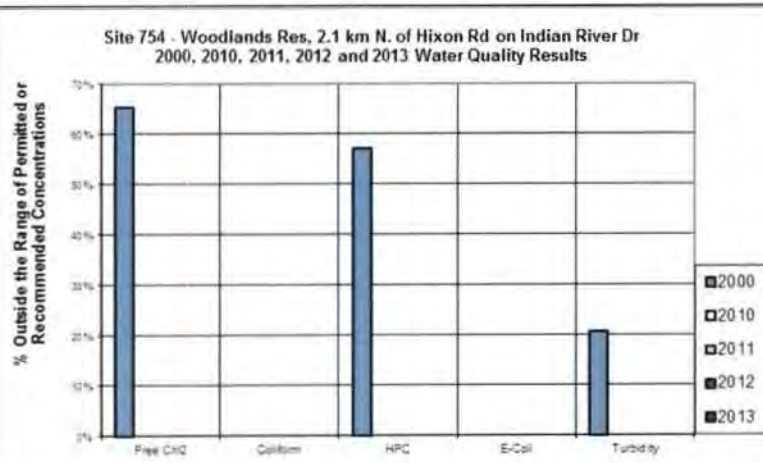
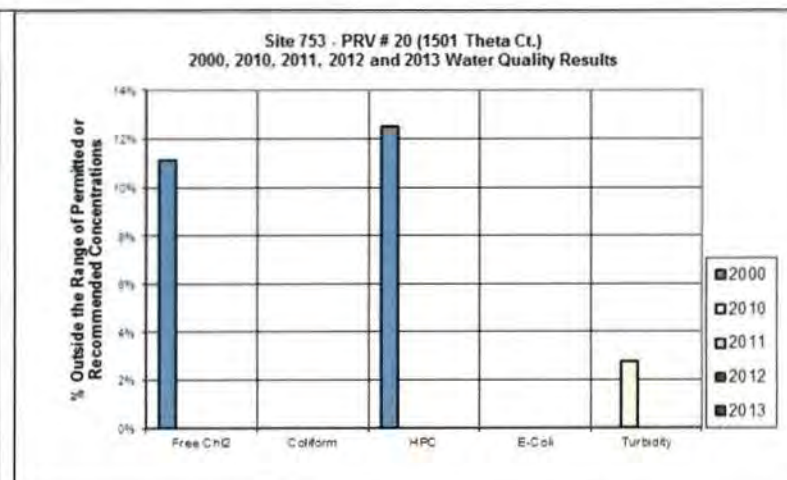
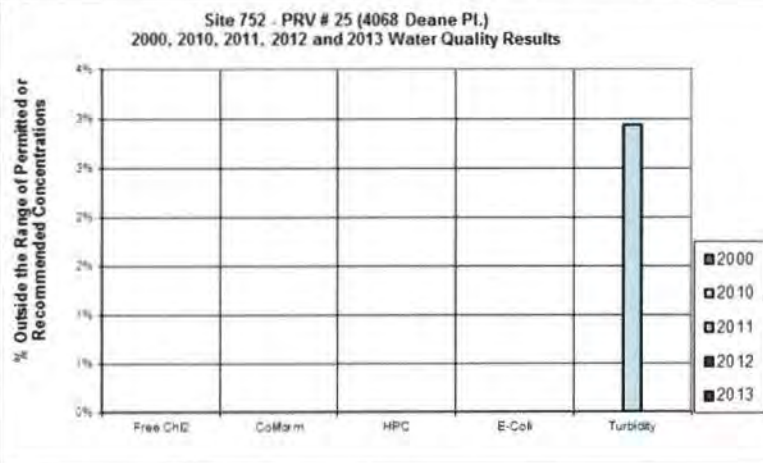


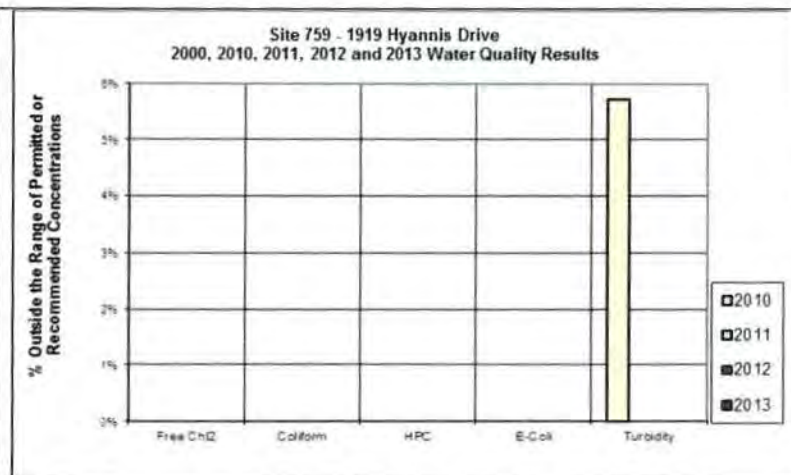
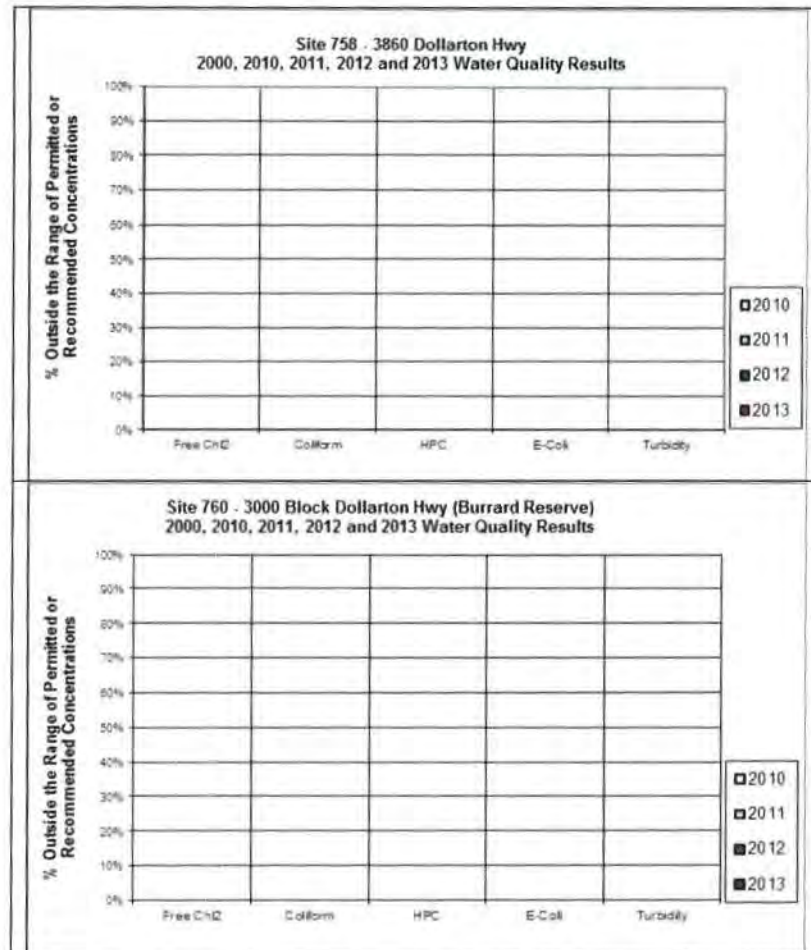






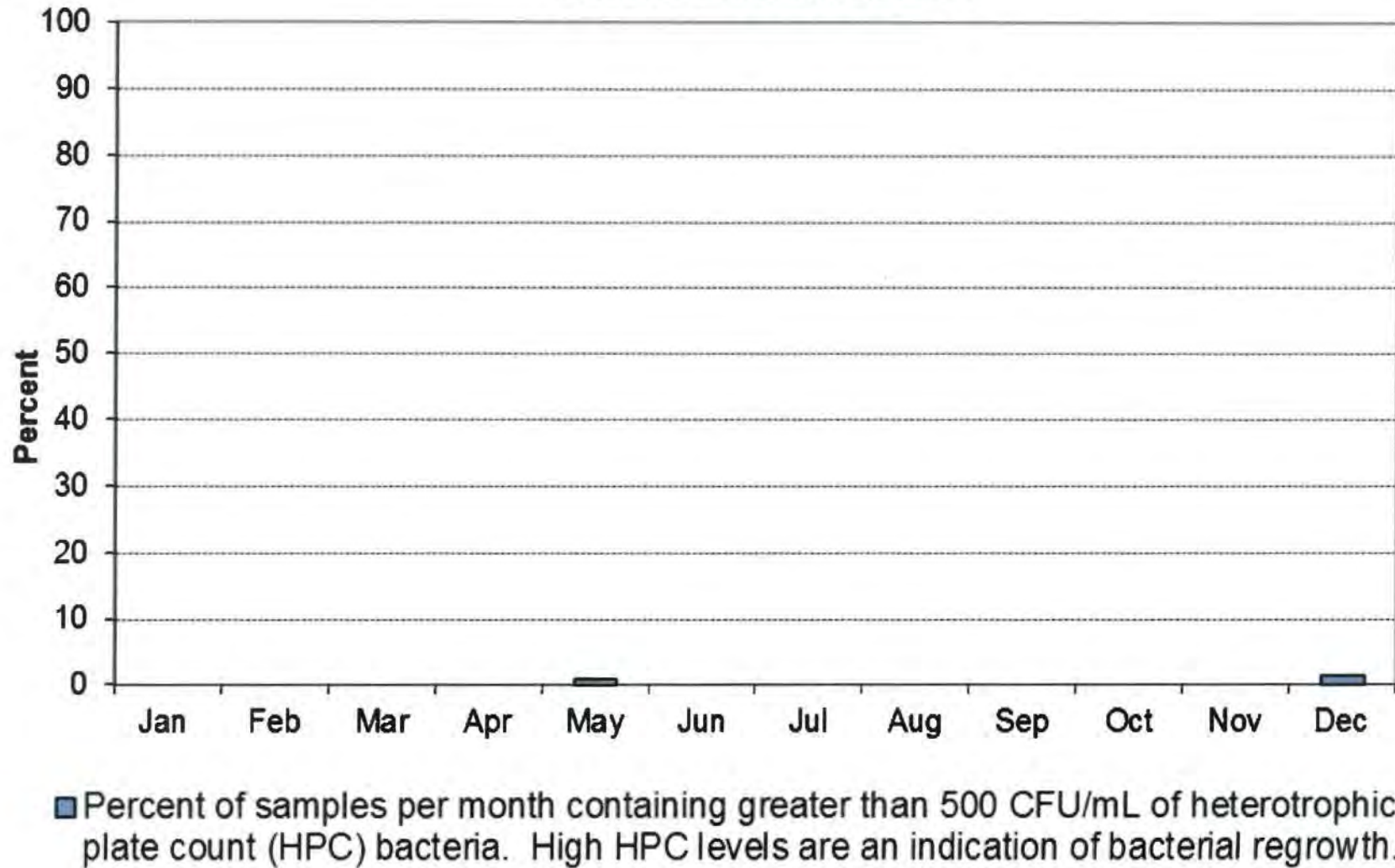






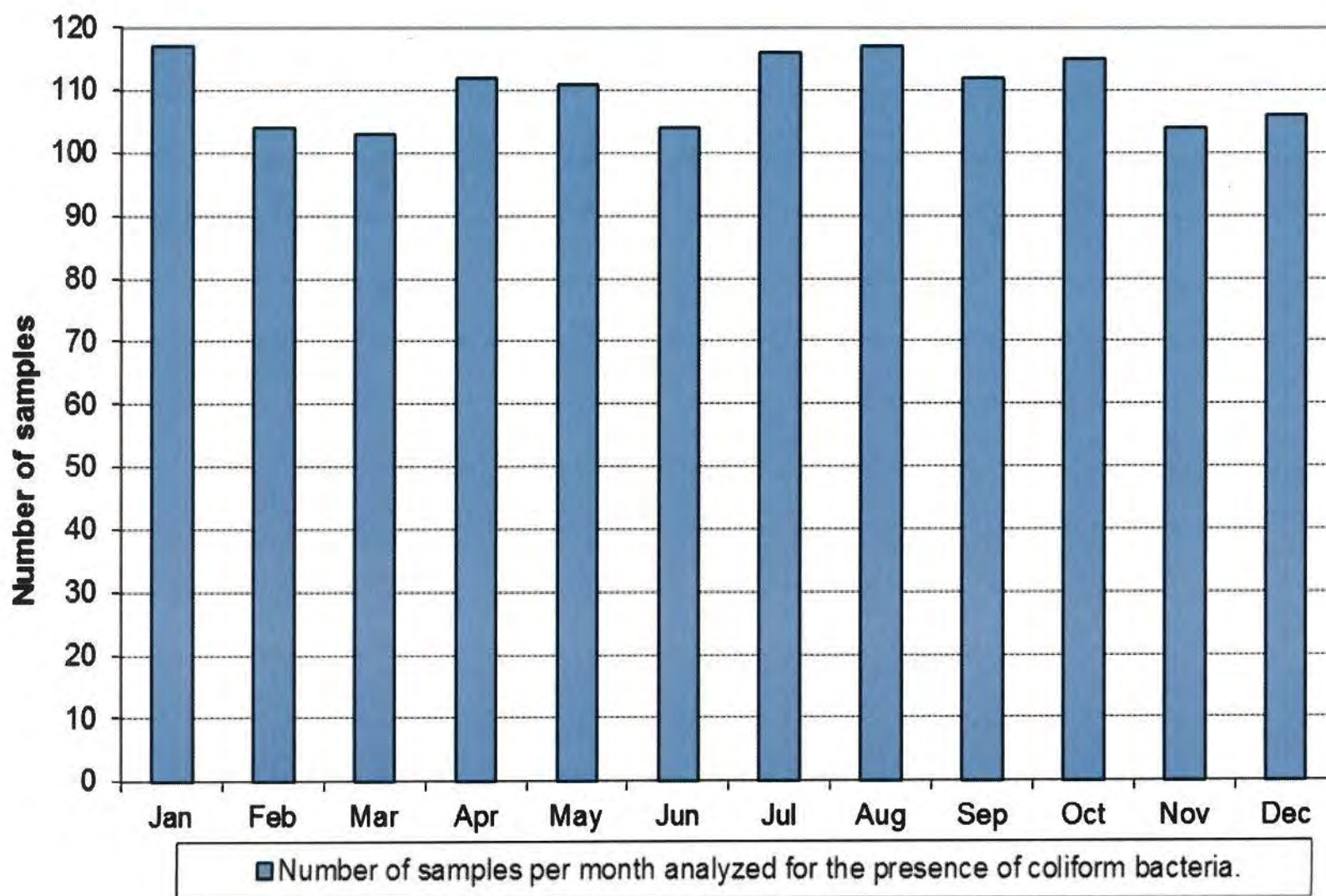
2013 Heterotrophic Plate Count (HPC) results over 500 CFU/mL

**DISTRICT OF NORTH VANCOUVER - MONTHLY HPC
COUNTS FOR 2013**



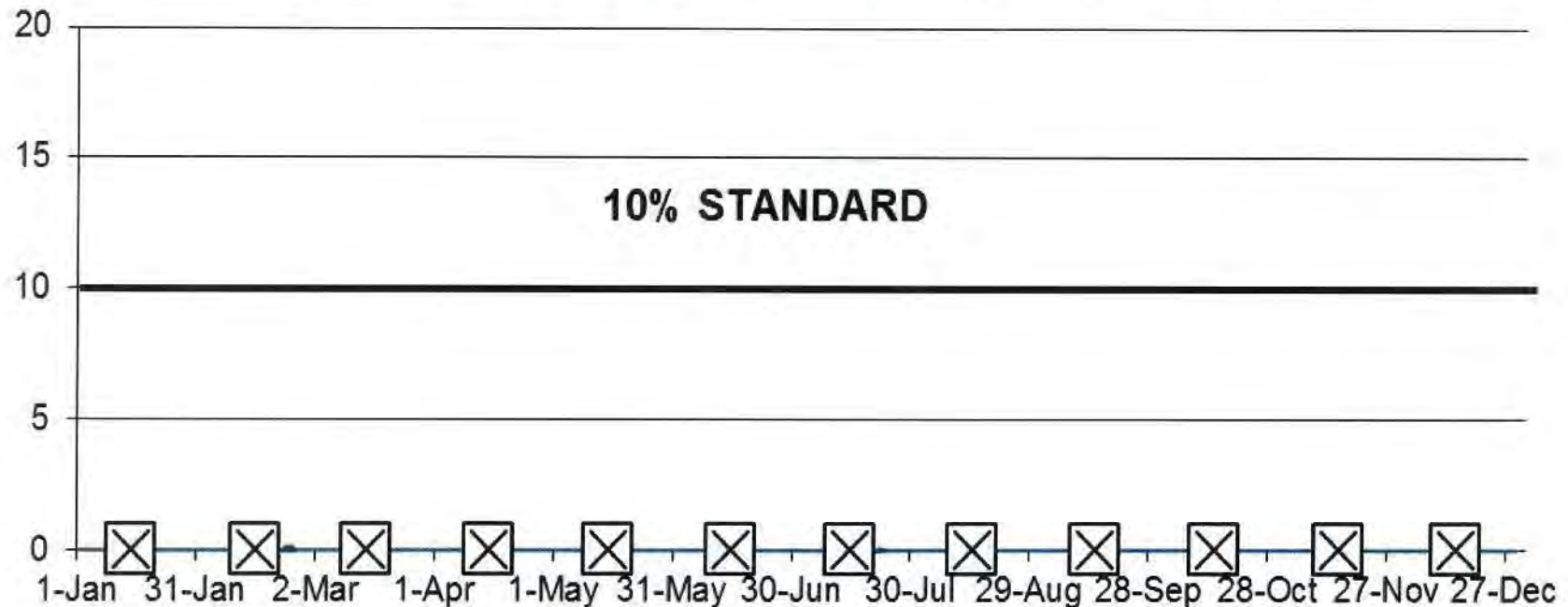
Number of Samples Analyzed Monthly for Presence of Coliform

DISTRICT OF NORTH VANCOUVER - 2013



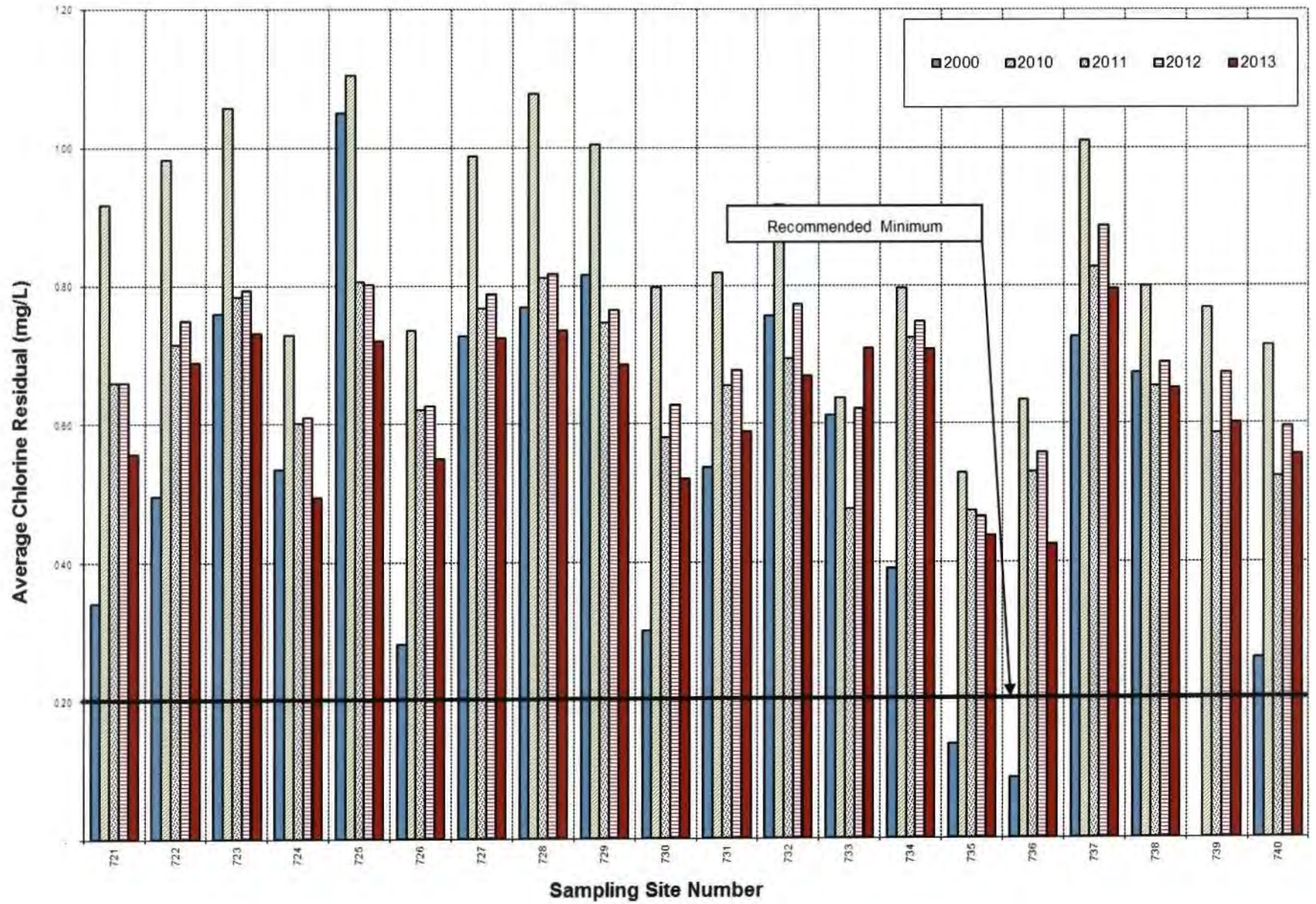
DISTRICT OF NORTH VANCOUVER - 2013

Results of Bacteriological Analyses of Potable Water Samples Compliance With BC Drinking Water Protection Regulation

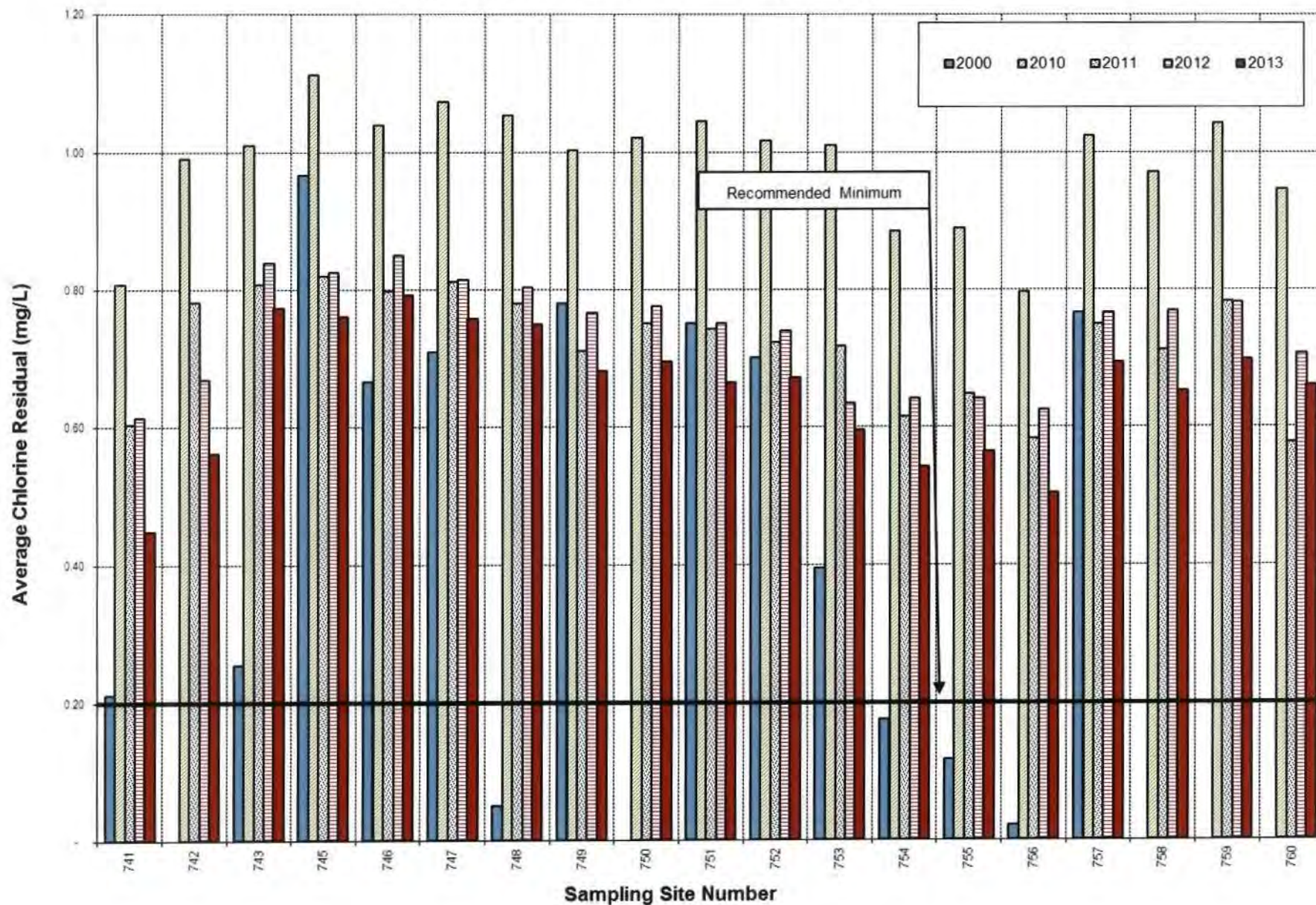


- Percent of samples positive for coliform bacteria in a 30 day period ending on date shown (10% allowed)
- Number of samples positive for E. coli bacteria (none allowed)
- × Number of samples per month containing more than 10 coliform bacteria per 100 mL (none allowed)

District of North Vancouver Drinking Water Quality
2000, 2010, 2011, 2012 and 2013 Chlorine Residuals for DNV Sampling Sites 721 - 740



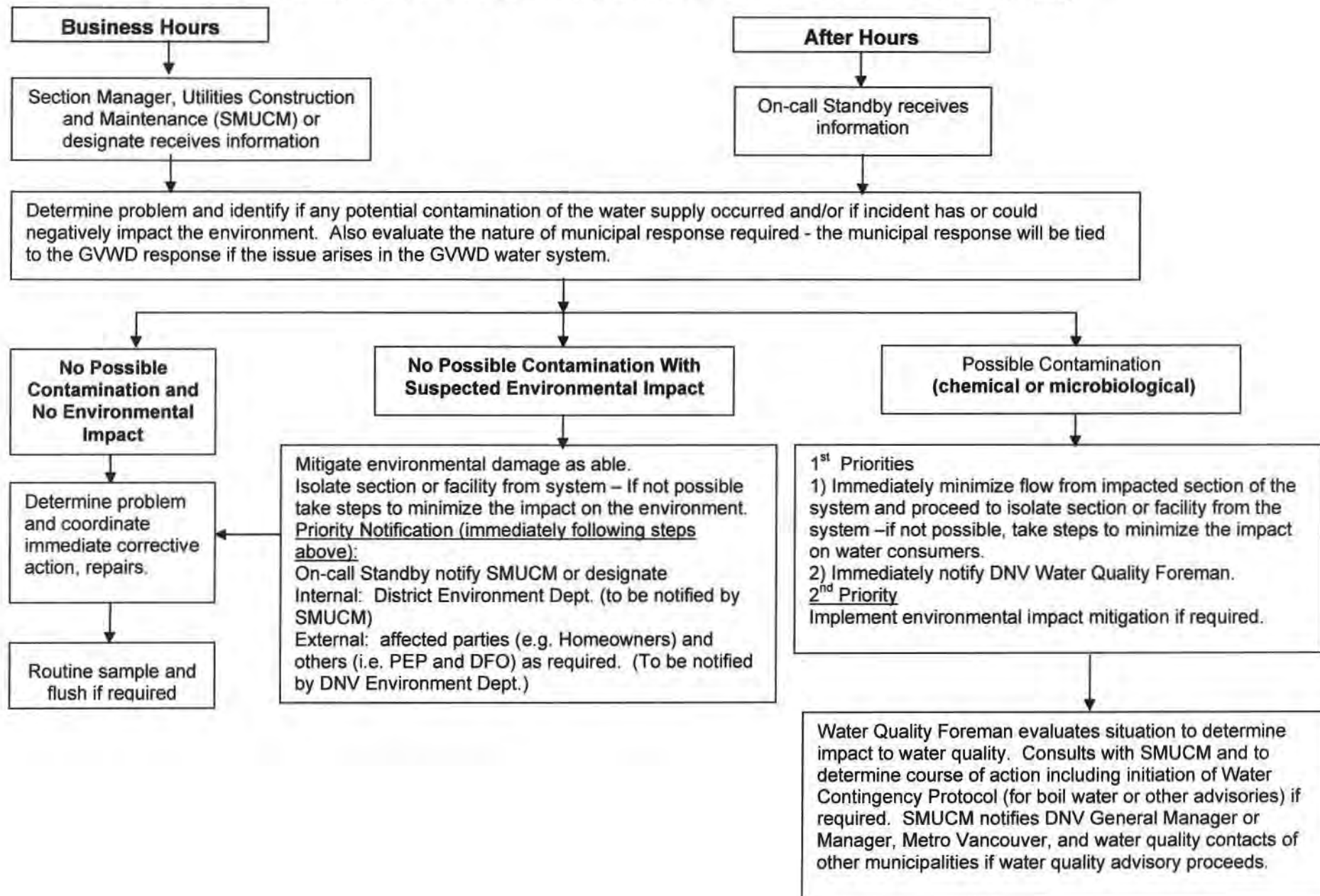
District of North Vancouver Drinking Water Quality
2000, 2010, 2011, 2012 and 2013 Chlorine Residuals for DNV Sampling Sites 741 - 760



APPENDIX C

1. District of North Vancouver Response Procedures for Loss of Municipal System Integrity

**District of North Vancouver Response Procedures For Loss of Municipal System Integrity
(Line breaks, vandalism, loss of pressure, chemical or microbiological contamination)**



April 28, 2014

Mayor and Council
District of North Vancouver
355 West Queens Rd.
North Vancouver, B.C.
V7N 4N5

Dear Mayor and Council:

**Re: Report of the Medical Health Officer
District of North Vancouver - 2013 Annual Drinking Water Quality Report**

District of North Vancouver's 2013 annual drinking water quality report has been reviewed. The report highlights continued progress made toward improving water quality for residents of the District of North Vancouver. Ongoing operational measures, seismic upgrades and long term asset planning should continue to improve water quality for the residents of the District.

The District, as required by Vancouver Coastal Health, is acknowledged for maintaining ongoing efforts to keep residents informed and ensuring they are aware of the location of the annual report. Therefore, a comment regarding location of the annual report on your website should be included with other communications to residents.

Thank you, again, for the report. I look forward to our continued collaboration on improving drinking water quality in the District of North Vancouver.

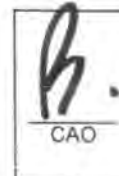
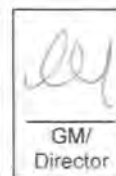
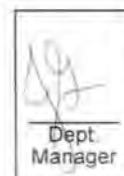
Yours truly,



Mark Lysyshyn, MD, MPH, FRCPC
Medical Health Officer, North Shore
Vancouver Coastal Health

Cc Michael Wu, Public Health Engineer

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 26, 2014</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



The District of North Vancouver REPORT TO COUNCIL

May 6, 2014
File: 01.0115.30/002.000

AUTHOR: Linda Brick, Confidential Council Clerk

SUBJECT: Change to Acting Mayor Schedule

RECOMMENDATION:

THAT the May 5, 2014 resolution of Council switching Councillor Hicks' May 11 – June 9, 2014 Acting Mayor assignment with Councillor Bassam's November 5 – December 4, 2014 Acting Mayor assignment be amended to read:

THAT the schedule of Acting Mayor appointments be amended by switching Councillor Hicks' May 11 – June 9, 2014 Acting Mayor assignment with Councillor Nixon's November 5 – December 4, 2014 Acting Mayor assignment.

REASON FOR REPORT:

To accommodate a desire to switch Acting Mayor assignments between two Councillors and to correct an error from the April 29, 2014 report of the Municipal Clerk.

BACKGROUND:

The April 29, 2014 report of the Municipal Clerk, which was considered at the May 5, 2014 Regular Meeting of Council, referenced an out of date Acting Mayor schedule and thus appointed Councillor Bassam to three appointments as acting Mayor and Councillor Nixon to one appointment as Acting Mayor in 2014. The proposed amendment to the motion of May 5, 2014 will accommodate the request for a switch in assignment dates and reinstate equity to the division of Acting Mayor duties for 2014.

OPTIONS:

1. Appoint Councillor Nixon to Acting Mayor for May 11, 2014 to June 9, 2014; or,
2. Suggest an alternative swap to the one proposed.

Respectfully submitted,

Linda Brick
Confidential Council Clerk

Attachment

1. Existing 2014 Acting Mayor Schedule;
2. Proposed 2014 Acting Mayor Schedule

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 & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

Original 2014 Acting Mayor Schedule

Acting Date	Acting Mayor
December 11, 2013 - January 10, 2014	Councillor Muri
January 11, 2014 - February 9, 2014	Councillor Muri
February 10, 2014 - March 11, 2014	Councillor Hicks
March 12, 2014 - April 10, 2014	Councillor Bassam
April 11, 2014 - May 10, 2014	Councillor Little
May 11, 2014 - June 9, 2014	Councillor Hicks
June 10, 2014 - July 9, 2014	Councillor Bassam
July 10, 2014 - August 8, 2014	Councillor Nixon
August 9, 2014 - September 7, 2014	Councillor MacKay-Dunn
September 8, 2014 - October 5, 2014	Councillor MacKay-Dunn
October 6, 2014 - November 4, 2014	Councillor Little
November 5, 2014 - December 4, 2014	Councillor Nixon

Acting Mayor Schedule following May 5, 2014 motion

Acting Date	Acting Mayor
December 11, 2013 - January 10, 2014	Councillor Muri
January 11, 2014 - February 9, 2014	Councillor Muri
February 10, 2014 - March 11, 2014	Councillor Hicks
March 12, 2014 - April 10, 2014	Councillor Bassam
April 11, 2014 - May 10, 2014	Councillor Little
May 11, 2014 - June 9, 2014	Councillor Bassam
June 10, 2014 - July 9, 2014	Councillor Bassam
July 10, 2014 - August 8, 2014	Councillor Nixon
August 9, 2014 - September 7, 2014	Councillor MacKay-Dunn
September 8, 2014 - October 5, 2014	Councillor MacKay-Dunn
October 6, 2014 - November 4, 2014	Councillor Little
November 5, 2014 - December 4, 2014	Councillor Hicks

Proposed 2014 Acting Mayor Schedule

Acting Date	Acting Mayor
December 11, 2013 - January 10, 2014	Councillor Muri
January 11, 2014 - February 9, 2014	Councillor Muri
February 10, 2014 - March 11, 2014	Councillor Hicks
March 12, 2014 - April 10, 2014	Councillor Bassam
April 11, 2014 - May 10, 2014	Councillor Little
May 11, 2014 - June 9, 2014	Councillor Nixon
June 10, 2014 - July 9, 2014	Councillor Bassam
July 10, 2014 - August 8, 2014	Councillor Nixon
August 9, 2014 - September 7, 2014	Councillor MacKay-Dunn
September 8, 2014 - October 5, 2014	Councillor MacKay-Dunn
October 6, 2014 - November 4, 2014	Councillor Little
November 5, 2014 - December 4, 2014	Councillor Hicks