

# AGENDA

## *REGULAR MEETING OF COUNCIL*

**Monday, September 14, 2015**

**7:00 p.m.**

**Council Chamber, Municipal Hall**

**355 West Queens Road,**

**North Vancouver, BC**

**Council Members:**

Mayor Richard Walton

Councillor Roger Bassam

Councillor Mathew Bond

Councillor Jim Hanson

Councillor Robin Hicks

Councillor Doug MacKay-Dunn

Councillor Lisa Muri



[www.dnv.org](http://www.dnv.org)

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## REGULAR MEETING OF COUNCIL

**7:00 p.m.**  
**Monday, September 14, 2015**  
**Council Chamber, Municipal Hall,**  
**355 West Queens Road, North Vancouver**

### AGENDA

#### BROADCAST OF MEETING

- Live broadcast on Shaw channel 4
- Rebroadcast on Shaw channel 4 at 9:00 a.m. Saturday
- Online at [www.dnv.org](http://www.dnv.org)

#### CLOSED PUBLIC HEARING ITEMS NOT AVAILABLE FOR DISCUSSION

- Bylaw 7984 – Rezoning 3568 Mt. Seymour Parkway
- Bylaw 8101 – Rezoning 1241-1289 East 27<sup>th</sup> Street (Mountain Court)
- Bylaw 8103 – Rezoning 1203 and 1207 Harold Road
- Bylaw 8122 – Rezoning 3260 Edgemont Boulevard
- Bylaw 8126 – Rezoning 3730-3736 Edgemont Boulevard
- Bylaw 8135 – Rezoning 2975 and 2991 Fromme Road

#### 1. ADOPTION OF THE AGENDA

##### 1.1. September 14, 2015 Regular Meeting Agenda

*Recommendation:*

THAT the agenda for the September 14, 2015 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. North Shore Culture Days

p. 13

#### 4. RECOGNITIONS

##### 4.1. Centennial Bursaries

#### 5. DELEGATIONS

- 5.1. Mr. Duncan Wilson, Vice President, Corporate Social Responsibility, Port Metro Vancouver** **p. 17-22**

Re: Update on Port Metro Vancouver

**6. ADOPTION OF MINUTES**

- 6.1. July 20, 2015 Regular Council Meeting** **p. 25-33**

*Recommendation:*

THAT the minutes of the July 20, 2015 Regular Council meeting be adopted.

- 6.2. July 21, 2015 Public Hearing** **p. 35-38**

*Recommendation:*

THAT the minutes of the July 21, 2015 Public Hearing regarding Bylaw 8135, The District of North Vancouver Rezoning Bylaw 1333, be received.

- 6.3. July 21, 2015 Public Hearing** **p. 39-43**

*Recommendation:*

THAT the minutes of the July 21, 2015 Public Hearing regarding Bylaw 8126, The District of North Vancouver Rezoning Bylaw 1332, be received.

**7. RELEASE OF CLOSED MEETING DECISIONS**

**8. COMMITTEE OF THE WHOLE REPORT**

- 8.1 July 27, 2015 Committee of the Whole**

**8.1.1 Naming of the New Community Recreation Facility in Delbrook**

File No. 13.6410.01/000.000

*Recommendation:*

THAT the new community recreation centre in Delbrook be named Delbrook Community Recreation Centre.

**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. Remedial Action Requirements – 2525 Panorama Drive**  
File No. 11.5225.01

**p. 47-66**

*Recommendation:*

THAT Council pass the following Resolutions:

1. Council declares that the concrete walls located within the Panorama Creek channel on the property at 2525 Panorama Drive, legally described as:

PID: 011-019-301

Lot A, Block 8, District Lot 626, Plan 5980 (the "Property")

are in and create an unsafe condition;

2. Council hereby imposes the following remedial action requirements on Gary Wilson, the registered owner of the Property (the "Owner"), to address and remediate the above unsafe condition (the "Remedial Action Requirements"):

a) By October 30, 2015 the Owner must:

- i. Provide to the District an overall remediation plan in relation to the concrete walls and the alteration to the creek channel caused by said walls, which said remediation plan must be prepared by a qualified Professional Engineer or Geoscientist and must meet the following requirements to the satisfaction of the Chief Building Official:

A. an itemized and detailed description of work required to address the unsafe condition (the "Remedial Work");

B. certification that the proposed work will render the concrete walls and the corresponding altered creek channel safe for the use intended and will not transfer risk to neighbouring properties or other downstream lands;

C. environmental controls, including tree protection, sediment and erosion control, both during and after remediation;

D. drainage plan detailing how drainage will be managed on the Property; and,

E. itemized schedule of work for carrying out the Remedial Action Requirements and completion dates of each item.

- ii. Submit complete applications for all permits required for the Remedial Work to the satisfaction of the Chief Building Official.

b) The Owner must complete the Remedial Work in accordance with the approved remediation plan and the issued permits to the satisfaction of the Chief Building Official on or before the dates set out in the approved remediation plan.

3. Council hereby directs that in the case of failure of the Owner to comply with the Remedial Action Requirements, then:
  - a) District Staff may seek an order/injunction from the courts requiring the owner to carry out the Remedial Action Requirements, or,
  - b) the District, its contractors or agents may enter the Property and may carry out the following actions:
    - i. demolish, remove and reconstruct the failing concrete wall and creek channel as required;
    - ii. generally restore the Property to a safe condition to the satisfaction of the Chief Building Official;
    - iii. for the foregoing purposes may retain the services of a professional engineer to provide advice and certifications;
    - iv. the charges incurred by the District in carrying out the aforementioned remedial actions will be recovered from the Owner as a debt; and,
    - v. if the amount due to the District under 3(b)(iv) above is unpaid on December 31st in any year then the amount due shall be deemed to be property taxes in arrears under section 258 of the Community Charter.

**9.2. 114 West Windsor Rd - Withhold Demolition Permit and  
Heritage Inspection Order**  
File No. 13.6800.01/000.000

**p. 67-74**

*Recommendation:*

THAT Council considers the property at 114 West Windsor Road may have sufficient heritage value and character to justify its protection;

AND THAT staff be directed to continue to withhold the demolition permit in accordance with s.3.1, s.3.2 and s.4.1 of the Heritage Procedure Bylaw;

AND THAT Pursuant to s.956 of the *Local Government Act* Council orders a Heritage Inspection as follows:

- a) The purpose of the inspection is to confirm the condition and heritage value of the house and property;
- b) The heritage inspection is carried out in an expeditious manner in cooperation with the homeowner; and,
- c) The order is to remain in effect until the Heritage Inspection is completed or building permits for the two lots are issued with respect to alteration or redevelopment of the property; whichever occurs first.

**9.3. 3075 Fromme Road – Heritage Protection Plan**

**p. 75-84**

File No. 08.3060.10/012.15

*Recommendation:*

THAT the property at 3075 Fromme Road and the house located thereon may have sufficient heritage value and character to justify its protection as outlined in the Statement of Significance attached to the September 4, 2015 report of the Development Planner entitled 3075 Fromme Road – Heritage Protection Plan;

AND THAT the Gillett House at 3075 Fromme Road in the District of North Vancouver be added to the District of North Vancouver's Community Heritage Register, pursuant to Section 954 of the *Local Government Act*;

AND THAT staff be directed to continue working with the owner/applicant to devise a Heritage Revitalization Agreement.

**9.4. Bylaws 8126 and 8127: 3730-3736 Edgemont Boulevard**

**p. 85-168**

File No. 08.3060.20/039.14

*Recommendation:*

THAT "The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)" is given SECOND and THIRD Readings.

THAT "Housing Agreement Bylaw 8127, 2015 (3730-3736 Edgemont Blvd.)" is given SECOND and THIRD Readings.

**9.5. Sign Bylaw 7532 – Sign Bylaw Amendments to Regulate Real Estate Marketing and Construction Site Signage**

**p. 169-180**

File No. 08.3227.14/000.000

*Recommendation:*

THAT "Sign Bylaw 7532, 2005, Amending Bylaw 8128, 2015 (Amendment 5)" is given FIRST, SECOND and THIRD Readings.

**9.6. Residential Solid Waste Collection**

**p. 181-185**

File No. 11.5400.01

*Recommendation:*

THAT staff be directed to provide residents with two locking carts for garbage and organics curb side collection with the following rate structure that provides a financial incentive to opt for the smaller carts:

	Garbage	Organics	Combined
New rates			
140 litre locking cart	\$105	\$95	\$200
240 litre locking cart	\$145	\$130	\$275
2 <sup>nd</sup> 240 litre locking cart or existing 360 litre cart		\$65	
Existing rate			\$215.50

AND THAT at this time the garbage collection frequency remain weekly;

AND THAT the Financial Plan be amended in the fall to include the purchase of carts;

AND THAT the proposed rates for 2016 and 2017 based on this report be brought back prior to year-end.

- \* **9.7. Bylaw 8138: Local Area Service, Lane Paving -** **p. 187-202**  
**100/200 Block Kensington Crescent**  
 File No. 09.3900.20/000.000

*Recommendation:*

THAT "Lane Paving – 100/200 Kensington Crescent Bylaw 8137, 2015" is ADOPTED.

- \* **9.8. 1431 Crown Street – Sons of Vancouver Distillery Ltd -** **p. 203-207**  
**Endorsement to a Liquor Licence Application for a Distillery Lounge Area**  
 File No. 08.3060.20/016.15

*Recommendation:*

THAT

1. Council recommends the issuance of the distillery lounge endorsement to the liquor licence for Sons of Vancouver Distillery Ltd. for the following reasons:

*The requested distillery lounge endorsement to allow for a small lounge with a capacity of 10 people is supported by District Council as the establishment is located within a primarily industrial area and the zoning permits the accessory use for a maximum of 10 people.*

*This support is provided with the proviso that the permitted closing hours be 12:00am Monday to Sunday.*

2. The Council's comments on the prescribed considerations are as follows:

- (a) The location of the distillery lounge area:

*The location is in an industrial area within the Lynn Creek Town Centre and is suitable for a late evening venue. Public access to the building will*

*be from the front entrance on Crown Street only, thus avoiding the potential for noise and activity in the rear lane.*

*The site has been operating as a tasting room in this location since February 2015 without complaint.*

- (b) The proximity of the distillery lounge area:

*The proposed location is in an industrial area and will not conflict with any nearby social, recreation, or public buildings.*

- (c) The person capacity and hours of the distillery lounge:

*The maximum capacity of 10 people within the distillery lounge area is acceptable provided closing hours are restricted to 12:00am to minimize the potential for noise impacts on the surrounding community.*

- (d) The number and market focus of liquor primary establishments within a reasonable distance of the proposed location:

*There are three liquor primary licences within the general area: "Toby's", "Seymours", and "The Narrows" all of which are public houses and provide food service and a variety of beverages. The proposed distillery lounge endorsement will provide for the first distillery lounge establishment in the area and fill a niche in the community for those wanting a unique and alternative venue.*

- (e) The impact of noise and other impacts on the community if the application is approved:

*As the location is in a primarily industrial area, noise and other impacts on the surrounding community are expected to be minimal. The small venue is expected to appeal to the nearby growing town centre community and provide a unique experience and opportunity for adult socializing. As the site already operates as a tasting room the distillery lounge endorsement is not anticipated to negatively impact the community.*

3. Council's comments on the views of residents are as follows:

*To address the Provincial requirements staff completed the following notification procedure in accordance with District Public Notification Policy:*

- A Public Notice sign was placed on the site; and*
- A notice requesting input on the proposal was delivered to 91 neighbouring property owners and tenants.*

*One resident of a home that shares the rear lane-way in the industrial area telephoned with concerns regarding potential noise in the rear laneway at closing time. In response to this concern Council notes that primary access is off the front road not the laneway and Council also suggests a midnight limit on the liquor licence. There were no other responses from the surrounding community.*

- \* **9.9. Request for Noise Bylaw Variance – Capilano Main No. 9**  
**(Phase 2) Construction**  
File No. 11.5210.01/000.000

**p. 209-219**

*Recommendation:*

THAT the provision of Noise Regulation Bylaw 7188, which regulates construction noise, be relaxed for Metro Vancouver from September 2015 to April 2016, as follows:

- a. Extended work hours on Saturdays from 7 am to 8 pm, if required;
- b. Generators for power and pumps to run 24-7, provided measures are taken to reduce noise to as low as reasonably practical approaching the requirements of the noise regulation bylaw using shrouding or other means to the satisfaction of the Municipal Engineer;
- c. Extended work hours beyond 8 pm for emergency situations and to complete concrete pours for the project's three valve chambers;
- d. Possible use of equipment that exceeds the noise limits such as a hydro vacuum truck, which can reach noise levels of 110 dBA only between the hours of 8 am to 5 pm Monday to Friday.

AND THAT any plans for overnight work related to pipe laying operations on Capilano Road near Eldon Road may be approved to proceed if necessary, at the discretion of the Municipal Engineer.

- \* **9.10. Amendment to Council Meeting Schedule**  
File No. 01.0115.30/002.000

**p. 221-224**

*Recommendation:*

THAT the 2015 Council Meeting Schedule be amended to reflect the holding of both regular council meetings and Committees of the Whole on September 28, October 5, 19 and 26, November 2, 9, 16 and 23, and December 7, 14 and 21.

**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 September 14, 2015 Regular Meeting of Council for the District of North Vancouver be adjourned.



## PROCLAMATIONS

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## PROCLAMATION

### **“North Shore Culture Days” (September 25, 26 & 27, 2015)**

- WHEREAS:** Arts and cultural activity contributes to the well-being, health and personal development of the residents of the District of North Vancouver; and
- WHEREAS:** North Shore Culture Days is part of the national Culture Days celebrations, a collaborative coast-to-coast-to-coast volunteer movement that provides Canadians with the opportunity to participate in, and appreciate all forms of arts and culture; and
- WHEREAS:** North Shore Culture Days is a 3-day celebration where artists, arts and cultural organizations and creative groups offer a wide range of free, interactive and behind-the-scenes activities, inviting the public to discover the cultural gems that exist in their own backyard; and
- WHEREAS:** North Shore Culture Days celebrations will raise the awareness, accessibility, participation and engagement of District of North Vancouver residents in the arts and cultural life of their communities.
- NOW THEREFORE I,** Richard Walton, Mayor of the District of North Vancouver, do hereby proclaim **September 25, 26 & 27, 2015** as **“North Shore Culture Days”** in the District of North Vancouver.

Richard Walton  
MAYOR

Dated at North Vancouver, BC  
This 14<sup>th</sup> Day of September 2015

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## DELEGATIONS

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# 5.1 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: Port Metro Vancouver

Title of Presentation: Update on Port Metro Vancouver

Name of person(s) to make presentation: Duncan Wilson

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

Please describe:

Attach separate sheet if additional space is required

Port Metro Vancouver would like to present to DNV council with an update on port activities in the community.

Contact person (if different than above): Frances Tang-Graham

Daytime telephone number: 604.665.9075

Email address: frances.tang-graham@portmetrovancover.com

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

Frances Tang-Graham

Name of Delegate or Representative of Group

May 13, 2015

Date

Signature

### For Office Use Only

#### Approved by:

Municipal Clerk

Deputy Municipal Clerk

☒

Appearance date:

Receipt emailed on:

September 14, 2015

June 2, 2015

#### 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.



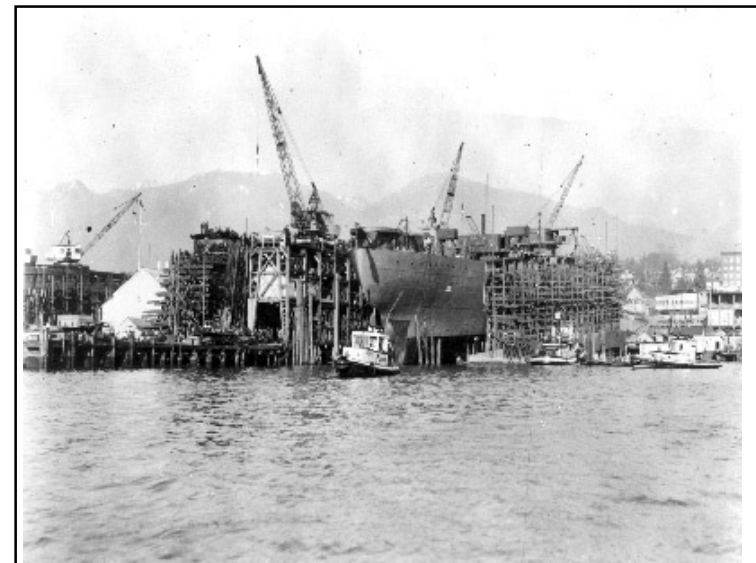


**PORT METRO  
vancouver**

## Update to the District of North Vancouver

**Duncan Wilson**  
Vice President, Corporate  
Social Responsibility

September 14, 2015



### PORT METRO VANCOUVER'S MANDATE

- To facilitate Canada's trade
- To balance efficient port operations with community concerns and environmental protection
- To work for the benefit of all Canadians



**PORT METRO  
vancouver**

## PORT METRO VANCOUVER

- Largest port in Canada
- Facilitates Canada's trade with more than 160 countries
- 20% of Canada's goods trade
- 100,000 jobs across Canada
- \$6.1 billion in wages



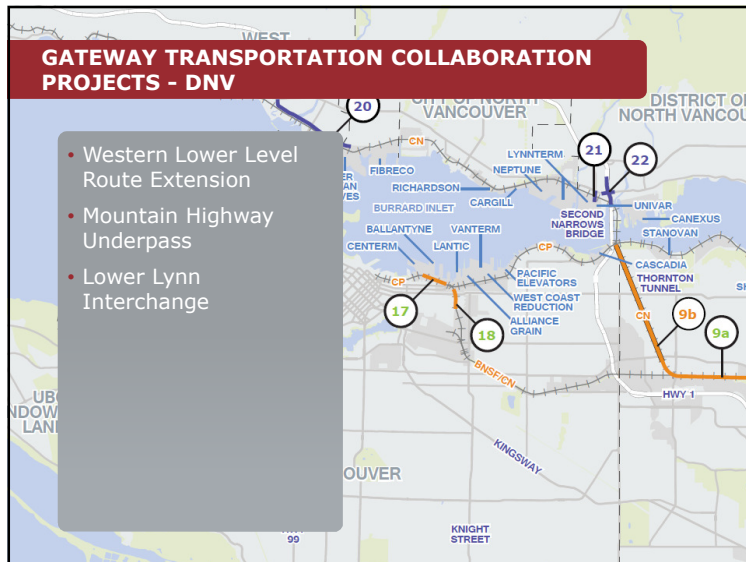
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## TENANT LED PROJECTS

- G3 Terminal Vancouver
  - Proposed grain terminal
- Lynnterm west gate site
- Preliminary comment period Sep 9 – Oct 7
  - Outline proposed scope of studies
  - Obtain initial public feedback
- Will undergo comprehensive project and environmental review
- Additional consultation will be required in next phase of project and environmental review

## GATEWAY TRANSPORTATION COLLABORATION PROJECTS - DNV

- Western Lower Level Route Extension
- Mountain Highway Underpass
- Lower Lynn Interchange



## NORTH SHORE WATERFRONT LIAISON COMMITTEE

- DNV community representatives:
  - Jillian Cooke
  - Glen Webb
- DNV staff:
  - Charlene Grant
- Presented to council in March 2015
- Instrumental role in finding new site for artist's cabin near Cates Park





### MARINE EMERGENCY RESPONSE COORDINATION COMMITTEE

- Focuses on emergency preparedness
- Organizes joint exercises, training and events
- Members include North Shore Emergency Management
- Marine mapping project
- New subcommittees:
  - Communications – includes DNV staff
  - Marine firefighting

### ENVIRONMENTAL PROGRAMS

- Non-Road Diesel Emissions Program
- EcoAction Program
- Blue Circle Award
- Cruise Ship Shore Power
- Northwest Ports Clean Air Strategy

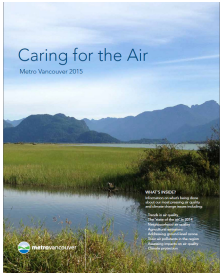
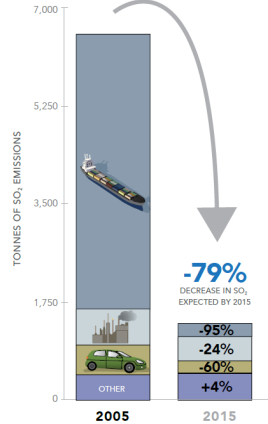
### REGIONAL AIR QUALITY



**PORT METRO VANCOUVER**

[portmetrovancover.com](http://portmetrovancover.com)

### REGIONAL AIR QUALITY

Source	2005 Emissions (Tonnes)	2015 Emissions (Tonnes)	Change (%)
Other	~1,000	~1,040	+4%
Road	~1,000	~360	-60%
Ship	~1,000	~760	-24%
Air	~5,000	~1,100	-95%
<b>Total</b>	<b>~7,000</b>	<b>~1,760</b>	<b>-79%</b>

**79% DECREASE IN SO<sub>2</sub> EXPECTED BY 2015**

**PORT METRO VANCOUVER**

[portmetrovancover.com](http://portmetrovancover.com)

## NEW WATER DISCHARGE REGULATIONS

- Grey water discharge no longer allowed in port jurisdiction without port staff testing the water beforehand
- Dinner cruises no longer allowed to discharge
- Recreational boaters strongly encouraged to use pumpout stations

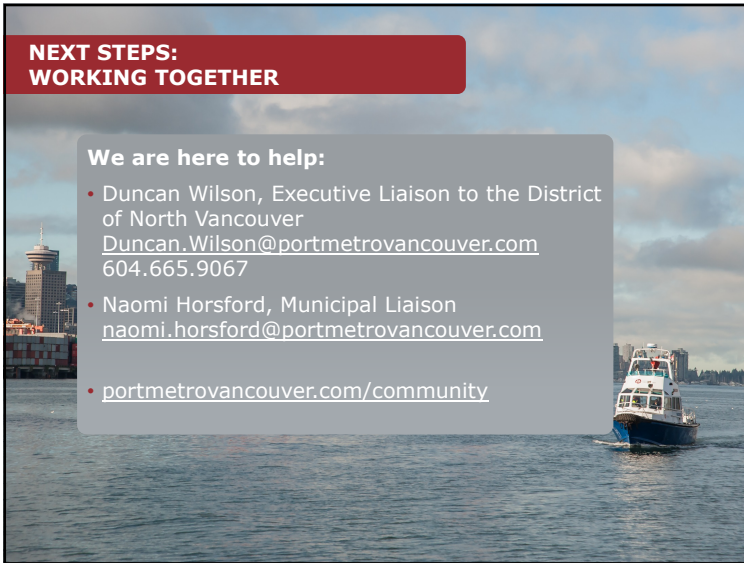


Port activities are interconnected with the community in North Vancouver. It is important that we continue to find opportunities to work together to plan for the future.

## NEXT STEPS: WORKING TOGETHER

### We are here to help:

- Duncan Wilson, Executive Liaison to the District of North Vancouver  
[Duncan.Wilson@portmetrovanancouver.com](mailto:Duncan.Wilson@portmetrovanancouver.com)  
604.665.9067
- Naomi Horsford, Municipal Liaison  
[naomi.horsford@portmetrovanancouver.com](mailto:naomi.horsford@portmetrovanancouver.com)
- [portmetrovanancouver.com/community](http://portmetrovanancouver.com/community)



## MINUTES

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**DISTRICT OF NORTH VANCOUVER  
REGULAR MEETING OF COUNCIL**

Minutes of the Regular Meeting of the Council for the District of North Vancouver held at 7:01 p.m. on Monday, July 20, 2015 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor R. Walton  
Councillor R. Bassam  
Councillor M. Bond  
Councillor J. Hanson  
Councillor R. Hicks  
Councillor D. MacKay-Dunn  
Councillor L. Muri

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Mr. B. Bydwell, General Manager – Planning, Properties & Permits  
Ms. N. Deveaux, General Manager – Finance & Technology  
Ms. C. Grant, General Manager – Corporate Services  
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities  
Mr. D. Milburn, Deputy General Manager – Planning & Permits  
Mr. D. Desrochers, Manager – Engineering Projects & Development Services  
Mr. R. Malcolm, Manager – Real Estate and Properties  
Ms. J. Paton, Manager – Development Planning  
Ms. L. Brick, Deputy Municipal Clerk  
Ms. S. Dal Santo, Section Manager – Planning Policy  
Ms. S. Lunn, Social Planner  
Ms. A. Mauboules, Social Planner  
Mr. J. Gresley-Jones, Planning Assistant  
Ms. C. Archer, Confidential Council Clerk

## **1. ADOPTION OF THE AGENDA**

### **1.1. July 20, 2015 Regular Meeting Agenda**

**MOVED by Councillor MURI**

**SECONDED by Councillor HICKS**

THAT the agenda for the July 20, 2015 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**

### **2.1. Ms. Liz Gowan, 100 Block East Carisbrooke Road:**

- Spoke in opposition to Item 9.3 regarding 170 East Osborne Road;
- Acknowledged an effort has been made by the applicant to preserve view corridors;
- Commented that the main vehicular access to the back lot will be via a narrow lane, including construction and emergency vehicles; and,
- Expressed concern that there is no fire hydrant in proximity to the proposed back lot.

**2.2. Ms. Marg Udell, 3400 Block St. Georges Ave:**

- Spoke in support of Item 9.3 regarding 170 East Osborne Road;
- Commented that her view will be improved by the proposal; and,
- Opined that two new houses will improve the neighbourhood.

**2.3. Mr. Alan Armour, 100 Block East Carisbrooke Road:**

- Spoke in support of Item 9.3 regarding 170 East Osborne Road;
- Noted his initial concerns about losing his view were addressed by the applicant; and,
- Commented that the view from his home will likely be improved.

**2.4. Ms. Diana Belhouse, 500 Block Granada Crescent:**

- Spoke in opposition to the staff report for Item 9.4 regarding Delbrook Community Recreation Centre; and,
- Urged Council to not sell the Delbrook lands for development.

**2.5. Ms. Sandy Armour, 100 Block East Carisbrooke Road:**

- Spoke in support of Item 9.3 regarding 170 East Osborne Road;
- Commented that the houses have been designed to enhance the views of neighbours; and,
- Noted that the only access to the existing house has always been from the lane.

**2.6. Ms. Chloe Hartley, 1100 Kinloch Lane:**

- Commented regarding the Kinder Morgan pipeline;
- Thanked Council for adopting a motion to oppose the pipeline;
- Urged the District to be clear in its submission to the National Energy Board that identified potential impacts are negative and unacceptable; and,
- Opined that spill response should not be the central point of the District's critique of the proposed pipeline.

**2.7. Mr. Rene Gourley 600 Block St. Ives Crescent:**

- Commented on Item 9.4 regarding the Delbrook Community Recreation Centre site; and,
- Suggested changes to the staff report to reduce the amount of development.

**2.8. Ms. Eve Chiu, 100 Block Osborne Road:**

- Spoke in support of Item 9.3 regarding 170 East Osborne Road;
- Noted that the proposed houses will not block views; and,
- Commented that the family wants to improve the neighbourhood with the development.

**2.9. Mr. Stewart Bailey, 500 Block West St. James Road:**

- Spoke regarding Item 9.4 regarding the Delbrook Community Recreation Centre site;
- Questioned at what stage public engagement is taking place; and,
- Expressed an interest in being part of the process in decision making as a neighbour and stakeholder.



**2.10. Mr. Corrie Kost, 2800 Block Colwood Drive:**

- Spoke regarding Item 9.4 regarding the Delbrook Community Recreation Centre site;
- Commented that he is against the sale of public land; and,
- Urged Council to consider all options for the property.

**3. PROCLAMATIONS**

Nil

**4. RECOGNITIONS**

Nil

**5. DELEGATIONS**

**5.1 Ms. Kathleen Campbell, Executive Director, and Mr. Zahir Pirani, President, Vancouver's North Shore Tourism Association**

Re: VNSTA Destination Marketing Organization Presentation re: Value of Tourism

Ms. Kathleen Campbell, Executive Director, provided an update on North Shore tourism, highlighting that hotel occupancy rates, major attractions and overnight visitors are up in 2015 over 2014 levels. Ms. Campbell noted that the Municipal Hotel Room Tax provides funding for marketing to promote the area to visitors. The Value of Tourism study conducted in 2013 estimated the total value of tourism in the City and District of North Vancouver at \$103,880,000. The study also showed overnight visitors spend significantly more than day visitors, highlighting the importance of hotels to local tourism.

**MOVED by Councillor MURI**

**SECONDED by Councillor BASSAM**

THAT the delegation of the Vancouver's North Shore Tourism Association be received for information.

**CARRIED**

**6. ADOPTION OF MINUTES**

**6.1. July 6, 2015 Regular Council Meeting**

**MOVED by Councillor MURI**

**SECONDED by Councillor MACKAY-DUNN**

THAT the minutes of the July 6, 2015 Regular Council meeting be adopted.

**7. RELEASE OF CLOSED MEETING DECISIONS**

**8. COMMITTEE OF THE WHOLE REPORT**

**8.1. July 13, 2015 Committee of the Whole**

**8.1.1. Lower Lynn Town Centre Industrial Lands Strategy**

File No. 13.6480.30/002.001.000

**MOVED by Councillor HICKS**  
**SECONDED by Councillor MURI**

THAT the June 7, 2015 joint report of the Section Manager – Policy Planning and Policy Planner entitled Lower Lynn Town Centre Industrial Lands Strategy be received for information;

AND THAT staff be directed to proceed with preparing, for Council's consideration, new zoning regulations for the Lower Lynn Town Centre industrial area.

**CARRIED**

**8.1.2. Names for Lower Capilano Village Centre, Lower Lynn Town Centre and the New Community Recreation Facility in Delbrook**

File No. 01.0380.20/074.000

**MOVED by Councillor MURI**  
**SECONDED by Councillor BASSAM**

THAT "Lions Gate" as the new name for the Lower Capilano Village Centre is endorsed.

THAT "Lynn Creek" as the new name for Lower Lynn Town Centre is endorsed.

**CARRIED**

**MOVED by Councillor MACKAY-DUNN**  
**SECONDED by Councillor HICKS**

THAT consideration of the new name for the new community recreation centre in Delbrook be deferred.

**CARRIED**

**9. REPORTS FROM COUNCIL OR STAFF**

**MOVED by Councillor BASSAM**  
**SECONDED by Councillor MURI**

THAT items 9.7 and 9.8 be included in the Consent Agenda and be approved without debate.

**CARRIED**

**9.1. Bylaw 8124 – Turning Point Men's Support Recovery House on Burr Place**

File No. 08.3060.20/022.15

**MOVED by Councillor MACKAY-DUNN**  
**SECONDED by Councillor MURI**

THAT "The District of North Vancouver Rezoning Bylaw 1331 (Bylaw 8124) is given FIRST Reading and is referred to a Public Hearing.

**CARRIED**

- 9.2. Local Area Service Bylaw 8137 – Lane Paving 100/200 Block Kensington Crescent, Southwest of Kensington Crescent and Northeast of Carisbrooke Crescent between West Braemar Road and Carnarvon Avenue**  
File No. 16.8310.01/000.000

**MOVED by Councillor BASSAM**  
**SECONDED by Councillor HICKS**

THAT Bylaw 8137 is given No Further Readings.

**DEFEATED**

Opposed: Mayor WALTON, Councillors BOND, HANSON, MACKAY-DUNN  
and MURI

**MOVED by Councillor BOND**  
**SECONDED by Councillor MURI**

THAT Pursuant to Section 211 of the Community Charter, a local area service project for the paving of the existing gravel lane located in the 100/200 block Kensington Crescent, be approved.

THAT Bylaw 8137 is given FIRST, SECOND and THIRD Readings.

**CARRIED**

Opposed: Councillor BASSAM and HICKS

- 9.3. Development Variance Permit 53.14 – 170 East Osborne Road**  
File No. 08.3060.20/053.14

**Public Input:**

**Mr. William Marsh, 100 Block East Carisbrooke Road:**

- Spoke in opposition to the application;
- Noted he is opposed to changing the configuration of the second house to front the lane; and,
- Commented that the lane is not big enough for emergency vehicles and garbage trucks.

**Mr. Doug Johnson, 900 Block West 3<sup>rd</sup> Avenue:**

- Noted that he is the project architect;
- Indicated that the number of requested variances had been reduced from five to one since the original application was denied by Council;
- Commented that meetings with neighbours had produced changes to the project and earned neighbourhood support; and,
- Commented that the proposed subdivision would allow the family to remain in the community.

**MOVED by Councillor MURI**  
**SECONDED by Councillor MACKAY-DUNN**

THAT Development Variance Permit 53.14, to enable subdivision of 170 East Osborne Road, be referred back to staff.

**CARRIED**

Opposed: Councillor BOND

#### **9.4. Delbrook Community Recreation Centre Site Planning**

File No. 13.6680.20/005.000

##### **Public Input**

##### **Mr. James Gill, 500 Block West Kings Road:**

- Urged Council to reject the staff report;
- Opined that there has not been a consultation process; and,
- Opined that land should not be sold.

##### **Mr. Keith Collyer, 400 Block West Windsor Road:**

- Commented that there should have been more consultation earlier;
- Encouraged a review of community needs and wants;
- Commented that it is not in the best interests of the community to sell the land; and,
- Suggested some of the report may be useable after community consultation.

##### **MOVED by Councillor MURI**

##### **SECONDED by Councillor HANSON**

THAT staff be directed to proceed with a public neighbourhood planning and District-wide engagement process for the Delbrook site.

Councillor HANSON left the meeting at 9:21 pm and returned at 9:23 pm.

**CARRIED**

Opposed: Councillor BASSAM

The meeting recessed at 9:36 pm and reconvened at 9:41 pm.

Councillor BASSAM, HANSON and HICKS returned to the meeting at 9:42 pm.

With the consent of Council, Mayor Walton altered the agenda as follows:

#### **9.6. Affordable Housing**

File No. 13.6480.30/003.002.000

##### **MOVED by Councillor BOND**

##### **SECONDED by Councillor MURI**

THAT further to Council's June 15, 2015 direction to staff to prepare a Green Paper on affordable housing outlining regulatory and policy tools to ensure a future supply of affordable housing in the District, staff be further directed to include fully costed options such as property acquisition, utilization of existing District properties, rental property management and partnership models, considering the District's financial and human resource capacity to support such initiatives. The options should include opportunities that may exist to provide temporary relief for those renters being displaced as early as the spring of 2016.

**CARRIED**

#### **9.7. Request for Noise Bylaw Variance – 2151 Front Street – Dollarton Road Works**

File No. 11.5460.01/000.001

**MOVED by Councillor BASSAM**  
**SECONDED by Councillor MURI**

THAT the provision of Noise Regulation Bylaw 7188, which regulates construction noise during the night, be relaxed to complete the off-site works for the new development at 2151 Front Street.

**CARRIED**

**9.8. Request for Noise Bylaw Variance – Paving Mountain Highway Between Keith Road Extension and the Lane South of Fern Street, and Fern Street from Mountain Highway to Cul-de-sac East**

File No. 11.5460.01/000.001

**MOVED by Councillor BASSAM**  
**SECONDED by Councillor MURI**

THAT the provision of Noise Regulation Bylaw 7188, which regulates construction noise during the night, be relaxed to complete the paving of Mountain Highway from the Keith Road extension to the lane south of Fern Street, and Fern Street from Mountain Highway to the cul-de-sac east.

**CARRIED**

**9.9. 3075 Fromme Road – Temporary Protection Order**

File No. 08.3060.10/12.15

**Public Input:**

**Mr. Tim Ankenman, 1600 Block West 5<sup>th</sup> Avenue, Vancouver:**

- Noted he is the architect for the project;
- Commented that the applicant is willing to reduce density; and,
- Remarked that public feedback has been generally positive.

**Mr. Lyle Craver, 4700 Block Hoskins Road:**

- Noted the site lies outside Lynn Valley Town Centre;
- Commented that the increase in density is not acceptable under the OCP; and,
- Remarked that the proposal does not involve moving the whole house, so the value of heritage preservation would be lost.

**MOVED by Councillor MURI**  
**SECONDED by Councillor HICKS**

THAT Council considers that the property at 3075 Fromme Road and the house located thereon may have sufficient heritage value and character to justify its protection;

AND THAT Council orders that said property is subject to temporary protection for a period of 60 days from the date of this order, pursuant to Section 926 of the Local Government Act.

Councillor BASSAM left the meeting at 10:12 pm.

**CARRIED**

Absent for Vote: Councillor BASSAM

**MOVED by Councillor MURI**

**SECONDED by Councillor MACKAY-DUNN**

THAT the Regular Council meeting held on July 20, 2015 be authorized to carry on beyond 10:30 pm.

**CARRIED**

Absent for Vote: Councillor BASSAM

**9.5. Lions Gate Public Realm Strategy**

File No. 13.6480.30/002.004.000

**MOVED by Councillor HICKS**

**SECONDED by Councillor MURI**

THAT the "Lions Gate Public Realm Strategy" attached to the June 24, 2015 report of the Section Manager, Policy Planning, Community Planner and Planning Assistant entitled Lions Gate Public Realm Strategy be approved;

AND THAT the "Lower Capilano Marine Village Centre Design Guidelines and Streetscape Details" Schedule of the Lower Capilano Marine Village Centre Implementation Plan be rescinded.

Councillor HICKS left the meeting at 10:35 pm and returned at 10:37 pm.

**CARRIED**

Absent for Vote: Councillor BASSAM

**10. REPORTS**

**10.1. Mayor**

Mayor Walton reported that \$510.72 has been used from the Mayor's Special One Time Contingency Fund to frame a new photo of Karen Magnussen, to replace the old photo at Karen Magnussen Arena that was removed due to poor condition.

**10.2. Chief Administrative Officer**

Nil

**10.3. Councillors**

Nil

**10.4. Metro Vancouver Committee Appointees**

Nil

**11. ANY OTHER BUSINESS**

Nil

**12. ADJOURNMENT**

**MOVED by Councillor MURI**  
**SECONDED by Councillor HANSON**

THAT the July 20, 2015 Regular Meeting of Council for the District of North Vancouver be adjourned.

**CARRIED**

(10:44 pm)

Absent for Vote: Councillor BASSAM

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Mayor

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Municipal Clerk

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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, July 21, 2015 commencing at 7:02 p.m.

**Present:** Mayor R. Walton  
Councillor R. Bassam  
Councillor M. Bond  
Councillor J. Hanson (7:03 pm)  
Councillor R. Hicks  
Councillor D. MacKay-Dunn (7:03 pm)

**Absent:** Councillor L. Muri

**Staff:** Ms. J. Paton, Manager – Development Planning  
Ms. L. Brick, Deputy Municipal Clerk  
Ms. S. Dale, Confidential Council Clerk  
Mr. E. Wilhelm, Planner

### The District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)

*Purpose of Bylaw:*

Bylaw 8135 proposes to amend the District's Zoning Bylaw by adding new special minimum lot sizes to the Subdivision Regulations to allow for the creation of three residential lots.

#### 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.

In Mayor Walton's preamble he addressed the following:

- All persons who believe that their interest in property is affected by the proposed bylaw will be afforded a reasonable opportunity to be heard and to present written submissions;
- Use the established speakers list. At the end of the speakers list, the Chair may call on speakers from the audience;
- You will have 5 minutes to address Council for a first time. Begin your remarks to Council by stating your name and address;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute presentation;
- Any additional presentations will only be allowed at the discretion of the Chair;
- All members of the audience are asked to refrain from applause or other expressions of emotion. Council wishes to hear everyone's views in an open and impartial forum;
- Council is here to listen to the public, not to debate the merits of the bylaw;

- The Clerk has a binder containing documents and submissions related to this bylaw which Council has received and which you are welcome to review;
- Everyone at the Hearing will be provided an opportunity to speak. If necessary, we will continue the Hearing on a second night; and,
- At the conclusion of the public input Council may request further information from staff which may or may not require an extension of the hearing, or Council may close the hearing after which Council should not receive further new information from the public.

Ms. Linda Brick, Deputy Municipal Clerk, stated that:

- This Public Hearing is being streamed live over the internet and recorded in accordance with the Freedom of Information and Protection of Privacy Act.

## **2. INTRODUCTION OF BYLAW BY CLERK**

Ms. Linda Brick, Deputy Municipal Clerk, introduced the proposed bylaw stating that Bylaw 8135 proposes to amend the District's Zoning Bylaw by adding new special minimum lot sizes to the Subdivision Regulations to allow for the creation of three residential lots.

## **3. PRESENTATION BY STAFF**

Mr. Erik Wilhelm, Planner, provided an overview of the proposal elaborating on the Deputy Municipal Clerk's introduction.

Mr. Wilhelm advised that:

- The proposed subdivision is adjacent to the Lynn Valley Town Centre boundary;
- The proposed lot sizes are in accordance with surrounding lots in the area;
- The proposal is in accordance with Residential Level 2 (Detached Residential) OCP designation;
- All lots will be provided with vehicular access from the existing open laneway;
- The proposed subdivision layout provides three lots fronting Ross Road;
- The lot configuration will provide a similar housing rhythm as seen along the entire block face westward along Ross Road; and,
- Council considered a previous rezoning proposal to facilitate a four lot subdivision proposal on the site. Council resolved to deny the rezoning application on October 6, 2014 and provided preference for a proposal that encompassed three lots all fronting Ross Road.

## **4. PRESENTATION BY APPLICANT**

**Mr. Paul Warburton, Noort Homes:**

- Mentioned that the houses are not on the Heritage Registry;
- Noted that the houses are in poor condition;
- Commented that the lot pattern is consistent with the area of Fromme Road;
- Stated that each lot will provide three parking stalls, accessed from the lane; and,
- Noted that covenants will be registered on title to ensure that the new houses have unique designs.

## **5. REPRESENTATIONS FROM THE PUBLIC**

### **5.1. Mr. Richard Hancock, 1100 Block East 29<sup>th</sup> Street:**

**IN FAVOUR**

- Spoke in support of the proposed development;
- Opined that the proposed development fits within the character of the neighbourhood; and,
- Spoke to the benefit of the lane as it will provide off street parking.

### **5.2. Ms. Jennifer Clay, 700 Block East 8<sup>th</sup> Street:**

**OPPOSED**

- Spoke representing the North Shore Heritage Preservation Society;
- Expressed concerns with the destruction of the character home at 2975 Fromme Road;
- Opined that the home at 2975 is a well-built craftsman house;
- Commented that only the exterior was examined as part of the heritage evaluation; and,
- Suggested that an examination of the interior be done to get a better understanding of the heritage value of the house.

## **6. QUESTIONS FROM COUNCIL**

In response to a question from Council, staff advised that secondary suites will be incorporated into the proposed new homes.

Council questioned if options were explored to maintain the heritage home at 2975 Fromme Road. Staff advised that the house is not on any supplemental, primary, secondary heritage lists or on the Heritage Register. Staff noted that in order to establish heritage characteristics of the house, the applicant commissioned a letter from a registered architect. The architect completed an inspection of the home and concluded that the home does not have significant architectural features and obtaining a heritage designation may not be an appropriate contribution to the community.

In response to a question from Council, staff advised that a four lot subdivision could fit on the proposed site. However, Council provided feedback at the September 16, 2014 Public Hearing that the site may be more appropriate for a three lot subdivision.

## **7. COUNCIL RESOLUTION**

**MOVED by Councillor BASSAM**

**SECONDED by Councillor HICKS**

THAT the July 21, 2015 Public Hearing be closed;

AND THAT "The District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)" be returned to Council for further consideration.

**CARRIED**  
(7:24 p.m.)

**CERTIFIED CORRECT:**

  
\_\_\_\_\_  
Confidential Council Clerk

## 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, July 21, 2015 commencing at 7:25 p.m.

**Present:** Mayor R. Walton  
Councillor R. Bassam  
Councillor M. Bond  
Councillor J. Hanson  
Councillor R. Hicks  
Councillor D. MacKay-Dunn

**Absent:** Councillor L. Muri

**Staff:** Ms. J. Paton, Manager – Development Planning  
Ms. L. Brick, Deputy Municipal Clerk  
Ms. S. Dale, Confidential Council Clerk  
Mr. E. Wilhelm, Planner

### The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)

*Purpose of Bylaw:*

Bylaw 8126 proposes to amend the District's Zoning Bylaw by creating a new Comprehensive Development Zone 85 (CD85) and rezone the subject lands from Multi-Family Residential Zone 1 (RM1) to CD85 to permit the development of a seven unit 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 bylaw as outlined in the Notice of Public Hearing.

In Mayor Walton's preamble he addressed the following:

- All persons who believe that their interest in property is affected by the proposed bylaw will be afforded a reasonable opportunity to be heard and to present written submissions;
- Use the established speakers list. At the end of the speakers list, the Chair may call on speakers from the audience;
- You will have 5 minutes to address Council for a first time. Begin your remarks to Council by stating your name and address;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute presentation;
- Any additional presentations will only be allowed at the discretion of the Chair;
- All members of the audience are asked to refrain from applause or other expressions of emotion. Council wishes to hear everyone's views in an open and impartial forum;

- Council is here to listen to the public, not to debate the merits of the bylaw;
- The Clerk has a binder containing documents and submissions related to this bylaw which Council has received and which you are welcome to review;
- Everyone at the Hearing will be provided an opportunity to speak. If necessary, we will continue the Hearing on a second night; and,
- At the conclusion of the public input Council may request further information from staff which may or may not require an extension of the hearing, or Council may close the hearing after which Council should not receive further new information from the public.

Ms. Linda Brick, Deputy Municipal Clerk, stated that:

- This Public Hearing is being streamed live over the internet and recorded in accordance with the Freedom of Information and Protection of Privacy Act.

## 2. INTRODUCTION OF BYLAW BY CLERK

Ms. Linda Brick, Deputy Municipal Clerk, introduced the proposed bylaw stating that Bylaw 8126 proposes to amend the District's Zoning Bylaw by creating a new Comprehensive Development Zone 85 (CD85) and rezone the subject lands from Multi-Family Residential Zone 1 (RM1) to CD85 to permit the development of a seven unit townhouse project.

## 3. PRESENTATION BY STAFF

Mr. Eric Wilhelm, Planner, provided an overview of the proposal elaborating on the Deputy Clerk's introduction.

Mr. Wilhelm advised that:

- The development site is located on the north side of Edgemont Boulevard, east of Capilano Road;
- The site is a multi-family lot of approximately 20,900 sq. ft. in area;
- There are currently four units on the site;
- The proposed project consists of seven two-storey townhouse units arranged in three separate buildings;
- The underground parking is accessed from the south-east corner of the property;
- The proposed FSR is 0.77 which is consistent with the Official Community Plan;
- One level of underground parking, with access from the south east corner of the site off of Edgemont Boulevard is provided;
- Each unit has an individual two car garage with a storage area which can accommodate at least two bicycles;
- There are an additional two visitor parking spaces provided in the underground parking;
- Bylaw 8127 authorizes the District to enter into a housing Agreement to ensure that the proposed units remain available as rental units;
- The design of the building draws on the history of West Coast modernism in the area;
- The trees on the north of the site between the Manor and the project are being retained to maintain privacy as well as the treed character of the site;

- The lane width between the bulges is 4.3m, is the standard width for a shared bicycle/vehicle lane and provides safer passage for cyclists;
- The proposed new curb bulges and the marked zebra crosswalk will improve public safety by: reducing vehicle speeds; reducing the crossing distance for pedestrians; increasing pedestrian visibility; and, preventing parking close to an intersection;
- A community amenity contribution of \$33,585 is required and will go towards: public art; parks and trails; and, the affordable housing fund; and,
- Edgemont Boulevard is expected to be closed at Capilano Road from January 2016 to April 2016 as part of the Capilano Water Main Replacement Project. A restrictive land use covenant will be required that makes it clear that a Building Permit will not be issued until after the intersection at Capilano Road and Edgemont Boulevard is reopened.

#### **4. PRESENTATION BY APPLICANT**

##### **4.1. Mr. Al Saunders, Harbourview Homes Corp.:**

- Commented that the proposed development will provide a variety of housing options; and,
- Commented that the applicant has met with the neighbours to discuss the privacy concerns and will ensure privacy is maintained through a variety of measures.

##### **4.2. Mr. Steve McFarlane, McFarlane Biggar Architects & Designers:**

- Provided an overview of the proposed site plan and building design;
- Commented that the proposed development will provide a variety of housing options;
- Noted that the proposed project is consistent with the vision of the Official Community Plan;
- Commented that the proposed development will provide an opportunity for aging residents to stay within their community;
- Noted that the underground parking is serviced by a lift to the courtyard; and,
- Opined that the design supports a wide variety of lifestyles and age groups.

#### **5. REPRESENTATIONS FROM THE PUBLIC**

##### **5.1. Mr. Bruce Martinuik, 3100 Block Beverley Crescent:**

**IN FAVOUR**

- Spoke in support of the proposed development;
- Opined that the proposed project is in keeping with the character of the neighbourhood; and,
- Commented that the proposed development will provide varied housing options.

##### **5.2. Ms. Paige Ackerman, 3700 Block Edgemont Boulevard:**

**IN FAVOUR**

- Spoke in support of the proposed development;
- Expressed concerns with light pollution from the streetlamp at the entrance to the Manor;
- Requested that the crosswalk be extended from the sidewalk on the west side of the Manor's entrance to the existing sidewalk at the edge of the property line of the Crescent;
- Expressed concerns regarding traffic and parking that result from the Capilano Suspension Bridge; and,



- Requested the installation of resident only parking or time limiting parking to reduce the parking congestion and increase resident safety.

**5.3. Mr. Jim West, 3500 Block Emerald Drive: IN FAVOUR**

- Spoke in support of the proposed project;
- Commented that the proposed development is aesthetically pleasing; and,
- Opined that the proposed development will be a great asset to the neighbourhood.

**5.4. Mr. Peter Duyker, 3100 Block Edgemont Boulevard: IN FAVOUR**

- Spoke in support of the proposed development;
- Commented that the proposed development will provide a variety of housing options;
- Requested “resident only” parking be issued; and,
- Opined that the intersection at Capilano Road and Edgemont Boulevard is dangerous and suggested a traffic light be installed.

**5.5. Mr. Paul McCarthy, 3700 Block Edgemont Boulevard: IN FAVOUR**

- Spoke in support of the proposed development;
- Requested a traffic light be installed at the intersection of Edgemont Boulevard and Capilano Road; and,
- Expressed concerns with the configuration of the sidewalk.

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

- Suggested that Public Hearings not be scheduled in the summer as many people are away;
- Requested staff provide information on how community amenity contributions are calculated;
- Commented that the proposed development will provide a range of housing options;
- Opined that the proposed development will not provide affordable housing; and,
- Expressed concerns with the quality of the shadow studies.

**6. QUESTIONS FROM COUNCIL**

Council requested that staff report back on the following:

- Various lighting options;
- Improved crosswalks;
- Speed tables;
- Traffic and parking issues;
- A possible traffic light at the intersection of Edgemont Boulevard and Capilano Road; and,
- How to fund and address these issues.

In response to a question from Council regarding solar panels, the applicant advised that passive solar would be a part of the project.



In response to a question from Council, staff advised that the existing multi-family development on the site consists of four rental units.

Staff advised that there is not a plan to install a dedicated bike lane on Edgemont Boulevard. Staff noted that 4.3m is a sufficient width for a shared bicycle/vehicle lane and provides safe passage for cyclists.

**7. COUNCIL RESOLUTION**

**MOVED by Councillor BASSAM**

**SECONDED by Councillor HICKS**

THAT the July 21, 2015 Public Hearing be closed;

AND THAT "The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)" be returned to Council for further consideration.

**CARRIED**  
(8:10 p.m.)

**CERTIFIED CORRECT:**

  
\_\_\_\_\_  
Confidential Council Clerk

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## REPORTS

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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Committee of the Whole	Date: _____

 Dept. Manager	 GM/ Director	 CAO
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## The District of North Vancouver REPORT TO COUNCIL

September 2, 2015

File: 11.5225.01

**AUTHOR:** Fiona Dercole  
Section Manager, Public Safety

**SUBJECT:** Remedial Action Requirements – 2525 Panorama Drive

### RECOMMENDATION:

THAT Council pass the following Resolutions:

1. Council declares that the concrete walls located within the Panorama Creek channel on the property at 2525 Panorama Drive, legally described as:

PID: 011-019-301

Lot A, Block 8, District Lot 626, Plan 5980 (the "Property")

are in and create an unsafe condition;

2. Council hereby imposes the following remedial action requirements on Gary Wilson, the registered owner of the Property (the "Owner"), to address and remediate the above unsafe condition (the "Remedial Action Requirements"):

a) By October 30, 2015 the Owner must:

- i. Provide to the District an overall remediation plan in relation to the concrete walls and the alteration to the creek channel caused by said walls, which said remediation plan must be prepared by a qualified Professional Engineer or Geoscientist and must meet the following requirements to the satisfaction of the Chief Building Official:

- A. an itemized and detailed description of work required to address the unsafe condition (the "Remedial Work")
- B. certification that the proposed work will render the concrete walls and the corresponding altered creek channel safe for the use

- intended and will not transfer risk to neighbouring properties or other downstream lands;
- C. environmental controls, including tree protection, sediment and erosion control, both during and after remediation;
- D. drainage plan detailing how drainage will be managed on the Property; and
- E. itemized schedule of work for carrying out the Remedial Action Requirements and completion dates of each item; and
- ii. Submit complete applications for all permits required for the Remedial Work to the satisfaction of the Chief Building Official.
- b) The Owner must complete the Remedial Work in accordance with the approved remediation plan and the issued permits to the satisfaction of the Chief Building Official on or before the dates set out in the approved remediation plan.
- 3. Council hereby directs that in the case of failure of the Owner to comply with the Remedial Action Requirements, then:
  - a) District Staff may seek an order/injunction from the courts requiring the owner to carry out the Remedial Action Requirements , or,
  - b) the District, its contractors or agents may enter the Property and may carry out the following actions:
    - i. demolish, remove and reconstruct the failing concrete wall and creek channel as required
    - ii. generally restore the Property to a safe condition to the satisfaction of the Chief Building Official; and
    - iii. for the foregoing purposes may retain the services of a professional engineer to provide advice and certifications;
    - iv. the charges incurred by the District in carrying out the aforementioned remedial actions will be recovered from the Owner as a debt; and
    - v. if the amount due to the District under 3(b)(iv) above is unpaid on December 31<sup>st</sup> in any year then the amount due shall be deemed to be property taxes in arrears under section 258 of the *Community Charter*.

**REASON FOR REPORT:**

To address an unsafe condition related to concrete walls on the Property at 2525 Panorama Drive by making a remedial action order to repair or reconstruct the concrete walls in accordance with a remediation plan approved by the District.



**SUMMARY:**

Partially collapsed and undermined concrete walls in close proximity to Panorama Creek create an unsafe condition at 2525 Panorama Drive. If the concrete walls fail into Panorama Creek, debris could block the culvert and result in flooding to neighbouring properties. BGC Engineering prepared a geohazard assessment report that states "it is BGC's opinion that the home, and neighbouring properties and residents, are at increased risk as a result of ongoing degradation of the walls" (Attachment 1). There is a history of unauthorized work in Panorama Creek at this Property. A remedial action order imposed by Council, to remediate the unsafe condition is recommended.

**BACKGROUND:**

The main home at 2525 Panorama Drive was constructed in 1980, with an addition over the creek channel constructed in 1984. In 1987, and again in 2002, notices were issued by District staff to "cease and desist" unauthorized creek works at the Property.

Concrete walls have been constructed on both sides of the creek channel and are showing evidence of being undermined or eroded. District Staff visited the property on June 17, 2015 and observed that the concrete wall supporting the walkway at the front of the property had partially failed. Staff also observed rock gabion deflection berms had been constructed in the rear of the property. It is uncertain if the rock gabion deflection berms were constructed with any engineering design or oversight; no permits are on file for this work.

BGC Engineering was retained by the District and visited the property on June 26, 2015. A draft of BGC's report was provided to the Owner along with a letter from District Staff informing the Owner of the unsafe condition. (Attachment 2).

**EXISTING POLICY:**

Section 72 of the *Community Charter* authorizes local governments to impose remedial action requirements with respect to hazardous conditions and declared nuisances. Council can require a person to remove, demolish, alter, or otherwise deal with the matter in accordance with the directions of Council or a person authorized by Council.

Section 73 of the *Charter* specifically authorizes local councils to impose a remedial action requirement where council considers a "*matter or thing is in or creates an unsafe condition or the matter or thing contravenes the provincial building regulations or a bylaw under section 8(3)(1) of Division 8 [building regulation] of this Part.*"

The resolution imposing a remedial action requirement must specify a time by which the required action must be taken which must be at least 30 days after notice of the order is sent. If the person wishes to appeal, they have 14 days to request reconsideration by Council.

If the remedial action requirements are not completed within the time permitted, the District may seek a court injunction or may complete the requirements at the expense of the property owner (per s. 17 of the *Charter*). If the costs are unpaid at the end of the year, they may be added to the property taxes (s. 258).

**ANALYSIS:**

BGC states, "If left unmitigated, erosion is expected to continue along the base of the walls and result in ongoing destabilization of the walls. The foundations of both the main house and the support column for the house addition are located in close proximity to the creek. Therefore it is also possible that continued erosion may eventually result in destabilization of the house foundation. Material that enters the creek from collapse of the wall could result in blockage of the downstream culvert or blockage of the creek in vicinity of the house." (Attachment 1)

Council has the authority to impose remedial action requirements as outlined above. The proposed remedial action requirements set out in the Recommendations at the beginning of this report will require the owner to remove or remediate the unsafe structures and certify the site as being safe.

**Timing/Approval Process:**

In consideration of the unsafe condition and the approaching winter rainy season, Staff recommend that the deadline for completing the remedial action requirements be as soon as possible. The *Community Charter* requires that the deadline cannot be earlier than 30 days after the notice of the remedial action requirements is sent to the owner. Accordingly, Staff recommend a deadline of October 30, 2015 to submit the Remediation Plan and apply for all required permits.

**Concurrence:**

The Chief Building Official and the Municipal Solicitor have reviewed and support the recommendations of this report.

**Financial Impacts:**

In the case of default, the District may choose to undertake the remedial action requirements at the expense of the owner and recover the costs as a debt (s. 17 of the *Charter*). If the debt remains unpaid on December 31, the amount may be added to the property taxes (s. 258 of the *Charter*).

**Conclusion:**

The damaged and undermined concrete walls on the property at 2525 Panorama create an unsafe condition. A remedial action order is required from Council to ensure that the unsafe condition is addressed.

Respectfully submitted,



Fiona Dercole  
Section Manager Public Safety

Attachment 1: July 31, 2015 letter to homeowner

Attachment 2: August 26, 2015 Geohazard assessment memo (BGC Engineering)



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

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355 West Queens Road  
North Vancouver BC  
V7N 4N5

www.dnv.org



Gavin Joyce, P. Eng.  
General Manager Engineering, Parks & Facilities

July 30, 2015  
File: 5225.01/003

Gary Wilson  
2525 Panorama Drive  
North Vancouver, BC  
V7G 1V4

Dear Mr. Wilson:

**Re: 2525 Panorama Drive - urgent attention required**

It has come to our attention that your property at 2525 Panorama Drive is currently in an unsafe condition. Your immediate attention to resolve this matter is required.

District Staff visited your property on June 17, 2015 and observed that the concrete walls on your property on the west and east banks of the creek have been undermined, the walkway at the front of your property is failing and could potentially fall into the creek, block the inlet to the culvert, and result in flooding to downstream properties. Additionally, at the rear of your property, Staff noticed a rock gabion deflection berm. This structure could alter the flow of a debris flood, potentially transferring risk to other properties. There are no permits on file for this work.

BGC Engineering was retained by the District and visited your property on June 26, 2015 to assess the creek hazard. Their report and recommendations are attached. The report concludes that the concrete walls are in or create an unsafe condition.

The purpose of this letter is to bring this unsafe condition to your attention and to advise you that the District's Section Manager, Public Safety, will be recommending that the Council of the District impose remedial action requirements on you pursuant to Section 72 of the *Community Charter* for the purpose of mitigating said hazardous condition. This recommendation is scheduled to be presented to Council on Monday September 14, 2015 in Council Chambers at 355 West Queens Road North Vancouver. In advance of this Council meeting you will be provided, by way of separate letter, with a copy of the Section Manager's report to Council. The report will include the proposed resolution imposing the remedial action requirements. Council consideration for the report on September 14 will be at a meeting open to the public and you may wish to attend and speak to the matter.

The District will postpone the above-noted action if, **by no later than September 11, 2015**, you complete all of the following to the District's satisfaction:

- (1) retain the services of a qualified professional engineer or geoscientist with creek hazard expertise;
- (2) cause the qualified professional to prepare a remediation plan, satisfactory to the District, to repair the concrete walls (on both the west and east banks) and certify that the proposed works are safe for the use intended, especially having regard to the

adjacent creek, and to assess the deflection berm at the rear of your property and prepare a report, satisfactory to the District, indicating that the works are properly constructed and do not transfer risk to neighbouring properties; and

- (3) obtain the necessary environmental permits from the District for the wall repair and deflection berm.

Please feel free to contact me directly at (604) 990-3819 or [fdercole@dnv.org](mailto:fdercole@dnv.org).

Best,



Fiona Dercole  
Section Manager, Public Safety  
Engineering, Parks and Facilities Division

Cc: Richard Parr, Municipal Solicitor  
Richard Boase, Environmental Protection Officer  
Carol Walker, Chief Bylaw Officer  
Steve Ono, Deputy General Manager, Engineering, Parks and Facilities





**BGC ENGINEERING INC.**  
**AN APPLIED EARTH SCIENCES COMPANY**

Suite 500 - 980 Howe Street  
 Vancouver, BC Canada V6Z 0C8  
 Telephone (604) 684-5900  
 Fax (604) 684-5909

August 26, 2015  
 Project No.: 0404-056

Fiona Dercole  
 Section Manager Public Safety  
 Engineering, Parks and Facilities Division  
 District of North Vancouver  
 355 Queens Drive West  
 North Vancouver, BC, V7N 4N5

Dear Ms. Dercole,

**Re: 2525 Panorama Drive Geohazard Assessment**

As requested by the District of North Vancouver (DNV), this report presents BGC Engineering Inc.'s (BGC's) geohazard assessment at 2525 Panorama Drive, North Vancouver.

**1.0 BACKGROUND**

The subject property, 2525 Panorama Drive, is located along Panorama Creek in Deep Cove. A single residence is sited on the property adjacent to the creek and was constructed in 1980 according to DNV records. The main section of the house is sited on the left (east) bank of the creek and an addition of the house has been built over the creek as shown in Figure 1. BGC understands that the house is currently unoccupied. Due to the close proximity of the creek banks to the house, a concrete wall has been constructed (presumably by the property owner) along the left bank of the creek. A smaller concrete wall has also been constructed along the right bank near the support column for the house addition. As part of the concrete wall construction, the creek has undergone alteration including narrowing of the channel and partial grouting of the channel bed.

According to KWL (2003), Panorama Creek is one of several creeks in the Deep Cove area that is subject to debris floods. Specific observations made at the subject property indicated that, while the channel was of sufficient capacity to convey peak discharges despite narrowing of the channel near the house, the creek could avulse in the back yard during a debris flood event.

BGC understands that DNV has observed instability of the concrete walls as a result of undermining from the creek. Concerns have been expressed that continued degradation of the walls could potentially lead to increased structural risk to the house as well as the potential for a channel blockage and subsequent flooding of neighbouring residences. DNV requested that BGC conduct a site visit and hazard assessment of this potential hazard.



Figure 1. 2525 Panorama Drive site plan. Aerial imagery obtained from DNV GeoWeb Site.

## 2.0 SCOPE OF WORK

The objectives of BGC's assessment at 2525 Panorama Drive were to:

1. Evaluate the extent of damage to the concrete walls by undermining from the creek.
2. Determine whether the home, and neighbouring properties and residents are at increased risk as a result of ongoing degradation of the walls.

The purpose of the work is to provide information that the DNV can use to determine if an order should be issued to the property owner to repair the walls. Hamish Weatherly, P.Geo., and Evan Shih, P.Eng., of BGC completed a 1 hour site visit on June 26, 2015. Mr. Weatherly is familiar with the property and Panorama Creek as he was one of the technical leads of the KWL (2003) assessment. BGC also reviewed available data on DNV's GeoWeb site (<http://www.geoweb.dnv.org/>).

No sub-surface investigations were completed as part of this assessment.

## 3.0 SITE OBSERVATIONS

The subject property is situated along Panorama Creek approximately 100 m upstream of the creek mouth into Deep Cove. In the vicinity of the house the creek has a gradient of



approximately 13% and a bankfull width of 3.5 m. Upstream from the property, the creek has a gradient of approximately 17% and a bankfull width of 8.5 m. The creek bed substrate consists predominantly of boulders and cobbles and is underlain by glacial till (Photo 1). Based on exposures observed along the channel banks, the till consists of gravel to boulder sized clasts supported by a fine-grained matrix. The creek exhibits a stepped-bed morphology. The steps are composed of debris flood material and larger clasts eroded out of the till. Materials within the channel bed that may be mobilized during peak flows were estimated to include clasts up to approximately 400 mm diameter. Clasts larger than 400 mm are more likely to roll downstream for a short distance as a result of undermining from creek flows. Upstream from the property, some trees along the channel banks are being undermined. Site observations suggest that fallen trees are typically not mobile and act to trap sediment within the channel (Photo 2). At the time of the site visit, the creek was not flowing.

The main concrete wall runs along the left (east) bank and extends from the upstream end of the property down to Panorama Drive where the creek flows through an approximately 1500 mm diameter culvert. A 600 mm diameter overflow culvert exists above the primary culvert (Photo 3). A small debris trap exists at the upstream end of the culvert and was at full capacity (unable to retain additional debris) at the time of the inspection. The upstream end of the main concrete wall blends into a gabion style deflection wall, presumably constructed by the landowner to reduce the potential for an avulsion into the backyard (Photo 4).

At the house, the height of the main wall is 1.5 m and the maximum height from the top of the wall to base of the channel is approximately 3.5 m. The smaller concrete wall runs along the right (west) creek bank adjacent to the support column for the house addition. The slope above the right bank rises sharply to high ground and is composed of till.

The concrete walls are being undermined at several locations by creek erosion, which can likely be attributed to localized channel degradation and scour as a result of narrowing of the channel following construction of the walls (Photo 5 and Photo 6). Erosion was observed to be the most severe where drainage pipes from the house were installed such that they discharge into the creek from beneath the main wall (Photo 7). At one location, erosion from the base of the wall has piped up to ground surface causing collapse of the walkway above (Photo 8).

#### **4.0 CONCLUSIONS**

Based on a comparison between photos taken of the channel adjacent to the house in October 2001 and during the recent site visit (June 2015), it is evident that degradation of the channel bed has occurred over the past 14 years (Photo 9). If left unmitigated, erosion is expected to continue along the base of the walls and result in ongoing destabilization of the walls. The foundations of both the main house and the support column for the house addition are located in close proximity to the creek. Therefore, it is also possible that continued erosion may eventually result in destabilization of the house foundation.

Material that enters the creek from collapse of the wall could result in blockage of the downstream culvert or blockage of the creek in the vicinity of the house. Either scenario could lead to increased maintenance efforts to clear the culvert and also the increased potential for impact to neighbouring properties and residents in the case that debris flood or flood discharge overtops the channel banks.

Based on observations made during the site visit and a desktop study, it is BGC's opinion that the home, and neighbouring properties and residents, are at increased risk as a result of ongoing degradation of the walls.

## 5.0 RECOMMENDATIONS

Based on the site assessment observations of June 26, 2015, BGC recommends:

1. The homeowner repair the concrete walls to a condition such that they function as originally intended. Special attention should be given to the section of the main concrete wall where the walkway above has collapsed as well as other sections along both walls that are being undermined. Locations where drainage pipes from the house discharge into the creek should be armoured (i.e., using grout or grouted riprap) in order to reduce potential for erosion.
2. The homeowner obtain a hydrotechnical engineering consultant to determine if the altered section of the creek is of sufficient capacity to convey creek flows without impacting the structural integrity of the concrete walls, causing channel avulsion, or damaging the subject property house, adjacent properties or downslope area. If the altered channel is determined to be insufficient, a mitigation design should be developed and constructed as soon as practical.
3. Site assessments of the concrete walls by the homeowner, or a DNV representative, following heavy precipitation events prior to completion of repair or remediation works.



## 6.0 CLOSURE

BGC Engineering Inc. (BGC) prepared this document for the account of District of North Vancouver. The material in it reflects the judgment of BGC staff in light of the information available to BGC at the time of document preparation. Any use which a third party makes of this document or any reliance on decisions to be based on it is the responsibility of such third parties. BGC accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this document.

As a mutual protection to our client, the public, and ourselves, all documents and drawings are submitted for the confidential information of our client for a specific project. Authorization for any use and/or publication of this document or any data, statements, conclusions or abstracts from or regarding our documents and drawings, through any form of print or electronic media, including without limitation, posting or reproduction of same on any website, is reserved pending BGC's written approval. A signed and sealed copy of this document is on file at BGC. That copy is the record document, and takes precedence over any other copy or reproduction of this document.

Yours sincerely,

**BGC ENGINEERING INC.**  
per:



Evan Shih, M.Eng., P.Eng.  
Hydrotechnical/Geological Engineer

Reviewed by:

Hamish Weatherly, M.Sc., P.Geo.  
Principal Hydrologist

ES/HW/sf/admin

## REFERENCES

Kerr Wood Leidal Associates Ltd. (KWL). December, 2003. Debris Flow – Debris Flood Study and Risk Mitigation Alternatives for Deep Cove Creeks. Report prepared for District of North Vancouver. Available at: [www.dnv.org/upload/documents/Engineering/Deepecove\\_report.pdf](http://www.dnv.org/upload/documents/Engineering/Deepecove_report.pdf)

## PHOTOGRAPHS



**Photograph 1. Cobble and boulder substrate overlying glacial till (upstream of 2525 Panorama Drive).**



**Photograph 2. Fallen tree retaining debris in creek (upstream of 2525 Panorama Drive).**



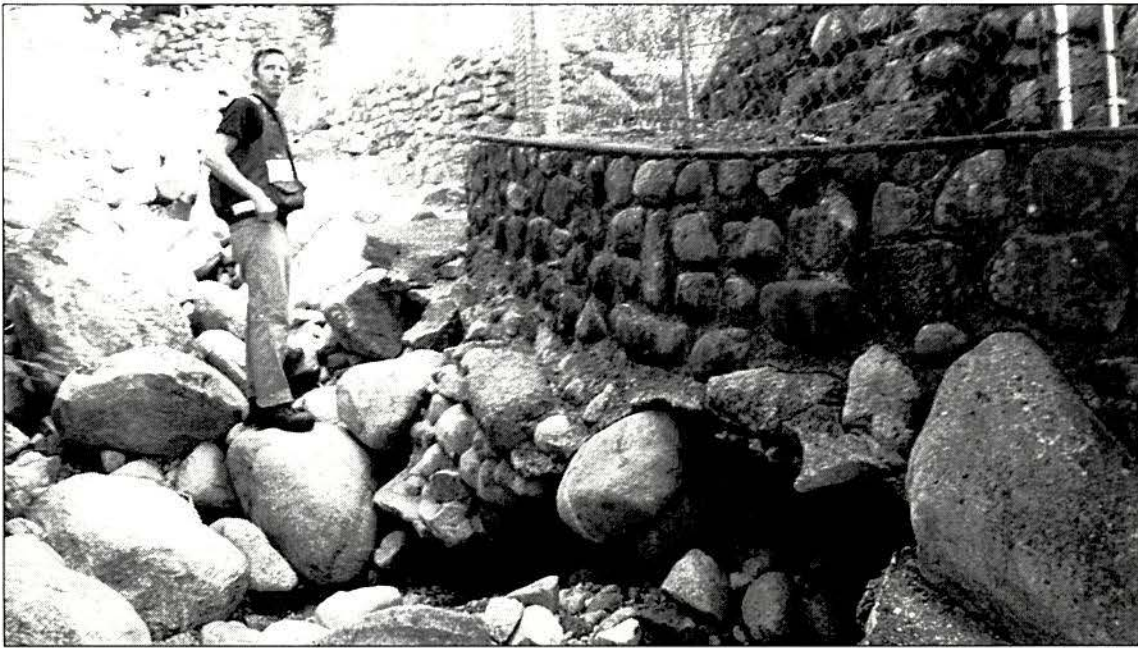


Photograph 3. Panorama Drive primary and overflow culverts.



Photograph 4. Gabion style deflection wall in backyard of 2525 Panorama Drive.





Photograph 5. Erosion along base of concrete wall adjacent to house.



Photograph 6. Erosion along base of grouted foundation beneath the support column of the house addition.





**Photograph 7. Erosion beneath concrete wall at outlet of drainage pipe.**






**Photograph 8. Collapsed walkway adjacent to house above drainage pipe outlet.**



**Photograph 9. Comparison of photos taken in October 2001 (left) and June 2015 (right) of channel adjacent to house.**



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>SEPT 14, 2015</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

August 31, 2015

**AUTHOR:** Kathleen Larsen, Community Planner

**SUBJECT:** 114 West Windsor Road – Withhold Demolition Permit and Heritage Inspection Order

### RECOMMENDATION:

THAT Council considers the property at 114 West Windsor Road may have sufficient heritage value and character to justify its protection; and

1. THAT Council direct staff to continue to withhold the demolition permit in accordance with S. 3.1, S. 3.2 and S.4.1 of the Heritage Procedure Bylaw; and
2. Pursuant to S.956 of the *Local Government Act* Council orders a Heritage Inspection as follows:
  - a) The purpose of the inspection is to confirm the condition and heritage value of the house and property;
  - b) The heritage inspection is carried out in an expeditious manner in cooperation with the homeowner;
  - c) The order is to remain in effect until the Heritage Inspection is completed or building permits for the two lots are issued with respect to alteration or redevelopment of the property; whichever occurs first.

### SUMMARY:

“Green Gables”, the house located on two existing 20m (66ft) wide lots and addressed as 114 West Windsor Road, is on the District’s Heritage Register. Staff are confirming Council’s direction to withhold the issuance of a submitted demolition permit in accordance with the Heritage Procedure Bylaw until such time as building permits are submitted for new dwellings on the two properties. A Heritage Inspection Order is necessary to confirm the heritage value and character defining



**SUBJECT: 114 West Windsor Road – Withhold Demolition Permit and Heritage Inspection Order**

August 31, 2015

Page 2

elements of the house and property. The inspection may also verify whether moving the house on the property might be possible and could be considered as part of a redevelopment proposal for the site.

Withholding the demolition permit will allow staff an opportunity to explore redevelopment options of the property with the owner should the results of the Heritage Inspection indicate that the retention of the heritage house is warranted.



**Context Plan**



**Air Photo**

**BACKGROUND:**

"Green Gables" was constructed in 1915 for the Gibson Family and is on the District's Heritage Register. Previously it was on the "Primary List" of the District's Heritage Inventory.

The house straddles two single family lots located at 114 Windsor Road and is characterized by ornate Ionic columns associated with the Colonial revival period. A distinctive profile is provided by the tall chimneys, the hip-on-gable ('jerkin') roofs and the bellcast detailing of the porches. By 1935 the house had been sold to the Butterworth family who maintained stables on the site.





**ANALYSIS:**

The owner of the property submitted a demolition permit application on August 7, 2015 to allow for the demolition of the heritage house. In accordance with the District's Heritage Procedures Bylaw this demolition permit cannot be issued until building permits and any other necessary approvals (i.e. soil and tree permits) have been issued to allow the development of the two lots.

The subject property is in an identified Small Lot Infill Area (S.L.I.A. 10) which could potentially allow the creation of four 10m (33ft) wide lots through a subdivision process. If the house is demolished a subdivision application for the Approving Officer's review could be anticipated.

As the property is currently for sale it is hoped that a new owner can be encouraged to work with staff to explore development options for the property that will allow for the retention of the heritage house.

Development options could include the following all of which would require "Green Gables" to be designated by bylaw as a permanently protected heritage building:

1. The further subdivision of the property with the retention and relocation of "Green Gables" onto one of the new lots with provision for floor space beyond which would otherwise be permitted. This would require a Heritage Revitalization Agreement and Public Hearing.
2. Amendment of the OCP to designate the 2 existing parcels as a heritage conservation area. This approach would allow for "Green Gables" to be moved to one of the two lots and to be preserved while allowing the remaining lot for development as a single family home under the existing zoning.
3. Exploration of options for limited additional density on the site through a Heritage Revitalization Agreement.
4. Exploration of financial incentives for the applicant such as waiving fees associated with preservation of the house in order to retain "Green Gables" on one of the two existing lots.
5. Some combination of the options above or other options not yet identified.

**SUBJECT: 114 West Windsor Road – Withhold Demolition Permit and Heritage  
Inspection Order**

August 31, 2015

Page 4

Heritage Procedures Bylaw

S.4.1 of the Heritage Procedure Bylaw (Attachment A) requires the Chief Building Official to continue to withhold the issuance of a demolition permit with respect to property identified in the Community Heritage Register until a building permit and any other necessary approvals have been issued with respect to the alteration or redevelopment. In this case the property is for sale and it is unlikely that the current owner will actively be pursuing redevelopment of the site.

If building permit applications for the existing two lots are submitted to the District a temporary protection order from Council could be sought to give staff 60 days from the date of the order to investigate redevelopment options with the owner. Staff may return to Council to seek direction regarding further protection which may include a Heritage Revitalization Agreement bylaw or a heritage conservation OCP amendment bylaw for the property.

Heritage Inspection Order

For the purpose of assessing heritage value, heritage character, or the need for conservation of a property S.956 of the *Local Government Act* enables Council to order an inspection of a property that is or may be protected heritage property, or is identified as a heritage property on a heritage register.

A Heritage Inspection Order must:

1. Include the purpose of the inspection
2. Specify how long the order is to remain in effect
3. Require that the inspection be carried out expeditiously

The Order may also include terms and conditions and specifications that the Local Governments deems appropriate. In this case it is expected that staff would require the Heritage Inspection to be carried out by both a qualified heritage professional and a District Building Inspector. The information obtained from the Heritage Inspection would be used to assess the heritage value and defining characteristics of the house as well as the condition of the foundation in order to determine the feasibility of moving the house elsewhere on the property. All of this information is required in order for staff to assess any submitted redevelopment proposals.

**SUBJECT: 114 West Windsor Road – Withhold Demolition Permit and Heritage Inspection Order**

August 31, 2015

Page 5

**CONCLUSION:**

Staff recommend that the submitted demolition permit continue to be withheld in accordance with the Heritage Procedure Bylaw until such time as building permit applications are received for the two subject properties. A Heritage Inspection Order is also recommended in order to provide the background information necessary to assess redevelopment options for the property.

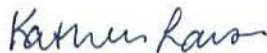
**OPTIONS:**

1. THAT Council direct staff to continue to withhold the demolition permit in accordance with S.3.1, S.3.2 and S.4.1 of the Heritage Procedure Bylaw; and

Pursuant to S.956 of the *Local Government Act* Council orders a Heritage Inspection as follows:

- a) The purpose of the inspection is to confirm the condition and heritage value of the house and property;
- b) The heritage inspection is carried out in an expeditious manner in cooperation with the homeowner;
- c) The order is to remain in effect until the Heritage Inspection is completed or building permits for the two lots are issued with respect to alteration or redevelopment of the property; whichever occurs first; or

2. THAT Council direct staff to discontinue the withholding of the demolition permit for "Green Gables" pursuant to the Heritage Procedure Bylaw.



Kathleen Larsen  
Community Planner

**Attachments:**

A – Heritage Procedures Bylaw (For Information)

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 7945**

A bylaw to authorize withholding permits in respect of property included in the community heritage register

---

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

#### **1. Citation**

- 1.1. This bylaw may be cited as "Heritage Procedure Bylaw 7945, 2012".

#### **2. Definitions**

- 2.1. In this bylaw:

- a) "Building Permit" means a permit issued pursuant to the District's Building Regulation Bylaw 7353, as amended;
- b) "Chief Building Official" means the person designated in or appointed to that position by the District, and any person named by the Council to act in place of the chief building official;
- c) "Community Heritage Register" means the District's community heritage register established pursuant to section 954 of the *Local Government Act*;
- d) "Council" means the municipal council of the District;
- e) "District" means the District of North Vancouver; and,
- f) "*Local Government Act*" means the *Local Government Act*, RSBC 1996, c. 323, as amended or replaced.

#### **3. Authority to Withhold Permit**

- 3.1. Subject to sections 3.2 and 4.1, the Chief Building Official is authorized to withhold the issuance of a permit or other approval with respect to any building or structure identified in the Community Heritage Register where, in the opinion of the Chief Building Official, the work authorized by the permit or approval would result in a significant adverse impact on the heritage value of the building or structure.

- 3.2. Where a permit or other approval has been withheld pursuant to section 3.1, the matter must be referred to Council for consideration at its next regular meeting.
- 3.3. Subject to section 4.1, unless an order for temporary protection is made by Council pursuant to section 962 of the *Local Government Act*, nothing in section 3.1 authorizes the withholding of a permit to which an applicant would otherwise be entitled, beyond the time of the meeting at which the matter is considered by the Council under section 3.2.

#### **4. Demolition Permits**

- 4.1. Subject to section 4.2, regardless of whether Council has made an order for temporary protection pursuant to section 962 of the *Local Government Act*, the Chief Building Official must continue to withhold the issuance of a demolition permit with respect to property identified in the Community Heritage Register until a Building Permit and any other necessary approvals have been issued with respect to the alteration or redevelopment of the property.
- 4.2. Notwithstanding sections 3.1 and 4.1, the Chief Building Official must not withhold approval for demolition of a property identified in the Community Heritage Register where:
  - (a) the demolition is reasonably required to mitigate a hazard to public safety; or,
  - (b) as a pre-condition of subdivision approval, the Approving Officer has required that the building be removed.

#### **5. Exceptions**

- 5.1. This Bylaw does not apply to property identified in the community heritage register which is also:
  - (a) designated as protected heritage property pursuant to section 967 of the *Local Government Act*; or,
  - (b) the subject of a heritage revitalization agreement pursuant to section 966 of the *Local Government Act*.

**READ** a first time this the 23<sup>rd</sup> day of July, 2012

**READ** a second time this the 23<sup>rd</sup> day of July, 2012

**READ** a third time this the 23<sup>rd</sup> day of July, 2012

**ADOPTED** this the 10<sup>th</sup> day of September, 2012

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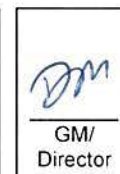
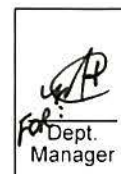
Mayor

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Municipal Clerk



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>SEPT. 14, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

September 4, 2015  
File: 3060.10/012.15

**AUTHOR:** Lilian Arishenkoff, Development Planner

**SUBJECT:** 3075 Fromme Road – Heritage Protection Plan

### RECOMMENDATION:

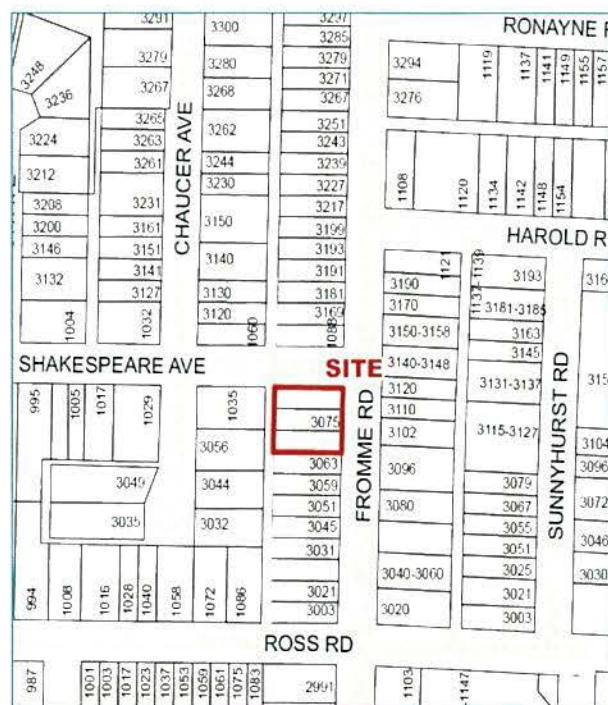
THAT the property at 3075 Fromme Road and the house located thereon may have sufficient heritage value and character to justify its protection as outlined in the Statement of Significance attached to the September 4, 2015 report of the Development Planner;

THAT the Gillett House at 3075 Fromme Road in the District of North Vancouver be added to the District of North Vancouver's Community Heritage Register, pursuant to Section 954 of the *Local Government Act*; and,

THAT staff be directed to continue working with the owner/applicant to devise a Heritage Revitalization Agreement.

### SUMMARY:

On July 25, 2015, Council issued a temporary protection order for the property located at 3075 Fromme Rd. Staff have been working with the owner/applicant on a revised proposal to retain and restore the Gillett House while allowing some redevelopment of the three lots to occur. More time is required for staff to continue negotiations with the applicant to devise a Heritage Revitalization Agreement. To acknowledge the heritage value and character of the site, staff is proposing to add the Gillett House to the District's Community Heritage Register.



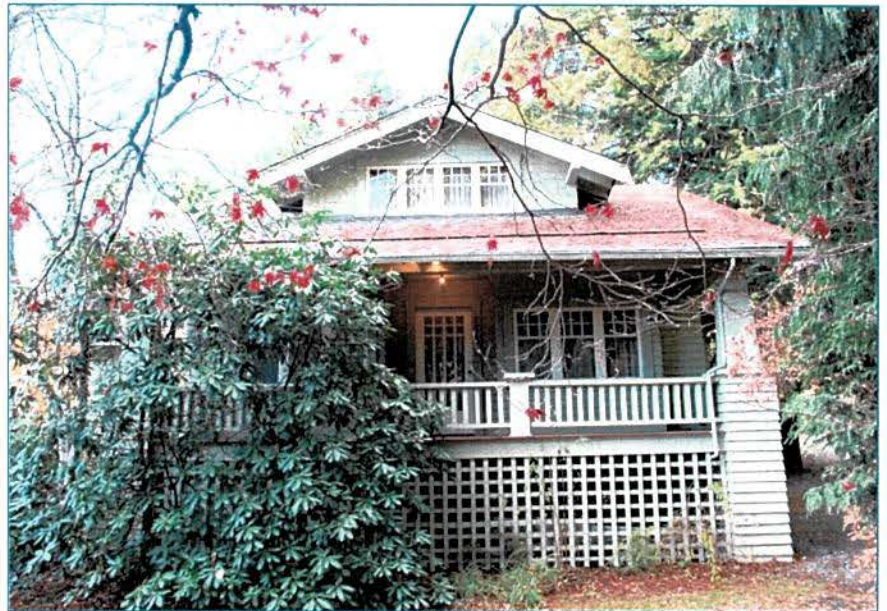


**BACKGROUND:**

The Gillett House is a Craftsman style home built in 1922 by local carpenter and longstanding owner Thomas Gillett. The house sits on two of the three single family lots located at 3075 Fromme Road. It is characterized by its full width front verandah as well as its one and one-half storey height, side-gabled roof, gabled dormer on the front elevation, tapered columns and shed-roof bays on the side elevation.

The Gillett House is an example of residential development built during the interwar period and is listed on the secondary list of the District's Heritage Inventory. The Gillett House was recommended to be on the District's Community Heritage Register, but it was not placed on the Register at the request of the previous owner. A Statement of Significance has been prepared by Heritage Consultant, Donald Luxton and Associates Inc. (Attachment A).

On May 15, 2015, the District received a preliminary planning application from Ankenman Marchand Architects for the subject site. This application would see retention of the house with a total of 9 units as follows: the heritage house with two units; 4 townhouses; and 3 coach houses on the rear lane. The proposed density is 0.98 FSR and the proposal would require a Heritage Revitalization Agreement bylaw.



The development proposal was reviewed by staff, the community (at an Open House hosted by the applicant on December 11, 2014), and the Community Heritage Advisory Committee on June 25, 2015. While there was a sincere desire by all parties to retain the Gillett House, several concerns were raised with the proposal, namely:

- Too high a density in terms of FSR and number of units;
- Monotonous design;
- Lack of sufficient open space; and
- A need to allow the Gillett House to be more prominent on the site.

On July 13<sup>th</sup>, 2015, Council reviewed the proposal and issued a temporary protection order for the house. This allowed the Gillett House to be protected from demolition for a 60 day period and the temporary protection order expires on September 15, 2015.

The applicant met with staff on two occasions in July to review the concerns raised with the original proposal and to discuss how it could be modified to address these concerns. Staff has worked with the applicant to revise their proposal to a lower density and to create a site plan which would both celebrate the heritage house and be more in keeping with the surrounding neighbourhood.

The revised proposal would involve moving the Gillett House to the corner lot on Fromme Rd. and Shakespeare Ave. and restoring it as a single family home with a non-stratified secondary suite. The remaining two lots along Fromme Rd. would each accommodate a new single family house (without secondary suites). In addition, the applicant proposed that each of the three lots would have one stratified coach house accessed off the rear lane. In total, the discussion involved the creation of seven dwelling units, a reduction from nine units in the original proposal. It was anticipated that the revised proposal would be realized through a Heritage Revitalization Agreement and a Heritage Designation Bylaw.

At the time of writing this report, the revised proposal has not been formally submitted to the District by the applicant. It appears they require more time to respond and work through various design items as well as their economic analysis for the revised proposal. Staff would like to continue to work with the applicant should they wish to pursue the current development option, including coach houses.

## **EXISTING POLICY**

The site is designated "Residential Level 2: Detached Residential" (single family) in the Official Community Plan (OCP) which allows a density of up to approximately 0.55 FSR. The block across Fromme Rd. to the east is designated "Residential Level 3: Attached Residential" which allows up to approximately 0.8 FSR and for reference the Lynn Valley Local Plan supports ground oriented multifamily housing in the block to the east of up to 0.65 FSR.

The original proposal was for 9 units and a density of 0.98 FSR, while the most recent proposal discussed with staff is for 7 units with a specific density not yet confirmed. The original proposal does not comply with the current OCP designation. The most recent development proposal would comply if it is equal to or less than 0.55 FSR.

The current development proposal is in keeping with the Official Community Plan policy 6.5.4. which encourages a clear sense of identity and links to the past, present and future and specifically to:

*6.5.4 Encourage the protection and enhancement of buildings and sites which have historic significance to the community by exploring opportunities to use the tools and incentives available under the Local Government Act.*



## **ANALYSIS:**

From initial discussions with the applicant, there has been a keen interest in preserving and restoring the Gillett House to its former glory within a feasible economic context. The temporary protection order allowed staff the time to initiate further discussions with the applicant on a proposal that may be acceptable to all parties involved: the applicant, the community, staff, and ultimately Council.

Due to the complexity of the proposal, more time is required to bring the proposal to an acceptable resolution. To confirm the commitment of this ongoing collaboration with the applicant to retain the Gillett House, staff is recommending that the Gillett House be added to the District's Community Heritage Register. This Register is an official listing of properties identified by the municipality as having heritage value or character. Being included in the District's Community Heritage Register does not constitute designation but it enables monitoring of proposed changes to a property through the municipal licensing and permit application process. In this case, it would provide further temporary protection by allowing the District to withhold approval for a demolition permit until a building permit or other necessary approvals have been issued with regard to the alteration of the Gillett House or redevelopment of the site. The process to add the Gillett House to the Community Heritage Register involves Council passing a resolution to add the property to the Register, with a description outlining why the property has heritage value or character and should be protected. Within 30 days, the municipality must notify a property owner that property has been added to the Register.

Should the Gillett House be added to the District's Community Heritage Register, staff can continue working with the applicant on a revised development proposal with the acknowledgement that the Gillett House has sufficient value and character to justify its protection. The preferred means of achieving this outcome would be through the negotiation of a Heritage Revitalization Agreement.

### Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a formal voluntary agreement negotiated between a municipality and the owner of a heritage property, and is approved by Council. Through this type of agreement, the *Local Government Act* allows a municipality to negotiate among other items, variances to zoning requirements that pertain to a property. The agreement may also outline the duties, obligations and benefits negotiated by all parties to the agreement.

In this case, one of the primary objectives of an HRA would be the designation of the Gillett House as a permanently protected heritage structure. The HRA would ensure that the integrity of the heritage house is not compromised by any construction and can be maintained over an extended period of time. In addition an HRA would require that modifications to the house be undertaken in a manner sympathetic to the architectural style of the building. Under the heritage designation bylaw any future change to the

structures on the property would require a Heritage Alteration Permit approved by the General Manager of Planning, Properties and Permits.

If there is continued interest by the applicant in preserving and restoring the Gillett House, an HRA is the preferred means of achieving this as it is a collaborative process worked on jointly by staff and the applicant, with input from the neighbourhood. The process to create a HRA is to negotiate the terms of the HRA with the applicant, prepare the HRA Bylaw, and a Heritage Designation Bylaw, and schedule the required public hearing. Within 30 days of bylaw adoption, the municipality is obliged to file a notice to register the HRA on the property title.

### Heritage Conservation Area

A Heritage Conservation Area (HCA) is a second option to encourage heritage retention and restoration of the Gillett House. A HCA is a distinct district or area with special heritage value or character which has been identified in the Official Community Plan for heritage conservation purposes. HCA's can provide long-term protection to some or all of the properties within the boundary of the heritage conservation area. Specifically, an owner of property within the HCA is not permitted to subdivide, make an addition to the structure, construct a new building or alter an existing building. Properties that are to be protected in the HCA must be specifically identified in the establishing bylaw.

The process to create a HCA involves identification of the distinctive area, consultation with the area property owner/s to obtain agreement that this is the best protection tool to use, and review of the control mechanisms such as design guidelines. The municipality then prepares a bylaw to amend the OCP to identify the HCA, describing the special features and characteristics which justify the establishment of a HCA, as well as the objectives and guidelines for how these features and characteristics will be conserved. A Heritage Alteration Permit Procedures Bylaw would also be required to enable owners to apply for permits to alter the designated heritage property.

In this case, the use of a Heritage Conservation Area is not recommended by staff as the protection of the heritage values and character can be adequately addressed using a Heritage Revitalization Agreement with fewer procedural steps.

### **OPTIONS:**

The options available to Council if they choose to encourage the retention of the Gillett House are as follows:

1. Support the recommendation to:
  - a. Add the Gillette House to the District's Community Heritage Register; and
  - b. Direct staff to work with the applicant to retain the Gillett House through a Heritage Revitalization Agreement. It is anticipated that the development proposal would involve the Gillett House being moved and preserved on one of the three existing lots with the addition of a secondary suite and

strata coach house on this lot, while freeing up the remaining two lots for development as single family homes with one strata coach house each, for a total of 7 units on the three lots.

2. Direct Staff to amend the Official Community Plan to designate the three existing lots as a Heritage Conservation Area. This approach would allow for the Gillett House to be moved to one of the three lots and to be preserved, while making the remaining two lots available for development as single family homes under the existing zoning. This would involve the introduction of a Heritage Conservation Area Bylaw, Heritage Permit Procedures Bylaw, and referral to a Public Hearing.
3. Do nothing and allow for the three existing lots comprising the Gillett House property to be redeveloped.

**CONCLUSION:**

Staff recommend Option 1, the addition of the Gillett House to the District's Community Heritage Register, and further work to achieve through a Heritage Revitalization Agreement, a development proposal that respects neighbourhood objectives and retains the heritage resource.



Lilian Arishenkoff  
Development Planner

Attachment:

Attachment A: Statement of Significance

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: _____



# 3075 FROMME ROAD STATEMENT OF SIGNIFICANCE

DRAFT DECEMBER 2014



**DONALD LUXTON**  
AND ASSOCIATES INC



DONALD LUXTON AND ASSOCIATES INC.  
1030 - 470 GRANVILLE STREET VANCOUVER BC V6C 1V5  
info@donaldluxton.com 604 688 1216 www.donaldluxton.com



## STATEMENT OF SIGNIFICANCE



**Address:** 3075 Fromme Road, North Vancouver, British Columbia

**Name of Historic Place:** Gillett Residence

**Original Owners:** Thomas and Margaret Gillett

**Date of Construction:** 1922

### **Description of Historic Place**

The Gillett Residence, located at 3075 Fromme Road in North Vancouver, is a Craftsman style, one and one-half storey wood-frame house that is characterized by its full-width front verandah.

### **Heritage Value of Historic Place**

The Gillett House is valued as an example of the residential development of North Vancouver during the interwar period and for its Craftsman style architecture, as constructed by local carpenter and longstanding owner, Thomas Gillett.

Constructed in 1922, the Gillett Residence represents the interwar development of North Vancouver. After an intense period of economic growth throughout the Lower Mainland during the Edwardian era, the pace of development dramatically slowed due to a financial recession in 1913 and the subsequent outbreak of the First World War. Development activity gradually



returned through the 1920s and houses such as the Gillett Residence reflect the relatively brief return to normalcy before another, deeper financial recession would effectively halt growth.

The Gillett Residence is also valued for its Craftsman style architecture. Developed as a more simplified version of the Arts and Crafts movement, the Craftsman style typically combines traditional designs, such as gabled roofs and pointed bargeboards, with natural materials, such as cedar shingles, that were easily and locally sourced. Built by carpenter Thomas Gillett in two phases, which allowed the family to live on the site while construction continued, the residence features the characteristically Craftsman full-width front verandah that is supported by only two tapered corner columns. The Gillett family resided in the house from its completion until the 1950s.

### **Character-Defining Elements**

The elements that define the heritage character of the Gillett Residence are its:

- location along Fromme Road in North Vancouver;
- continuous residential use since 1922;
- residential form, scale and massing, as expressed by its one and one-half storey height; side-gabled roof; gabled dormer on the front elevation and shed-roof bays on the side elevations;
- wood-frame construction;
- Craftsman style features, including: cedar shingle cladding in the gable ends and foundation level, and lapped wooden siding on the main body; pointed bargeboards; linear brackets; full-width front verandah supported by two tapered square columns and open wooden balustrade with square newel posts; exposed raftertails; and
- original wooden frame windows including single, paired, tripartite, and quadripartite casement assemblies with multi-paned upper sashes.

## RESEARCH SUMMARY

**CIVIC ADDRESS:** 3075 Fromme Road, North Vancouver, British Columbia

**NAME OF HISTORIC PLACE:** Gillett Residence

**ORIGINAL OWNERS:** Thomas and Margaret Gillett

**CONSTRUCTION DATE:** 1922

### BUILDING PERMIT APPLICATIONS:

- #56: December 15, 1922 for T. Gillette (sic); \$500 residence; Lots 28-29, Block 4/5, DL 2003 S1/2
- #84: June 13, 1923 for T. Gillette (sic); \$900 (addition); Lot 38 (sic), Block 4/5

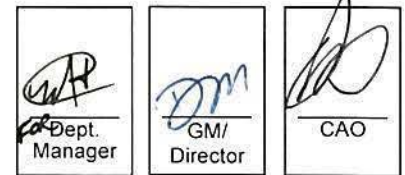
### BRITISH COLUMBIA VITAL EVENTS:

- Marriage Registration: Gillett, Thomas and Wight, Margaret McQueen; Date: 1912/03/06; Event Place: Vancouver; Registration Number: 1912-09-067104
- Death Registration: Gillett, Thomas; Gender: Male; Age: 91; Date: 1974/06/15; Event Place: North Vancouver; Registration Number: 1974-09-009299
- Death Registration: Gillett, Margaret McQueen; Gender: Female; Age: 80; Date: 1969/04/15; Event Place: Coquitlam; Registration Number: 1969-09-006319

### DIRECTORIES

- 1925: Gillette bldr 3075 Fromme N Van
- 1930: Gillett, Thos carp h 3075 Fromme N Van
- 1935: Gillett, Thos (Margt M) lab h 3075 Fromme N Van
- 1940: Gillett, Thos (Margt M) lab h 3075 Fromme N Van
- 1945: Gillett, Thos (Margt M) lab N Van District h 3075 Fromme N Van
- 1950: Gillett, Thos (Margt M) carp h 3075 Fromme N Van
- 1955: Gillett, Thos (Margt M) carp h 3075 Fromme N Van

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Sept. 14, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver

### REPORT TO COUNCIL

August 19, 2015  
File: 08.3060.20/039.14

**AUTHOR:** Natasha Letchford, Community Planner

**SUBJECT:** Bylaws 8126 and 8127: 3730-3736 Edgemont Boulevard

#### RECOMMENDATION:

THAT "The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)" is given SECOND and THIRD Readings.

THAT "Housing Agreement Bylaw 8127, 2015 (3730-3736 Edgemont Blvd.)" is given SECOND and THIRD Readings.

#### BACKGROUND:

Bylaws 8126 and 8127 received First Reading on July 15, 2015. A Public Hearing for Bylaw 8126 was held and closed on July 21, 2015.

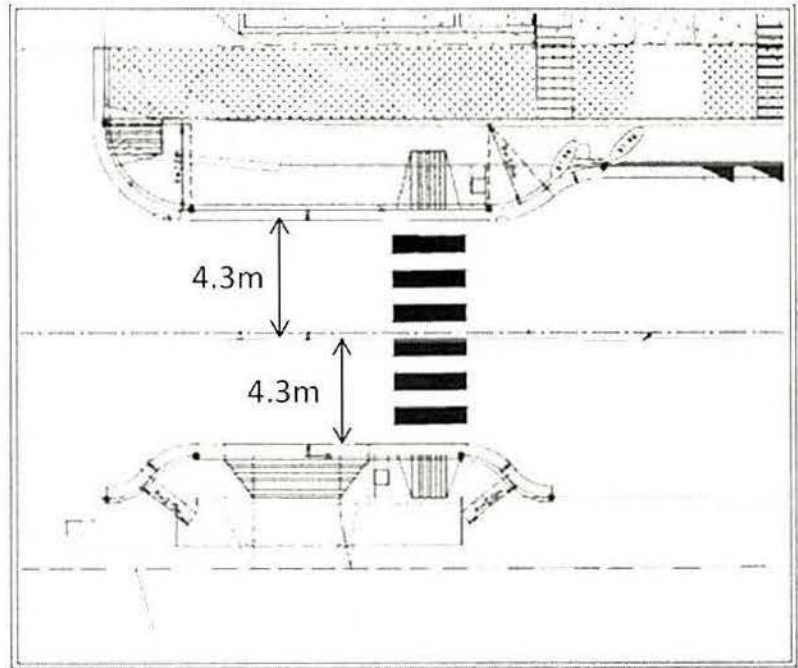
At the Public Hearing the following questions were directed to staff for clarification:

What measures will be taken to ensure that the relocated street light will not be a source of light pollution for the neighbouring residences?

The Engineering Servicing Agreement will require that the street light meet the design requirements of the Development Servicing Bylaw. Obtrusive light, light trespass, and light pollution are key project design issues and the proposed light must use design techniques to mitigate these issues. The proposed Type II Flat Glass Cutoff Roadway Luminaire meets the requirements of the Development Servicing Bylaw and will ensure minimal light spillage.

Can the crosswalk be moved to the west side of the Edgemont Manor driveway and can the curb bulges be removed?

The proposed crossing is not raised and will be a signed and marked zebra crosswalk. Staff reviewed the proposal brought forward at the public hearing to shift the crosswalk to the west of 'The Manor' driveway and Engineering and Transportation staff maintain that the proposed alignment is the best for this site. Shifting the crosswalk to the west would result in a conflict with an existing driveway on the north side of Edgemont Blvd.



The curb bulge is important as it improves public safety by:

- Reducing the crossing distance for pedestrians;
- Increasing pedestrian visibility;
- Reducing vehicle speeds; and,
- Preventing parking close to an intersection

Cyclists will have sufficient room to travel between the curb-bulges and will not be 'squeezed' as each lane is 4.3 m wide clear of the curb bulge which is the standard lane width for a shared bike/car lane.

The North Vancouver Bicycle Master Plan 2012 does not identify this portion of Edgemont Blvd. as a future bicycle route and there is no plan for a dedicated bicycle lane on Edgemont Blvd. between Capilano Road and Sunset Blvd.

Is there a traffic signal planned for the intersection of Capilano Rd. and Edgemont Blvd.?

The District Transportation department is generally supportive of a signal at this intersection. District staff are working with Metro Vancouver to have ducts placed under the pavement in anticipation of a future traffic signal when Capilano Road is restored as part of the Capilano Water Main Project. Installation of a traffic signal at this location is currently unfunded; and, additional funding would need to be added to the capital budget.



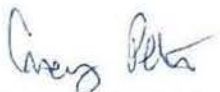
Can "Resident Parking Only" (RPO) be provided along Edgemont Blvd due to the overflow of vehicles from the Capilano Suspension bridge?

Patrons of the Capilano Suspension Bridge parking on neighbouring streets to avoid paying for parking is an issue that has been identified. The District only very rarely designates areas as "Resident Parking Only" and the Capilano Suspension Bridge recently completed an upgrade to their parking resulting in approximately 70 new spots. District staff will be monitoring the parking in the area to determine whether the implementation of time-limited parking may be warranted along this portion of Edgemont Blvd.

**OPTIONS:**

1. Give the bylaws Second and Third Readings; or,
2. Give no further Readings to the bylaws and abandon the bylaws at First Reading.

Regards,



for Natasha Letchford,  
Community Planner

**Attachments:**

- The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)
- Housing Agreement Bylaw 8127, 2015 (3730-3736 Edgemont Blvd.)
- Public Hearing Minutes – July 21, 2015
- Staff Report – June 4, 2015

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 _____
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<input type="checkbox"/> Environment _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Human Resources _____		

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# **The Corporation of the District of North Vancouver**

## **Bylaw 8126**

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

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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 1332 (Bylaw 8126)".

### **2. Amendments**

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

(a) Section 301 (2) is amended by inserting the following zoning designation:

"Comprehensive Development Zone 85                      CD 85"

(b) Part 4B Comprehensive Development Zone Regulations is amended by inserting the following:

**"4B85 Comprehensive Development Zone 85                      CD 85**

**The CD 85 zone is applied to:**

Legal Address:

Lot 14, Block B, District Lot 601, Group 1 Plan 10816, PID 009-360-514

#### **4B 85 – 1 Intent**

The purpose of the CD 85 Zone is to permit a multi-family residential 7 unit townhouse project.

#### **4B 85 – 2 Permitted Uses:**

The following *principal* uses shall be permitted in the CD 85 Zone:

- a) Uses Permitted Without Conditions:
  - i. Residential building, multi-family townhouse



- b) Conditional Uses:
  - i. Not applicable.

#### **4B 85 – 3 Conditions of Use**

- i. Not applicable.

#### **4B 85 – 4 Accessory Use**

- 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 3210, 1965.

#### **4B 85 – 5 Density**

- a) The maximum permitted density in the CD85 Zone is limited to a floor space ratio (FSR) of 0.45, inclusive of any density bonus for energy performance;
- b) For the purposes of calculating floor space ratio, the following areas are excluded:
  - i. Parking
  - ii. Underground storage to a maximum of 147 m<sup>2</sup> (1,583 sq. ft.)

#### **4B 85 – 6 Amenities**

- a) Despite Subsection 4B85 – 5, permitted density in the CD 85 Zone is increased to a maximum of 1,496.1 m<sup>2</sup> (16,103.8 sq. ft.) *gross floor area*, inclusive of any density bonus for energy performance, if the owner:
  - 1. Enters into a Housing Agreement prohibiting any restrictions preventing the owners in the project from renting their units; and,
  - 2. Contributes \$33,585 to the municipality to be used for any or all of the following amenities (with allocation and timing of expenditure to be determined by the municipality in its sole discretion):
    - i. Improvements to public parks, plazas, trails and greenways;
    - ii. Municipal facilities and facility improvements;
    - iii. Public art and other beautification projects; and

- iv. Affordable or special needs housing.

#### **4B85 – 7 Height**

- a) The maximum permitted height for each building is 9.14 metres (30.0 feet) and a maximum of two storeys.
- b) For the purpose of measuring building *height*, the rules set out in the definition of *height* in Part 2 of this Bylaw apply, except that *height* will be measured to from the *finished grade*. For the purposes of calculating number of storeys, underground parking and roof decks are excluded.

#### **4B 85 – 8 Setbacks**

Buildings must be set back from property lines to the closest building face (excluding any partially exposed underground parking structure) as established by development permit and in accordance with the following regulations:

<b>Setback</b>	<b>Minimum Required Setback</b>
North (rear)	2.6 m (8.43 ft)
East	1.2 m (4.0 ft)
South (Edgemont Blvd)	6.1 m (20 ft)
West	1.2 m (4.0 ft)

The foundation wall for the underground parking structure must be set back a minimum of 2.4 m (8 ft) from the north property line on the west and a minimum of 8.2 m (27 ft) from the north property line on the east as illustrated in Figure 1.

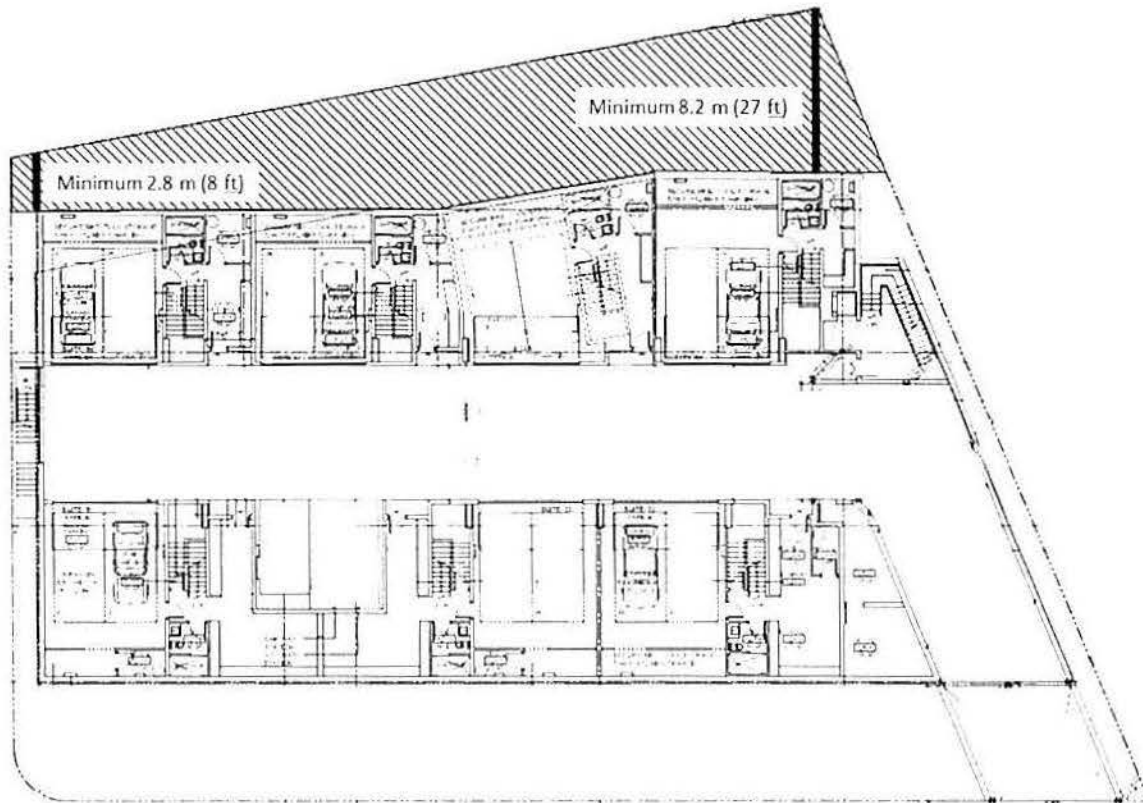


Figure 1

Any excavation within this setback area, as shown hatched in Figure 1, is subject to the requirements of the District's Tree Protection Bylaw 7671 with regard to tree protection issues.

#### **4B 85 – 9 Coverage**

- a) Building Coverage: The maximum building coverage is 48%.
- b) Site Coverage: The maximum site coverage is 51%.

#### **4B 85 – 10 Acoustic Requirements**

- a) 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:

<b>Portion of Dwelling Unit</b>	<b>Noise Level (Decibels)</b>
Bedrooms	35
Living and Dining Rooms	40
Kitchen, Bathrooms, and Hallways	45

#### **4B 85 – 11 Landscaping and Storm Water Management**

- a) All land areas not occupied by buildings, and patios shall be landscaped in accordance with a landscape plan approved by the District of North Vancouver.
- b) All electrical kiosks and garbage and recycling container pads not located underground or within a building shall be screened with landscaping or a solid wood fence or a combination thereof.

#### **4B 85-12 Parking, Loading and Servicing Regulations**

- a) A minimum of 16 parking spaces are required, inclusive of 2 designated visitor parking spaces;
- b) All parking spaces shall meet the minimum width and length standards established in Part 10 of the Zoning Bylaw, exclusive of building support columns;
- c) Bicycle storage for residents shall be provided on the basis of one space per unit."

2.2 The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from the Multi-Family Residential Zone 1 (RM1) to Comprehensive Development Zone CD 85.

2.3 The Siting Area Map section is amended by deleting Plan Section R/7 and replacing it with the revised Plan Section R/7 attached as Schedule B.

**READ** a first time June 15<sup>th</sup>, 2015

**PUBLIC HEARING** held July 21<sup>st</sup>, 2015

**READ** a second time

**READ** a third time

**ADOPTED**

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Mayor

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Municipal Clerk

Certified a true copy

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Municipal Clerk



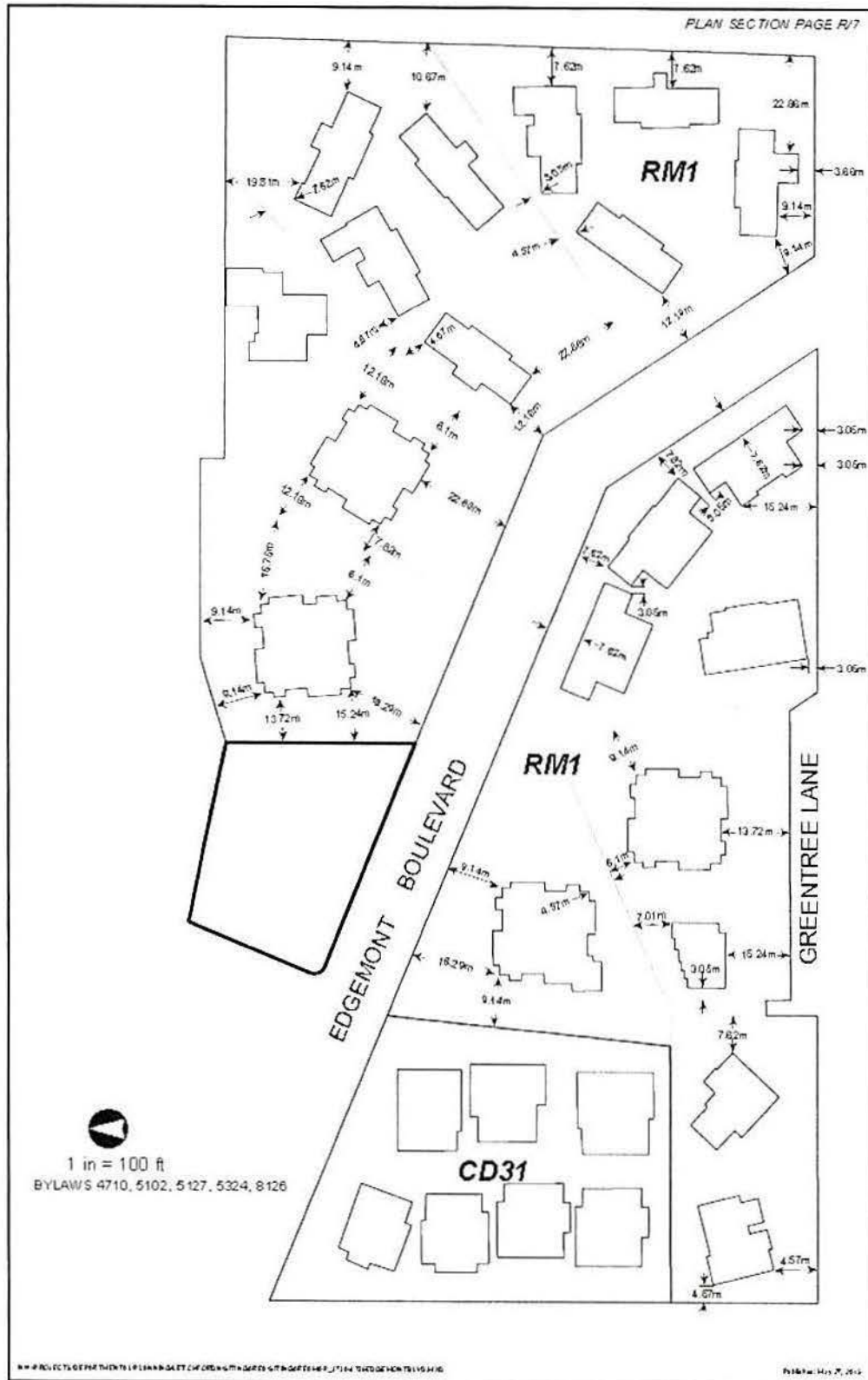
# Schedule A to Bylaw 8126



MULTI-FAMILY RESIDENTIAL ZONE 1 (RM1) TO  
COMPREHENSIVE DEVELOPMENT ZONE 85 (CD85)



# Schedule B to Bylaw 8126



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

**Bylaw 8127**

A bylaw to enter into a Housing Agreement (3730-3736 Edgemont Blvd.)

---

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

**1. Citation**

This bylaw may be cited as "Housing Agreement Bylaw 8127, 2015 (3730-3736 Edgemont Blvd.)".

**2. Authorization to Enter into Agreement**

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

a) Lot 14, Block B, District Lot 601, Group 1 Plan 10816, PID 009-360-514

**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 June 15<sup>th</sup>, 2015

**READ** a second time

**READ** a third time

**ADOPTED**

---

Mayor

---

Municipal Clerk

Certified a true copy

---

Municipal Clerk

## Schedule A to Bylaw 8127

### SECTION 219 COVENANT – HOUSING AGREEMENT

This agreement dated for reference the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ is

BETWEEN:

**HARBOURVIEW HOMES CORP. INC.** No. \_\_\_\_\_

400-38 Fell Avenue, North Vancouver BC, V7P 3S2

(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:

1. The Owner is the registered owner of the Lands;
2. 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;
3. 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
4. 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 7 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 8127 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 buildings 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:

Harbourview Homes Corp.  
400-38 Fell Avenue  
North Vancouver, BC V7P 3S2

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 8127.

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:

1. \_\_\_\_\_ (the "Owner") is the Registered Owner of the Land described in Item 2 of Page 1 of the Form C (the "Land");
2. 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");
3. 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
4. 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 Act* Form C to which this Agreement is attached and which forms part of this Agreement.

- END OF DOCUMENT -

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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, July 21, 2015 commencing at 7:25 p.m.

**Present:** Mayor R. Walton  
Councillor R. Bassam  
Councillor M. Bond  
Councillor J. Hanson  
Councillor R. Hicks  
Councillor D. MacKay-Dunn

**Absent:** Councillor L. Muri

**Staff:** Ms. J. Paton, Manager – Development Planning  
Ms. L. Brick, Deputy Municipal Clerk  
Ms. S. Dale, Confidential Council Clerk  
Mr. E. Wilhelm, Planner

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### **The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)**

#### *Purpose of Bylaw:*

Bylaw 8126 proposes to amend the District's Zoning Bylaw by creating a new Comprehensive Development Zone 85 (CD85) and rezone the subject lands from Multi-Family Residential Zone 1 (RM1) to CD85 to permit the development of a seven unit 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 bylaw as outlined in the Notice of Public Hearing.

In Mayor Walton's preamble he addressed the following:

- All persons who believe that their interest in property is affected by the proposed bylaw will be afforded a reasonable opportunity to be heard and to present written submissions;
- Use the established speakers list. At the end of the speakers list, the Chair may call on speakers from the audience;
- You will have 5 minutes to address Council for a first time. Begin your remarks to Council by stating your name and address;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute presentation;
- Any additional presentations will only be allowed at the discretion of the Chair;
- All members of the audience are asked to refrain from applause or other expressions of emotion. Council wishes to hear everyone's views in an open and impartial forum;



- Council is here to listen to the public, not to debate the merits of the bylaw;
- The Clerk has a binder containing documents and submissions related to this bylaw which Council has received and which you are welcome to review;
- Everyone at the Hearing will be provided an opportunity to speak. If necessary, we will continue the Hearing on a second night; and,
- At the conclusion of the public input Council may request further information from staff which may or may not require an extension of the hearing, or Council may close the hearing after which Council should not receive further new information from the public.

Ms. Linda Brick, Deputy Municipal Clerk, stated that:

- This Public Hearing is being streamed live over the internet and recorded in accordance with the Freedom of Information and Protection of Privacy Act.

## **2. INTRODUCTION OF BYLAW BY CLERK**

Ms. Linda Brick, Deputy Municipal Clerk, introduced the proposed bylaw stating that Bylaw 8126 proposes to amend the District's Zoning Bylaw by creating a new Comprehensive Development Zone 85 (CD85) and rezone the subject lands from Multi-Family Residential Zone 1 (RM1) to CD85 to permit the development of a seven unit townhouse project.

## **3. PRESENTATION BY STAFF**

Mr. Eric Wilhelm, Planner, provided an overview of the proposal elaborating on the Deputy Clerk's introduction.

Mr. Wilhelm advised that:

- The development site is located on the north side of Edgemont Boulevard, east of Capilano Road;
- The site is a multi-family lot of approximately 20,900 sq. ft. in area;
- There are currently four units on the site;
- The proposed project consists of seven two-storey townhouse units arranged in three separate buildings;
- The underground parking is accessed from the south-east corner of the property;
- The proposed FSR is 0.77 which is consistent with the Official Community Plan;
- One level of underground parking, with access from the south east corner of the site off of Edgemont Boulevard is provided;
- Each unit has an individual two car garage with a storage area which can accommodate at least two bicycles;
- There are an additional two visitor parking spaces provided in the underground parking;
- Bylaw 8127 authorizes the District to enter into a housing Agreement to ensure that the proposed units remain available as rental units;
- The design of the building draws on the history of West Coast modernism in the area;
- The trees on the north of the site between the Manor and the project are being retained to maintain privacy as well as the treed character of the site;

- The lane width between the bulges is 4.3m, is the standard width for a shared bicycle/vehicle lane and provides safer passage for cyclists;
- The proposed new curb bulges and the marked zebra crosswalk will improve public safety by: reducing vehicle speeds; reducing the crossing distance for pedestrians; increasing pedestrian visibility; and, preventing parking close to an intersection;
- A community amenity contribution of \$33,585 is required and will go towards: public art; parks and trails; and, the affordable housing fund; and,
- Edgemont Boulevard is expected to be closed at Capilano Road from January 2016 to April 2016 as part of the Capilano Water Main Replacement Project. A restrictive land use covenant will be required that makes it clear that a Building Permit will not be issued until after the intersection at Capilano Road and Edgemont Boulevard is reopened.

#### **4. PRESENTATION BY APPLICANT**

##### **4.1. Mr. Al Saunders, Harbourview Homes Corp.:**

- Commented that the proposed development will provide a variety of housing options; and,
- Commented that the applicant has met with the neighbours to discuss the privacy concerns and will ensure privacy is maintained through a variety of measures.

##### **4.2. Mr. Steve McFarlane, McFarlane Biggar Architects & Designers:**

- Provided an overview of the proposed site plan and building design;
- Commented that the proposed development will provide a variety of housing options;
- Noted that the proposed project is consistent with the vision of the Official Community Plan;
- Commented that the proposed development will provide an opportunity for aging residents to stay within their community;
- Noted that the underground parking is serviced by a lift to the courtyard; and,
- Opined that the design supports a wide variety of lifestyles and age groups.

#### **5. REPRESENTATIONS FROM THE PUBLIC**

##### **5.1. Mr. Bruce Martinuik, 3100 Block Beverley Crescent:**

**IN FAVOUR**

- Spoke in support of the proposed development;
- Opined that the proposed project is in keeping with the character of the neighbourhood; and,
- Commented that the proposed development will provide varied housing options.

##### **5.2. Ms. Paige Ackerman, 3700 Block Edgemont Boulevard:**

**IN FAVOUR**

- Spoke in support of the proposed development;
- Expressed concerns with light pollution from the streetlamp at the entrance to the Manor;
- Requested that the crosswalk be extended from the sidewalk on the west side of the Manor's entrance to the existing sidewalk at the edge of the property line of the Crescent;
- Expressed concerns regarding traffic and parking that result from the Capilano Suspension Bridge; and,

- Requested the installation of resident only parking or time limiting parking to reduce the parking congestion and increase resident safety.

**5.3. Mr. Jim West, 3500 Block Emerald Drive: IN FAVOUR**

- Spoke in support of the proposed project;
- Commented that the proposed development is aesthetically pleasing; and,
- Opined that the proposed development will be a great asset to the neighbourhood.

**5.4. Mr. Peter Duyker, 3100 Block Edgemont Boulevard: IN FAVOUR**

- Spoke in support of the proposed development;
- Commented that the proposed development will provide a variety of housing options;
- Requested "resident only" parking be issued; and,
- Opined that the intersection at Capilano Road and Edgemont Boulevard is dangerous and suggested a traffic light be installed.

**5.5. Mr. Paul McCarthy, 3700 Block Edgemont Boulevard: IN FAVOUR**

- Spoke in support of the proposed development;
- Requested a traffic light be installed at the intersection of Edgemont Boulevard and Capilano Road; and,
- Expressed concerns with the configuration of the sidewalk.

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

- Suggested that Public Hearings not be scheduled in the summer as many people are away;
- Requested staff provide information on how community amenity contributions are calculated;
- Commented that the proposed development will provide a range of housing options;
- Opined that the proposed development will not provide affordable housing; and,
- Expressed concerns with the quality of the shadow studies.

**6. QUESTIONS FROM COUNCIL**

Council requested that staff report back on the following:

- Various lighting options;
- Improved crosswalks;
- Speed tables;
- Traffic and parking issues;
- A possible traffic light at the intersection of Edgemont Boulevard and Capilano Road; and,
- How to fund and address these issues.

In response to a question from Council regarding solar panels, the applicant advised that passive solar would be a part of the project.

In response to a question from Council, staff advised that the existing multi-family development on the site consists of four rental units.

Staff advised that there is not a plan to install a dedicated bike lane on Edgemont Boulevard. Staff noted that 4.3m is a sufficient width for a shared bicycle/vehicle lane and provides safe passage for cyclists.

**7. COUNCIL RESOLUTION**

**MOVED by Councillor BASSAM**

**SECONDED by Councillor HICKS**

THAT the July 21, 2015 Public Hearing be closed;

AND THAT "The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)" be returned to Council for further consideration.

**CARRIED**  
(8:10 p.m.)

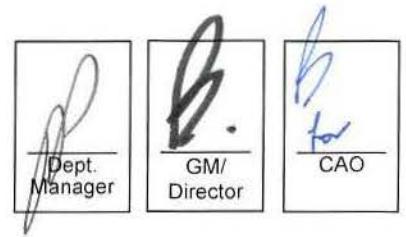
**CERTIFIED CORRECT:**

  
\_\_\_\_\_  
Confidential Council Clerk

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>JUNE 15, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

June 4, 2015  
File: 08.3060.20/039.14

**AUTHOR:** Natasha Letchford, Planner

**SUBJECT:** Bylaws 8126 and 8127: Rezoning and Housing Agreement Bylaw for a 7 Unit Townhouse Project at 3730-3736 Edgemont Boulevard

### RECOMMENDATION:

THAT "The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126) is given FIRST reading and is referred to a Public Hearing;

AND THAT "Housing Agreement Bylaw 8127, 2015 (3730-3736 Edgemont Blvd)" is given FIRST reading.

### REASON FOR REPORT:

The project requires Council's consideration of:

- Bylaw 8126 to rezone the subject properties; and,
- Bylaw 8127 to authorize entry into a Housing Agreement to ensure that owners are not prevented from renting their units.

### SUMMARY:

The applicant proposes to redevelop an existing multi-family lot addressed 3730 to 3736 Edgemont Blvd into a two storey, 7 unit townhouse project.

Implementation of the project requires a rezoning bylaw (Bylaw 8126) and a Housing Agreement bylaw (Bylaw 8127). The Rezoning Bylaw is recommended for Introduction and referral to a Public Hearing. A development permit will be forwarded to Council for consideration if the rezoning proceeds.



**BACKGROUND:**

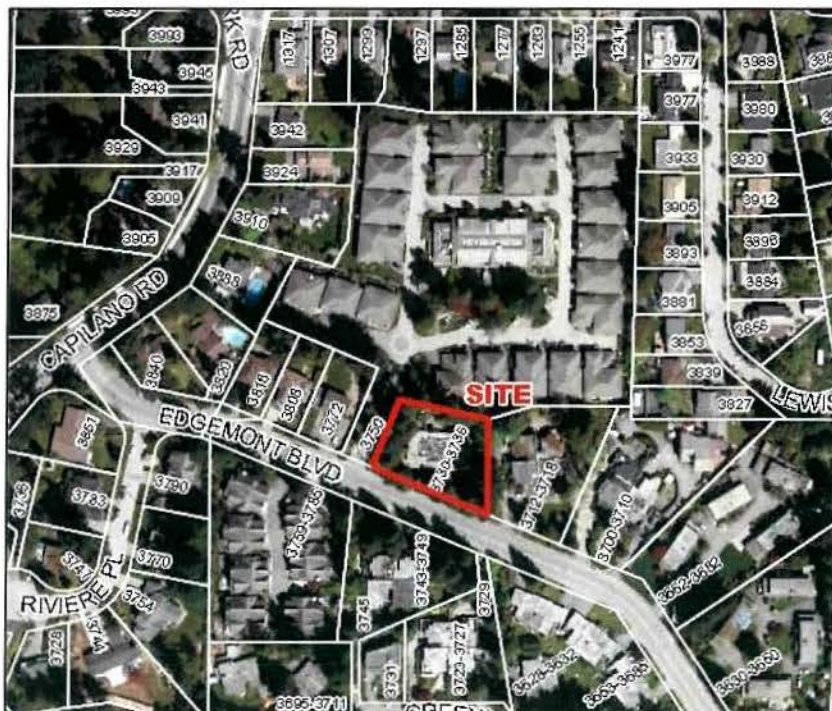
Official Community Plan

The Subject properties are designated *Residential Level 3: Attached Residential (RES 3)* in the District Official Community Plan (OCP) and for reference, detached residential in the Upper Capilano Local Plan. RES3 envisions ground-oriented multifamily housing within neighbourhoods up to approximately 0.80 FSR – the proposed FSR of 0.77 is consistent with the OCP.



The existing multi-family development on the site consists of 4 rental units.

The proposed units are three bedroom units ranging from 2,418 sq. ft. (224 m<sup>2</sup>) to 3,200 sq. ft. (297 m<sup>2</sup>) in size, which will be attractive to both families and downsizers, and as such supports Goal #2 of the OCP to “encourage and enable a diverse mix of housing types...to accommodate the lifestyles and needs of people at all stages of life.”



Zoning

The subject property is zoned Residential Multi-Family 1 (RM-1) which permits low to medium density development. The zoning bylaw also includes a siting area map, which matches the layout of the existing buildings on this lot. Bylaw 8126 proposes a new Comprehensive Development Zone tailored specifically to this project and removes the Siting Area requirement for this lot



Development Permit

The subject lot is in the following Development Permit Areas (DPA):

- Form and Character of Multi-Family Development; and,
- Energy and Water Conservation and Greenhouse Gas Emission Reductions.

A 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.

Strata Rental  
Protection Policy

The Corporate "Strata Rental Protection Policy" applies to this project as the rezoning 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 Bylaw 8126 is provided to implement that Policy.



VIEW FROM SOUTHWEST

**ANAYLSIS:**

**The Site and Surrounding Area:**

The site consists of one multi-family residential lot located on Edgemont Blvd towards Capilano Rd. The 'Edgemont Manor' is located to the north of the site and numerous multi family ground oriented developments are located to the east and south of the site. The properties to the west along Edgemont Blvd are single family homes.

**Project Description:**

Site Plan/Building Description

The project consists of 7 two-storey townhouse units arranged in 3 buildings with a shared underground parking garage.

**SUBJECT: Bylaws 8126 and 8127: Rezoning and Housing Agreement Bylaw for  
a 7 Unit Townhouse Project at 3730-3736 Edgemont Boulevard**

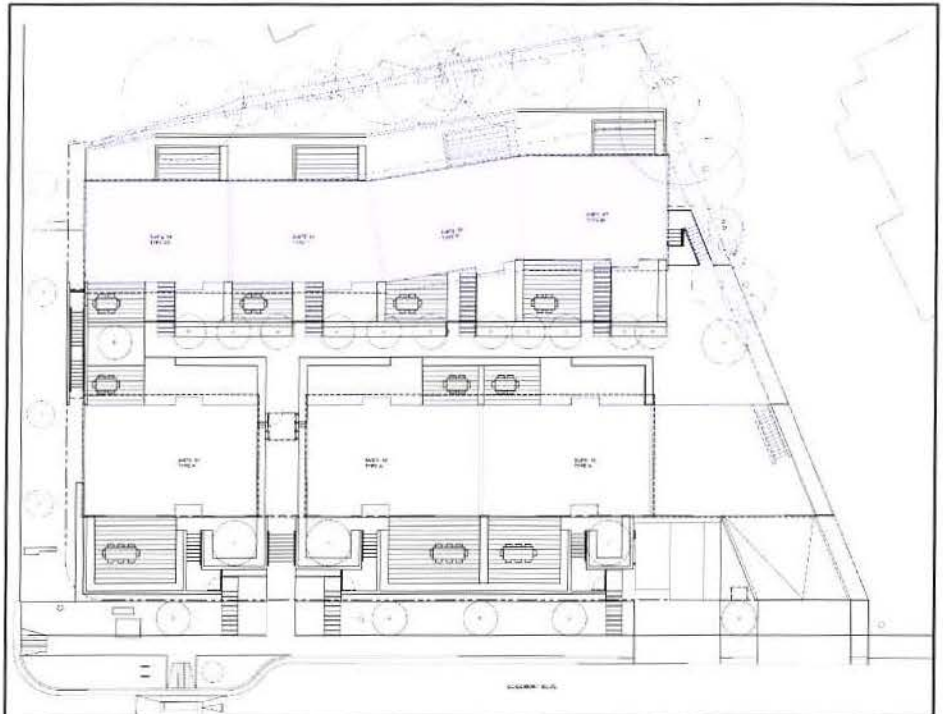
June 4, 2015

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The project drew inspiration from the neighbouring flat roofed Shalal Garden project designed by Fred Hollingsworth as well as from the long history of west-coast modern design in North Vancouver and this neighbourhood.

The units are 3 bedrooms and range in size from 2,418 sq. ft. (224 m<sup>2</sup>) to 3,200 sq. ft. (297 m<sup>2</sup>). The building is approximately 32 ft (9.7 m) high.

There is an exterior courtyard that runs the width of the property; this is a pedestrian focused space that allows natural light to penetrate into the units. The courtyard is accessible from Edgemont Blvd and the ground floor of the units. The four units along the north of the property each have a private roof deck.



### Parking

One level of underground parking, with access from the south east corner of the site off of Edgemont Blvd, is provided. The underground parking level is designed to be a light and airy space through the introduction of daylight via a continuous ribbon window.

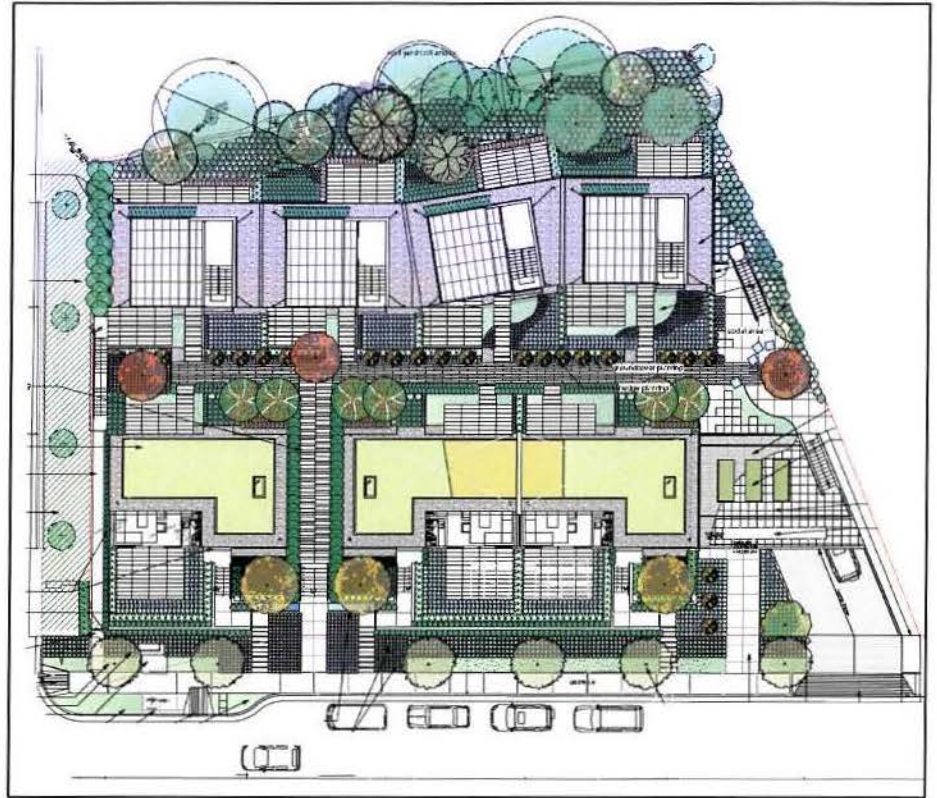
Each unit has an individual two car garage with a storage area which can accommodate at least 2 bicycles. Each garage is pre-wired for an electrical vehicle charging outlet which is suitable for bikes and cars. There are an additional two visitor parking spaces provided in the underground parking. There are two Class 2 at-grade bike parking spaces accessed from Edgemont Boulevard. These bicycle parking spaces are located in a covered area that will be well-lit at night.

The proposal also includes a dog and car/bike wash space in the parkade.



### Landscaping

The trees on the north of the site between the Manor and the project are being retained to maintain privacy as well as the treed character of the site. The garage setback has been carefully designed to allow this tree retention and is included in the CD 85 Zone. In addition, following input from the neighbours, seven trees (maples and dogwood) will be carefully planted amongst the existing trees to ensure a continuous canopy screen on the north property boundary between the site and the Manor. A majority of the trees along the boundary are conifers and will provide screening year round.



A majority of the trees along the boundary are conifers and will provide screening year round.

The trees on the south property line, along Edgemont Blvd, will be removed as they are previously topped and in poor to very poor condition. Ten replacement trees will be planted along the front of the property.

The landscaping throughout the property includes native and drought tolerant species which require minimal maintenance.

### Acoustic Regulations

Bylaw 8127 includes the District's residential acoustic regulations for maximum noise levels in the bedrooms, living areas and other areas of the units. As a condition of a development permit, the applicant will be required to provide a report from a qualified noise consultant.

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



### **OFF-SITE IMPROVEMENTS:**

The application includes the construction of a new zebra crosswalk and a curb bulge to reduce the width of Edgemont Boulevard as well as an extension of the existing sidewalk on the south side of Edgemont Blvd. A replacement street light is required at the corner of Edgemont Blvd and the Manor's driveway.

### **GREEN BUILDING MEASURES:**

Compliance with the Green Building Strategy is mandatory given the need for rezoning and the project is targeting an energy performance rating of EnerGuide 80 and will achieve a building performance equivalent to Build Green™ 'Gold'.

The two buildings on the south end of the property have low maintenance green roofs, which are not accessible by the residents, which will help achieve the building energy performance targets.



### **IMPLEMENTATION:**

Implementation of this project will require consideration of a rezoning bylaw, Bylaw 8126, and a Housing Agreement Bylaw, Bylaw 8127, as well as issuance of a development permit and registration of legal agreements. Bylaw 8126 (Attachment A) rezones the subjects properties from Residential Multi-Family 1 (RM1) to a new Comprehensive Development 85 Zone (CD 85) which:

- Establishes the multi-family residential use;
- Establishes a base density FSR (Floor Space Ratio) of 0.45;
- Allows an increased density with a payment of a \$33,585 CAC (Community Amenity Contribution) and entering into a housing agreement to restrict future strata rental restrictions; and,
- Incorporates acoustic requirements.

Bylaw 8127 (Attachment B) authorizes the District to enter into a Housing Agreement to ensure that the proposed units remain available as rental units.

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

- A green building covenant;
- A stormwater management covenant; and,
- A tree protection covenant.

#### **COMMUNITY AMENITY CONTRIBUTION:**

The District's Community Amenity Contribution (CAC) Policy requires an amenity contribution for projects including an increase in residential density. In this case, a CAC of \$33,585 has been calculated and this amount is included in the proposed CD 85 Zone. It is anticipated that the CACs from this development will include contributions toward any of the following: public parks, plazas, trails, and greenway; environmental, pedestrian, or other public realm infrastructure improvements; and, to the affordable housing fund.

#### **CONCURRENCE:**

##### Staff

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

##### Advisory Design Panel

The application was considered by the Advisory Design Panel on November 13, 2014 and the panel commended the applicant for the quality of the proposal and recommends the approval of the project pending improved accessibility to the courtyard and additional natural lighting in the underground garage.

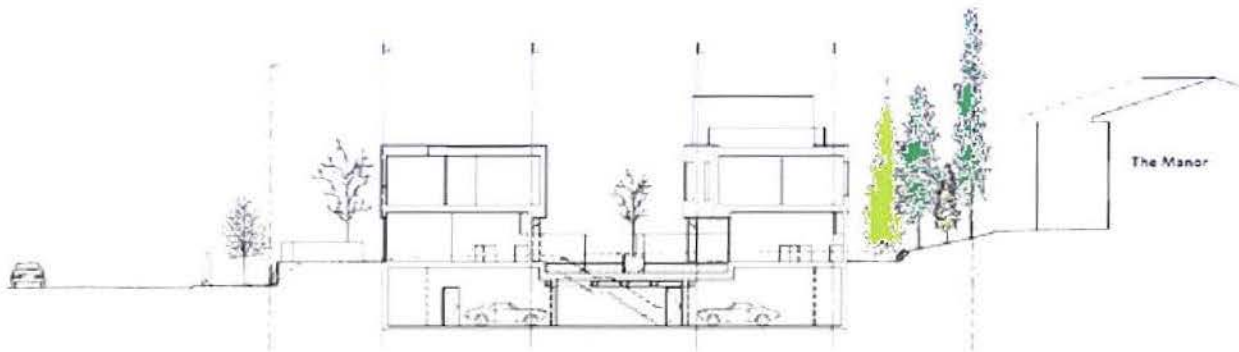
In response to the Panel's motion, the applicant is proposing a continuous ribbon window at the west end of the parkade to allow more light into the parkade. There is now an accessible access route along the east edge of the property from the sidewalk on Edgemont Blvd which leads to the courtyard.



**PUBLIC INPUT:**

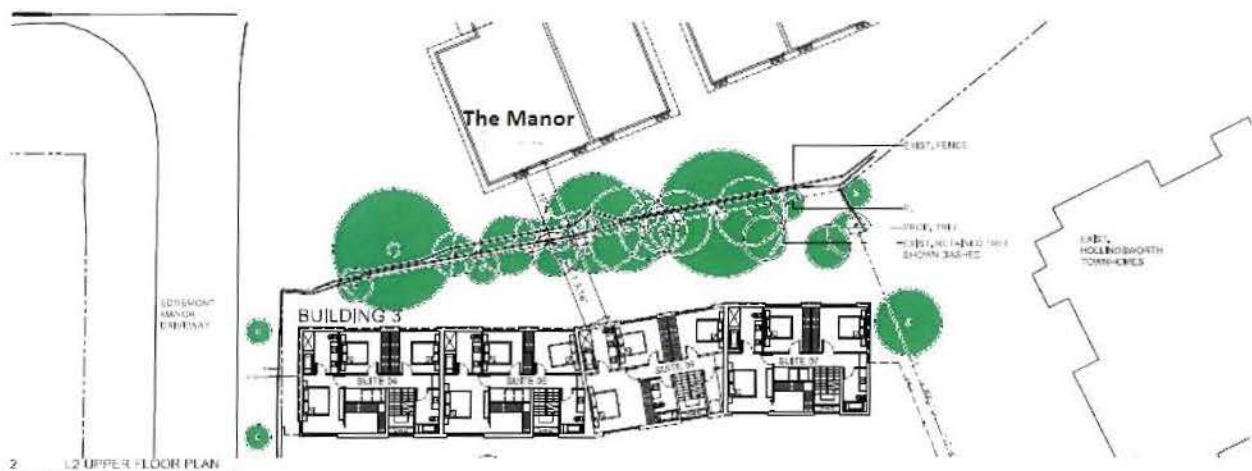
Public Information Meeting

The applicant held a facilitated early public input meeting at the detailed application stage on December 9, 2014. The meeting was attended by approximately 31 people.



A key input from the preliminary application was a concern over a potential loss of privacy for the residents of "The Manor at Edgemont".

The applicant met with the neighbours to discuss the privacy concerns.



To address the concerns of the neighbours the applicant, in discussion with the neighbours, ensured privacy is maintained through the following measures:

- Retaining the existing trees along the boundary between the project and Edgemont Manor; and ensuring construction is compatible with tree retention through bylaw setbacks;
- Planting new trees which will further fill the few existing openings in the canopy;

**SUBJECT: Bylaws 8126 and 8127: Rezoning and Housing Agreement Bylaw for a 7 Unit Townhouse Project at 3730-3736 Edgemont Boulevard**

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- Heavily planting the area under the trees on the boundary between the Manor and the project;
- Maintaining existing fences between the Manor and the project – these fences serve as a screen between the Manor patios and the project's patio;
- The windows for the project on the second floor are installed lower than the Manor windows; and,
- Construction of planter screens on the northern edge of the project's rooftop decks.

A concern was raised over the installation of a replacement street light and possible increased light pollution. The street light replaces an existing light mounted on a BC Hydro pole and will have the necessary light spill controls and will produce a similar level of light as the existing street light.

**CONSTRUCTION MANAGEMENT PLAN:**

In order to address the goal to reduce development's impact on pedestrian and vehicular movements, the developer will be required to provide a construction traffic management plan as a condition of a Development Permit. The Construction Management plan must minimize construction impacts on pedestrian and vehicle movement along Edgemont Blvd; while accommodating the Capilano Water Main project. The plan is required to be approved by the District prior to issuance of a building permit.



In particular, the 'construction traffic management' must:

1. Provide safe passage for pedestrians, cyclists, and vehicle traffic;
2. Outline roadway efficiencies (i.e. location of traffic management signs and flaggers);
3. Provide a point of contact for all calls and concerns;
4. Provide a sequence and schedule of construction activities;
5. Identify methods of sharing construction schedule with other developments in the area;

6. Ascertain a location for truck marshalling and trade vehicle parking which is acceptable to the District and minimizes impacts to neighbourhoods; and
7. Include a communication plan to notify surrounding businesses and residents.

Edgemont Boulevard is expected to be closed at Capilano Road from January 2016 to April 2016 as part of the Capilano Water Main Replacement Project. Due to other development projects and associated major civil works potentially underway in Edgemont Village the excavation works for this project will not be permitted to take place until the intersection of Capilano Rd and Edgemont Blvd is re-opened. A restrictive land use covenant will be required that makes it clear that a building permit will not be issued until after the intersection at Capilano Rd and Edgemont Blvd is reopened (anticipated May 2016).

**CONCLUSION:**

The project is consistent with the directions established in the OCP. It addresses OCP housing policies related to the provision of a range of housing options. The project is now ready for Council's consideration.

**Options:**

The following options are available for Council's consideration:

1. Introduce Bylaws 8126 and 8127 and refer Bylaw 8126 to a Public Hearing (staff recommendation); or,
2. Defeat Bylaw 8126 and 8127 at First reading.

Natasha Letchford  
Planner

**Attachments:**

- A. Rezoning Bylaw 8126
- B. Housing Agreement Bylaw 8127
- C. Reduced copies of shadow study, site, architectural, and landscaping plans
- D. Public Information Meeting Facilitator's Report



**SUBJECT: Bylaws 8126 and 8127: Rezoning and Housing Agreement Bylaw for  
a 7 Unit Townhouse Project at 3730-3736 Edgemont Boulevard**

June 4, 2015

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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"/> Facilities _____	<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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**The Corporation of the District of North Vancouver****Bylaw 8126**

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

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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 1332 (Bylaw 8126)".

**2. Amendments**

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

- (a) Section 301 (2) is amended by inserting the following zoning designation:

"Comprehensive Development Zone 85                      CD 85"

- (b) Part 4B Comprehensive Development Zone Regulations is amended by inserting the following:

**"4B85 Comprehensive Development Zone 85                      CD 85**

**The CD 85 zone is applied to:**

Legal Address:

Lot 14, Block B, District Lot 601, Group 1 Plan 10816, PID 009-360-514

**4B 85 – 1 Intent**

The purpose of the CD 85 Zone is to permit a multi-family residential 7 unit townhouse project.

**4B 85 – 2 Permitted Uses:**

The following *principal* uses shall be permitted in the CD 85 Zone:

- a) Uses Permitted Without Conditions:  
i. Residential building, multi-family townhouse

- b) Conditional Uses:
  - i. Not applicable.

#### **4B 85 – 3 Conditions of Use**

- i. Not applicable.

#### **4B 85 – 4 Accessory Use**

- 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 3210, 1965.

#### **4B 85 – 5 Density**

- a) The maximum permitted density in the CD85 Zone is limited to a floor space ratio (FSR) of 0.45, inclusive of any density bonus for energy performance;
- b) For the purposes of calculating floor space ratio, the following areas are excluded:
  - i. Parking
  - ii. Underground storage to a maximum of 147 m<sup>2</sup> (1,583 sq. ft.)

#### **4B 85 – 6 Amenities**

- a) Despite Subsection 4B85 – 5, permitted density in the CD 85 Zone is increased to a maximum of 1,496.1 m<sup>2</sup> (16,103.8 sq. ft.) *gross floor area*, inclusive of any density bonus for energy performance, if the owner:
  - 1. Enters into a Housing Agreement prohibiting any restrictions preventing the owners in the project from renting their units; and,
  - 2. Contributes \$33,585 to the municipality to be used for any or all of the following amenities (with allocation and timing of expenditure to be determined by the municipality in its sole discretion):
    - i. Improvements to public parks, plazas, trails and greenways;
    - ii. Municipal facilities and facility improvements;
    - iii. Public art and other beautification projects; and

- iv. Affordable or special needs housing.

#### **4B85 – 7 Height**

- a) The maximum permitted height for each building is 9.14 metres (30.0 feet) and a maximum of two storeys.
- b) For the purpose of measuring building *height*, the rules set out in the definition of *height* in Part 2 of this Bylaw apply, except that *height* will be measured to from the *finished grade*. For the purposes of calculating number of storeys, underground parking and roof decks are excluded.

#### **4B 85 – 8 Setbacks**

Buildings must be set back from property lines to the closest building face (excluding any partially exposed underground parking structure) as established by development permit and in accordance with the following regulations:

<b>Setback</b>	<b>Minimum Required Setback</b>
North (rear)	2.6 m (8.43 ft)
East	1.2 m (4.0 ft)
South (Edgemont Blvd)	6.1 m (20 ft)
West	1.2 m (4.0 ft)

The foundation wall for the underground parking structure must be set back a minimum of 2.4 m (8 ft) from the north property line on the west and a minimum of 8.2 m (27 ft) from the north property line on the east as illustrated in Figure 1.



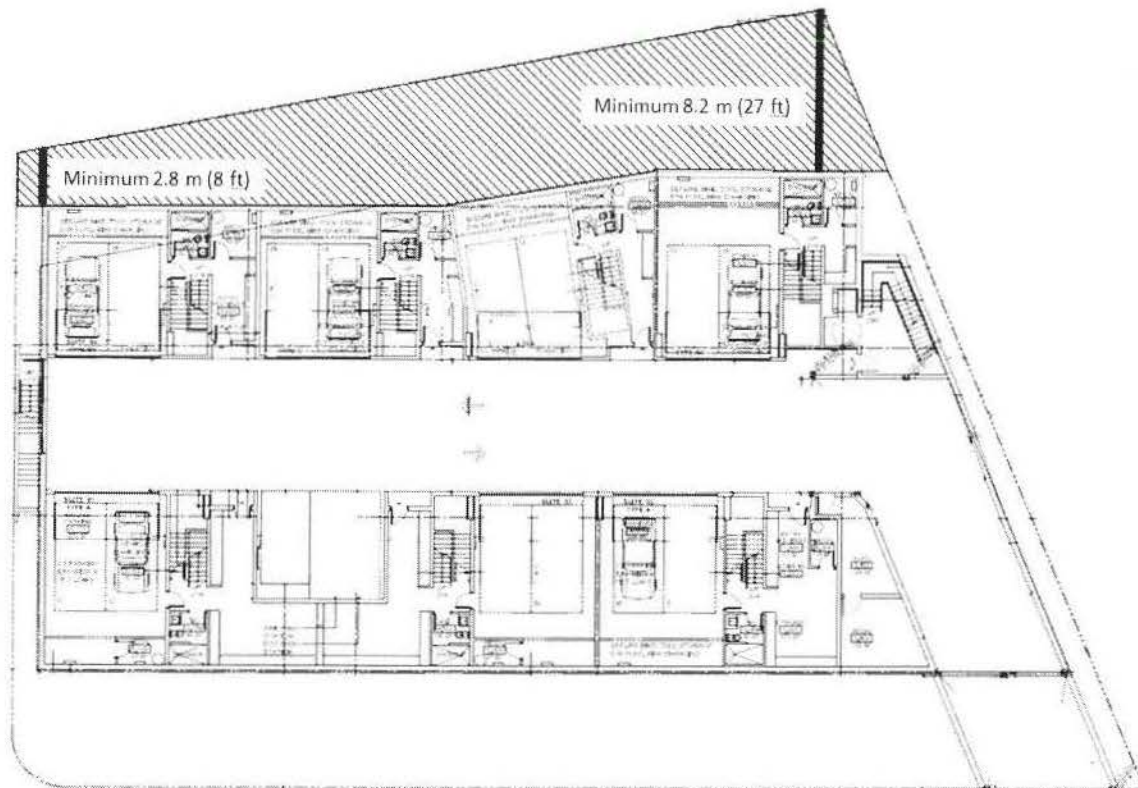


Figure 1

Any excavation within this setback area, as shown hatched in Figure 1, is subject to the requirements of the District's Tree Protection Bylaw 7671 with regard to tree protection issues.

#### **4B 85 – 9 Coverage**

- a) Building Coverage: The maximum building coverage is 48%.
- b) Site Coverage: The maximum site coverage is 51%.

#### **4B 85 – 10 Acoustic Requirements**

- a) 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

#### **4B 85 – 11 Landscaping and Storm Water Management**

- a) All land areas not occupied by buildings, and patios shall be landscaped in accordance with a landscape plan approved by the District of North Vancouver.
- b) All electrical kiosks and garbage and recycling container pads not located underground or within a building shall be screened with landscaping or a solid wood fence or a combination thereof.

#### **4B 85-12 Parking, Loading and Servicing Regulations**

- a) A minimum of 16 parking spaces are required, inclusive of 2 designated visitor parking spaces;
- b) All parking spaces shall meet the minimum width and length standards established in Part 10 of the Zoning Bylaw, exclusive of building support columns;
- c) Bicycle storage for residents shall be provided on the basis of one space per unit."

2.2 The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from the Multi-Family Residential Zone 1 (RM1) to Comprehensive Development Zone CD 85.

2.3 The Siting Area Map section is amended by deleting Plan Section R/7 and replacing it with the revised Plan Section R/7 attached as Schedule B.

**READ** a first time

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

**ADOPTED**

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Mayor

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Municipal Clerk

Certified a true copy

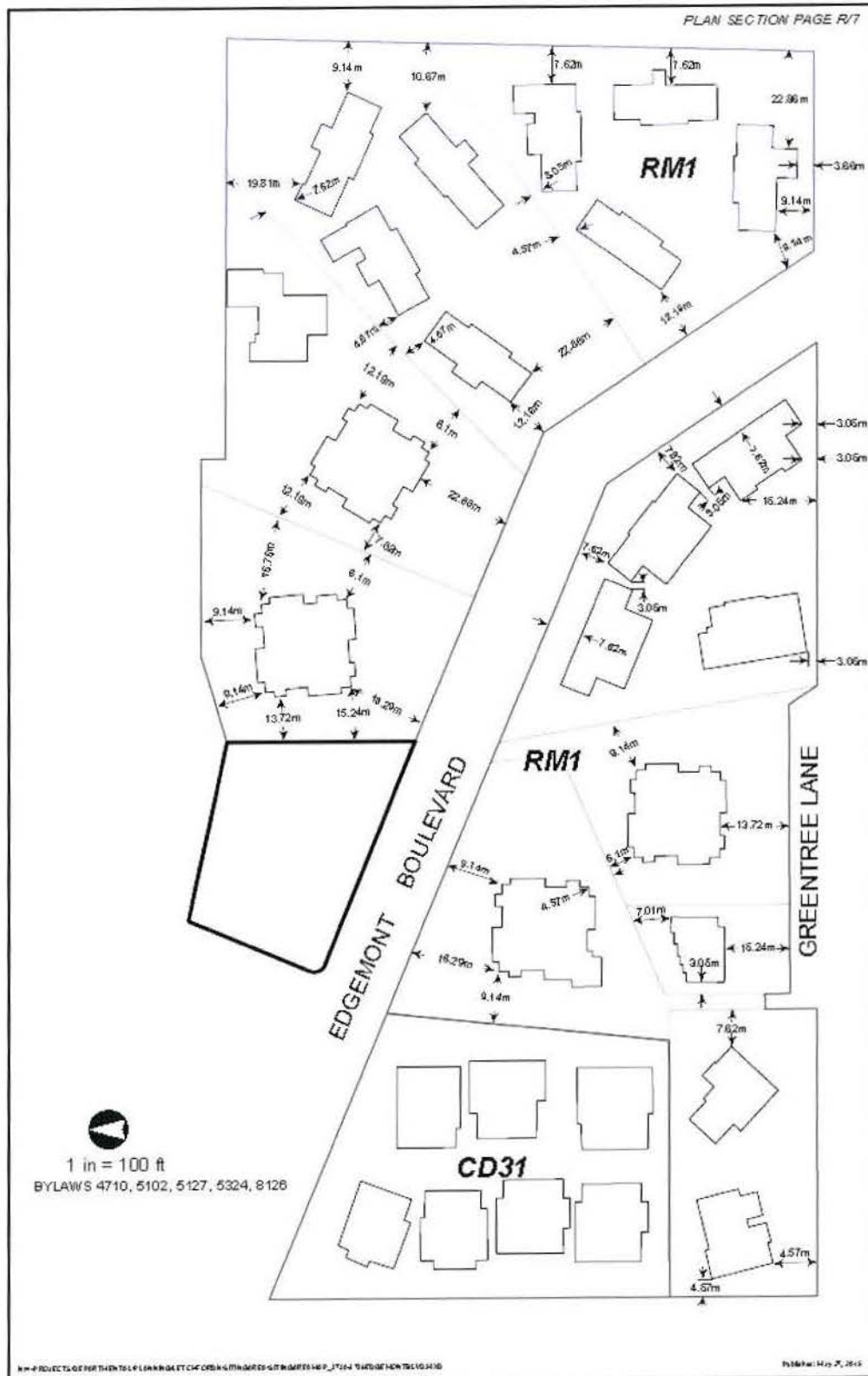
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Municipal Clerk

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## Schedule B to Bylaw 8126





# **The Corporation of the District of North Vancouver**

## **Bylaw 8127**

A bylaw to enter into a Housing Agreement (3730-3736 Edgemont Blvd.)

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

### **1. Citation**

This bylaw may be cited as "Housing Agreement Bylaw 8127, 2015 (3730-3736 Edgemont Blvd.)".

### **2. Authorization to Enter into Agreement**

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

a) Lot 14, Block B, District Lot 601, Group 1 Plan 10816, PID 009-360-514

### **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 8127

### SECTION 219 COVENANT – HOUSING AGREEMENT

This agreement dated for reference the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ is

BETWEEN:

**HARBOURVIEW HOMES CORP. INC. No. \_\_\_\_\_**

400-38 Fell Avenue, North Vancouver BC, V7P 3S2

(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:

1. The Owner is the registered owner of the Lands;
2. 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;
3. 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
4. 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 7 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 8127 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 buildings 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:

Harbourview Homes Corp.  
400-38 Fell Avenue  
North Vancouver, BC V7P 3S2

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 8127.

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:

1. \_\_\_\_\_ (the "Owner") is the Registered Owner of the Land described in Item 2 of Page 1 of the Form C (the "Land");
2. 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");
3. 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
4. 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 Act* Form C to which this Agreement is attached and which forms part of this Agreement.

- END OF DOCUMENT -

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# RENDERINGS



EXTERIOR RENDER - EDMONTON BOULEVARD





EXTERIOR RENDER - VIEW WEST THROUGH COURTYARD



ELEVATION DETAIL



## CONCEPT IMAGES



MATERIAL STRATEGY



WHITE CONCRETE BRICK

White concrete brick compliments the white facade of the Hollingsworth fourplex to the east, while providing durability to the elements.



PREWEATHERED STEEL

Prewathered steel rainscreen panels provide durability along the ground floor.



GLAZING

A high-performance glazing system increases the energy performance of the building, through mitigating heat loss and solar gain.



BOARDFORM CONCRETE

Boardform concrete retaining walls connect the lower preweathered steel volume with the vegetation to create a cohesive ground plane.



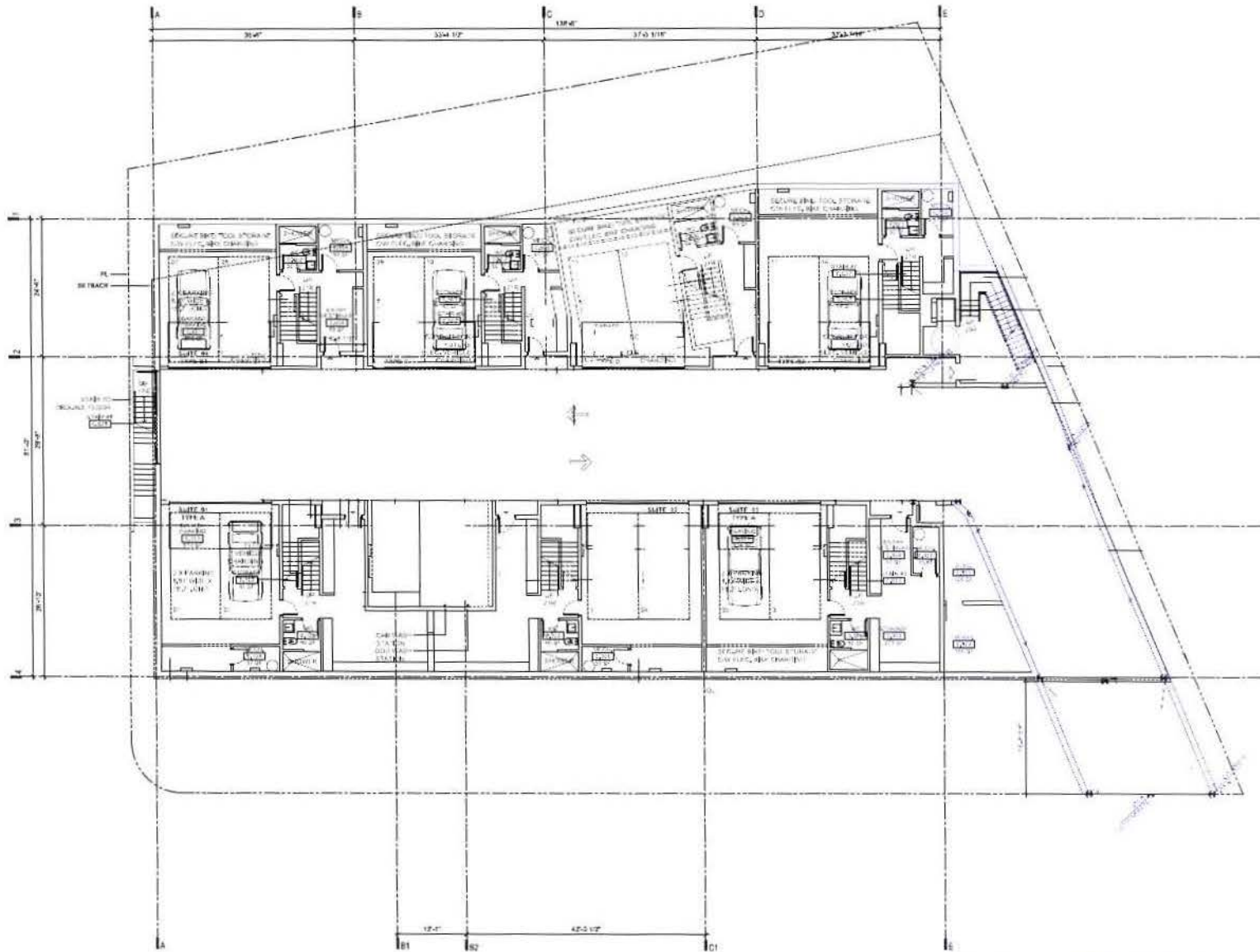
GRASSES & SHRUBS

Low grasses and shrubs throughout the site are used to mitigate storwater runoff.



TREES

In addition to the large coniferous trees retained on the site, new deciduous trees are used to shade the buildings in summer, while allowing daylight to access the envelope in the winter.



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 TEL: 516.466.1000 FAX: 516.466.1001  
 WWW.OMBARCHITECTS.COM

omb office of metropolitan business  
 architects - designers

HARBORVIEW  
 Building Assets for Life

DATE: 12/11/11	BY: JMB
REVISION: 12/11/11	BY: JMB
REVISION: 12/11/11	BY: JMB
REVISION: 12/11/11	BY: JMB

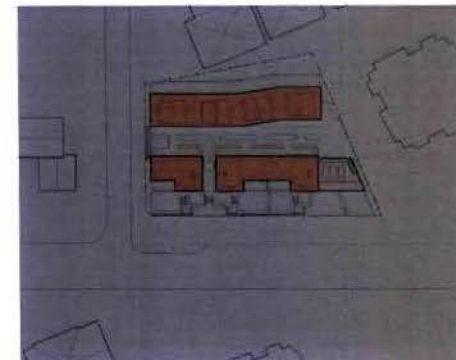
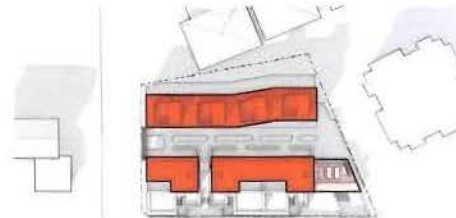
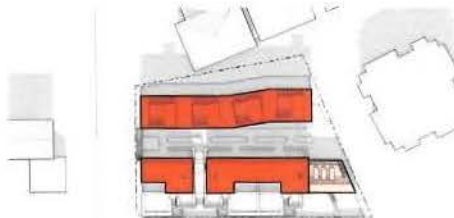
EDGEMONT BLVD.



PARKING  
 PLAN



## SHADOW STUDIES\*

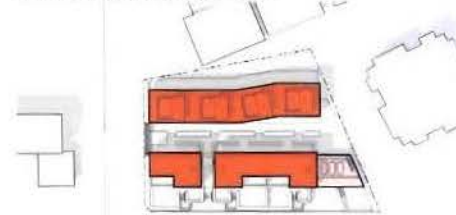


01. WINTER SOLSTICE - 10AM

02. WINTER SOLSTICE - 12NOON

03. WINTER SOLSTICE - 2PM

04. WINTER SOLSTICE - 6PM

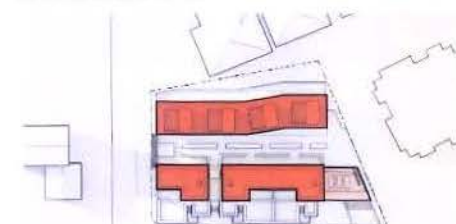
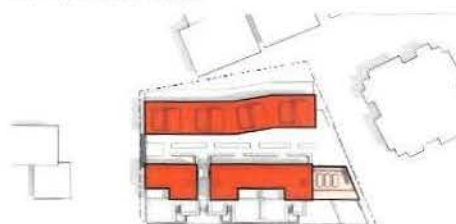


05. EQUINOX - 10AM

06. EQUINOX - 12NOON

07. EQUINOX - 2PM

08. EQUINOX - 6PM



09. SUMMER SOLSTICE - 10AM

10. SUMMER SOLSTICE - 12NOON

11. SUMMER SOLSTICE - 2PM

12. SUMMER SOLSTICE - 6PM

\*NOTE: UPDATED 2015-05-22

Drawing List:  
 L-1: Overview Sheet  
 L-2: Grading Plan Layout  
 L-3: Planting Plan  
 L-4: Pool Plan  
 L-5: Demolition/Retaining  
 L-6: Details  
 L-7: Section Details



red Japanese maple



"moss" planting



deer fern



black bamboo



green roof sedums



LED bench cubes



raised granite block seating



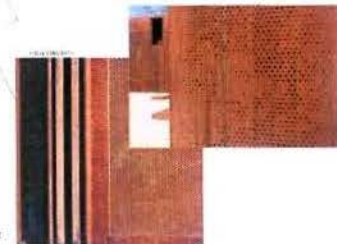
urban agriculture raised beds



concrete paving



moss between pavers



Cor-Ten steel planters



edge of slab

ex. planting

bamboo planting

green roof

shrub planting (broadleaf evergreens)

existing planting

edge of slab

hedge planting

ex. access (with gate)

curb cut see civil

hurl

low shrub planting

ex. hydro box

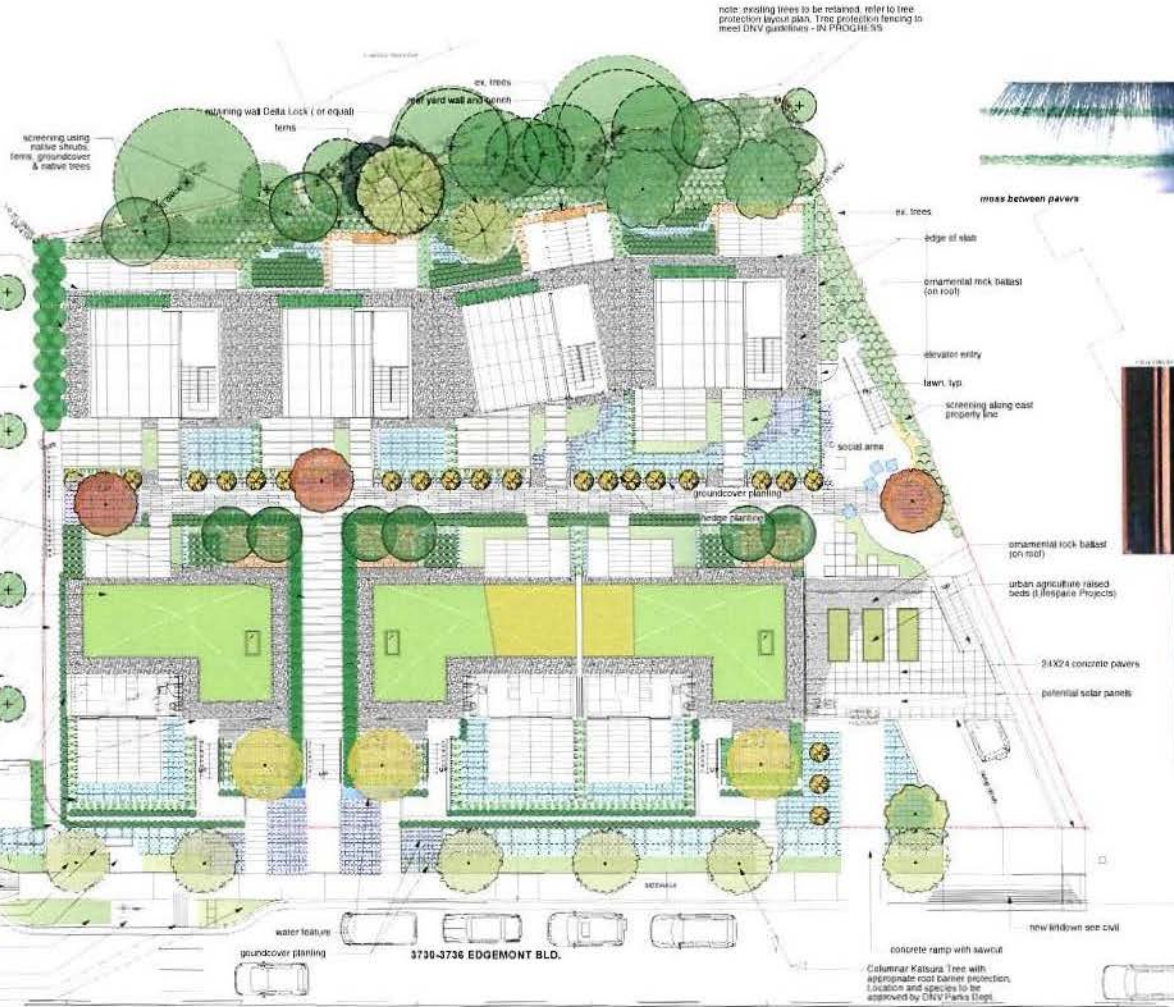
new parking

bicycle parking racks

curb cut see civil

potential public art

crosswalk see civil



FORMA DESIGN INC.  
 www.formadesign.ca

200-400 North Street  
 North Vancouver  
 British Columbia  
 Canada V7P 3H9  
 Tel: 604-445-5100  
 Tel: 604-445-5200

HARBORVIEW  
 Building Quality in Life

omb

RECOMMENDED

ARCHITECTURE

DESIGN

CHARACTER

DESIGN

DESIGN

DESIGN

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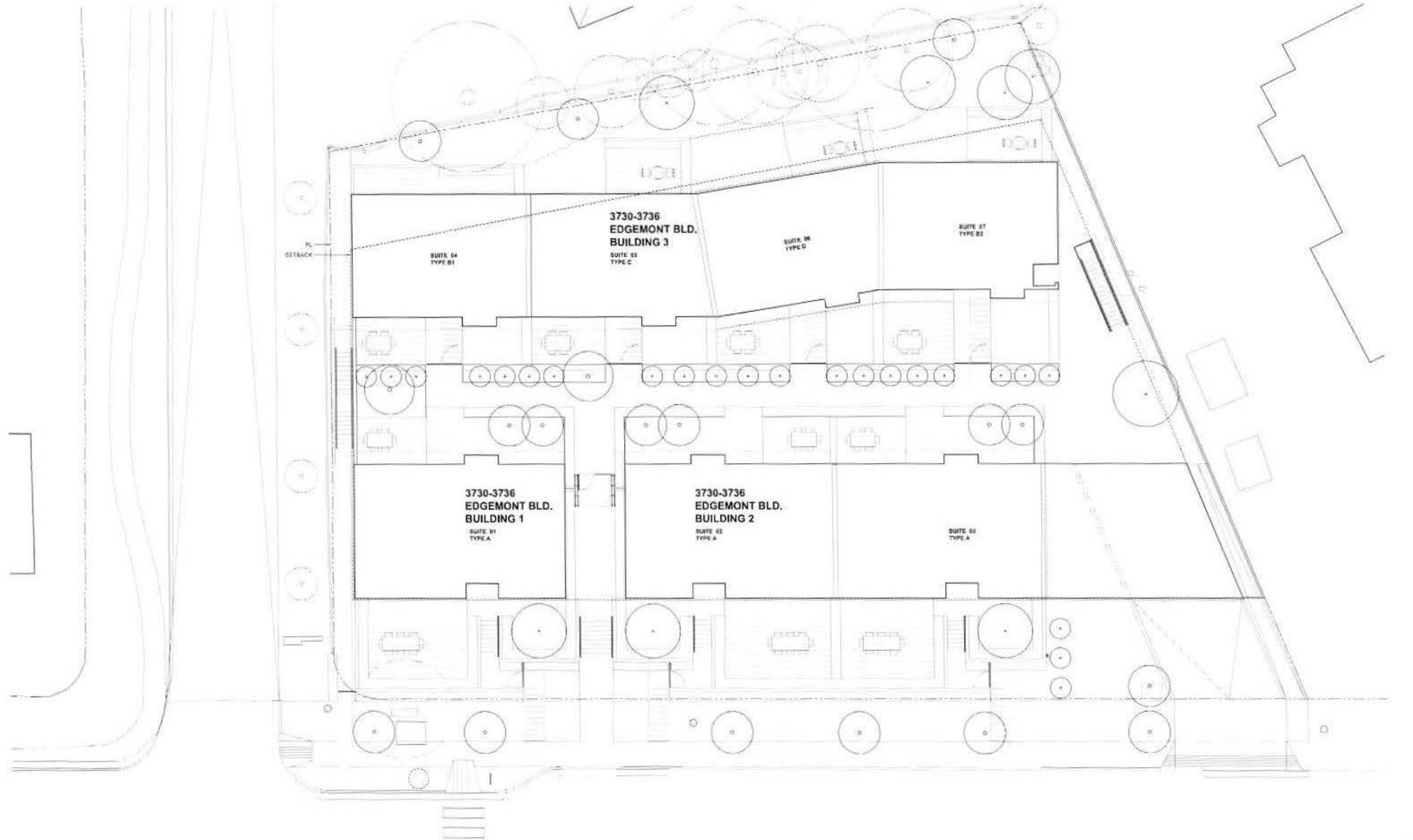
DESIGN

DESIGN

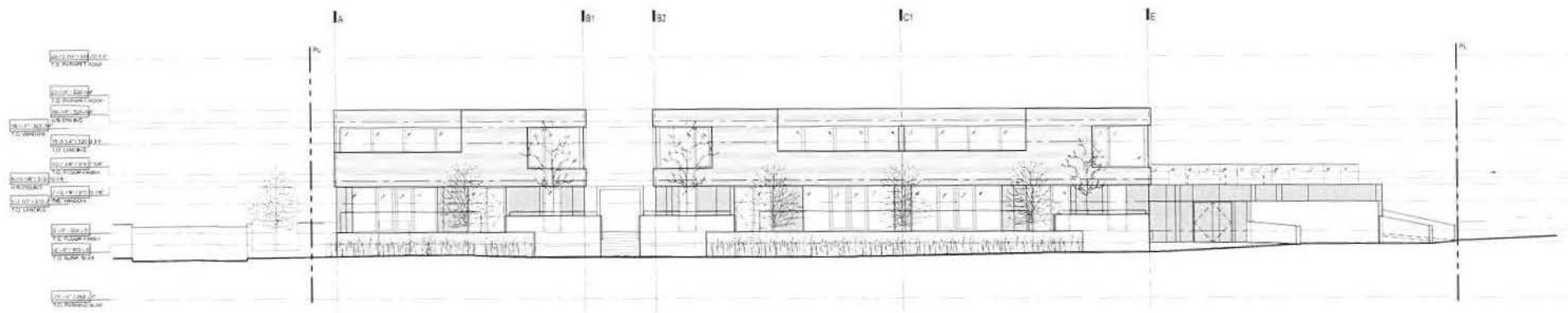
DESIGN

DESIGN

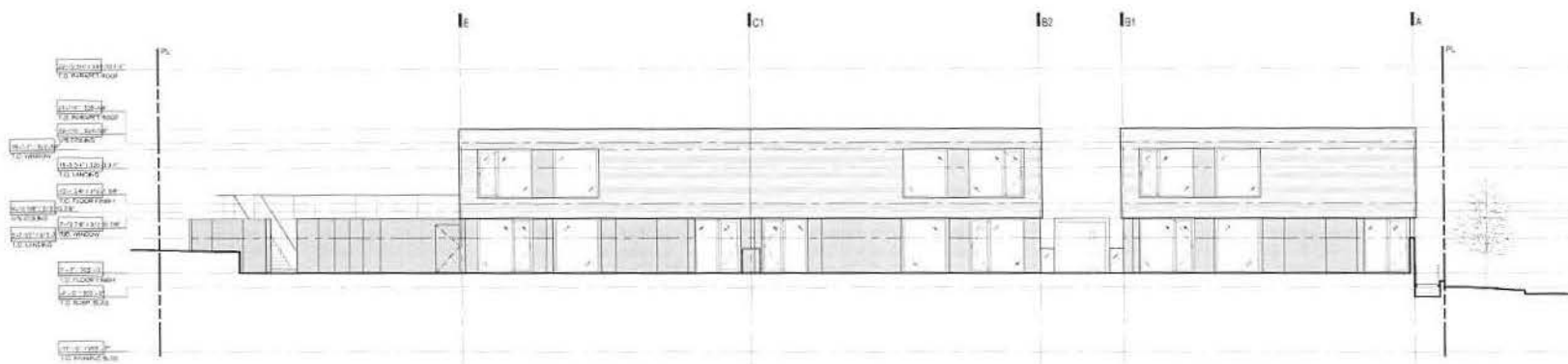




SITE PLAN



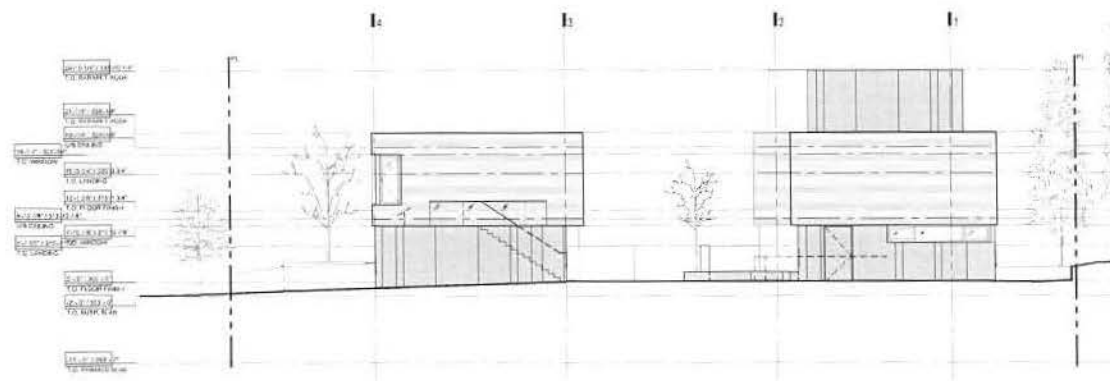
1 SOUTH ELEVATION - BUILDING 1 + 2



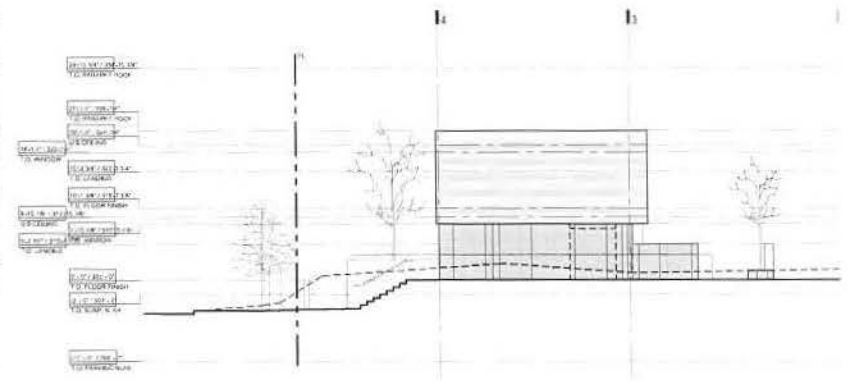
2 NORTH ELEVATION - BUILDING 2 + 1



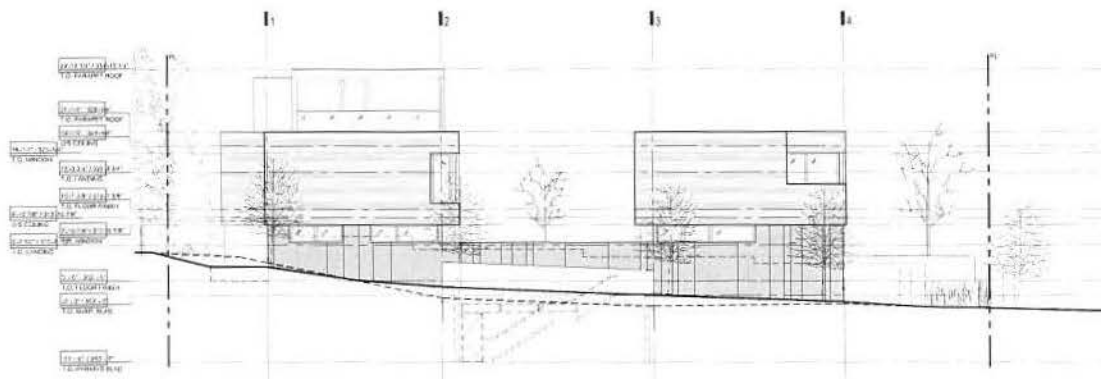




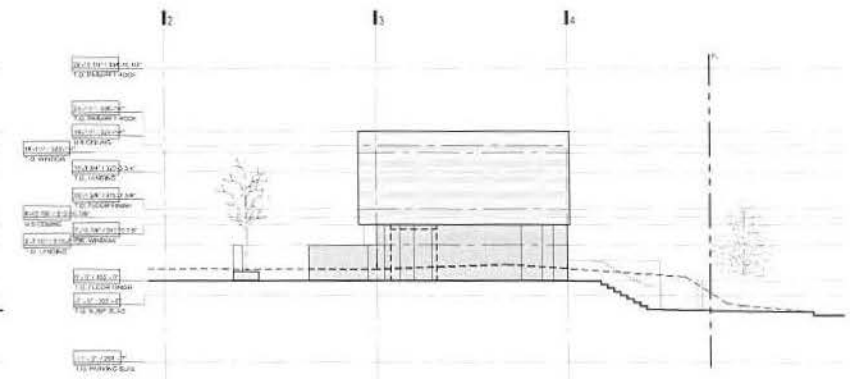
1 EAST ELEVATION - BUILDING 2 + 3



2 EAST ELEVATION - BUILDING 1



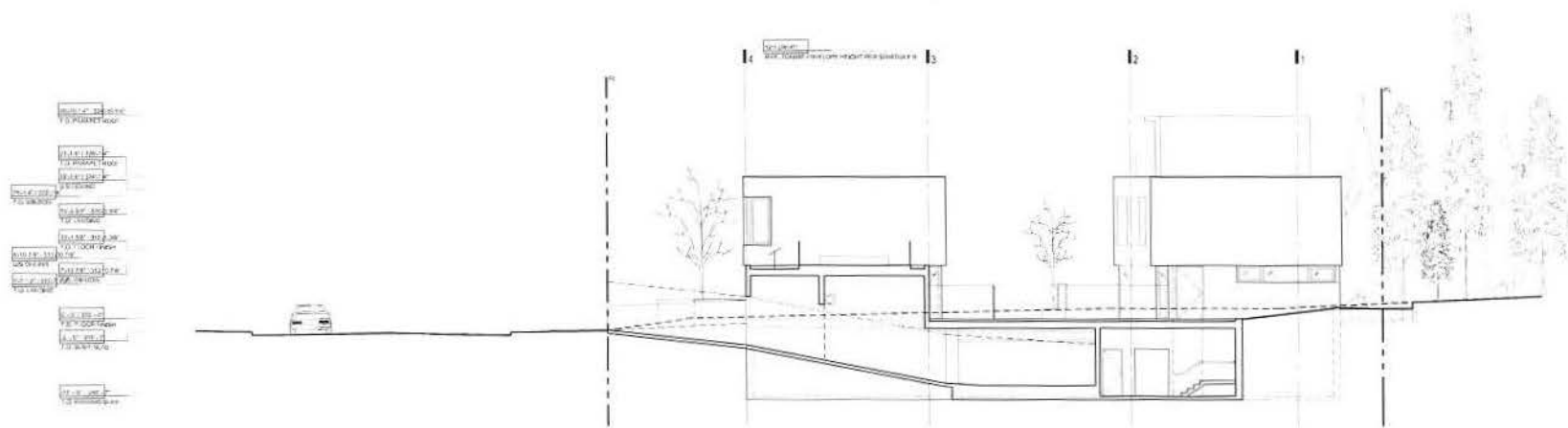
3 WEST ELEVATION - BUILDING 3 + 1



4 WEST ELEVATION - BUILDING 2



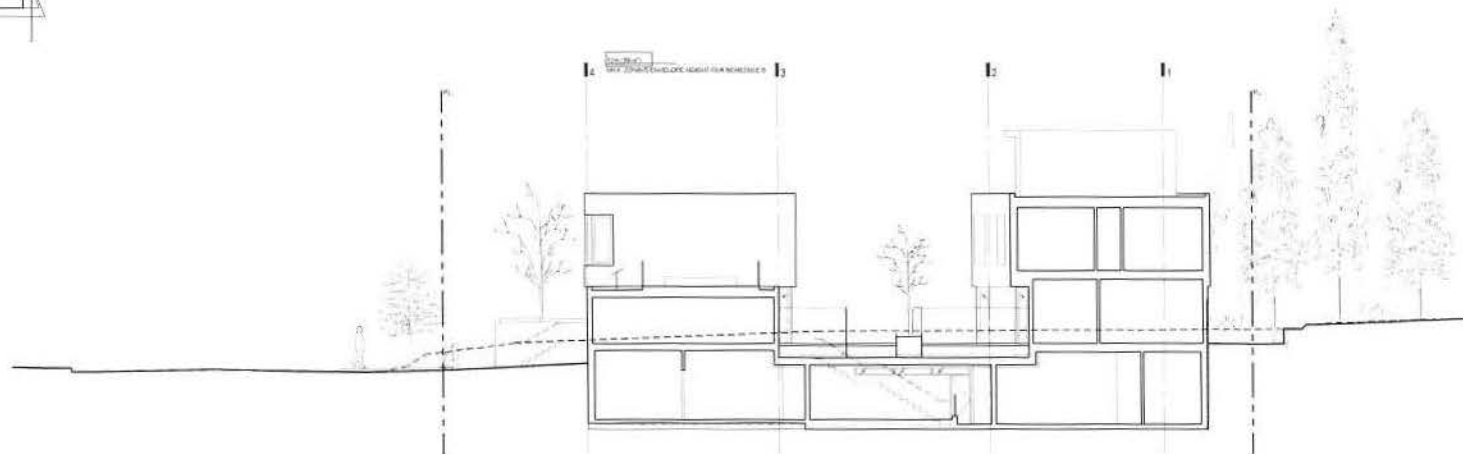


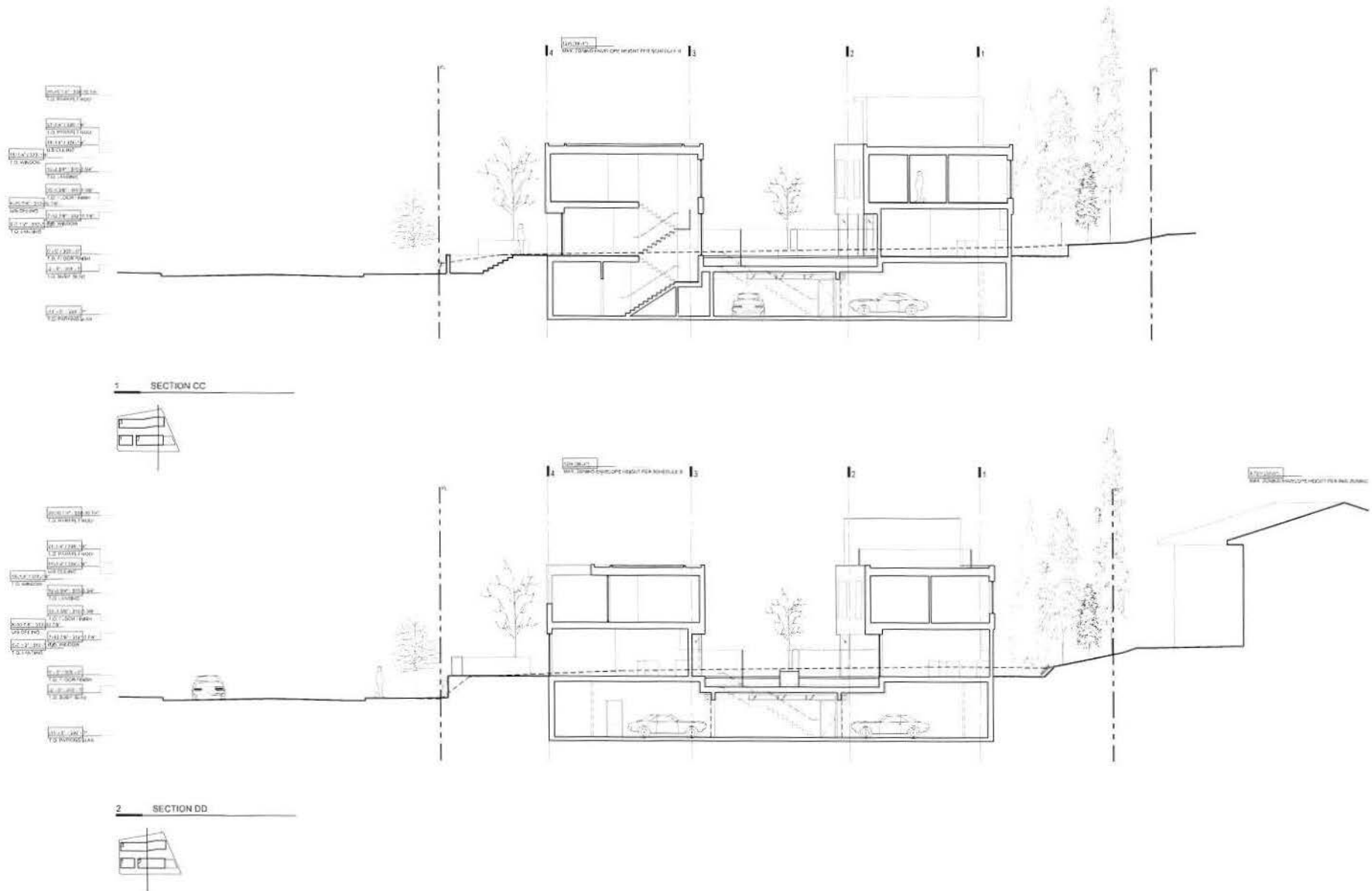


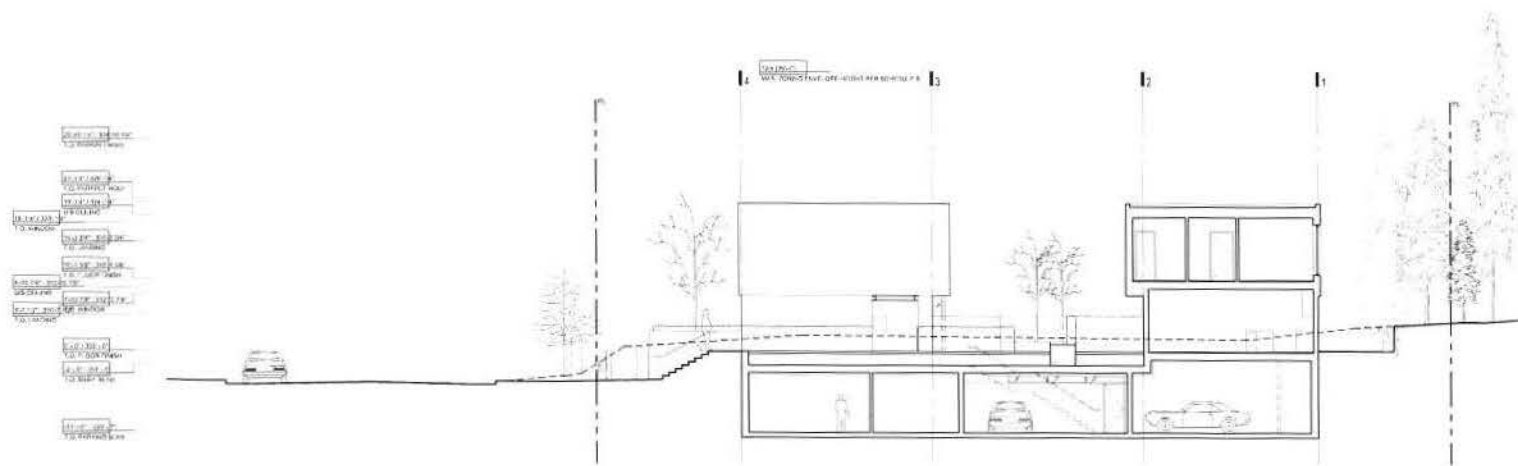
1 SECTION AA



2 SECTION BB







1 SECTION CC



2 SECTION DD



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## Harbourview Homes Corp Project – 3730 Edgemont Blvd

### Public Information Meeting – December 9, 2014

#### Summary Notes

On December 9, 2014, Harbourview Homes Corp. hosted a Public Information Meeting at the Capilano Library in Edgemont Village, North Vancouver, regarding their proposed project at 3730 Edgemont Blvd. Approximately 31 members of the community were in attendance.

The meeting objectives were to:

- Provide an overview of the Harbourview Homes Corp. Project at 3730 Edgemont Blvd.
- Provide an opportunity for community input and comment on this project

#### Welcome and Project Presentation

Al Saunders, Partner at Harbourview Homes Corp., welcomed participants and introduced the project. Steve McFarlane of OMB provided an overview of the proposed site plan and building design and Bill Harrison of FORMA Design described the landscaping concept.

#### Question and Answer Session

Following the presentations, participants were invited to ask questions or offer comments on the project. The following questions, comments and issues were raised:

##### Questions of Clarification:

1. **Q1:** Surface water: On the north side of the property there is quite a lot of water near the surface; the site is quite soft, especially on the Edgemont Manor side. What is the plan to deal with that water?

**A1:** There is a comprehensive geotechnical report that will set out recommendations to deal with that. As we get into the technical resolution of the project, we'll be mindful of that. There may need to be a swale to take some of that water out. There will be 2 or 3 areas of catchment to deal with that water. We have a number of options available to us.



2. **Q2:** Solar panels: Where will the solar panels go?

**A2:** Beside the urban agriculture area on the volume that houses the parking ramp. The idea is to generate power for the lights in the public open space and common areas of the project.

3. **Q3:** Deck access: Can you explain the decks, for the north and south units. How do you get up there?

**A3:** Each home has multiple opportunities for outdoor living. At grade, a south facing outdoor terrace and a north facing outdoor terrace. For the south units, there is a south-facing deck off of the second floor. For the north units, there is a roof-top deck, serviced by stairs from each unit (proper stair access). They are high enough that they'll look over the south unit roof tops which will have green roofs (planted roof).

4. **Q4:** Rezoning: What is requiring this to be rezoned?

**A4:** This application is both for a rezone and a development permit. This project requires a rezoning to comprehensive development from residential multi-family. This allows us to work closely with the project team to address setbacks, heights and other site specific issues. For example, the setbacks at the northwest corner are a little farther back because that portion is adjacent to a green space while there is more separation between the eastern portion of the proposed building and the existing Edgemont Manor building.

5. **Q5:** Overhangs for wet weather: It doesn't appear that there are overhangs for any outdoor space. Will this affect usability in the wet season?

**A5:** There are overhangs for the north and southern suites of 30-36". For the roof decks, there is an overhang at the stairwell. Residents can supplement this with umbrellas or other furniture. For the southern suites, for the lower area there is a 2 foot cantilever to provide protection for the windows. On the second floor deck of the southern suites there is a 3 foot overhang.

6. **Q6:** Roof top decks: On the roof top decks on the back units, what would be the height of a person standing on that deck in relation to the bedroom windows directly across from the Manor?

**A6:** There is considerable tree cover between the buildings. The density of tree cover is fairly dense and is mostly coniferous so it will be green year round.

7. **Q7:** Shadow studies. I couldn't see the times on the slides.  
**A7:** 10 am, noon and 2 pm

#### **Comments and Feedback on the Project:**

8. **Comment:**

**Noise** – Concern about impact of noise from outdoor areas on adjacent residents of Edgemont Manor. For example if people are entertaining on the rear patios or roof top decks.

**Trees in between proposed buildings and Edgemont Manor** – I understand that they create a screen now, but how long will that screen be there in their current condition? They have been topped so I wonder how long they will live in order to provide that screen?

**Parking** – I see that there is space for 2 cars under each unit, but in the Manor residents often can't park in their allocated spots because they store other things there. They would then need to park on Edgemont Blvd. There is little to no parking available on Edgemont, especially during the busy season at Capilano Suspension Bridge which creates heavy parking pressure on Edgemont. I am concerned about this as a parking and traffic issue.

9. **Q8:** Timeline: It's a nice looking development and I'd like to buy something there. When do you expect to start construction and how long would that take?

**A8:** Expect all the permits to be in place next fall (2015) and then about a year in duration. So it will be at least 18-24 months for a finished product.

10. **Q9:** Floor space: I like the size of the units because it brings in families. But the building looks more like an office. It lacks the warmth I am looking for in a family home. Does the floor space that was quoted for the apartment units include the area below grade?

**A9:** The FSR calculation does not include anything below grade. The 0.75 is for anything that is above grade. The unit size floor space includes the floor space of every level.

11. **Comment:** Power poles: If you look at that drawing over there, it is beautiful, but there are power poles along Edgemont. It's not a true rendering of what is there unless you are planning to put power lines underground. The Edgemont Manor wiring is all underground.

**Response:** The other developments (Edgemont Seniors Living, Grosvenor Edgemont, Edgemont Manor) are all much bigger developments (60-100+ units) vs.

only 7 units here. While it would be highly desirable to underground these services, it is usually a matter of cost.

12. **Q10:** Large windows and water: I agree that the poles need to come out of there. It will be impractical to leave them there. I am also concerned about parking. I love how the buildings look with the modern architecture and I think it is in keeping with other styles in the community including the Manor. But I would like your perspective on the big windows that are unprotected. How are you proposing to protect the big windows only recessed by a couple of inches and the adjacent walls from water?

**A10:** We don't want the building to leak any more than you do. Our livelihood depends on delivering a product where that doesn't happen. We are using a rain screen technology that has a very high level of sophistication and will be addressed at a detailed level. Wherever there are openings and doors, we have generous coverage. With the window conditions we are using a sophisticated level of envelope detailing. Overhangs are a viable alternative. We will be giving this much consideration going forward. We will also engage a building envelope consultant. This gives us checks and balances to our detailing as well as another set of eyes during construction.

13. **Q11:** Pre-weathered steel: Is the pre-weathered steel sealed or does it continue to weather? Does it continue to rust and would it run-off into the ground?

**A11:** There are two approaches: it can be pre-weathered and sealed in the yard or it can be left to continue to weather. When it is left to weather, an alloy allows surface oxidation for awhile and then arrests or stops. If it is sealed it is smoother, and if it isn't it is rougher. An example can be seen at North Vancouver City Hall where we used this material. During the oxidation stage we need to be mindful of where the run-off will occur. The use of this material will extend into the landscape so those areas will be surrounded by pea gravel to prevent any staining.

14. **Q12:** Crosswalk: I love it. I think it looks beautiful. We live across the road on Edgemont. Where is the crosswalk going to line up and where is the street light going?

**A12:** The District is working on the sidewalk at the moment. A decision has not been made yet. We are also in consultation with BC Hydro about the street lights.

**Comment:** We would love to have the street light gone. We like the dark and private space at night.

15. **Comment:**

**Roof top decks:** I think it is great that the site is being redeveloped. But I have a couple of significant concerns. The major one is the roof top decks along the back. It will not be a benefit to the residents of the Manor behind. The shadow study shows that it will eliminate light from the kitchen/ family room areas of those Manor residences which is the only natural light to those units. By the time you put people up top on the roof decks with a wet bar and awnings, I wouldn't want that at all.

**Encroachment of easement:** I am also concerned about the encroachment on the easement at the driveway edge and the closeness to the driveway. It is broken up at the front, but there is a lot of visual bulk coming in to the Manor. Having a wall or building along the side – I'd have a concern about that. I think there are one too many units, but I know you need to make money. If there was one less unit, you could move things around a bit more.

**16.Comment:** Cross walk and storm drain: The location of the proposed crosswalk is at the same place as the storm drain.

**Response:** These are details that the engineering team is working through and will continue to work on.

**17.Comment:** Additional detailed drawings: I appreciate that it is early. It seems that the neighbours to the north and south would appreciate seeing additional drawings to give a little more detailed context. For example, if the steps up to the roof tops on the rear units don't line up with windows from the Manor units behind, then that will be helpful. It seems like things have been really thoughtfully considered, so it would be great to see how that lines up. You've talked a lot about respecting the entrance to the manner. It seems that there would be space to move the front 3 units over a bit to give a wider entrance to the driveway to Edgemont Manor. It seems like a lot of space for 3 little garden plots on the right.

**18.Q13:** Green roof maintenance: Regarding the roof gardens (green spaces), these provide a nice element relative to the roof patios at the back. Has the technology of maintaining and installing green roofs evolved such that drainage is secure and that maintenance won't become a substantial strata cost?

**A13:** The technology has advanced with living roofs. They are very light weight and shallow (4-6 inches), planted with sedums which are very low growing and light weight. The plants are grown in trays which can be replaced. You have to be able to get up to the roofs and they need to be inspected and maintained annually. This is a simplistic system that is employed for very good reasons. It also provides insulation so it helps with energy issues.



**19.Q14:** Sound-proofing: Six of the seven units have common walls. What additional work or consideration has been given to sound-proofing?

**A14:** They will be constructed as double walls with a high degree of separation.

**20.Q15:** Unit sizes: I didn't hear the size of the units.

**A15:** They are between 2400 to 2500 square feet for front units and 3000 to 3200 square feet for rear units. This includes the utility spaces downstairs but does not include the garage. It includes the heated spaces.

**21.Q16:** Heat source: What kind of heat are you using?

**A16:** We are expecting gas-fired radiant hot water (in-floor) with a heat recovery ventilation system, with individual boilers. We are also expecting gas-fired on-demand hot water.

**22.Comment:** If you consider what the alternatives could be developed here without any consultation or public hearing, there could probably be 4-6 units (main houses and carriage houses). This seems like a very modest upgrade.

## **Next Steps and Closing Comments**


Natasha Letchford, Community Planner with the DNV, outlined the next steps in this process. The next step for this project is for Council to receive First Reading, expected in February. This would be followed by a Public Hearing (probably in March) at which time residents are invited to come and speak to the project. Following the public hearing, second and third reading of the project will occur in the month or two following that (likely April or May).


Participants were reminded to submit comments via the written comment forms, email or fax to Natasha Letchford at the District of North Vancouver ([nletchford@dnv.org](mailto:nletchford@dnv.org)) by mid-January 2015.



**AGENDA INFORMATION**

☒ Regular Meeting Date: SEPT. 14, 2015  
☐ Workshop (open to public) Date: \_\_\_\_\_

  
 Dept.  
 Manager

  
 GM/  
 Director

  
 CAO

**The District of North Vancouver**  
**REPORT TO COUNCIL**

September 1, 2015  
 File: 08.3227.14/000.000

**AUTHOR:** Erik Wilhelm, Community Planner

**SUBJECT: SIGN BYLAW 7532 – SIGN BYLAW AMENDMENTS TO REGULATE REAL ESTATE MARKETING AND CONSTRUCTION SITE SIGNAGE**

---

**RECOMMENDATION:**

THAT "Sign Bylaw 7532, 2005, Amending Bylaw 8128, 2015 (Amendment 5)" is given FIRST, SECOND and THIRD Readings.

**REASON FOR REPORT:**

At the Committee of the Whole Meeting of June 22, 2015, Council directed staff to report back with proposed changes to the Sign Bylaw.

**SUMMARY:**

Proposed changes to the Sign Bylaw will provide improved regulations regarding banner signs, construction signs, real estate signs, portable real estate marketing signs and construction hoarding signs for development projects.

**BACKGROUND:**

Council considered Development Permit 33.14 and 34.14 on April 27, 2015 (regarding Seylynn Village). The Development Permits included variances to the Sign Bylaw to allow banners, construction signs, real estate signs and construction fencing signage not permitted by the Sign Bylaw. These Sign Bylaw variances were not approved by Council. Council instead instructed staff to report back with a discussion of real estate marketing signage.

Staff subsequently reviewed the District's Sign Bylaw and researched a sample of Lower Mainland municipalities with a primary focus on signage related to mid to large scale development projects and presented Council with possible changes to the Sign Bylaw at the Committee of the Whole meeting on June 22, 2015. The proposed changes to the Sign Bylaw were generally acceptable to Council; however, improved regulation of portable real estate marketing signs (i.e. 'sandwich boards') was identified for follow-up and regulation.

**SUBJECT: SIGN BYLAW 7532 – SIGN BYLAW AMENDMENTS TO REGULATE REAL ESTATE MARKETING AND CONSTRUCTION SITE SIGNAGE**

September 1, 2015

Page 2

Council also requested documentation regarding the number of complaints received related to real estate signage (e.g. banners, excessively sized real estate marketing signs, construction hoarding signage). The Bylaw Services Department has received 3 complaints about real estate signs related to development projects since January 1, 2015 (2 of those complaints were received from Council).

This report reviews proposed changes to the Sign Bylaw to provide improved regulation of banner signs, construction signs, real estate signs, portable real estate marketing signs and construction hoarding signs for development projects.

Banner Signs

Utilizing feedback from other municipalities and Council's direction regarding real estate marketing banners on the side of buildings, staff has proposed a revised "Banner sign" definition to provide a clearer definition. For comparison purposes, Attachment B provides the existing and proposed definition for a "Banner Sign".

In order to prevent banner signs from being used for real estate marketing purposes on buildings under construction, the Sign Bylaw regulations will be modified to allow a banner sign to be installed on a building utilized as a real estate sales centre yet prohibit banners on the sides of development projects under construction.

The Sign Bylaw would still allow banners to be used by businesses, on a temporary basis, to advertise a sale or event.

Construction Signs

The current Sign Bylaw definition for a 'Construction Sign' allows construction signs to be used as an advertising medium for real estate/development projects. As proposed, the definition would be amended to clarify the intended usage for a construction sign. For comparison purposes, Attachment B provides the existing and proposed definition for a 'Construction Sign'.

The current Sign Bylaw regulations allow for a maximum construction sign size of 10m<sup>2</sup> (108 sq.ft.) for mid to large scale development projects (i.e. non-single family developments). The text within the Sign Bylaw regulating construction signage is proposed to be amended with the following changes:

- For properties less than 2000m<sup>2</sup> (21,528 sq.ft.) (*Small to Mid-scale development projects*):
  - (i) only 1 construction sign per lot is allowed;
  - (ii) the construction sign cannot exceed an area of 7.43m<sup>2</sup> (80 sq. ft); and
  - (iii) the construction sign cannot exceed a height of 3.05m (10 ft.) from grade.
- For properties greater than 2000m<sup>2</sup> (21,528 sq.ft.) (*Large scale development projects*):
  - (i) only 1 construction sign per street frontage is allowed;

**SUBJECT: SIGN BYLAW 7532 – SIGN BYLAW AMENDMENTS TO REGULATE REAL ESTATE MARKETING AND CONSTRUCTION SITE SIGNAGE**

September 1, 2015

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- (ii) the construction sign cannot exceed an area of  $7.43\text{m}^2$  (80 sq. ft); and
  - (iii) the construction sign cannot exceed a height of 3.05m (10 ft) from grade.
- The area used to indicate the primary construction management contact must be prominently displayed and no less than 25% of the sign area.

The proposed changes to the construction sign definition and regulations will provide differentiation between Real Estate Signs and Construction Signs and require construction management contact information to be prominently displayed. The Sign Bylaw text regulating single-family residential construction signs will remain unchanged.

Real Estate Signs

The current 'Real Estate Sign' regulations within the Sign Bylaw do not appropriately regulate marketing and advertising packages for larger development projects. Accordingly, the following changes are proposed to the existing 'Real Estate Sign' regulations:

- *For properties less than  $2000\text{m}^2$  (21,528 sq.ft.) (Small to Mid-scale development projects):*
  - (i) A sign permit is required for any real estate sign;
  - (ii) Number of allowable real estate signs is decreased from 2 per lot to 1 per lot;
  - (iii) The size of a real estate sign is limited to  $3\text{m}^2$  (32 sq.ft.);
  - (iv) Sign face height is limited to 3.05m (10 ft.); and
  - (v) Total sign height is limited to 4.88m (16 ft.) from grade.
- *For properties greater than  $2000\text{m}^2$  (21,528 sq.ft.) (Large scale development projects):*
  - (i) A sign permit be required for any real estate sign;
  - (ii) Number of allowable real estate signs is modified from 2 per lot to 1 per street frontage;
  - (iii) The size of a real estate sign is limited to  $7.43\text{m}^2$  (80 sq.ft.);
  - (iv) Sign face height is limited to 3.05m (10 ft.); and
  - (v) Total sign height is limited to 4.88m (16 ft.) from grade.

The text changes outlined above would leave the single-family regulations unchanged and provide appropriate real estate sign regulations for larger development projects.

Portable Real Estate Marketing Signs (Sandwich Boards)

Many development projects utilize portable marketing signs (i.e. sandwich boards) as part of a project's marketing strategy. In order to better regulate signs advertising real estate or sales centres on a temporary basis, a new definition for a "Portable Real Estate Marketing Sign" will be inserted into the Sign Bylaw (See attachment B for new definition). In order to regulate "Portable Real Estate Marketing Signs", the following Sign Bylaw changes are proposed:

- A sign permit is required for Portable Real Estate Marketing Signs;
- No more than 4 signs per development site are permitted;

**SUBJECT: SIGN BYLAW 7532 – SIGN BYLAW AMENDMENTS TO REGULATE REAL ESTATE MARKETING AND CONSTRUCTION SITE SIGNAGE**

September 1, 2015

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- Signs may not be located more than 1000 m (3,280 ft.) from the development project being advertised;
- Sign Permits to allow the signs would only be issued after Development Permit issuance and removal of the signs would be required no later than 3 months after first occupancy;
- Each sign shall not exceed a sign area of 0.56m<sup>2</sup> (6 sq.ft.) on each side of the sign up to a maximum sign area of 1.12m<sup>2</sup> (12 sq.ft.);
- a sign shall not exceed a height of 0.9m (3 ft.); and
- a sign shall not obstruct pedestrian and vehicular movements, or be placed within parking areas, driveways, traffic islands, or maneuvering aisles.

Construction Hoarding Signs

The British Columbia Building Code requires all construction sites to be fenced to ensure the general safety of the public. Accordingly, construction hoarding (i.e. fencing) is a requirement for all active construction on all development sites.

Signage is routinely installed on construction hoarding within the District and throughout the Lower Mainland. Normally, construction hoarding is clad with information related to the development project. The hoarding is often a preferred alternative to a blank plywood wall surrounding a development site or interlocking metal fencing allowing full view of a construction site. In addition to the safety aspect, construction hoarding signage can provide needed information to the public such as scheduled completion dates and developer contact information.

The Sign Bylaw currently does not contemplate or regulate signs on construction hoarding (i.e. construction fencing), yet does allow large freestanding construction signs. Construction hoarding signage is usually either vinyl graphics/text attached directly to the construction hoarding or an opaque graphic/text fabric overlay.

As construction hoarding signage is not specifically regulated within the Sign Bylaw, developers have been installing construction hoarding signage around construction projects without any District regulation.

In order to regulate construction hoarding signs, a new definition for a "Construction Hoarding Sign" will be inserted into the Sign Bylaw (See attachment B for new definition). Additionally, the following Sign Bylaw changes are proposed to regulate construction hoarding signs:

- A sign permit is required for any construction hoarding sign;
- Construction hoarding signs are not permitted in single-family zones;
- The height of signage on construction hoarding fencing may not exceed a height of 2.44m (8 ft.);
- Sign Copy (i.e. lettering, logos and images) may not comprise more than 50% of the total area of the sign;
- Repetitive images and sign copy on each street frontage are prohibited; and
- Construction hoarding signage is to be installed so sight lines and safety concerns are properly addressed.



**SUBJECT: SIGN BYLAW 7532 – SIGN BYLAW AMENDMENTS TO REGULATE REAL ESTATE MARKETING AND CONSTRUCTION SITE SIGNAGE**

September 1, 2015

Page 5

**CONCLUSION:**

Staff recommend changes to the Sign Bylaw to better regulate real estate marketing and construction site signage within the District.

The proposed changes to the Sign Bylaw would provide more clarity for staff, Council, residents, developers and contractors and allow a degree of control on the extent of construction hoarding and advertising permitted in relation to development projects.

**OPTIONS:**

The following options are available for Council's consideration:

1. THAT "Sign Bylaw 7532, 2005, Amending Bylaw 8128, 2015 (Amendment 5)" is given FIRST, SECOND and THIRD Readings; or
2. That Council receive this report for information and leave the Sign Bylaw in its current form.

Respectfully submitted,



for: Erik Wilhelm, Community Planner

**Attachments:**

Attachment A - Bylaw 8128

Attachment B - Definitions – Proposed Changes to Sign Bylaw

**REVIEWED WITH:**

☐ Sustainable Community Dev. \_\_\_\_\_  
☐ Development Services \_\_\_\_\_  
☐ Utilities \_\_\_\_\_  
☐ Engineering Operations \_\_\_\_\_  
☐ Parks & Environment \_\_\_\_\_  
☐ Economic Development \_\_\_\_\_  
☐ Human resources \_\_\_\_\_

☐ Clerk's Office \_\_\_\_\_  
☐ Communications \_\_\_\_\_  
☐ Finance \_\_\_\_\_  
☐ Fire Services \_\_\_\_\_  
☐ ITS \_\_\_\_\_  
☐ Solicitor \_\_\_\_\_  
☐ GIS \_\_\_\_\_

**External Agencies:**  
☐ Library Board \_\_\_\_\_  
☐ NS Health \_\_\_\_\_  
☐ RCMP \_\_\_\_\_  
☐ Recreation Com. \_\_\_\_\_  
☐ Museum & Arch. \_\_\_\_\_  
☐ Other: \_\_\_\_\_



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## The Corporation of the District of North Vancouver

### Bylaw 8128

A bylaw to amend Sign Bylaw 7532, 2005

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

#### 1. Citation

This bylaw may be cited as "Sign Bylaw 7532, 2005, Amending Bylaw 8128, 2015 (Amendment 5)".

#### 2. Amendments

2.1 Sign Bylaw 7532, 2005 is amended as follows:

- a. Deleting the definition of "Banner Sign" in its entirety within Section 3.3 and inserting the following text in its place:

**"Banner Sign"** means a temporary fabric sign used to promote an idea or the sale of a product or service on which the sign is located."

- b. Deleting the definition of "Construction Sign" within Section 3.3 in its entirety and inserting the following text in its place:

**"Construction Sign"** means a temporary sign used to identify the principal construction and traffic management contact for a development site. To a lesser extent, the sign may be used to identify the owner, general contractor, sub-trades, architect, engineers and others associated with the design, planning, development and financing of a project under construction."

- c. Adding the following in alphabetical sequence, after the "Construction Sign" definition, within Section 3.3:

**"Construction Hoarding Sign"** means a graphic mural of images and text advertising or identifying an onsite development project, installed over a temporary construction safety fence surrounding a development site or building under construction or repair."

- d. Adding the following in alphabetical sequence, after the "Portable Sign" definition, within Section 3.3:

**"Portable Real Estate Marketing Sign"** means a temporary sign used to provide advertising and wayfinding to nearby real estate for sale, lease or rent or to an associated real estate sales centre, which may be self-supporting, is easily moved and not permanently attached to the ground, and includes a sandwich board sign but does not include an open house sign related to property within a single-family residential zone."

- e. Inserting the following text into Table 1 (each point in alphabetical sequence) into the “Signs Requiring Permit” column:

- “
- Construction Hoarding Sign
- Real Estate Sign
- Portable Real Estate Marketing Sign”

- f. Deleting “Real estate sign” within Table 1 and inserting the following text in its place into the “Signs Not Requiring Permit” column:

- “
- Real Estate Sign advertising an individual property within a single-family residential zone
- Real Estate Sign advertising an individual unit within a multi-family zone”

- g. Inserting the following text into Table 1, within the fifth point of the “Signs Prohibited Under Bylaw” column, after ‘open house signs’:

“Portable Real Estate Marketing Signs”

- h. Inserting the following text after Section 8.3.2:

“8.3.3 Notwithstanding Sections 8.2.4, 8.3.1 and 8.3.2, subject to any other provisions of Section 8.2, Construction Signs, Real Estate Signs, Construction Hoarding Signs and Portable Real Estate Marketing Signs may be located anywhere on a lot.”

- i. Inserting the following text after Section 8.5.1.8

“8.5.1.9 Notwithstanding Section 8.5.1.8, a sign advertising real estate or a real estate sales centre is not permitted to be installed on a building other than a building used as a real estate sales centre, the sign is not permitted to be located higher than the top of any second storey, and the sign may remain only while the real estate sales centre is in operation.”

- j. Deleting Sections 8.5.2.4 through 8.5.2.5 of Section 8.5.2 (Construction Sign) in their entirety and inserting the following text:

“8.5.2.4 for a property less than 2000m<sup>2</sup> in any other zone,

8.5.2.5.1 not more than 1 sign is allowed on a lot;

8.5.2.5.2 a sign shall not exceed a sign area of 7.43m<sup>2</sup>; and

8.5.2.5.3 a sign shall not exceed a height of 3.05m above grade;

- 8.5.2.5 for a property greater than 2000m<sup>2</sup> in any other zone,
  - 8.5.2.6.1 not more than 1 sign per street frontage is permitted;
  - 8.5.2.6.2 a sign shall not exceed a sign area of 7.43m<sup>2</sup>; and
  - 8.5.2.6.3 a sign shall not exceed a height of 3.05m above grade;
- 8.5.2.6 The area used to indicate the primary construction management contact person and/or company must be prominently displayed and comprise no less than 25% of the sign area.
- 8.5.2.7 a sign shall be removed within 2 weeks from the date the project construction is completed as evidenced by occupancy of the building."

k. Deleting Sections 8.5.6.1 through 8.5.6.4 of Section 8.5.6 (Real Estate Sign) in their entirety and inserting the following text:

- "8.5.6.1 for a sign in a single-family residential zone or a sign used to advertise an individual multi-family unit,
  - 8.5.6.1.1 a sign permit is not required;
  - 8.5.6.1.2 not more than 2 signs per single-family lot or per multi-family unit are permitted;
  - 8.5.6.1.3 individual signs shall not exceed a sign area of 0.56m<sup>2</sup>;
  - 8.5.6.1.4 individual signs shall not exceed a height of 1.22m above grade; and
  - 8.5.6.1.5 a sign shall be removed within 7 days of the date that an unconditional sale or lease is achieved.
- 8.5.6.2 for a property less than 2000m<sup>2</sup> in any zone other than single-family residential,
  - 8.5.6.2.1 a sign permit is required;
  - 8.5.6.2.2 not more than 1 sign is permitted on a lot;
  - 8.5.6.2.3 a sign shall not exceed a sign area of 3m<sup>2</sup>;
  - 8.5.6.2.4 a sign face shall not exceed a height of 3.05m; and
  - 8.5.6.2.5 the total height of a sign shall not exceed a height 4.88m above grade.

8.5.6.3 for a property greater than 2000m<sup>2</sup> in any zone other than single-family residential,

8.5.6.3.1 a sign permit is required;

8.5.6.3.2 Not more than 1 sign per street frontage is permitted;

8.5.6.3.3 a sign shall not exceed a sign area of 7.43m<sup>2</sup>;

8.5.6.3.4 a sign face shall not exceed a height of 3.05m;

8.5.6.3.5 the total height of a sign shall not exceed a height 4.88m above grade.

8.5.6.4.6 when attached to a building, a sign shall not extend above the roofline or beyond the end of the façade on which it is located.

8.5.6.4.7 a sign issued in accordance with Section 8.5.6.2 and 8.5.6.3 shall be removed within 30 days following completion of initial construction unless units remain available for sale or lease, in which case the sign may remain onsite for up to an additional 90 days."

I. Inserting the following text after Section 8.5.8:

"8.5.9 Construction Hoarding Sign

8.5.9.1 a sign permit is required;

8.5.9.2 a sign is not permitted within a single-family residential zone;

8.5.9.3 a sign must not display repetitive sign copy, logos or images along the same street frontage;

8.5.9.4. a sign must not exceed a height of 2.44m;

8.5.9.5 total allowable sign copy, logos and images must not exceed 50% of the sign area;

8.5.9.6 when a Construction Hoarding Sign is used in conjunction with a Real Estate Sign:

- The portion of a Construction Hoarding Sign adjacent to any Real Estate Sign must not contain sign copy, logos or images within 2.44m of a Real Estate Sign; and



- The total allowable area used for sign copy, logos or images on a Construction Hoarding Sign shall be reduced by the total area of any Real Estate Sign(s).

#### 8.5.10 Portable Real Estate Marketing Sign

- 8.5.10.1 No more than 4 signs per development project are permitted;
- 8.5.10.2 Sign location is limited to a distance no greater than 1000m from the development project;
- 8.5.10.3 A sign will only be permitted for a limited period of time between Development Permit issuance and 3 months after first occupancy of the development project;
- 8.5.10.4 A sign shall not exceed a sign area of 0.56m<sup>2</sup> on each side of the sign up to a maximum sign area of 1.12m<sup>2</sup>;
- 8.5.10.5 a sign shall not exceed a height of 0.9m; and
- 8.5.10.6 Location of a sign is limited to private property, but may be authorized to be located within the boulevard, providing a sign does not obstruct pedestrian or vehicular movements or is placed within any parking area, median, driveway, traffic island or parking lot manoeuvring aisle."

**READ** a first time

**READ** a second time

**READ** a third time

**ADOPTED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

Certified a true copy

\_\_\_\_\_  
Municipal Clerk

## Definitions – Proposed Changes within Sign Bylaw

### **Banner Sign**

Existing Definition:

***“Banner Sign”** means a banner containing sign copy that is used a temporary sign.*

Proposed Definition:

***“Banner Sign”** means a temporary fabric sign used to promote an idea or the sale of a product or service found on the lot on which the sign is located.*

### **Construction Sign**

Existing Definition:

***“Construction Sign”** means a temporary sign promoting a construction or real estate development project which may also be used to identify the owner, general contractor, sub-trades, architect, engineers and others associated with the design, planning, development and financing of a project under construction.*

Proposed Definition:

***“Construction Sign”** means a temporary sign used to identify the principal construction and traffic management contact for a development site. To a lesser extent, the sign may be used to identify the owner, general contractor, sub-trades, architect, engineers and others associated with the design, planning, development and financing of a project under construction.*

### **Portable Real Estate Marketing Sign**

Proposed definition (to be inserted into the Sign Bylaw):

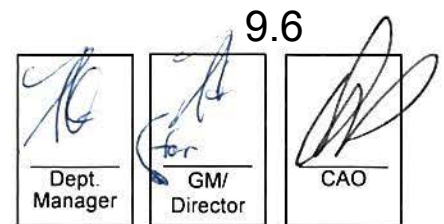
***“Portable Real Estate Marketing Sign”** means a temporary sign used to provide advertising and wayfinding to nearby real estate for sale, lease or rent and real estate sales centres which may be self-supporting, is easily moved and not permanently attached to the ground and includes a sandwich board sign but does not include an open house sign related to single-family real estate.*

### **Construction Hoarding Sign**

Proposed definition (to be inserted into the Sign Bylaw):

***“Construction Hoarding Sign”** means a graphic mural of images and text advertising or identifying an onsite development project, installed over a temporary construction safety fence surrounding a development site or building under construction or repair.*

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



## The District of North Vancouver

### REPORT TO COUNCIL

September 14th, 2015  
File: 11.5400.01

**AUTHOR:** Len Jensen, Manager Engineering Operations  
Rick Danyluk, Manager Financial Planning

**SUBJECT:** Residential Solid Waste Collection

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**RECOMMENDATION:**

THAT Staff be directed to provide residents with two locking carts for garbage and organics curb side collection with the following rate structure that provides a financial incentive to opt for the smaller carts.

	Garbage	Organics	Combined
New rates			
140 litre locking cart	\$105	\$95	\$200
240 litre locking cart	\$145	\$130	\$275
2 <sup>nd</sup> 240 litre locking cart or existing 360 litre cart		\$65	
Existing rate			\$215.50

AND THAT at this time the garbage collection frequency remain weekly.

AND THAT the Financial Plan be amended in the fall to include the purchase of carts,

AND THAT the proposed rates for 2016 and 2017 based on this report be brought back prior to year-end.

**REASON FOR REPORT:**

Staff committed to report back to Council on rate structure options for our Solid Waste curb side collection once the model has been finalized.



**SUMMARY:**

Staff recommends a rate structure based on container size (volume) which supports the goal of waste reduction and aligns the District with the emerging industry practice. An analysis across the region shows most municipalities have adopted this type of rate structure. If Council approves the program implementation would occur in a staged approach through 2016 and the new rate structure would likely go into effect January 2017.

**BACKGROUND:**

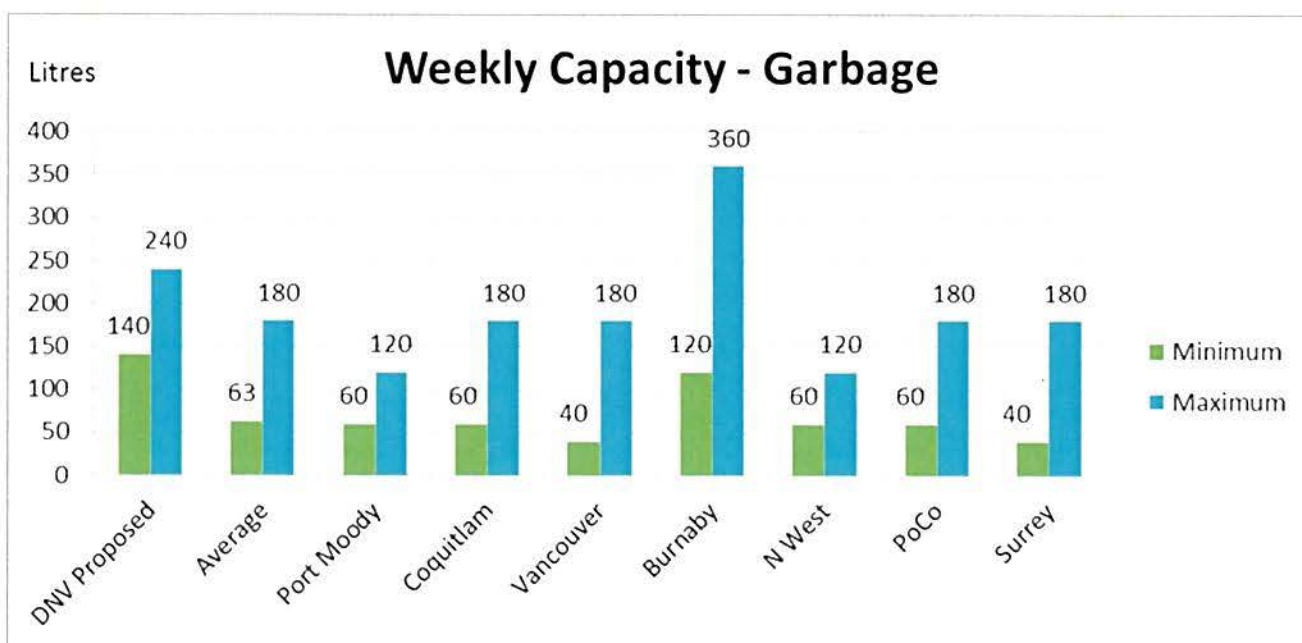
Following the May 11<sup>th</sup>, 2015 Committee of the Whole meeting staff reviewed solid waste collection carts offered by municipalities using a cart system. The results of this review are shown below and in the financial impact section of the report. The tables below show cart sizes currently offered and the resulting weekly minimum and maximum capacity for garbage collection.

**TABLE 1: Garbage Carts Offered**

	DNV Proposed	Most Common	Port Moody	Coquitlam	Vancouver	Burnaby	N West	PoCo	Surrey
Frequency	Weekly	Bi-Weekly	Bi-weekly	Bi-weekly	Bi-weekly	Weekly	Bi-weekly	Bi-weekly	Bi-weekly
80 litre					✓				✓
120 litre (DNV 140)	✓	✓	✓	✓	✓	✓	✓	✓	✓
180 litre					✓	✓			✓
240 litre	✓	✓	✓	✓	✓	✓	✓	✓	✓
360 litre				✓	✓	✓		✓	✓

**TABLE 2: Organics Carts Offered**

	DNV Proposed	Most Common	Port Moody	Coquitlam	Vancouver	Burnaby	N West	PoCo	Surrey
Frequency	Weekly	Weekly	Weekly	Weekly	Weekly	Weekly	Weekly	Weekly	Weekly
80 litre									✓
120 litre	✓	✓	✓	✓	✓		✓		✓
180 litre					✓	✓			✓
240 litre	✓	✓	✓	✓	✓	✓	✓	✓	✓
360 litre				✓	✓	✓	✓	✓	✓



### EXISTING POLICY:

The proposed 240 litre container for weekly garbage collection increases the current maximum capacity from 180 litres (360 litre cart half full) and positions the District to move to bi-weekly collection for garbage in the future.

Residents will now be able to purchase a second organics cart at 50% of the proposed annual rate if they require additional capacity for that service.

### ANALYSIS:

An analysis across the region shows most municipalities have adopted a rate structure based on container size. Preliminary analysis also indicates it is possible to offer a 60L container option at a similar cost to the 140L container rate. Prior to deploying the new carts, staff will ascertain the level of interest in a 60L container option.

### Timing/Approval Process:

For the deployment to commence in 2016 a decision on our Solid Waste collection is required.

### Financial Impacts:

The proposed rate structure based on container size (volume) is an emerging industry practice, supports the goal of waste reduction and provides an equitable basis for rate setting. Under this approach, the District's rates for solid waste services will be in line with the average rates in the region for the *most common* small cart and large cart.



The table below shows the combined price for a homeowner selecting two small carts versus two large carts.

**TABLE 3: Rate Structure**

	DNV Proposed	Average <sup>(3)</sup>	Port Moody	Coquitlam	Vancouver	Burnaby <sup>(4)</sup>	N West	PoCo <sup>(5)</sup>
Small Carts <sup>(1)</sup>	\$200	\$204	\$266	\$217	\$191	\$25	\$374	\$152
Large Carts <sup>(2)</sup>	\$275	\$306	\$338	\$287	\$259	\$205	\$565	\$182
Price Difference	\$75	\$102	\$72	\$70	\$68	\$180	\$191	\$30

1) Standard small cart in region is 120L, District is proposing 140L  
2) Standard large cart in region is 240L  
3) Surrey is excluded as its secondary suite fee (set at 50% the Single Family rate) makes a comparison unachievable  
4) Burnaby is disposal fee only  
5) PoCo doesn't offer small organics cart, figure shown is 120L Garbage and 240L Organics

As 2016 is a transition year Staff will explore the possibility of blending rates (current and proposed rate structures) but at this point the simplest approach is to maintain the existing rate structure for 2016 and implement the recommended rate structure for 2017.

The Financial Plan will be amended in the fall for the cart purchases and the Recycling and Solid Waste Utility is projected to fully pay for these costs in 2016 under the current rate structure and existing reserve balances. The proposed rates are based on the full cost of service, including life-cycle costs for the carts.

**Liability/Risk:**

The locking carts will reduce wildlife conflicts and improve worker health and safety.

**Social Policy Implications:**

Consistent carts will improve the aesthetic of the District which has a beneficial social impact.

**Environmental Impact:**

A reduced rate for smaller carts along with community education supports the goal of waste reduction. The locking carts will also reduce wildlife conflicts and improve worker health and safety.

Residents will be permitted a transition period for their existing 360 litre carts and these carts can be fully recycled.

**Public Input:**

As part of the Solid Waste Review, a public survey was conducted. Also, Council workshops were held that were open to the public and comments were received. Public input was that the majority of residents preferred a wheeled cart and were concerned about reducing solid waste more than necessarily meeting Metro Vancouver targets.

**Communication:**

A communications plan and deployment plan will be developed. It is expected deployment of the carts will be staged throughout 2016

**CONCLUSION**

This report presents Council with a recommended rate structure and funding to move forward with standardized carts for garbage and organics curb side collection.

Respectfully submitted,



Len Jensen,  
Manager Engineering Operations



Rick Danyluk  
Manager Financial Planning


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

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Sept 14, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____

  
 Dept.  
Manager

  
 Director

  
 CAO

## The District of North Vancouver REPORT TO COUNCIL

July 21, 2015  
File: 09.3900.20/00.000

**AUTHOR:** Linda Brick, Deputy Municipal Clerk

**SUBJECT:** Bylaw 8137: Local Area Service, Lane Paving – 100/200 Block Kensington Crescent

### RECOMMENDATION:

THAT "Lane Paving – 100/200 Kensington Crescent Bylaw 8137, 2015" is ADOPTED.

### BACKGROUND:

Bylaw 8137 received First, Second and Third Readings on July 20<sup>th</sup>, 2015.

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,



Linda Brick  
Deputy Municipal Clerk

### Attachments:

- Lane Paving – 100/200 Kensington Crescent Bylaw 8137, 2015
- Staff Report – July 13, 2015

**SUBJECT: Bylaw 8137: Local Area Service, Lane Paving – 100/200 Block Kensington Crescent**

July 21, 2015

Page 2

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 checked="" 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 8137**

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 (LIP2015-03: Lane Paving 100/200 Block Kensington Crescent)

---

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 100/200 Block Kensington Crescent, south-west of Kensington Crescent and north-east of Carisbrooke Crescent between West Braemar Road and Carnarvon 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, in open meeting assembled, enacts as follows:

#### **1. Citation**

This bylaw may be cited as "Lane Paving – 100/200 Block Kensington Crescent Bylaw 8137, 2015".

#### **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 \$65,000.00 and the portion of the cost to be charged against the parcels in the Local Service Area is estimated to be \$32,500.00 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 415.816 metres and the total taxable frontage is 415.816 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 July 20<sup>th</sup>, 2015

**READ** a second time July 20<sup>th</sup>, 2015

**READ** a third time July 20<sup>th</sup>, 2015

**ADOPTED**

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Mayor

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Municipal Clerk

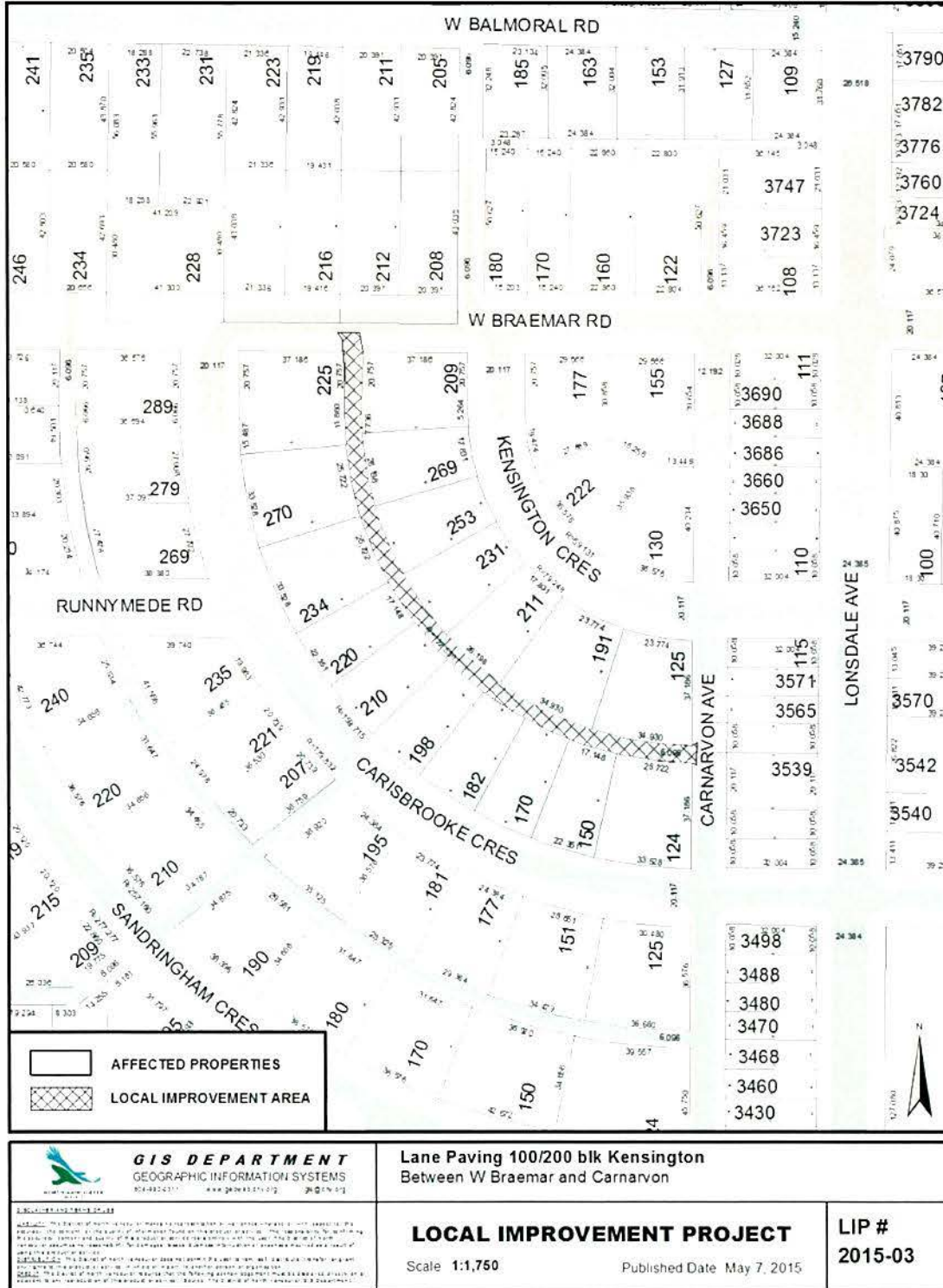
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Municipal Clerk

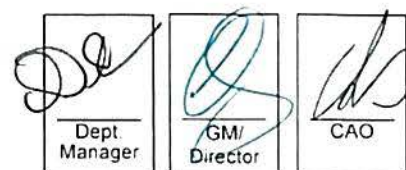
# Attachment 1 to Bylaw 8137 Local Service Area

Attachment 1



 <p><b>GIS DEPARTMENT</b> GEOGRAPHIC INFORMATION SYSTEMS 904-933-3111 www.saskatoon.ca 2015-03-03</p>	<p>Lane Paving 100/200 blk Kensington Between W Braemar and Carnarvon</p>	
<p><b>LOCAL IMPROVEMENT PROJECT</b></p> <p>Scale 1:1,750 Published Date May 7, 2015</p>		<p><b>LIP #</b> <b>2015-03</b></p>

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



## The District of North Vancouver REPORT TO COUNCIL

July 13, 2015  
File: 5320-40

**AUTHOR:** David Desrochers, P. Eng., Manager Engineering Projects and Development

**SUBJECT:** Local Area Service Bylaw 8137 - Lane Paving 100/200 Block Kensington Crescent, Southwest of Kensington Crescent and Northeast of Carisbrooke Crescent between West Braemar Road and Carnarvon Avenue

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### 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 100/200 block Kensington Crescent, be approved; and
- 2) Bylaw 8137 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 ten (10) of the seventeen (17) or 59% of the benefiting property owners was received by Engineering Services to undertake paving and drainage works along the existing gravel lane located in the 100/200 blocks of Kensington Crescent, southwest of Kensington Crescent and northeast of Carisbrooke Crescent between West Braemar Road and Carnarvon 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. Properties which have signed the petition in favour of the lane paving are shown on Attachment 2. 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 June 17, 2015.

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 8137 - Lane Paving 100/200 Block Kensington Crescent, Southwest of Kensington Crescent and Northeast of Carisbrooke Crescent between West Braemar Road and Carnarvon Avenue**

July 13, 2015

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 seventeen (17) parcels of real property abutting the proposed improvements. Of these parcels, ten (10) property owners or 59% signed the petition. The total assessed value of the properties owned by the owners that signed the petition represents 63% 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 June 17, 2015.

**Financial Impacts:**

The owners' share of the cost is \$32,500.00 and the District's share is \$32,500.00 for an estimated total of \$65,000.00. Funds for Local Area Service paving have been approved through the District's 2015 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 8137 - Lane Paving 100/200 Block Kensington Crescent, Southwest of Kensington Crescent and Northeast of Carisbrooke Crescent between West Braemar Road and Carnarvon Avenue**

July 13, 2015

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.

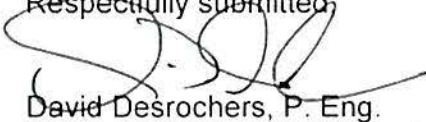
**Public Input:**

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

**Options:**

1. Council may adopt Bylaw 8137 as proposed, and the project will proceed.
2. Alternatively, Council may, at their discretion, not enact the Bylaw.

Respectfully submitted,



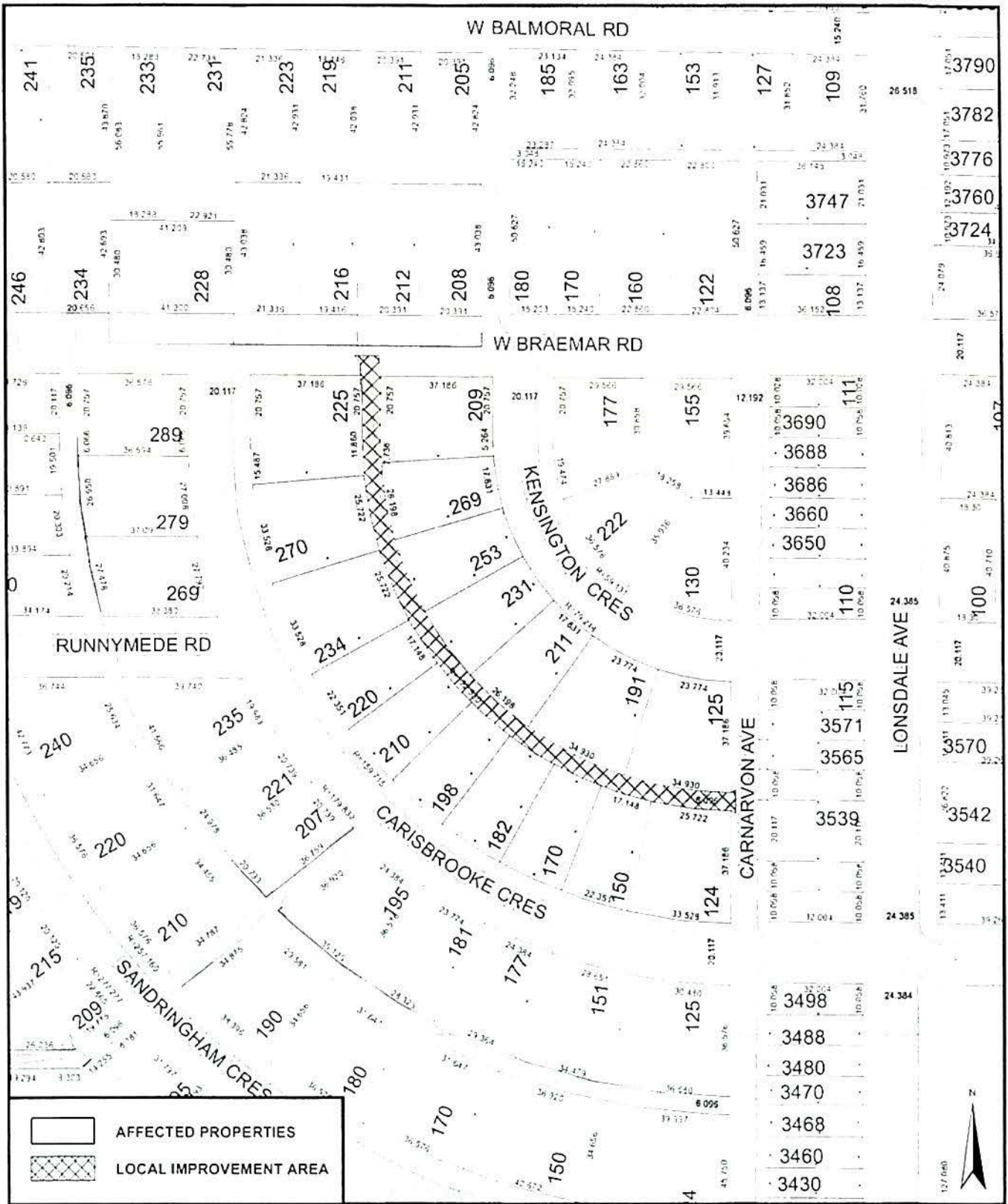
David Desrochers, P. Eng.

Manager Engineering Projects and Development Services

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 _____
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<input type="checkbox"/> Facilities _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Human Resources _____		

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**GIS DEPARTMENT**  
GEOGRAPHIC INFORMATION SYSTEMS  
604.291.2777      [www.geomatica.org](http://www.geomatica.org)      [gis@geomatica.org](mailto:gis@geomatica.org)

**Lane Paving 100/200 blk Kensington  
Between W Braemar and Carnarvon**

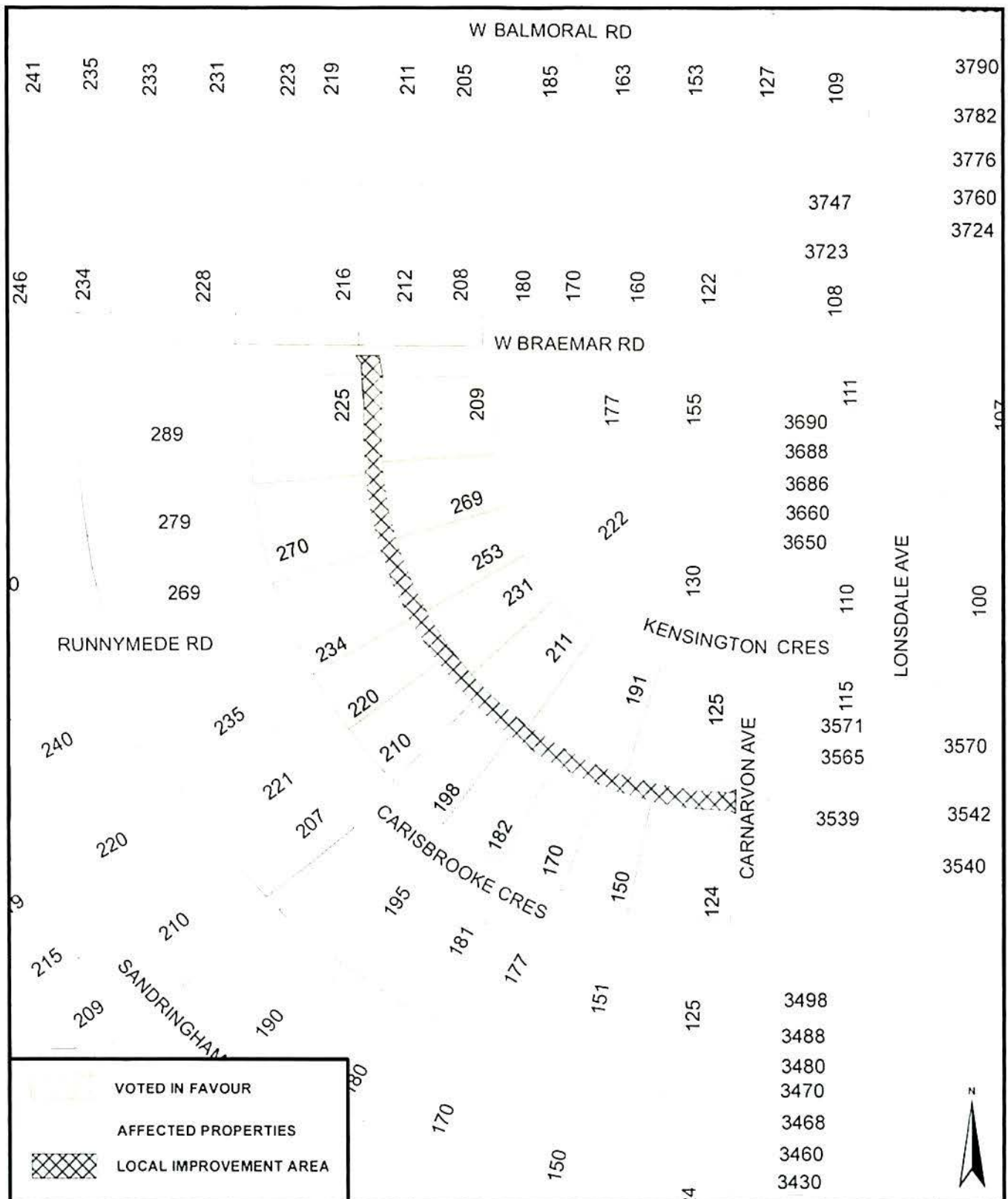
## LOCAL IMPROVEMENT PROJECT

Scale 1:1,750

Published Date: May 7, 2015

LIP #

2015-03



 <b>GIS DEPARTMENT</b> GEOGRAPHIC INFORMATION SYSTEMS <small>604.960.2311 www.cityofkelowna.ca</small>	<b>Lane Paving 100/200 blk Kensington</b> <b>Between W Braemar and Carnarvon</b>	
<small>DISCLAIMER AND TERMS OF USE</small> The City of Kelowna does not warrant the accuracy or completeness of the information contained in this map. The City of Kelowna is not responsible for any errors or omissions in this map. The City of Kelowna is not responsible for any damages or losses resulting from the use of this map. The City of Kelowna is not responsible for any damages or losses resulting from the use of this map.	<b>LOCAL IMPROVEMENT PROJECT</b> Scale 1:1,750 Published Date May 7, 2015	<b>LIP #</b> <b>2015-03</b>



## **The Corporation of the District of North Vancouver**

### **Bylaw 8137**

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 (LIP2015-03: Lane Paving 100/200 Block Kensington Crescent)

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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 100/200 Block Kensington Crescent, south-west of Kensington Crescent and north-east of Carisbrooke Crescent between West Braemar Road and Carnarvon 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, in open meeting assembled, enacts as follows:

#### **1. Citation**

This bylaw may be cited as "Lane Paving – 100/200 Block Kensington Crescent Bylaw 8137, 2015".

#### **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 \$65,000.00 and the portion of the cost to be charged against the parcels in the Local Service Area is estimated to be \$32,500.00 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 415.816 metres and the total taxable frontage is 415.816 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**

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Mayor

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Municipal Clerk

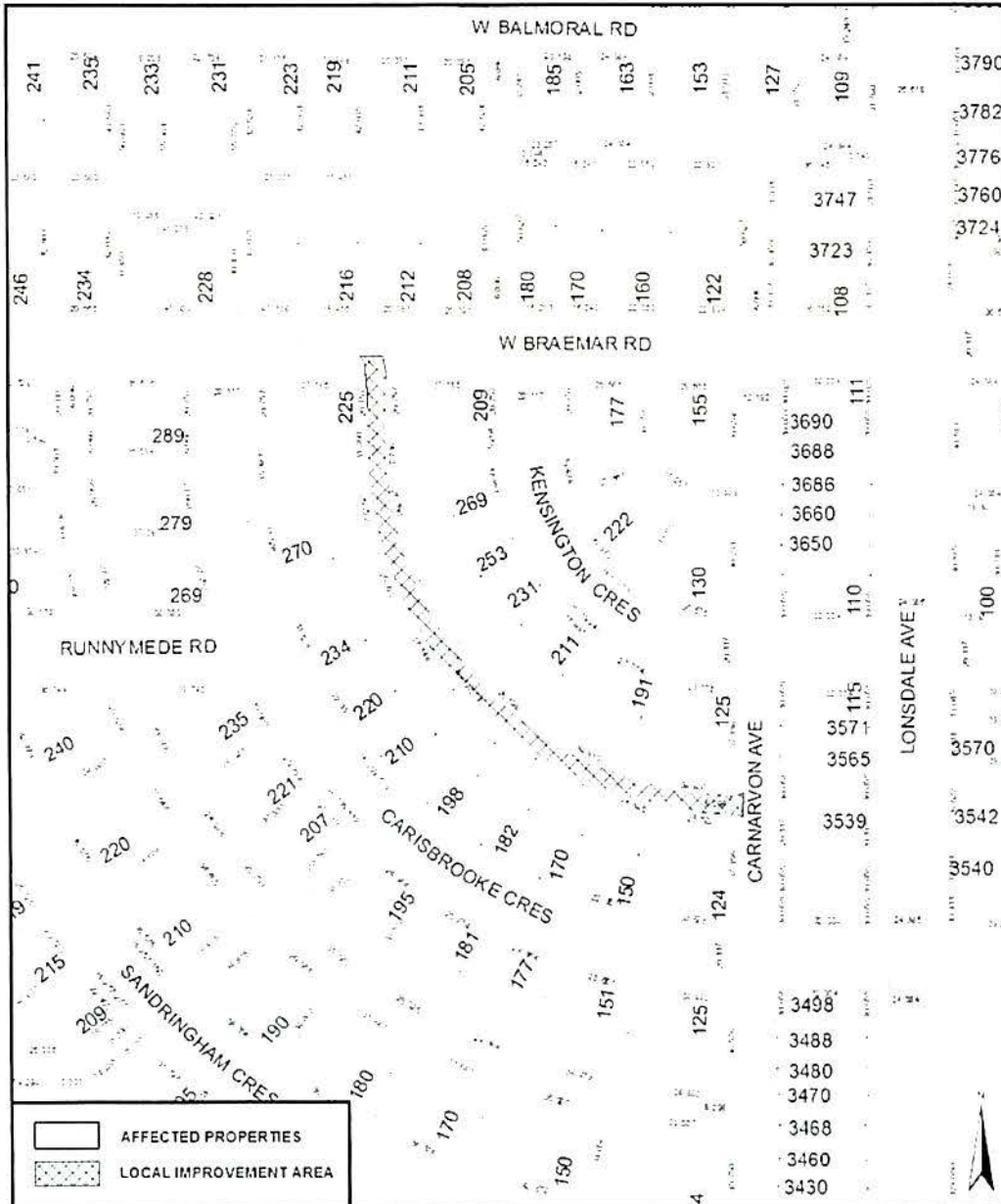
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Municipal Clerk

# Attachment 1 to Bylaw 8137 Local Service Area

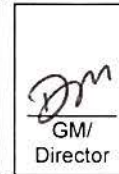
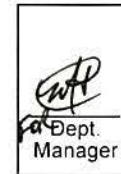
Attachment 1



 <p><b>GIS DEPARTMENT</b> GEOGRAPHIC INFORMATION SYSTEMS MAY 7 2015</p>	<p>Lane Paving 100/200 blk Kensington Between W Braemar and Carnarvon</p>	
<p><small>Information on this map was derived from the following sources: 1. Aerial Photography 2. Street Data 3. Property Data 4. Other Data Sources</small></p>	<p><b>LOCAL IMPROVEMENT PROJECT</b> Scale: 1:1,760 Published Date: May 7, 2015</p>	
		<p>LIP # 2015-03</p>



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>SEPT. 14, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

August 31, 2015  
File: 3060/20/016.15

**AUTHOR:** Kathleen Larsen, Community Planner

**SUBJECT:** 1431 Crown Street – Sons of Vancouver Distillery Ltd – Endorsement to a Liquor Licence Application for a Distillery Lounge Area

### RECOMMENDATION:

**It is recommended that Council pass the following resolution in relation to the requested endorsement to an existing liquor licence:**

“Be it resolved that:

1. The Council recommends the issuance of the distillery lounge endorsement to the liquor licence for Sons of Vancouver Distillery Ltd. for the following reasons:

*The requested distillery lounge endorsement to allow for a small lounge with a capacity of 10 people is supported by District Council as the establishment is located within a primarily industrial area and the zoning permits the accessory use for a maximum of 10 people.*

*This support is provided with the proviso that the permitted closing hours be 12:00am Monday to Sunday.*

2. The Council's comments on the prescribed considerations are as follows:

- (a) The location of the distillery lounge area:

*The location is in an industrial area within the Lynn Creek Town Centre and is suitable for a late evening venue. Public access to the building will be from the front entrance on Crown Street only, thus avoiding the potential for noise and activity in the rear lane. The site has been operating as a tasting room in this location since February 2015 without complaint.*



- (b) The proximity of the distillery lounge area:

*The proposed location is in an industrial area and will not conflict with any nearby social, recreation, or public buildings.*

- (c) The person capacity and hours of the distillery lounge:

*The maximum capacity of 10 people within the distillery lounge area is acceptable provided closing hours are restricted to 12:00am to minimize the potential for noise impacts on the surrounding community.*

- (d) The number and market focus of liquor primary establishments within a reasonable distance of the proposed location:

*There are three liquor primary licences within the general area: "Toby's", "Seymours", and "The Narrows" all of which are public houses and provide food service and a variety of beverages. The proposed distillery lounge endorsement will provide for the first distillery lounge establishment in the area and fill a niche in the community for those wanting a unique and alternative venue.*

- (e) The impact of noise and other impacts on the community if the application is approved:

*As the location is in a primarily industrial area, noise and other impacts on the surrounding community are expected to be minimal. The small venue is expected to appeal to the nearby growing town centre community and provide a unique experience and opportunity for adult socializing. As the site already operates as a tasting room the distillery lounge endorsement is not anticipated to negatively impact the community.*

3. The Council's comments on the views of residents are as follows:

*To address the Provincial requirements staff completed the following notification procedure in accordance with District Public Notification Policy:*

- *A Public Notice sign was placed on the site; and*
- *A notice requesting input on the proposal was delivered to 91 neighbouring property owners and tenants*

*One resident of a home that shares the rear lane-way in the industrial area telephoned with concerns regarding potential noise in the rear laneway at closing time. In response to this concern Council notes that primary access is off the front road not the laneway and Council also suggests a midnight limit on the liquor licence. There were no other responses from the surrounding community."*

**REASON FOR REPORT:**

The Sons of Vancouver Distillery Ltd. have applied to the Liquor Control and Licensing Branch to convert their tasting room into a distillery lounge. The Provincial licensing process is designed to allow local governments to consider the impact of the licence application and provide comments in the form of a resolution.

**SUMMARY:**

Sons of Vancouver Distillery Ltd. recently made application to the Liquor Control and Licensing Branch to allow for an existing tasting room attached to their distillery to be converted into a distillery lounge. A Council resolution for the Liquor Control and Licensing Branch is required as part of this process.

Staff are recommending support for the small 10 person distillery lounge as it will provide for a unique venue in the Lynn Creek Town Centre and the impact on the surrounding area is anticipated to be minimal.



**EXISTING POLICY:**

The Liquor Control and Licensing Branch requires that municipalities consider the potential impacts on a community prior to passing a motion on liquor licensing applications.

To address the Provincial requirements staff completed the following notification procedure in accordance with District Public Notification Policy:

- A Public Notice sign was placed on the site; and
- A notice requesting input on the proposal was delivered to 91 neighbouring property owners and tenants

One telephone call was received from the owner of a home located in the industrial area that shares the rear laneway to the south of the subject site. The neighbour was concerned about potential late night noise in the laneway at closing time. To address this concern the applicant notes the primary entrance to the business will be from Crown Street only and they have adjusted their requested closing time from 1:00am to 12:00am midnight. Staff note the small size of the venue, with a maximum occupancy of 10 persons, will further mitigate this concern.

Should additional public comments be received, they will be provided to Council via agenda addenda prior to Council consideration.



## ANALYSIS:

### Site and Surrounding Area:

The OCP land use designation for the site is Light Industrial / Commercial and enables a mix of industrial, warehouse, office, service, utility and business park type uses.

“Sons of Vancouver Distillery” is located on the south side of Crown Street in an area zoned I3. The I3 zone allows for a variety of uses including light manufacturing. The lounge area is considered as accessory to the principal distillery use.

### Proposal:

Sons of Vancouver Distillery Ltd. have made application to the Liquor Control Licensing Branch for an endorsement to their manufacturer's licence that will allow for a small lounge with an occupancy of 10 people. The proposed lounge area has operated as a public tasting area since the opening of the distillery in February 2015 and is currently open on Saturdays and Sunday from 1:00pm to 7:00pm. The proposed lounge hours are 10:00am to 12:00am Monday to Sunday.

The Distillery currently manufactures three types of spirits: Vodka, Amaretto and Spicy Chili Vodka. A lounge attached to a manufacturer's licence is limited in that 80% of all sales must be from alcohol produced on-site while 20% may be from product purchased from other licences. A variety of hot and cold food must also be available for consumption.

The impact on the surrounding community is expected to be minimal as the location is in a primarily industrial area and will provide a unique venue for adult socializing within a walkable town centre. Access to the lounge will be from Crown Street reducing the potential for late night disturbance in the back laneway area.

The OCP and the Lynn Creek Town Centre implementation plan both support intensifying uses on employment lands and supporting business investment and job growth. The Lynn Creek Industrial Lands Strategy anticipates that the mix of older buildings and smaller lots within the industrial area will add life in the evening to the industrial area and supply a range of eclectic services with the potential to help energize and revitalize the emerging Lynn Creek Town Centre.

The parking demand associated with the proposed distillery lounge is expected to be generally limited to evening hours when the surrounding businesses in the industrial area are closed or operating in a reduced capacity.



**Concurrence:**

District Bylaw Enforcement is supportive of the proposal as the business will be operating a maximum of 10 seats and there have been no previous noise complaints regarding the tasting room.

The RCMP visited the site and spoke with the owners and support the proposal as the proposed lounge is restricted in size and there have been no previous noise complaints in the general area.

The North Shore Liquor Inspector has no opposition to the proposal.

**CONCLUSION:**

The proposed lounge endorsement will permit a new and unique venue in the area that is likely to appeal to the local community. As the business is located in an area that is primarily industrial, the impact on traffic and surrounding neighbours will be minimal.

**OPTIONS:**

1. That Council pass a resolution which supports the requested liquor licence endorsement for a lounge with closing hours restricted to 12:00am Monday to Sunday nights (staff recommendation); or
2. That Council pass a resolution not supporting the liquor license application submitted by Sons of Vancouver Distillery Ltd.



Kathleen Larsen  
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. _____
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<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

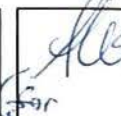
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## AGENDA INFORMATION

- ☐ Regular Meeting Date: \_\_\_\_\_
- ☐ Workshop (open to public) Date: \_\_\_\_\_

  
 Dept.  
Manager

  
 GM/  
Director

  
 CAO

## The District of North Vancouver

### REPORT TO COUNCIL

August 31, 2015

File: 11.5210.01/000.000

**AUTHOR:** Raymond Chan, P.Eng., PTOE, Transportation Planning Technician

**SUBJECT:** Request for Noise Bylaw Variance - Capilano Main No. 9 (Phase 2)  
Construction

#### RECOMMENDATIONS:

1. THAT Council relax the provision of Noise Regulation Bylaw 7188, which regulates construction noise, for Metro Vancouver from September 2015 to April 2016, as follows;
  - a. Extended work hours on Saturdays from 7 am to 8 pm, if required;
  - b. Generators for power and pumps to run 24-7, provided measures are taken to reduce noise to as low as reasonably practical approaching the requirements of the noise regulation bylaw using shrouding or other means to the satisfaction of the Municipal Engineer ;
  - c. Extended work hours beyond 8 pm for emergency situations and to complete concrete pours for the project's three valve chambers;
  - d. Possible use of equipment that exceeds the noise limits such as a hydro vacuum truck, which can reach noise levels of 110 dBA only between the hours of 8am to 5pm Monday to Friday.
2. AND THAT any plans for overnight work related to pipe laying operations on Capilano Road near Eldon Road may be approved to proceed if necessary, at the discretion of the Municipal Engineer.

#### REASON FOR REPORT:

Metro Vancouver has applied for a variance to the District's Noise Regulation Bylaw 7188 to facilitate installation of steel water pipe along Capilano Road between Cleveland Dam and Edgemont Boulevard. While the sound levels resulting from longer working hours seem undesirable to residents, the benefit of this approach would be a shorter overall construction period. District staff support the variance request as proposed by Metro Vancouver in consultation with Community Monitoring and Advisory Committee (CMAC).

#### BACKGROUND:

Metro Vancouver's noise variance request is outlined in a letter from Metro Vancouver to the attention of Mr. Gavin Joyce, dated August 28<sup>th</sup>, 2015 (Attachment #1). Metro Vancouver

**SUBJECT: Request for Noise Bylaw Variance - Capilano Main No. 9 (Phase 2)  
Construction**

August 31, 2015

Page 2

has carried out consultation with CMAC on the noise bylaw variances being requested, as summarized in the memorandum (Attachment #2), prepared by the CMAC facilitator.

The new two-meter diameter steel Capilano Main No. 9 will replace the existing Capilano Main No. 4, which has reached the end of its design life and is seismically vulnerable. The new main will extend along Capilano Road from the new valve chamber in the parking lot at Cleveland Dam to another new valve chamber on Edgemont Boulevard. It will deliver drinking water from the Capilano and Seymour watersheds to residents and businesses on the North Shore and across the region.

The construction work is anticipated to take place from September 2015 to April 2016. During construction, a rolling 200 m construction zone is implemented to provide a feasible operation area and to minimize impact to adjacent residents. The Noise Regulation Bylaw exemption is intended to apply to the work occurring within the 200 m construction zone.

**EXISTING POLICY:**

Noise Regulation Bylaw 7188 defines tolerable levels of construction-related sound. Under the Noise Regulation Bylaw 7188 Council may, by resolution, relax this regulation which prohibits construction noise:

- during the night before 7:00 am and after 8:00 pm;
- on Saturdays before 9:00 am and after 5:00 pm; and
- above sound level (recorded in decibels), as outlined in the Noise Regulation Bylaw.

A variance from this Bylaw can help timely completion of this public utilities project.

**ANALYSIS:**

Metro Vancouver is seeking the following variances to the Noise Regulation Bylaw 7188 in order to facilitate timely completion of the project:

1. Extended work hours on Saturdays from 7 am to 8 pm, if required;
2. Generators for power and pumps to run 24-7;
3. Extended work hours beyond 8 pm for emergency situations and to complete concrete pours for the project's three valve chambers;
4. Night time work hours from 8 pm to 7 am to complete pipe laying operations in the area of Capilano Road near Eldon Road where construction challenges are anticipated. This will only be invoked if Metro Vancouver authorizes and only if residents within the noise-receiving area are advised on the need for and timing of such activity. DNV and CMAC are also to be advised in advance if this work is to take place; and
5. Possible use of equipment that exceeds the noise limits such as a hydro vacuum truck, which can reach noise levels of 110 dBA. This equipment would only be used when required during normal working hours and for short durations, typically to locate existing utilities.

Metro Vancouver intends to monitor construction equipment to ensure compliance with the Noise Regulation Bylaw.



**SUBJECT: Request for Noise Bylaw Variance - Capilano Main No. 9 (Phase 2)  
Construction**

August 31, 2015

Page 3

To provide the community with respite from the construction activities, no work will be carried out by Metro Vancouver on Sundays.

In general, CMAC's feedback is:

- Supportive of the extended work hours from 7 am to 8 pm on Saturdays allowing the project to be completed as soon as possible.
- That shrouding is mandatory for generators, and the noise has to be kept at a level low enough to meet DNV requirements.
- That for emergency situations where works are extended beyond 8 pm, the Contractor shall communicate with all adjacent residents to inform them of the situation prior to undertaking extra work hours, and such requests are to be reported to the DNV.
- Supportive of limited application of hydro vacuum trucks for exposing utilities from 8am to 5 pm Monday to Friday for short durations.
- Generally not supportive of overnight work, but understanding that in the area of Capilano Road near Eldon Road, overnight work may be necessary. CMAC asks the Contractor to plan ahead to try to work during regular hours if possible. If the overnight work is unavoidable, the Contractor is to obtain approval from Metro Vancouver, and to communicate with and advise all adjacent residents as well as DNV and CMAC about need and timing of such activity.

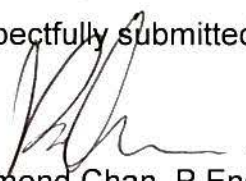
**Timing/Approval Process:**

Approval by Council is required prior to any work requiring noise variance.

**Liability/Risk:**

Limited risk to the District provided that appropriate communication protocols are followed by Metro Vancouver prior to extended work hours.

Respectfully submitted,

  
Raymond Chan, P.Eng., PTOE  
Transportation Planning Technician

**REVIEWED WITH:**

- ☐ Sustainable Community Dev. \_\_\_\_\_
- ☐ Development Services \_\_\_\_\_
- ☐ Utilities \_\_\_\_\_
- ☐ Engineering Operations \_\_\_\_\_
- ☐ Parks & Environment \_\_\_\_\_
- ☐ Economic Development \_\_\_\_\_
- ☐ Human resources \_\_\_\_\_

- ☐ Clerk's Office \_\_\_\_\_
- ☐ Communications \_\_\_\_\_
- ☐ Finance \_\_\_\_\_
- ☐ Fire Services \_\_\_\_\_
- ☐ ITS \_\_\_\_\_
- ☐ Solicitor \_\_\_\_\_
- ☐ GIS \_\_\_\_\_

**External Agencies:**

- ☐ Library Board \_\_\_\_\_
- ☐ NS Health \_\_\_\_\_
- ☐ RCMP \_\_\_\_\_
- ☐ Recreation Com. \_\_\_\_\_
- ☐ Museum & Arch. \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

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**Attachment 1 – Noise Variance Request Prepared by Metro Vancouver**



*Water Services  
Engineering and Construction  
Tel: (604) 432-6045 Fax: (604) 432-6297*

August 28, 2015

File: WA-02-01-11019-50

Mr. Gavin Joyce, P.Eng., General Manager  
Engineering, Parks and Facilities Management Division  
District of North Vancouver  
355 West Queens Road  
North Vancouver, BC V7L 4K1

Dear Mr. Joyce:

**Re: Noise Bylaw Variance Request – Capilano Main No. 9 (Phase 2) Construction**

We are writing to request a noise bylaw variance related to the construction of Capilano Main No. 9 – Phase 2.

**Project Description**

Capilano Main No. 9 will replace the existing Capilano Main No. 4, located on a steep slope west of Capilano Road. The existing main has reached the end of its design life and is seismically vulnerable. The new main will extend from the parking lot at Cleveland Dam, along Capilano Road to Edgemont Boulevard.

Phase 2 consists of approximately 2km of 2100mm diameter steel pipe extending from the newly constructed valve chamber in the Cleveland Dam parking lot to Edgemont Boulevard along Capilano Road.

**Phase 2 Construction**

In general, construction will include the following activities:

- excavation and soil removal;
- pipe trench dewatering and pipe dehumidification;
- concrete chamber construction;
- large diameter pipe fabrication and installation;
- material transport, backfilling and restoration.

It is anticipated that all construction activities for Phase 2 will be undertaken in conformance with the District's noise bylaw. However, there could be unanticipated occurrences which may require a variance to the bylaw including:

- Extended work hours on Saturdays from 7 a.m. to 8 p.m. if required;
- Generators for power and pumps to run 24/7;
- Extended work hours beyond 8 p.m. for emergency situations and to complete concrete pours for the project's three valve chambers.

**SUBJECT: Request for Noise Bylaw Variance - Capilano Main No. 9 (Phase 2) Construction**

August 31, 2015

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District of North Vancouver  
Noise Bylaw Variance Request - Capilano Main No. 9 (Phase 2) Construction  
Page 2 of 2

- Nighttime work hours from 8 p.m. to 7 a.m. to complete pipelaying operations in the area of Capilano Road near Eldon Road where construction challenges are anticipated. This will only be invoked if Metro Vancouver authorizes and only if residents within the noise-receiving area are advised on the need for and timing of such activity. DNV and CMAC are also to be advised in advance if this work is to take place.
- Possible use of equipment that exceeds the noise limit such as a hydro vacuum truck, which can reach noise levels of 110 dBA. This equipment would only be used when required during normal working hours and for short durations, typically to locate existing utilities.

All steps will be taken during construction to maintain noise levels within the noise regulation bylaw. Construction equipment will be monitored to ensure compliance with the bylaw.

Metro Vancouver will provide advance notice to the District of North Vancouver (DNV), area residents and the DNV's Community Monitoring and Advisory Committee should a 7 a.m. start time be granted for work on Saturday's or if an activity is anticipated to deviate from the noise bylaw.

Should you have any questions or concerns, please do not hesitate to contact the undersigned at (604) 451-6134.

Yours truly,



Goran Oljaca, P.Eng.  
Director, Engineering and Construction, Water Services

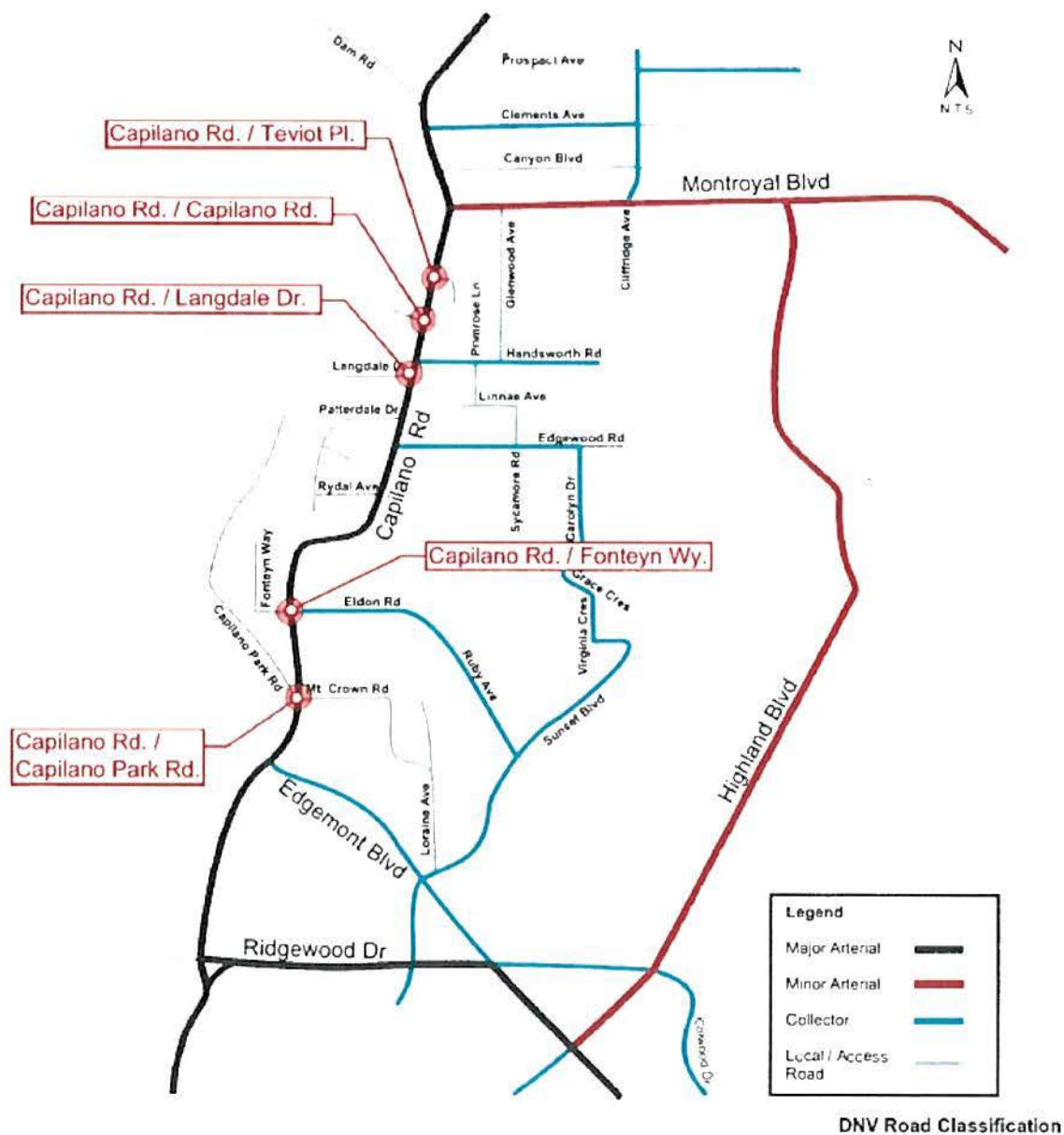
GO/H5/mm/lm

cc: Hein Steunenberg, P.Eng., Division Manager, Water Services, Metro Vancouver  
Mark MacConnell, P.Eng., Senior Project Engineer, Water Services, Metro Vancouver  
Vanessa Anthony, Program Manager, Public Involvement, Metro Vancouver  
Alicia Williams, Communication and Education Coordinator, Public Involvement, Metro Vancouver  
Steve Billington, Communications Officer, Public Involvement, Metro Vancouver  
Raymond Penner, Community Monitoring and Advisory Committee, Facilitator

Enclosures: Map of Capilano Water Main Project Construction and Detour Routes  
Capilano Main No.9 - Preliminary Schedule Rev 2

11773567

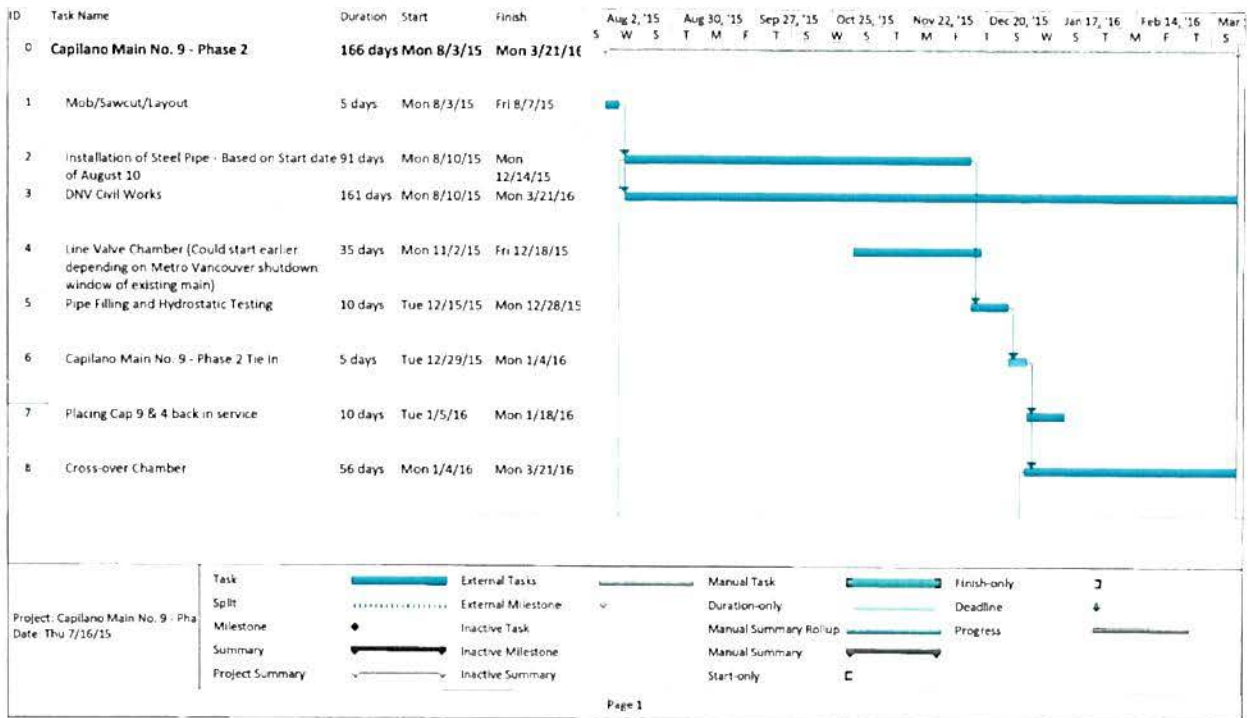
## CAPILANO RD. INTERSECTIONS AFFECTED BY CONSTRUCTION



# SUBJECT: Request for Noise Bylaw Variance - Capilano Main No. 9 (Phase 2) Construction

August 31, 2015

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**Attachment 2 – Memorandum Prepared by  
Community Monitoring and Advisory Committee**

**M E M O R A N D U M**

**To: Raymond Chan, District of North Vancouver**  
**From: Raymond Penner**  
**the Strategic Action Group (CMAC Facilitator)**  
**Subject: CMAC input re Capilano Water Main Project Noise Bylaw Variance**  
**Date: August 27, 2015**  
**CC: Steve Ono, Tegan Smith (District of North Vancouver), Goran Oljaca, Hein**  
**Steunenberg (Metro Vancouver)**  
**CMAC members**  
**CMAC Guests**

---

Please accept this memo with regard to CMAC's perspective on Metro Vancouver's request for support in their pending application to the District of North Vancouver for a Bylaw Variance for the Capilano Water Main Project. An extensive consultation process lasted more than a year as key project features and impacts were examined and presented to CMAC, DNV Council at Committee of the Whole meetings, MV sponsored community meetings, presentations at Community Association meetings and small group targeted residents meetings.

***The underlying principle was accepted by DNV Council, CMAC, Metro Vancouver and community members was that there would be unavoidable community impacts as a result of this project but that construction opportunities and activities must be balanced with minimizing and mitigating those community impacts within reasonable cost parameters.***

Key community issues/approaches developed during the consultation process included:

- The rolling 200m construction zone was deemed to provide a feasible operational area and condensed the impact area for residents along Capilano and adjacent roads.
- 24/7 construction operations were not contemplated because of the need to provide community respite from construction activity/noise/dislocation.
- Concurrent working from both ends of the pipeline was assessed, evaluated and rejected as the potential benefit did not merit the significantly increased community impact generated from extending the length of road closure and adding increased construction traffic in the residential community.
- Using a Saturday work day was deemed beneficial to shorten construction period.
- Providing a rest day on Sunday was deemed a vital respite day for the community.
- Maintaining single lane through-road access outside the daily construction period was deemed beneficial to the community and the commercial businesses.
- Small group meetings established the special requirements for residents on Capilano Road and adjacent roads accessed solely from Capilano Road
- Communications protocol and linkages were established with DNV Fire Department, RCMP, health care providers and other key organizations.

Metro Vancouver has informed CMAC that the contractor is applying to DNV Council for a Noise Bylaw Variance. Following are the areas where variances are being sought and CMAC's response to these items.

**SUBJECT: Request for Noise Bylaw Variance - Capilano Main No. 9 (Phase 2)  
Construction**

August 31, 2015

Page 9

**Noise Bylaw Variances being requested**

1. Extended work hours on Saturdays from 7 am to 8 pm, if required

***CMAC comments re this item***

- In general, CMAC and guests are supportive of the work conditions allowing the project to be completed in as short a time as possible. CMAC supports this need for the purpose of actually laying one section of pipe per day and allowing the site to be left in a safe state for opening the road following work hours. CMAC encourages this provision to be used with respect to completing the project as quickly as possible. Also, it will be important to communicate to the nearby residents when any such extended working hours will be taking place.

2. Generators for power and pumps to run 24-7

***CMAC comments re this item***

- CMAC was also informed that generators for power and pumps will be required to run 24-7 to dewater the trench. CMAC suggests that rather than shrouding being placed around the generators and pumps to reduce noise at the contractor's discretion, that shrouding is mandatory and that the sound levels with such shrouding are kept at a level low enough to not cause disruption to adjacent residents and to meet the decibel levels set by DNV. CMAC also asks that the Contractor be encouraged to work with residents to negotiate the use of household power rather than utilize fuel-powered generators.

3. Extended work hours beyond 8 pm, if required

***CMAC comments re this item***

- CMAC understands that emergency situations may arise that require extended hours. However there is no support for a "blank cheque" approach for the Contractor to utilize any such extensions for the purpose of speeding up the project. Should such an emergency arise, unless this is of less than ½ hour, it is imperative that the Contractor communicate with all the adjacent residents to inform them of the situation and anticipated extension prior to undertaking extra work hours. Any extensions beyond 8 pm and the emergency reason for those must be reported to DNV to ensure that there is oversight on this should this request be granted. The principle of balancing construction opportunities with minimizing and mitigating community impacts must be maintained.

4. Overnight work (8 pm – 7 am) where the pipe passes roads intersecting with Capilano Road, if required.

***CMAC comments re this item***

- In general terms, CMAC is not supportive of overnight work on this project. However CMAC has been informed that there is one intersection at Eldon and Capilano where the construction challenges may require overnight work to address access and safety issues. CMAC asks that the Contractor be encouraged to plan the work, if at all possible, so that this overnight work is not required. In the event that overnight work at this location is unavoidable, it is imperative that prior communication take place with all residents within the noise-receiving area to advise them of the need for and timing of such activity as well as to advise DNV and CMAC that this work will be taking place. The Contractor's communication must happen as soon as the Contractor is aware that such a situation is unavoidable.

5. Possible use of equipment that exceeds noise bylaw limits. To be used only during regular work hours when required.

***CMAC comments re this item***

- CMAC supports this request with limited application of vacuum trucks for exposing utility services between 8 am and 5 pm, Monday to Friday.

**SUBJECT: Request for Noise Bylaw Variance - Capilano Main No. 9 (Phase 2)  
Construction**

August 31, 2015

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CMAC appreciates the continued effort that Metro has made to find ways to undertake this significant project in ways that have avoided, minimized and mitigated, to the extent possible, the disruptions to the community. CMAC also appreciates the value that District Council and staff place on the perspective provided by CMAC in these matters.

Sincerely



Raymond Penner  
Facilitator, DNV Community Monitoring and Advisory Committee

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>September 14, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

August 7, 2015

File: 01.0115.30/002.000

**AUTHOR:** James Gordon, Municipal Clerk

**SUBJECT:** Amendment to Council Meeting Schedule

### RECOMMENDATION:

THAT the 2015 Council Meeting Schedule be amended to reflect the holding of both regular council meetings and Committees of the Whole on September 28, October 5, 19 and 26, November 2, 9, 16, and 23, and December 7, 14 and 21.

### REASON FOR REPORT:

The reason for this report is to seek a Council resolution to amend the 2015 Council Meeting Schedule.

### BACKGROUND:

In July Council agreed to experiment with a new meeting schedule on a trial basis for the remainder of 2015. This new schedule would see Council meet on the first four Mondays of each month in Committee of the Whole at 6 pm and in regular session at 7 pm. To do so would require an amendment to the established meeting schedule for 2015.

The reason for this new schedule is to alleviate long gaps that frequently occur between certain types of meetings under the current meeting schedule. Currently, Council meets in regular session on the first and third Mondays of each month and in Committee of the Whole on the second and fourth Mondays. Various issues, such as statutory holidays, spring break or conventions, cause meetings to be cancelled resulting in a minimum delay of two weeks until the next meeting. As these subsequent agendas fill up, potential delays of four to six weeks may occur. The proposed new meeting schedule will allow for each type of meeting to occur every Monday thereby allowing for greater flexibility in the scheduling and rescheduling of agenda topics. This should aid Council's efficiency and timeliness in addressing District business.

The proposed new meeting schedule is attached as Attachment 1. The current meeting schedule, for comparison purposes, is attached as Attachment 2.

**CONCLUSION:**

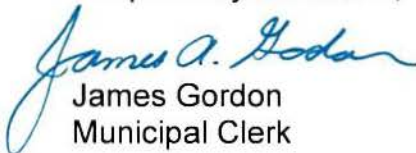
Staff recommends that the 2015 Council Meeting Schedule be amended to give effect to this direction from Council.

**OPTIONS:**

The following options are available to Council with respect to this matter:

1. Amend the 2015 Council Meeting Schedule to reflect the holding of both regular council meetings and Committees of the Whole on September 28, October 5, 19 and 26, November 2, 9, 16, and 23, and December 7, 14 and 21;
2. Council may select a different combination of meetings types and dates with which to amend the 2015 Council Meeting Schedule; or,
3. Leave the 2015 Council Meeting Schedule as is and meet as previously resolved.

Respectfully submitted,

  
James Gordon  
Municipal Clerk

Attachments:        1. Proposed Meeting Schedule  
                             2. Current Meeting 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 _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Environment _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Human Resources _____		




# District of North Vancouver Council Schedule - 2015

 Regular

 Committee of the Whole

 Committee of the Whole followed by Regular

 Regular followed by Committee of the Whole

 Statutory Holiday

 FCM & UBCM

All meetings will be held at the District of North Vancouver Municipal Hall

Note that on January 12 the Regular Council Meeting starts at 6 pm and the Committee of the Whole starts at 7 pm.

Note that on March 30 the Committee of the Whole meeting starts at 5 pm and the Regular Council meeting starts at 7 pm.

As of September 28, the Committee of the Whole meetings start at 6 pm and the Regular Council meetings start at 7 pm.

January 2015

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February 2015

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March 2015

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April 2015

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May 2015

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June 2015

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July 2015

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August 2015

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September 2015

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November 2015

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## District of North Vancouver Council Schedule - 2015

- Regular
- Statutory Holidays
- Committee of the Whole
- FCM & UBCM

All meetings will be held at the District of North Vancouver Municipal Hall and will start at 7:00 pm unless otherwise indicated.

Note that on January 12 the Regular Council Meeting starts at 6 pm and the Committee of the Whole starts at 7 pm.

Note that on March 30 the Committee of the Whole meeting starts at 5 pm and the Regular Council meeting starts at 7 pm.

January 2015

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February 2015

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March 2015

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April 2015

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May 2015

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June 2015

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July 2015

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August 2015

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September 2015

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October 2015

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November 2015

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December 2015

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