

AGENDA

REGULAR MEETING OF COUNCIL

Monday, September 28, 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



NORTH VANCOUVER
DISTRICT

www.dnv.org

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REGULAR MEETING OF COUNCIL

7:00 p.m.
Monday, September 28, 2015
Council Chamber, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

BROADCAST OF MEETING

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

CLOSED PUBLIC HEARING ITEMS NOT AVAILABLE FOR DISCUSSION

- Bylaw 7984 – Rezoning 3568 Mt. Seymour Parkway
- Bylaw 8101 – Rezoning 1241-1289 East 27th Street (Mountain Court)
- Bylaw 8103 – Rezoning 1203 & 1207 Harold Road
- Bylaw 8122 – Rezoning 3260 Edgemont Boulevard
- Bylaw 8126 – Rezoning 3730 Edgemont Boulevard
- Bylaw 8135 – Rezoning 2991 Fromme Road
- Bylaw 8124 – Rezoning Burr Place

1. ADOPTION OF THE AGENDA

1.1. September 28, 2015 Regular Meeting Agenda

Recommendation:

THAT the agenda for the September 28, 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 Keep Well Society Week – October 5 – 9, 2015

p. 9

4. RECOGNITIONS

5. DELEGATIONS

5.1. Ms. Barbara Frisken, North Shore Streamkeepers Society Re: North Shore Streamkeepers Society

p. 13-19

6. **ADOPTION OF MINUTES**
7. **RELEASE OF CLOSED MEETING DECISIONS**
8. **COMMITTEE OF THE WHOLE REPORT**
9. **REPORTS FROM COUNCIL OR STAFF**

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

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

*Staff suggestion for consent agenda.

Recommendation:

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

- 9.1. Development Variance Permit 20.15 – 880 Calverhall Street** **p. 23-32**
File No. 08.3060.20/020.15

Recommendation:

THAT Development Variance Permit 20.15, to allow for a rear yard coach house on the property at 880 Calverhall Street, is ISSUED.

- 9.2. Bylaw 8135: 2975 and 2991 Fromme Road** **p. 33-49**
File No. 08.3060.20/007.15

Recommendation:

THAT “The District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)” is given SECOND and THIRD Readings.

THAT “The District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)” is ADOPTED.

- * **9.3. Bylaw 8128: Sign Bylaw Amendments to Regulate Real Estate Marketing And Construction Site Signage** **p. 51-70**
File No. 09.3900.20/000.000

Recommendation:

THAT “Sign Bylaw 7532, 2005, Amending Bylaw 8128, 2015 (Amendment 5)” is ADOPTED.

- 9.4. Bylaw 8130: 2016-2019 Taxation Exemptions by Council Bylaw** **p. 71-104**
File No. 05.1930/2015

Recommendation:

THAT “2016-2019 Taxation Exemptions by Council Bylaw 8130, 2015” is given FIRST, SECOND and THIRD Readings;

THAT the Mayor and Clerk be authorized to execute the Conditions of Exemptions Agreement arranged with the Capilano Tennis Club;

AND THAT Prior to considering adoption of Bylaw 8130, the Clerk is directed to provide public notice in accordance with Section 227 of the *Community Charter*.

- 9.5. Bylaw 8131: 2016-2019 Taxation Exemption Bylaw for Places of Public Worship** **p. 105-116**
File No. 05.1930/2015

Recommendation:

THAT “2016-2019 Taxation Exemptions for Places of Public Worship, Bylaw 8131, 2015” is given FIRST, SECOND and THIRD Readings.

- 9.6. Bylaw 8132: Permissive Tax Exemption, North Vancouver Museum & Archives** **p. 117-120**
File No. 05.1940

Recommendation:

THAT “2016-2019 Taxation Exemption for North Vancouver Museum and Archives Warehouse Facility Bylaw 8132, 2015” is given FIRST, SECOND and THIRD Readings;

AND THAT the Clerk is directed to provide notice in accordance with s. 227 of the *Community Charter* prior to adoption.

- 9.7. Engagement Strategy for the Delbrook Lands – 600 West Queens Road** **p. 121-126**
File No. 13.6680.20/005.000

Recommendation:

THAT staff be directed to proceed with an engagement strategy for the Delbrook lands, as outlined in the September 18, 2015 report of the Policy Planner entitled Engagement Strategy for the Delbrook Lands – 600 West Queens Road.

- 9.8. 1520 Barrow Street Release of Storm Sewer Security Deposit** **p. 127-130**
File No. 08.3060.20/006.12

Recommendation:

THAT staff be instructed to release the security deposit and restrictive covenant on title to secure the commitments entered into regarding the alternate storm water management system installed by the owners of the property;

AND THAT staff be instructed to have the owners register a new restrictive covenant on title to secure the commitments entered into regarding the alternate storm water management system but without a security deposit.

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 28, 2015 Regular Meeting of Council for the District of North Vancouver be adjourned.

PROCLAMATIONS

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PROCLAMATION

“North Shore Keep Well Society Week” (October 5 – 9, 2015)

- WHEREAS:** Since 1987, the North Shore Keep Well Society has been instrumental in keeping seniors out of hospitals and living healthier and independent lives longer; and
- WHEREAS:** Today, more than 500 seniors aged 60 – 97 attend weekly Keep Well classes at seven sites, from Deep Cove to Gleneagles to exercise in order to increase strength, balance and stamina, have blood pressure checks, hand and foot massage, health and nutrition information, social interaction; and
- WHEREAS:** Many seniors are still at risk of isolation and could benefit greatly from the North Shore Keep Well Society as it is widely acknowledged that physical and mental fitness contribute significantly to continuing good health and that people who have friends and support in the community stay healthier and live longer.
- NOW THEREFORE I,** Richard Walton, Mayor of the District of North Vancouver, do hereby proclaim **October 5 – 9, 2015** as **“North Shore Keep Well Society Week”** in the District of North Vancouver.

Richard Walton
MAYOR

Dated at North Vancouver, BC
This 28th day of September 2015

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DELEGATIONS

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Delegation to Council Request Form

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

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

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

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

Name of group wishing to appear before Council: North Shore Streamkeepers Society

Title of Presentation: North Shore Streamkeepers Society

Name of person(s) to make presentation: Barbara Frisken

Purpose of Presentation:

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

Please describe:

Attach separate sheet if additional space is required

Contact person (if different than above): _____

Daytime telephone number: 778-782-5767

Email address: barbara.frisken@gmail.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 two 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.

Barbara Frisken

Name of Delegate or Representative of Group

April 2 2015

Date

Signature

For Office Use Only

Approved by:

Municipal Clerk

Deputy Municipal Clerk

✓

Appearance date:

Receipt emailed on:

Sept 28, 2015.
July 20, 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 604-950-2207 or at 355 W. Queens Road, North Vancouver.



North Shore Streamkeepers Society

Active since 1993
www.nssk.ca

Presentation to
North Vancouver District Council
September 28 2015

Who we are

Community members, neighbours, friends, trained to monitor streams

A member of the Pacific Streamkeepers Federation, which includes 300 groups in working in BC to protect salmon and their habitat

A partner with other North Shore groups such as Friends of Hunter Park, North Shore Fish and Game Club, Morten Creek Salmon Enhancement Project, and Seymour Salmonid Society as well as government agencies such as the City and District of North Vancouver, and the DFO



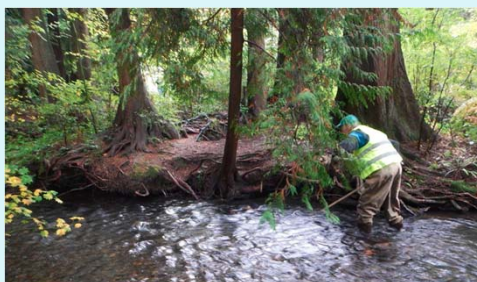
What we do - monitor fish populations



Bob placing a fry trap on Hastings Creek



Measuring the size of a cutthroat trout

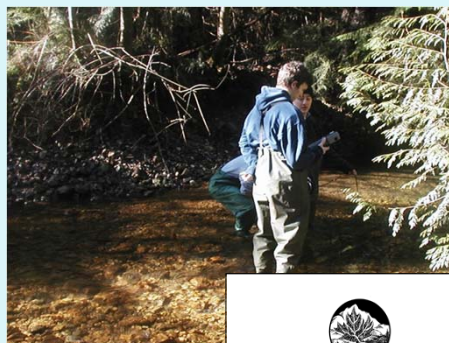


Doug checking for spawning coho under the bank at Hastings Creek

Monitor stream health



Doug cleaning the fish ladder on Hastings Creek at Hoskins Rd.



Students helping with Mackay Creek Water Quality Monitoring Project



North Shore Streamkeepers
Final Report
Water Quality and Watershed
Health of Mackay Creek, 2007-
2009 Study

March 31, 2009

Restore streamside habitat

With community partners

Remove invasive species and plant natives



Hunter and Heywood Parks



Raise awareness about fish in our creeks

Morten Creek Salmonid Enhancement Project and North Shore Fish and Game Club raise and release salmon fry



Adding milt to the chum eggs in the bucket



Chum fry emerging at Morten Creek SEP

Photo credit: Jordan Manley



Chum Fry release, MacKay Creek, March 2015

Raise awareness about fish in our creeks

Organize and participate in community events



Janet helping with bug identification at Lynn Valley Days



ZoAnn explaining salmon lifecycles at the Coho Festival

Community art with kids

Generated through art and science workshops offered to local schools



Documentary film

Coho Festival
Banner Project



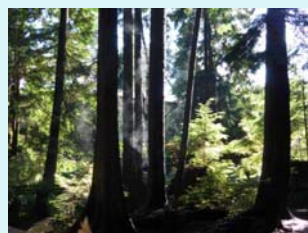
Heywood Park
North Shore Fish and Game Club Hatchery

Contribute to planning and decision making



Brian, Julie, Ron and Angela at City and District Integrated Storm Water Management Planning Meeting

- Official Community Plans
- Integrated Stormwater Management Plans (ISMP)
- Hastings Creek Watershed Plan
- Parks Master Plans
- Municipal infrastructure development
- Bylaw development and review
- Metro Vancouver consultations
- Port Metro Vancouver focus groups



Healthy streams need

- Protection of riparian habitat – for shade and bank stability
- Clean water – to keep fish and invertebrates healthy
- Tree cover – to manage stormwater and keep water cool

Council can help

- Develop and enforce appropriate standards for construction
- Protect the urban tree canopy, particularly large trees
- Prevent further loss of pervious surfaces

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REPORTS

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AGENDA INFORMATION

☒ Regular MeetingDate: Sept 28, 2015☐ Workshop (open to public)

Date: _____


Dept.
Manager
Director
CAO

The District of North Vancouver

REPORT TO COUNCIL

September 9, 2015

File: 08.3060.20/0020.15

Tracking Number: RCA -

AUTHOR: Kathleen Larsen, Community Planner**SUBJECT:** Development Variance Permit 20.15 – 880 Calverhall Street**RECOMMENDATION:**

It is recommended that:

Development Variance Permit 20.15 (Attachment A) be issued to allow for a rear yard coach house on the property at 880 Calverhall Street.

REASON FOR REPORT: The project requires Council's approval of a Development Variance Permit to allow a secondary suite outside of the main dwelling.

SUMMARY:

The owners have applied for a Development Variance Permit to allow for an existing detached garage to be converted into a coach house in the rear yard of their property.

The proposal requires a variance to allow the location of a secondary suite outside of the main single-family dwelling. The proposal addresses the Coach House Design Guidelines.



BACKGROUND:

The existing detached garage on the site was constructed with a permit but has been used in the past as a non-complying detached secondary suite. New owners who purchased the property in 2014 now wish to formally convert the garage into a legal and conforming coach house.

ANALYSIS:

Purpose: To allow for a coach house with an adjacent parking pad in the rear yard of the subject property.

Site and Surrounding Area: The site and surrounding lots are zoned Residential Single-Family Keith Lynn (RSKL) as shown in the following context map and air photo. Vehicle access to the existing house is provided from Calverhall Street. Vehicle access to the coach house is proposed to be provided from an open laneway to the north of the property.



Context Map



Air Photo

Proposed Variances: The proposal for the garage conversion requires the following variance:

Regulation	Required/ Permitted	Proposed New Work
Location of Secondary Suite	In main dwelling	Rear yard

Discussion:

The applicant is proposing to convert an existing 37.9m² (408 sq ft) garage structure into a coach house. Parking for the coach house is proposed to be on a parking pad accessed from the rear lane. Vehicle access and two parking stalls for the existing main dwelling will remain from Calverhall Street.

The applicant is proposing renovations to the existing garage structure that include the removal of the garage doors and the addition of windows. A parking pad for a single vehicle is proposed adjacent to the coach house. New landscaping along the laneway and cedar fencing is intended to both soften the appearance of the coach house from the laneway and provide privacy for an outdoor space intended for the use of the coach house tenants.



View of Existing Garage Structure from Lane



View of Proposed Coach House from Lane

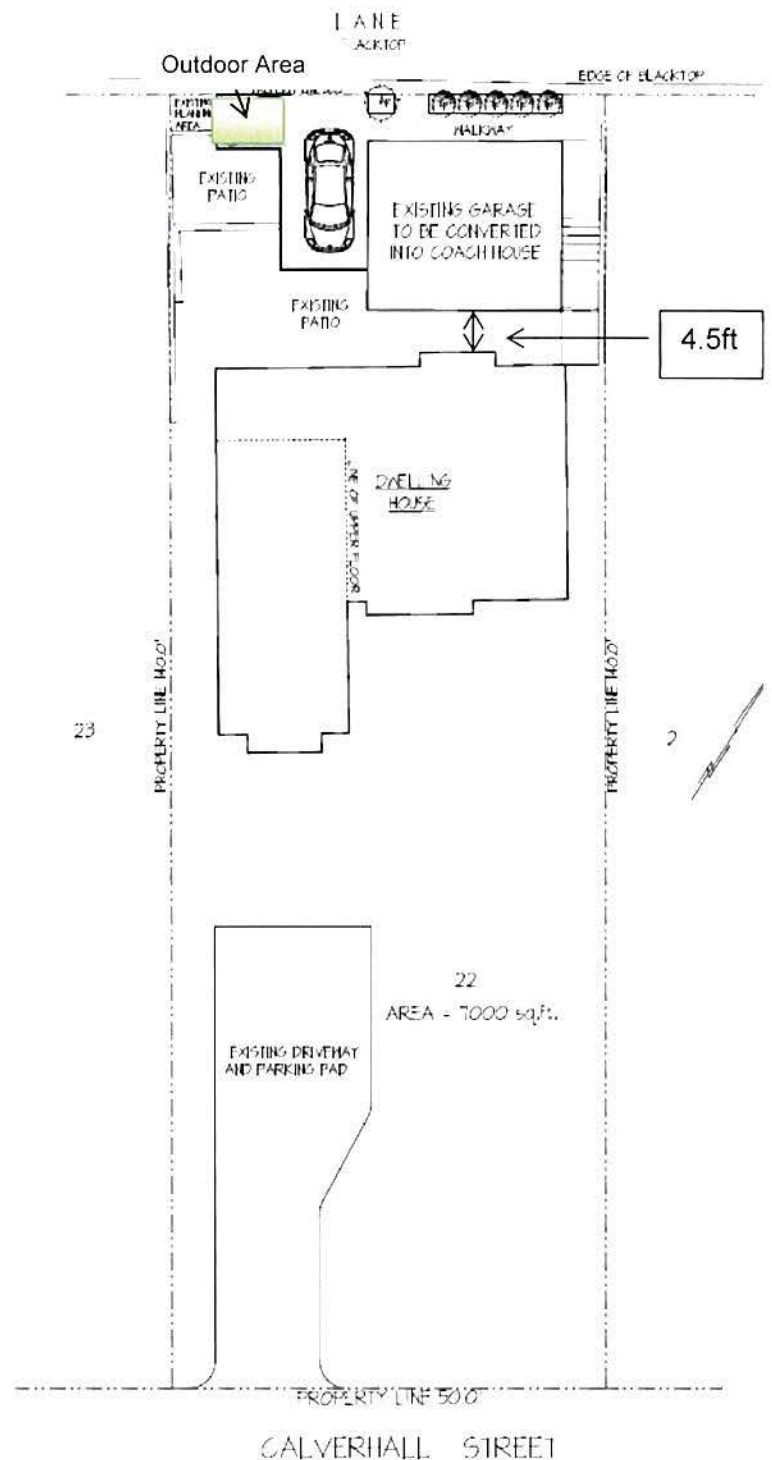
Building Separation:

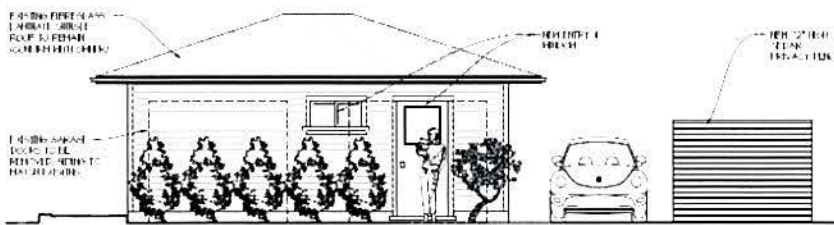
The Coach House Design Guidelines stipulate a minimum building separation of 6.07m (20 ft) between a coach house and principal dwelling.

This guideline is intended to address redevelopment proposals of a site with two new dwellings. In this case the existing house on the lot is sited towards the rear of the property approximately 1.37m (4.5 ft) from the existing structure to be converted to a coach house.

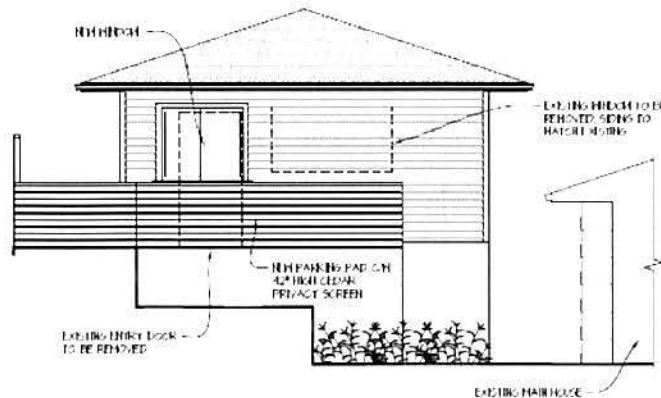
As illustrated in the adjacent site plan and the elevations on the following page, the coach house is at the rear of the property and from the laneway will appear as a one storey structure. All living space in the coach house will be at the main level with a crawl space storage area below. Both the parking pad and outdoor patio area for the coach house will be elevated above the rear yard of the main house.

This site layout will provide a natural separation between the two dwellings and a sense of privacy to each outdoor space.

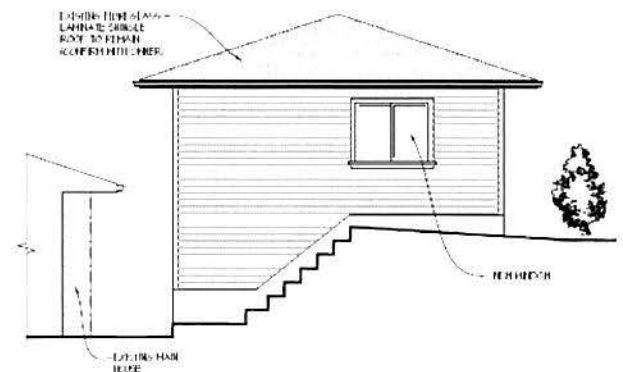




North (lane) Elevation



West Elevation



East Elevation

Coach House Design Guidelines

The proposal has been reviewed by staff and addresses the Design Guidelines for coach house development variance permit applications as follows:

- The proposed lot is 15.24m (50 ft) in width with open rear lane access and the combined floorspace of the single-family dwelling on the lot and the coach house does not exceed the maximum permitted floorspace for the property.
- In keeping with the coach house Design Guidelines cedar fencing and a 4.5m² (48 sq ft) private outdoor area is proposed to provide outdoor living space for the coach house. A mixture of landscaping along the rear lot line adjacent to the lane and the parking pad is intended to soften the impact on the laneway.
- The one storey coach house unit will provide a flexible alternative to allow for aging in place for the current or future needs of both tenants and residents of the property.
- To ensure there are no further suites on the property a Section 219 Covenant to prohibit a secondary suite within the main dwelling is required as a condition of the attached Development Variance Permit 20.15.

Notification:

An information letter was sent out to nine adjacent neighbours and the Keith Lynn Community Association to inform them of the application. No responses have been received. Staff will report on any additional input prior to council consideration.

Conclusion:

The proposed coach house conversion requires a variance to the Zoning Bylaw to allow for a secondary suite to be located outside of the main dwelling on the lot. The variance to allow formal (legal) conversion of the garage into a coach house is supportable as the applicant has addressed the applicable design criteria for a coach house development.

OPTIONS:

The following options are available for Council's consideration:

1. Issue Development Variance Permit 20.15 (Attachment A) to allow for the construction of a coach house in the rear yard of the property at 880 Calverhall Street (staff recommendation); or
2. Deny Development Variance Permit 20.15.



Kathleen Larsen
Community Planner

Attachment
A – DVP 20.15

REVIEWED WITH: <input type="checkbox"/> Sustainable Community Development <input type="checkbox"/> Development Services <input type="checkbox"/> Utilities <input type="checkbox"/> Engineering Operations <input type="checkbox"/> Parks & Environment <input type="checkbox"/> Economic Development	REVIEWED WITH: <input type="checkbox"/> Clerk's Office <input type="checkbox"/> Corporate Services <input type="checkbox"/> Communications <input type="checkbox"/> Finance <input type="checkbox"/> Fire Services <input type="checkbox"/> Human resources <input type="checkbox"/> ITS <input type="checkbox"/> Solicitor <input type="checkbox"/> GIS	REVIEWED WITH: External Agencies: <input type="checkbox"/> Library Board <input type="checkbox"/> NS Health <input type="checkbox"/> RCMP <input type="checkbox"/> Recreation Commission <input type="checkbox"/> Other: _____	REVIEWED WITH: Advisory Committees: <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____
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THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER**DEVELOPMENT VARIANCE PERMIT NUMBER 20.15**

This Development Variance Permit 20.15 is hereby issued by the Council for The Corporation of the District of North Vancouver to Cara-Anne Storey and Randy Storey to allow for the development of a coach house on the property legally described as Lot 22, Block 22, District Lot 553, Plan 2406, (PID: 013-791-486) subject to the following terms and conditions:

A. The following Zoning Bylaw regulations are varied under Section 922(1)(b) of the Local Government Act:

1. Section 502.3 in the Zoning bylaw is varied to permit a secondary suite to be located outside the single-family residential on the subject property as shown on the attached drawings;
2. The above variance is granted subject to registration of a Section 219 Covenant registered on the property in favour of the District in priority of all financial charges to ensure the coach house building contains the only secondary suite on the property;
3. The variance shall apply only to the building construction as illustrated on the attached drawings (DVP 20.15 A-C).

B. The following requirement is imposed under Subsection 926(1) of the Local Government Act:

1. Substantial construction as determined by the Manager of Permits and Licenses shall commence within two years of the date of this permit or the permit shall lapse.

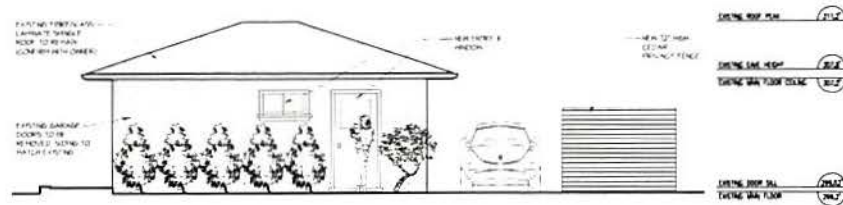
Mayor

Municipal Clerk

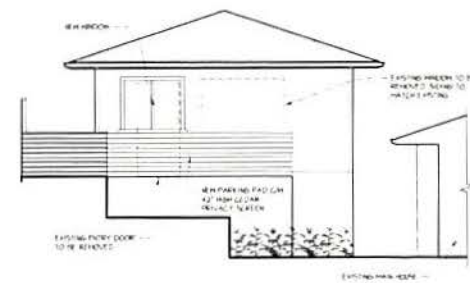
Dated this the day of 2015.



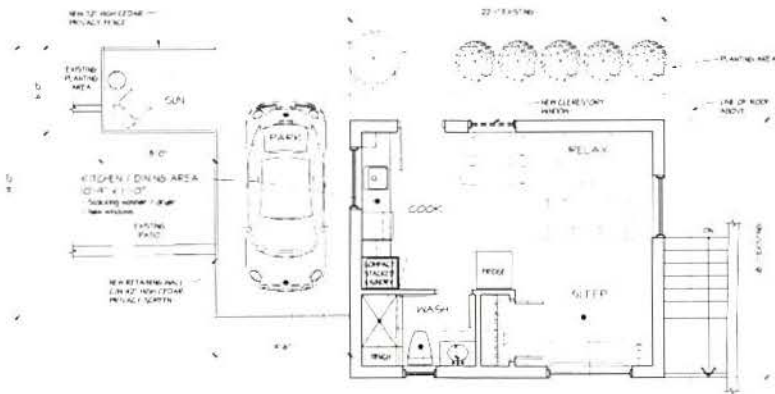
View of Proposed Coach House from Lane



FRONT ELEVATION



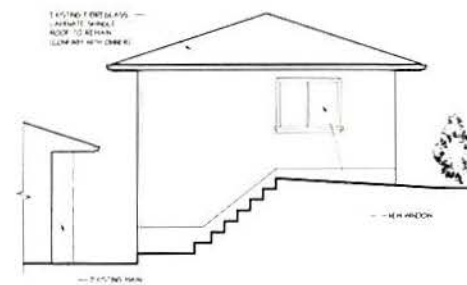
RIGHT ELEVATION



MAIN FLOOR



REAR ELEVATION



LEFT ELEVATION

STUDIO 1000 ARCHITECTS
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REVISIONS	BY
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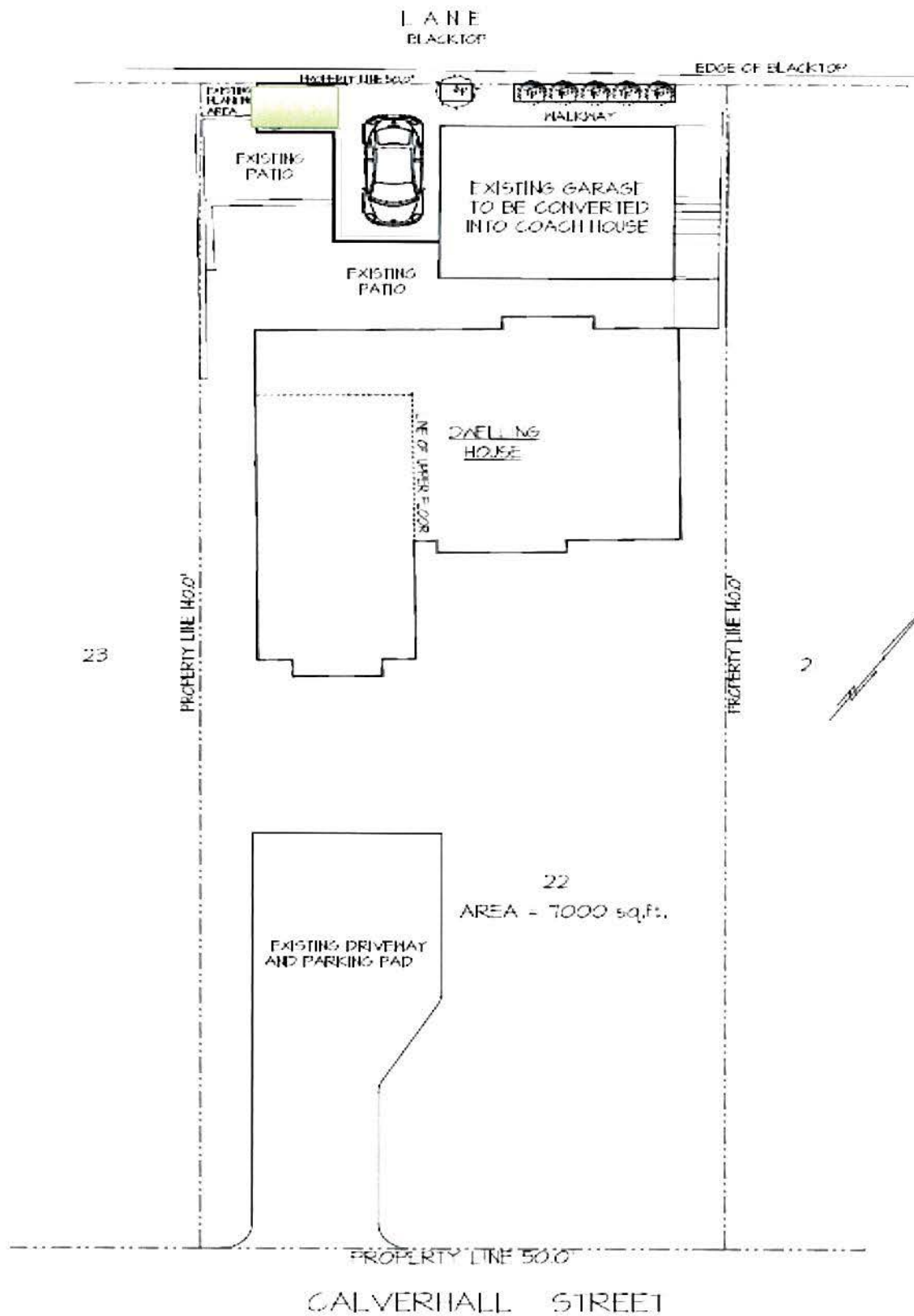


STOREY COACH HOUSE
880 Calverhall Street
North Vancouver, BC

Drawing No.
FLOOR PLAN + ELEVATIONS

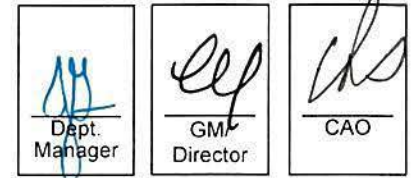
Date	8.14.2015
Scale	1/4" = 1'-0"
Drawn	VJP
Job No.	15029
Sheet	PD-2
3	2

ATTACHMENT DVP 20.15B



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Sept 28, 2015</u>
<input type="checkbox"/> Workshop (open to public)	Date: _____

9.2



The District of North Vancouver REPORT TO COUNCIL

September 14, 2015
File: 08.3060.20/007.15

AUTHOR: Linda Brick, Deputy Municipal Clerk

SUBJECT: Bylaw 8135: 2975 and 2991 Fromme Road

RECOMMENDATION:

THAT "The District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)" is given SECOND and THIRD Readings.

THAT "The District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)" is ADOPTED.

BACKGROUND:

Bylaw 8135 received First Reading on June 15, 2015. A Public Hearing was held and closed on July 21, 2015.

The bylaw is now ready to be considered for Second and Third Readings, followed by Adoption by Council.

OPTIONS:

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

Respectfully submitted,

A handwritten signature in blue ink, which appears to read "Linda Brick".

Linda Brick,
Deputy Municipal Clerk

Attachments:

- The District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)
- Public Hearing Minutes – July 21, 2015
- Staff Report – June 3, 2015

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

The Corporation of the District of North Vancouver

Bylaw 8135

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

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

1. Citation

This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)".

2. Amendments

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

- a. Part 3A Subdivision Regulations is amended by adding a new row to the table in Section 310 Special Minimum Lot Sizes as follows:

Legal Description	Location	Area (square metres)	Width (metres)	Depth (metres)
Lot 2, District Lot 2002, Plan 9798 Lot 1, Blocks 32 and 33, District Lot 2002, Plan 9798	2975 and 2991 Fromme Road	510 m ²	13 m	38 m

READ a first time June 15th, 2015

PUBLIC HEARING held July 21st, 2015

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

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 29th 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 8th 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.

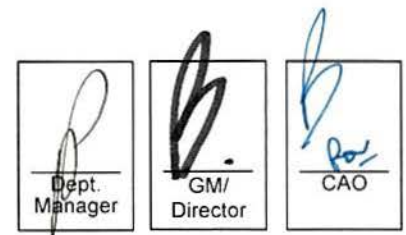
CARRIED
(7:24 p.m.)

CERTIFIED CORRECT:



Confidential Council Clerk

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 3, 2015
File: 08.3060.20/20/007.15

AUTHOR: Erik Wilhelm, Community Planner

**SUBJECT: BYLAW 8135 (REZONING BYLAW 1333): 2975 & 2991 FROMME ROAD
ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)**

RECOMMENDATION:

It is recommended that Bylaw 8135, which amends the Zoning Bylaw to allow subdivision of 2975 and 2991 Fromme Road:

1. be given First Reading; and
2. be referred to a Public Hearing.

REASON FOR REPORT:

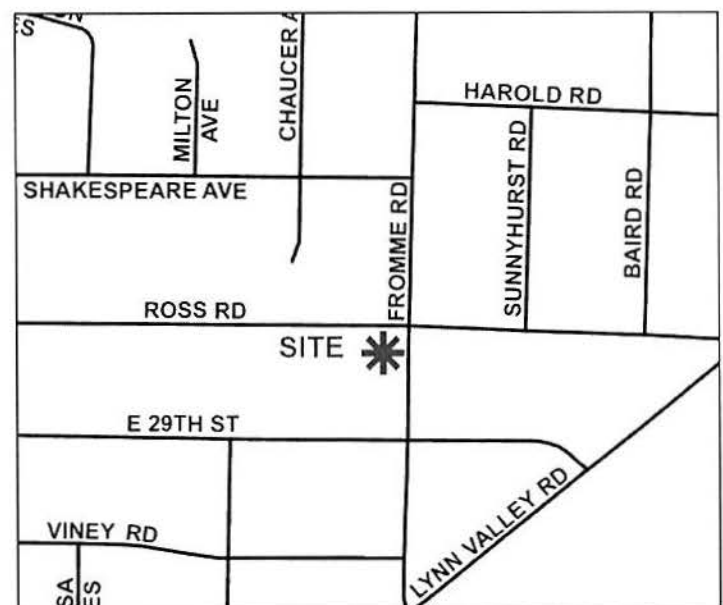
The proposed subdivision requires an amendment to the Zoning Bylaw.

SUMMARY:

The applicant has applied for rezoning in order to enable a three lot subdivision. The subdivision proposal is compatible with the lot pattern along Ross Road and in the immediate area.

EXISTING POLICY:

The subject property is designated "Residential Level 2: Detached Residential" in the Official Community Plan and for reference designated "Long Term Single-Family" in the Lynn Valley Plan (1998).



**SUBJECT: BYLAW 8135 (REZONING BYLAW 1333): 2975 & 2991 FROMME ROAD
ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)**

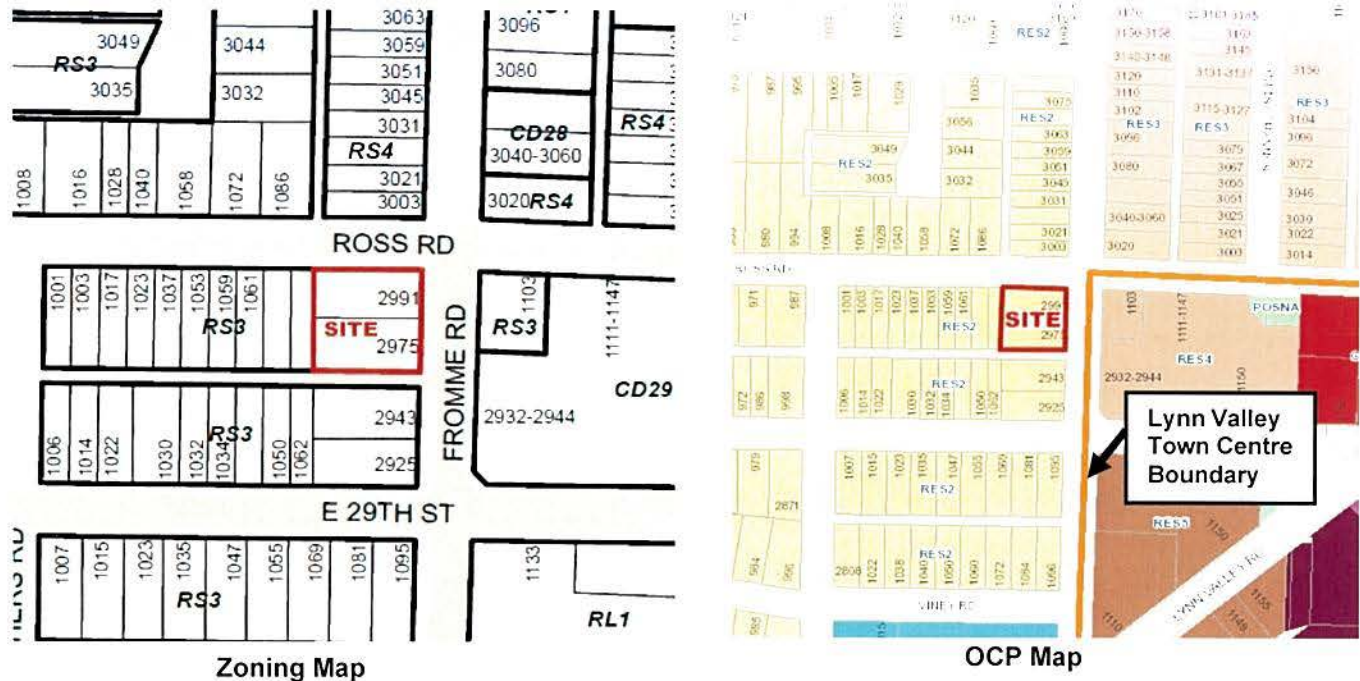
June 3, 2015

Page 2

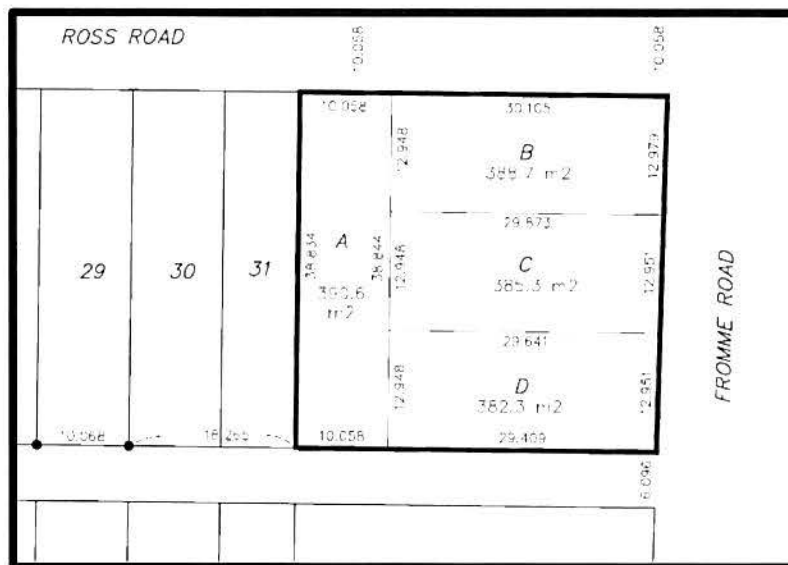
BACKGROUND:

The development site consists of two properties and each lot is occupied by a single-family dwelling facing Fromme Road. The block encompassing the development site is zoned Single-Family Residential 7200 Zone (RS-3).

Fromme Road signifies the boundary for the Lynn Valley Town Centre (see OCP map below).



Council considered a previous rezoning proposal to facilitate a four lot subdivision proposal as seen in the plan of subdivision below. 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. The applicant has now revised the development application to include three lots fronting Ross Road.



Previously Denied "4 lot" Subdivision Proposal

**SUBJECT: BYLAW 8135 (REZONING BYLAW 1333): 2975 & 2991 FROMME ROAD
ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)**

June 3, 2015

Page 3

PROPOSAL:

The subdivision layout provides 3 lots fronting Ross Road (see adjacent plan of subdivision). The lot configuration will provide a similar housing rhythm as seen along the entire block face westward along Ross Road.

At approximately 13+ m (42.7 ft) wide, the proposed lot widths are greater than the remainder of the lots on the south side of Ross Road in this block which are 10m (33 ft) or less.

All properties within the subdivision will be provided vehicular access from the existing open laneway.

ANALYSIS:

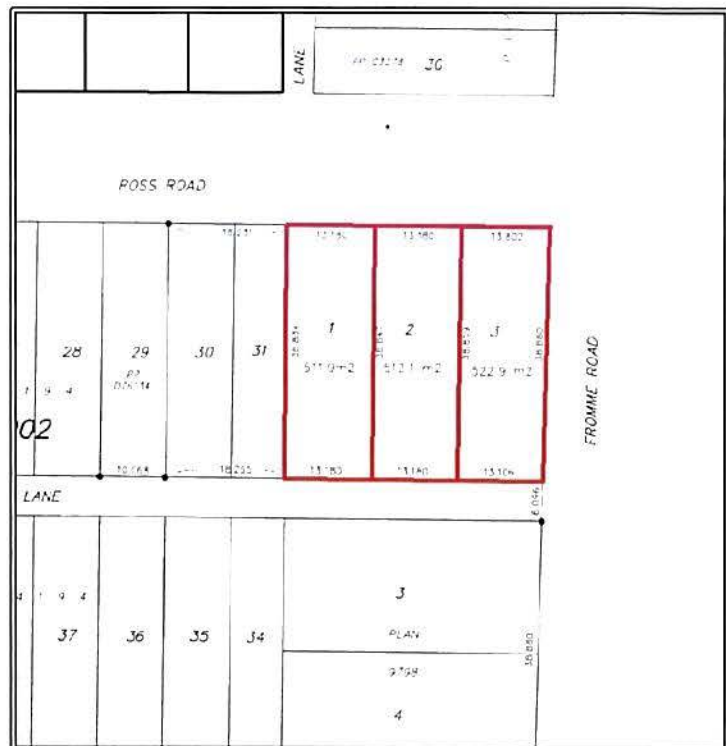
Accommodating the subdivision requires that the proposed lot sizes would be added to the table created for this purpose and contained in Section 310 of the Zoning Bylaw (Special Minimum Lot Size Regulations). This table establishes minimum lot sizes specific to infill subdivisions proposals which have successfully proceeded through a zoning amendment process.

The RS-3 Zone contains regulations guiding house development (i.e. setbacks, floor space ratio etc.) on a variety of lot widths and areas. The RS-3 will continue to be an appropriate zone for this development site.

Approving Officer Enhanced Best Practices:

On November 5, 2013, the Approving Officer presented a suite of enhanced subdivision best practices to Council and a summary of those best practices is attached (Attachment B). The Approving Officer considers the surrounding lot pattern in the analysis of all subdivision proposals and for small lots (13.875m or less) a block face of 50% or more small lots provides general guidance. In this case there is a strong pattern of small lots on this block face at 91%, in the block to the south at 89%, and along the west side of Fromme Road in the block to the north at 100%. The proposal is compatible therefore with the existing lot pattern in the area and provides a transition on the periphery of the Lynn Valley Town Centre.

Parking: Each lot must provide three parking stalls, accessed from the lane, in order to incorporate a secondary suite.



**SUBJECT: BYLAW 8135 (REZONING BYLAW 1333): 2975 & 2991 FROMME ROAD
ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)**

June 3, 2015

Page 4

House Design: Covenants will be registered on title to ensure that the new houses have unique designs. Particular attention to the presentation of the house and landscaping treatment along Fromme Road will be ensured through the subdivision process.

Trees:

The applicant provided an arborist report which outlined that there are 10 trees onsite, one of which is a previously topped conifer and the rest are ornamental. None of the trees are proposed for retention. To address the intended tree removal, the applicant will be required to provide 8 trees onsite in addition to the requisite 4 street trees that will be planted along the boulevards of Ross and Fromme Road. The District Arborist has reviewed the Arborist Report and is satisfied with the replanting.

Heritage Preservation:

At the previous Public Hearing, there were questions raised about the house at 2975 Fromme Road and its possible heritage value. Staff reported that the house is not on any supplemental, primary, secondary heritage lists or the Heritage Register.

In order to establish heritage characteristics of the house, the applicant commissioned a letter from a registered architect (Attachment C). The architect completed an inspection of the home and concluded that "this particular residence does not have significant/dominant architectural features...thus obtaining a heritage designation may not be an appropriate contribution to the community."

GREEN BUILDING REQUIREMENT:

As implementation of this proposal requires an amendment to the Zoning Bylaw and subdivision approval, compliance with the District's "Green Building Policy – Private Sector Developments" is required. A covenant requiring that the new homes meet or exceed an "Energuide 80" energy efficiency rating and achieve a Built GreenTM "Gold" equivalency will be required prior to bylaw adoption.

PUBLIC INPUT:

A total of approximately 365 notification letters were sent to owners and occupants of properties within a 75m radius. The Lynn Valley Community Association (LVCA) was also notified of the proposal as per the Public Notification Policy.

There was no public input or comments received as a result of the notification.

**SUBJECT: BYLAW 8135 (REZONING BYLAW 1333): 2975 & 2991 FROMME ROAD
ZONING BYLAW TEXT AMENDMENT (SUBDIVISION REGULATIONS)**

June 3, 2015

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CONCLUSION:

The rezoning application will facilitate a subdivision that will be compatible with the lot pattern of the area and provide a subtle density transition on the periphery of the Lynn Valley Town Centre. The immediate area includes a pattern of existing small lots and the existing block face on the south side of Ross Road is 91% small lots. The proposal meets the Approving Officer's enhanced best practices. Staff recommend introduction of Bylaw 8135 and referral to public hearing.

OPTIONS:

The following options are available for Council's consideration:

1. Introduce Bylaw 8135 and refer the proposal to a Public Hearing (staff recommendation); or
2. Defeat Bylaw 8135 at First Reading and thereby reject the subdivision.

Respectfully submitted,



for Erik Wilhelm
Community Planner

Attachments:

- A – Bylaw 8135
- B – Approving Officer's Best Practices for Subdivision
- C – Heritage Evaluation Letter

REVIEWED WITH:

<input type="checkbox"/> Sustainable Community Dev.	_____
<input type="checkbox"/> Development Services	_____
<input type="checkbox"/> Utilities	_____
<input type="checkbox"/> Engineering Operations	_____
<input type="checkbox"/> Parks & Environment	_____
<input type="checkbox"/> Economic Development	_____
<input type="checkbox"/> Human resources	_____

<input type="checkbox"/> Clerk's Office	_____
<input type="checkbox"/> Communications	_____
<input type="checkbox"/> Finance	_____
<input type="checkbox"/> Fire Services	_____
<input type="checkbox"/> ITS	_____
<input type="checkbox"/> Solicitor	_____
<input type="checkbox"/> GIS	_____

External Agencies:

<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Recreation Com.	_____
<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Other:	_____

The Corporation of the District of North Vancouver

Bylaw 8135

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

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

1. Citation

This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 1333 (Bylaw 8135)".

2. Amendments

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

- a. Part 3A Subdivision Regulations is amended by adding a new row to the table in Section 310 Special Minimum Lot Sizes as follows:

Legal Description	Location	Area (square Metres)	Width (metres)	Depth (metres)
Lot 2, District Lot 2002, Plan 9798 Lot 1, Blocks 32 and 33, District Lot 2002, Plan 9798	2975 and 2991 Fromme Road	510 m ²	13 m	38 m

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Summary of Approving Officer's Enhanced Best Practices

Subdivision Consideration:

- 50% or more of the block face must be developed as *small lots* (generally defined as lots 13.875 metres (45 ft.) in width or less) in order to be considered for a small lot subdivision. Reduction of the 50% small lot block face requirement may be considered in unique neighborhood circumstances; and
- Pie shape lots (with required area but without required width) are not good candidates for subdivision in order to retain the established neighborhood character.

Secondary Suites:

- Prohibit secondary suites for subdivisions with *small lots* if no lane access is provided. (Secondary Suites may be considered on corner lots and where adequate parking can be provided in a non-tandem arrangement);
- Allow suites on *small lots* which have lane or corner access. Off street parking must be a non-tandem arrangement; and
- In instances where suites are not permitted, a covenant will be registered on title to ensure no suite is built or occupied.

Design:

- Permeable paving of the front yard driveway and parking areas be required on *small lots* (regardless of lot width) where vehicle access is limited to the front yard; and
- Require a "unique House Design" covenant to ensure the design of dwellings do not include mirror images or identical house designs for all subdivisions regardless of lot width.

URBAN DESIGN GROUP ARCHITECTS LTD. 600 - 1140 W PENDER ST. VANCOUVER, BC V6E 4G1 (604) 687-2334 FAX (604) 688-7481

Paul Chiu, Architect AIBC, MRAIC, AAA, SAA, MAA, OAA, SBA, Principal
Fariba Gharaei, Architect AIBC, MRAIC, OAA, LEED AP, SBA, Associate
Steven Wagner, Architect AIBC, MRAIC, AIA, LEED AP, Associate
Rudi Klausner, RID, NCIDQ, LEED AP, Senior Associate
Crosby Chiu, MRAIC, SBA, Senior Associate

Rick Jones, Principal
Aaron Vornbrock, Senior Vice President
Eric Ching, CSBA, Vice President
Martin Grube, Associate
Bojan Ilic, Associate

March 25, 2015

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

Attention: Erik Wilhelm
Planner - Development Services

Re: Heritage Home Query
2975 Fromme Road, District of North Vancouver, BC

Our File # 4051

We have been requested by Normar Developments Ltd. to review the above noted residence for relevance as a Heritage Home.

We reviewed the exterior of the residence on Thursday, March 5th & Friday, March 6th 2015.

The following information is submitted based on our site review and our knowledge of the residence:

1. The residence was constructed in 1909.
2. The character of the residence is common to the many residential structures designed during that time period featuring a covered porch area with wood columns supporting a flat porch roof.
3. The residence has a limited amount of architectural detailing; however, the front entrance door itself provides some interesting detail but we are not certain at this time whether it is from the same time era as the residence.
4. The exterior of the residence is not clad with the original siding. The original siding was a narrow dimensioned horizontal lap siding and has been covered or replaced with cement composite panels which are not characteristic with the early 1900's. These exterior panels likely contain asbestos content and may create a hazardous health condition.
5. The rear deck structure seems to be a recent addition to the residence.
6. The exit stair from the upper floor to the grade level on the west side, has been removed completely, creating an unsafe condition, unless the exit door has been permanently locked or concealed completely in the interior to prevent its use.
7. The roof is in poor condition and some leakage has occurred within the structure.

8. The plumbing system, electrical system and building structure appear to be original and do not meet many of the current building code requirements, such as code issues related to the windows, insulation, and other building envelope components. Structural upgrades would likely be required for seismic resistance.

Although this residence is one example of an early 1900's architectural form that was common in that time period, we believe that the character of this particular residence encompasses very little in the way of special architectural detailing. The majority of the exterior siding material is not the original finish and other changes have been made to the original structure. A substantial amount of repair and building code upgrade would be required.

Upon reviewing and comparing many other older houses in the general vicinity, our opinion is that this particular residence does not have significant / dominant architectural features, nor distinctive form & character, and thus obtaining a heritage designation may not be an appropriate contribution to the community.

Yours truly,

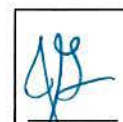
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Rick Jones, Principal
URBAN DESIGN GROUP ARCHITECTS LTD.

RJ/cdm

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Sept 28 2015</u>
<input type="checkbox"/> Committee of the Whole	Date: _____


Dept.
Manager


GM/
Director


CAO

The District of North Vancouver REPORT TO COUNCIL

September 15, 2015
File: 09.3900.20/000.000

AUTHOR: Linda Brick, Deputy Municipal Clerk

SUBJECT: **Bylaw 8128: 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 ADOPTED.

BACKGROUND:

Bylaw 8128 received First, Second and Third Readings on September 14, 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:

- Sign Bylaw 7532, 2005, Amending Bylaw 8128, 2015 (Amendment 5)
- Staff Report – September 1, 2015

**SUBJECT: Bylaw 8128: Sign Bylaw Amendments to Regulate Real Estate Marketing
and Construction Site Signage.**

September 15, 2015

Page 2

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

The Corporation of the District of North Vancouver

Bylaw 8128

A bylaw to amend Sign Bylaw 7532, 2005

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 2000m² 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 7.43m²; 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 2000m² 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 7.43m²; 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 0.56m²;
 - 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 2000m² 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 3m²;
 - 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 2000m² 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 7.43m²;
- 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 0.56m² on each side of the sign up to a maximum sign area of 1.12m²;
- 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 September 14th, 2015

READ a second time September 14th, 2015

READ a third time September 14th, 2015

ADOPTED

Mayor

Municipal Clerk

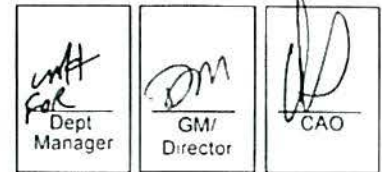
Certified a true copy

Municipal Clerk

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AGENDA INFORMATION

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



**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

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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 10m² (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 2000m² (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 7.43m² (80 sq. ft); and
 - (iii) the construction sign cannot exceed a height of 3.05m (10 ft.) from grade.
- For properties greater than 2000m² (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

Page 3

- (ii) the construction sign cannot exceed an area of 7.43m^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 2000m^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 3m^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 2000m^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 7.43m^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 0.56m² (6 sq.ft.) on each side of the sign up to a maximum sign area of 1.12m² (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

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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

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 2000m² 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 7.43m²; 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 2000m² 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 7.43m²; 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 0.56m²;
 - 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 2000m² 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 3m²;
 - 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 2000m² 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 7.43m²;
 - 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 0.56m² on each side of the sign up to a maximum sign area of 1.12m²;
- 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):

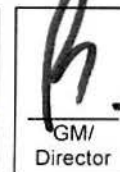
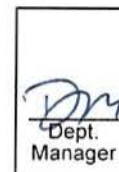
***"Portable Real Estate Marketing Sign"** means a temporary sign used to provide advertising and wayfinding to nearby real estate for sale, lease or rent and real estate sales centres which may be self-supporting, is easily moved and not permanently attached to the ground and includes a sandwich board 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 14, 2015
File: 05.1930/2015

AUTHOR: Cristina Rucci, Social Planner

SUBJECT: 2016 - 2019 Taxation Exemptions by Council Bylaw 8130

RECOMMENDATION:

THAT:

1. "2016 - 2019 Taxation Exemptions by Council Bylaw 8130, 2015" is read a FIRST, SECOND and THIRD time;
2. The Mayor and Clerk be authorized to execute the Conditions of Exemption Agreement arranged with the Capilano Tennis Club; and
3. Prior to considering adoption of the Bylaw 8130, the Clerk is directed to provide public notice in accordance with Section 227 of the *Community Charter*.

REASON FOR REPORT:

In compliance with the provisions of the *Community Charter* and Taxation Exemptions by Council Guidelines, members of the Community Services Advisory Committee (CSAC) have reviewed applications for 2016 -2019 permissive tax exemptions. Staff prepared the necessary bylaws for Council's consideration based upon CSAC recommendations.

SUMMARY:

Per "Taxation Exemptions by Council Guidelines" policy, members of the CSAC carefully reviewed applications for permissive tax exemptions for 57 properties from 35 different agencies. Bylaw 8130 has been prepared and is attached to this report based on the Committee's recommendations (Attachment 1). According to provisions of the *Community Charter*, Council may, on or before October 31st of each year, adopt a bylaw to exempt certain lands or improvements (or both) from municipal taxation.

BACKGROUND:

Permissive tax exemptions are a mechanism provided through the *Community Charter* that assists in promoting and recognizing that non-profit organizations contribute to the well-being of the citizens of the Municipality. The Taxation Exemptions by Council Guidelines include a number of criteria which must be met by organizations applying for a permissive tax exemption. The CSAC has been provided the authority by Council to review applications and recommend exemptions, and have assessed each of the applications to ensure that they comply with the criteria.

The guidelines also include a financial cap equal to 0.6% of the tax levy which is applicable to Section 224 permissive tax exemptions being discussed in multiple reports at this time. When the funding requested exceeds the financial cap of the 0.6% of the tax levy, CSAC has authority to allocate funds to applicants (within the limits of the financial cap) in the best interests of the District and present recommendations to Council. Under this authority, some applicants may receive 100% of their funding request while other applicants may receive less than 100%. The estimated taxes exempted in the bylaw do not exceed the maximum cap value.

Section 3.0 of the policy includes specific criteria related to the review process. Commencing from the recent civic election held in 2014 the Province implemented 4 year Council terms. The bylaw attached aligns to the same four-year time frame as set through Taxation Exemptions by Council Guidelines. In summary, the policy states that CSAC will review permissive tax exemptions in the second year of Council's mandate and that a resulting bylaw will now be in effect for a four year period. The addition of a year to the cycle has been recently approved through direction of the Finance and Audit Committee.

Moreover, the policy states that new applications received in years one, three and four of Council's mandate will only be considered if there is funding within the financial cap, if Council deems a service to be a District service or deems there to be a community need.

EXISTING POLICY:

Taxation Exemptions by Council Guidelines (Attachment 2)

ANALYSIS:

The application review process structured by CSAC provided for multiple levels of evaluation and discussion. A Permissive Tax Exemption (PTE) sub-committee was initially formed to review and assess the applications. In total 57 properties from 35 different agencies were reviewed. The sub-committee concluded that the majority of the applications fulfilled the tax exemption criteria and recommended approval to the CSAC membership. Applications not meeting criteria such as the North Shore Winter Club (Curling Portion) and Capilano Tennis Club were further reviewed and discussed by CSAC. With staff assistance, a condition of exemption agreement for the Tennis Club was prepared addressing the concerns expressed by the committee. Most notably, and discussed in depth below, the committee desires greater public access to the tennis courts as a condition to recommending an exemption. A condition of exemption agreement has been approved by CSAC and has been endorsed by the Capilano Tennis Club Executive and Membership. The Bylaw that is now before Council reflects these recommendations.

According to Charter Section 224, which provides the general authority for tax exemptions by Council (permissive tax exemptions), Council may by bylaw, exempt various types of land or improvements (see Attachment 3) from District taxation to the extent, for the period and subject to the conditions provided in the bylaw. Council may apply the exemption to the whole or a part of the taxable assessed value of land or improvements or both. Therefore, Council may either:

- Grant the exemption(s);
- Deny the exemption(s); or
- Grant a percentage of the assessed value of the lands and/or improvements.

Note: other taxing jurisdictions legislation also provides for exemptions of taxes when permissive tax exemptions have been granted by a municipality.

Those properties that were provided exemptions by Council approved in 2012 have been included in this year's Bylaw (with the exception of the North Shore Winter Club – Curling Portion). One property has been added which is a second facility recently leased by RNB Dance. RNB Dance and Theatre Arts Society require this new space located at 1233 Lynn Valley Road (Lynn Valley Town Centre), in order to meet the increasing demand for their programs.

North Shore Winter Club – Curling Portion

The North Shore Winter Club recently terminated the agreement with the North Vancouver Recreation Commission (NVRC) for the provision of curling, effective this past May. The Winter Club has been receiving a permissive tax exemption for the curling portion of their facility since the late 1990's when the NVRC decided to replace the curling rink at Harry Jerome with the Flicka Gymnastics Club. A tax exemption was granted as the curling rink was seen as an extension of service provided by the NVRC.

The Winter Club has decided to terminate the agreement to allow for conversion of the curling rink into a hockey rink, which is in greater demand. Although the Winter Club maintains that many of the programs that they will offer in the converted area are available to the public, CSAC considered the affordability of attaining these services that are offered at greater premium than what members pay. As there is no longer an agreement in place with NVRC, along with affordability of services, CSAC has recommended denial of a permissive tax exemption.

Capilano Tennis Club

The PTE application made by the Capilano Tennis Club for their property located at 2500 Capilano Road was carefully considered and debated by both the PTE sub-committee as well as the CSAC.

In review of the application the PTE subcommittee noted many areas of concern such as accessibility, public access, fee structure, infrastructure, and uniqueness of service. The rationale for the concern was based on the fact that members did not feel that the application met the following criteria included in the Taxation Exemptions by Council Guidelines:

- 1.9 Organizations must be non-profit and must provide needed:
 - direct social & community services to District residents; or
 - arts and cultural activities of demonstrable benefit to District residents and that can be reasonably considered to provide a unique extension of municipal arts and cultural services; or

- recreational services to District residents that can reasonably be considered an extension of municipal recreational services,

1.10 Organizations must offer services primarily to the broader community of citizens of the District of North Vancouver, and justify the need for that service;

For the purposes of general provisions 1.9 and 1.10, in establishing need for direct social, community, cultural or recreational services, the Community Services Advisory Committee has the power to make a distinction between addressing "need" and providing "choice" and will recommend to Council only those applications that address need.

The committee decided that the services provided by the tennis club were not unique given that quality tennis lessons are being offered by the North Vancouver Recreation Commission through the Grant Connell Tennis Centre. Members also agreed that there were a number of high quality tennis courts throughout the District that provide all residents the opportunity to play tennis free of charge. Although members acknowledged that the Capilano Tennis Club did provide their membership with a unique sense of community, they considered that the annual membership fees as well as the initiation fee did not make the Club accessible to all District residents and gave the facility more of a "private club" feel.

The committee understanding that the Tennis Club has been receiving a permissive tax exemption since the year 2000, endeavoured to find possible solutions to assisting the Club in aligning to the required criteria. To this end, the Committee requested that staff explore the possibility of establishing an agreement which would consider greater public access to the facility, advertising of public tennis and a reasonable user fee.

With staff support, the Manager of Revenue and Taxation together with the Municipal Solicitor crafted an agreement which incorporated the above conditions. The agreement that was created is intended to satisfy the Committee's concern for greater public access which in turn would satisfy the requirements for a permissive exemption.

The agreement was shared and reviewed by the Tennis Club and after significant discussion a condition of exemption agreement is now agreed to by both CSAC and the Capilano Tennis Club Executive and membership.

At their meeting on September 9th, 2015, the CSAC Committee unanimously approved the agreement negotiated with the Tennis Club and recommended a permissive tax exemption be granted upon execution of the agreement. The final agreement is included as Attachment 3 to this report.

Timing/Approval Process:

Pursuant to provision of the *Community Charter*, Council must adopt Permissive Tax Exemption Bylaws by October 31st of each year. Public notice must be provided in accordance with the *Charter* prior to adoption of the Permissive tax Exemption Bylaw. The agreement with the Tennis Club must also be executed prior to adoption of Bylaw 8130.

Concurrence:

Both staff from Social Planning as well as Finance provided support to CSAC during their review process. The Clerks Department assisted with the preparation and review of the necessary bylaw.

Financial Impacts:

The general assessments and the 2015 taxes that otherwise would have applied to the properties covered under the 2016-2019 Taxation Exemptions by Council are included in Attachment 4. As indicated based on exempt assessments of \$108,626,600 the total municipal taxes exempted for 2015, based on applications received, is \$416,814.

If Council were to approve the recommendations for exemptions, the total 2015 exempt assessments would be \$108,155,400 and the total 2015 taxes exempt would be \$414,054.

A financial cap of 0.6% of the tax levy allows maximum exemptions of \$510,953. After inclusion of \$6,506 for places of public worship exemptions, \$10,141 for Museum and Archives warehouse facility and \$15,763 previously approved for Royal Canadian Legion, these total exemptions provided are \$64,489 below the cap.

Social Policy Implications:

In providing tax exemptions to non-profit organizations that deliver preventative and support services, the District furthers the aim of social sustainability by leveraging our resources effectively to assist in meeting the needs of people in our community.

Respectfully submitted,



Cristina Rucci,
Social Planner

- Attachment 1. 2016-2019 Taxation Exemptions by Council Bylaw 8130, 2015
Attachment 2: Taxation Exemptions by Council Guidelines
Attachment 3: Agreement between the Capilano Tennis Club and The District of North Vancouver
Attachment 4: General Assessments applied to the properties covered under the 2016-2019 Taxation Exemptions by Council

REVIEWED WITH:

- ☐ Sustainable Community Dev. _____
- ☐ Development Services _____
- ☐ Utilities _____
- ☐ Engineering Operations _____
- ☐ Parks _____
- ☐ Environment _____
- ☐ Facilities _____
- ☐ 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 8130**

A bylaw to exempt certain lands and improvements from municipal taxation.

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

1. Citation

This bylaw may be cited as "2016 - 2019 Taxation Exemptions by Council Bylaw 8130, 2015".

2. Exemptions under section 224 of the *Community Charter*

For the years 2016 - 2019, the following lands and improvements are exempt from taxation levied pursuant to section 224 of the *Community Charter*:

a. land or improvements that:

- i. are owned or held by a charitable, philanthropic or other not for profit corporation; and,
- ii. the council considers are used for a purpose that is directly related to the purposes of the corporation:
 1. North Shore Crisis Services Society – That portion of Lot 2, District Lot 2087, Plan LMP 24090 as shown in Schedule A, PID: 023-125-578, (registered in the name of the Provincial Rental Housing Corporation and leased to the North Shore Crisis Services Society - Roll # 052-7240-9000-2);
 2. St. John Society (British Columbia and Yukon) – office/resource centre for first aid services. Strata Lot 7, District Lot 204, Strata Plan LMS 2284, PID: 023-336-234, (106-223 Mountain Highway (including Units 106 and 107), registered in the name of St. John Society (British Columbia and Yukon) - Roll # 999-6228-4007-X);
 3. North Shore Disability Resource Centre Foundation (North Shore Disability Resource Centre Association) – office/resource centre. Strata Lot 27, District Lot 2023, Strata Plan VR 1541, PID: 018-799-141, (3158 Mountain Highway, registered in the name of the North Shore Disability Resource Centre Foundation – Roll # 050-5154-1027-6);

4. North Shore Disability Resource Centre Foundation (North Shore Disability Resource Centre Association) – office/resource centre. Strata Lot 28, District Lot 2023, Strata Plan VR 1541, PID: 018-799-159, (3140 Mountain Highway, registered in the name of the North Shore Disability Resource Centre Foundation – Roll # 050-5154-1028-4);
5. Canadian Mental Health Association, North and West Vancouver Branch – Lot 23, Block 5, District Lot 615, Plan 9070, PID: 009-766-901, (1573 Arborlynn Drive – registered in the name of Canadian Mental Health Association, North and West Vancouver Branch - Roll # 070-0953-9100-2);
6. Canadian Mental Health Association, North and West Vancouver Branch – Lot 19, South ½ of Block 5, District Lot 2023, Plan 3078, PID: 013-186-931, (1198 Harold Road, registered in the name of Canadian Mental Health Association, North and West Vancouver Branch - Roll # 051-0721-8500-7);
7. Change the World Foundation, DBA Harvest Project – Lot A, Block 4, District Lot 266, Plan 16082, PID: 007-581-327, that portion of the property which is leased, (1071 to 1091 Roosevelt Crescent, registered in the name of Northgate Investment Corporation – Roll # 010-1608-2000-6);
8. Hollyburn Family Services – Lot C of Lot 3, Blocks A and B, District Lot 621 Plan 4655, PID: 004-079-035, (3212 Mount Seymour Parkway, registered in the name of The Corporation of The District of North Vancouver and leased to the Hollyburn Family Services Society - Roll #110-0395-3200-3);
9. Hollyburn Family Services – Lot A of Lot 3, Blocks A and B, District Lot 621 Plan 4655, PID: 011-442-913, (3218 Mount Seymour Parkway, registered in the name of The Corporation of The District of North Vancouver and leased to the Hollyburn Family Services Society - Roll # 110-0395-3000-0);
10. St. John Society (British Columbia and Yukon) – office/resource centre for first aid services. Strata Lot 8, District Lot 204, Strata Plan LMS 2284, PID: 023-336-242, (108 – 223 Mountain Highway, registered in the name of St. John Society (British Columbia and Yukon) - Roll # 090-6228-4008-8);
11. Wild Bird Trust of British Columbia (WBT), Conservation Area, Nature House, Port Metro Vancouver Wildlife Conservation Area, Maplewood South. – That portion of the land licenced by the Port for occupation by the WBT for the exclusive use and occupation of access to the Nature House land and building used for conservation and educational purposes.

Described as Lot 5, Block D, District Lot 469, Plan 8885, Consolidated Lots 4-12, South of Hwy Plan 2383, Block 4, District Lot 469, Plan 1532, PID: 009-902-686, (2649 Dollarton Highway, - Roll # 100-0139-7551-X);

b. Land or improvements that:

- i. are owned or held by a municipality, regional district or other local authority; and,
- ii. the council considers are used for a purpose of the local authority:
 1. The Corporation of the District of West Vancouver – parkland. Lot A (except E.P. 6637), Blocks 23 and 24, District Lots 601 and 607, Plan 4740, PID: 011-348-089, (parkland registered in the name of The Corporation of the District of West Vancouver - Roll # 020-0343-0400-2);
 2. The Corporation of the District of West Vancouver – parkland. All that portion of Block A (R.P. 360) lying east of Lot B (R.P. 1372), District Lot 764, PID: 015-966-356, (parkland registered in the name of The Corporation of the District of West Vancouver - Roll # 010-0469-5900-9);
 3. The Corporation of the District of West Vancouver – parkland. Lot B (R.P. 1372), Block A (R.P. 360), District Lot 764, PID: 015-966-283. (parkland registered in the name of The Corporation of the District of West Vancouver - Roll # 010-0469-6100-3);
 4. Greater Vancouver Water District (GVWD) – Capilano River Regional Park – parkland. Block G, District Lot 602, Plan 10857, PID: 009-283-285, (parkland registered in the name of the Greater Vancouver Water District – Roll # 021-0346-0100-7);

c. land or improvements that the council considers would otherwise qualify for exemption under section 220 [general statutory exemptions] were it not for a secondary use:

1. Deep Cove Parent Participation Preschool Society – preschool. That portion of the Seycove Secondary School premises, described as Lot B, Block A, District Lot 543, Plan 16981, PID: 007-330-006, (1204 Caledonia Avenue, portion occupied by the Deep Cove Parent Participation Preschool Society - Roll # 130-1698-1010-0);
2. Highlands Out-of-School Care Society – out-of-school care. That portion of the Highlands Elementary School premises, described as Lot 5, except part in Plan 22741, Block 10, District Lots 598 to 601, Plan 7512, PID: 003-120-490, (3150 Colwood Drive, portion occupied by Highlands Out-of-School Care Society - Roll # 030-0275-9405-X);

3. Novaco Day Care Centre Society – day care and out-of-school care. That portion of Norgate Community Elementary School premises, described as Lots 1 and 2, Block 30, District Lots 264 and 266, Plan 8498, PID: 010-053-654 and 010-053-662, [portion occupied by the Novaco Day Care Centre Society (Novaco Day Care Centre and Novaco Out-of-School Care) - Roll # 010-0127-6100-1 and 010-0127-6200-8];
 4. La Pre-Maternelle Francophone Trotin-Trottinette – francophone preschool. That portion of Andre-Piolat School described as Parcel 1, District Lot 784, Group 1, Plan BCP20, PID: 025-440-284, (380 W. Kings Road, portion occupied by the La Pre-Maternelle Francophone Trotin-Trottinette – francophone preschool – Roll # 040-3000-2000-7);
 5. North Shore Neighbourhood House – out of school child care. That portion of Capilano Elementary School premises described as Block 16 (Explanatory Plan 5360), District Lot 552, Plan 4672, PID: 011-431-661, (1230 West 20th Street, portion occupied by the Capilano Child Care Centre – Roll # 011-0166-2200-6);
 6. North Shore Neighbourhood House – out of school child care. That portion of Cleveland Elementary School premises described as Amended Lot 1 (Explanatory Plan 11530), Block 2 1, District Lots 597 and 600, Plan 11577, PID: 009-036-725, (1255 Eldon Road, portion occupied by the Cleveland Child Care Centre – Roll # 020-0271-0710-8);
- d. the interest of a public authority, local authority or any other corporation or organization in land or improvements that are used or occupied by the corporation or organization if:
- i. the land or improvements are owned by a public authority or local authority; and,
 - ii. the land or improvements are used by the corporation or organization for a purpose in relation to which an exemption under this Division or Division 6 of this Part would apply or could be provided if the land or improvements were owned by that corporation or organization:
1. Deep Cove Cultural Society – cultural uses. Lot N of Lot A, Block 7, District Lot 626, Plan 23042, PID: 016-612-001, (4360 Gallant Avenue, registered in the name of The Corporation of The District of North Vancouver and leased to the Deep Cove Cultural Society - Roll # 130-2304-2005-2);
 2. North Vancouver Community Players – cultural uses. Lots 1 and 2, Block 11, District Lot 553, Plan 2406, PID: 013-798-278, (815 East 11th Street,

Hendry Hall, registered in the name of The Corporation of The District of North Vancouver and leased to the North Vancouver Community Players - Roll # 080-0176-1300-0);

3. RNB Dance and Theatre Arts Society – cultural uses. Lot T, Block 6, District Lot 2023, Plan 21620, PID: 010-225-854, (3355 Mountain Highway, registered in the name of The Corporation of The District of North Vancouver and leased to RNB Dance and Theatre Arts Society - Roll # 050-2162-0020-2);
4. RNB Dance and Theatre Arts Society – cultural uses. Lot 1, District Lots 2022 and 2023, Group 1 New Westminster District Plan BCP 16197, PID: 026-227-401, (Units 151 & 155, 1233 Lynn Valley Road, registered in the name of The Corporation of The District of North Vancouver and leased to RNB Dance and Theatre Arts Society – Roll # 050-3161-9775-0);
5. Parkgate Community Services Society – Seymour Youth Centre. Lot B, except portions in Plans 16298, LMP 22002 and LMP 37723, Block X, District Lots 469, 580 and 611, Plan 15231, PID: 016-396-189, (949 Lytton Street, registered in the name of The Corporation of The District of North Vancouver and leased to the Parkgate Community Services Society - Roll # 100-1523-1009-6);
6. North Shore Neighbourhood House – out-of-school child care. That portion of the east 200 ft. of Lot T, Block 6, District Lot 2023, Plan 21620, PID: 010-225-854, having an area of 5,800 sq. ft., (Lynn Valley Child Care Centre, 3361 Mountain Highway, registered in the name of The Corporation of The District of North Vancouver and leased to the North Shore Neighbourhood House - Roll # 051-2162-0030-X);
7. Seymour Heights Parent Participation Preschool Association – preschool. Lot B, except portions in Plans 16298, LMP 22002 and LMP 37723, Block X, District Lots 469, 580 and 611, Plan 15231, PID: 016-396-189, (800 Lytton Street, registered in the name of The Corporation of The District of North Vancouver and leased to the Seymour Heights Parent Participation Preschool Association - Roll # 100-1523-1007-X);
8. Lynn Valley Parent Participation Preschool – preschool. That portion of Lot 1, District Lot 2023, Group 1, Plan BCP 7704 Part of PID: 025-765-019, (3220 Mountain Highway, registered in the name of The Corporation of The District of North Vancouver and portion leased to the Lynn Valley Parent Participation Preschool Society - Roll # 052-3077-0402-5);
9. Lynn Valley Services Society, Mollie Nye House – community centre. Lot 1, Block 13, District Lot 2025, Group 1, Plan LMP 47707, PID: 024-903-388, (940 Lynn Valley Road, registered in the name of The Corporation of

The District of North Vancouver and leased to the Lynn Valley Services Society – Roll # 050-7477-0700-6);

10. Delbrook Partnership for Quality Childcare Association – child care facility. Part leased in Plan BCP 05772 of Block 19, except Part in Explanatory Plan 16399, West 1/2 of District Lot 617, Plan 19489, PID: 006-999-832, (3111 Stanley Avenue, registered in the name of The Corporation of The District of North Vancouver and leased to the Delbrook Partnership for Quality Child Care Association - Roll # 030-1948-9000-7);
 11. Deep Cove Rowing Club – rowing club. Lot 12 AM, Lot B, Block 7, District Lot 626, Plan 1411, PID: 014-659-263, (2156 Banbury Road, registered in the name of The Corporation of The District of North Vancouver and leased to the Deep Cove Rowing Club – Roll # 132-0453-7420-1);
 12. Hollyburn Family Services – emergency shelter. That portion of Lot A, Block 7, District Lot 193, Plan 12218, PID: 005-411-483, (1930 Dollarton Highway, registered in the name of The Corporation of The District of North Vancouver and leased to Hollyburn Family Services Society - Roll # 100-0101-2600-7);
 13. Family Services of the North Shore – family resource centre. Lot 1, Blocks 2 and 3, District Lot 791, Plan 16486, PID: 007-471-483 (I Hope Family Centre, 399 Seymour River Place, registered in the name of The Corporation of The District of North Vancouver and leased to the Family Services of the North Shore - Roll # 100-1648-6004-5);
 14. Capilano Tennis Club – tennis club. That portion of Lot A, Lots 15 and 16, Block 10, District Lots 601 and 607, Plan 4740, PID: 011-348-542 (2500 Capilano Road, registered in the name of The Corporation of The District of North Vancouver and leased to the Capilano Tennis Club - Roll # 011-0341-7010-3); **Subject to Conditions of Exemption Agreement.**
- e. the interest of a public authority, local authority or any other corporation or organization in land or improvements that are used or occupied by the corporation or organization if:
- i. the land or improvements are owned by a person who is providing a municipal service under a partnering agreement;
 - ii. an exemption under section 225 [partnering and other special tax exemption authority] would be available for the land or improvements in relation to the partnering agreement if they were used in relation to the service;
 - iii. the partnering agreement expressly contemplates that the council may provide an exemption under this provision; and,

- iv. the land or improvements are used by the corporation or organization for a purpose in relation to which an exemption under this Division or Division 6 of this Part would apply or could be provided if the land or improvements were owned by that corporation or organization:

Nil

- f. in relation to property that is exempt under section 220 (1) (h) [buildings for public worship]:
 - i. an area of land surrounding the exempt building;
 - ii. a hall that the council considers is necessary to the exempt building and the land on which the hall stands; and,
 - iii. an area of land surrounding a hall that is exempt under subparagraph (ii):

Included in Bylaw 8131.

- g. land or improvements used or occupied by a religious organization, as tenant or licensee, for the purpose of public worship or for the purposes of a hall that the council considers is necessary to land or improvements so used or occupied:
 - 1. Aga Khan Foundation Canada – public worship. That portion of Lot 1, Block 2, District Lot 600, Plan 16179, as shown in Schedule B, PID: 007-530-323 (1150 Gladwin Drive, registered in the name of the Aga Khan Foundation Canada and leased to The Ismaili Council for British Columbia - Roll # 011-1617-9000-3) and Lot 2, Block 2, District Lot 600, Plan 16967, PID: 007-335-954; Roll # 011-1696-7010-4;
- h. in relation to property that is exempt under section 220 (1) (i) [seniors' homes], (j) [hospitals] or (l) [private schools], any area of land surrounding the exempt building:
 - 1. Vancouver Waldorf School Society – School. That portion of the land surrounding the building used for school purposes, described as Lot J, Block 13, District Lot 2025, Plan 9928, PID: 008-266-280, (2701 St. Christophers Rd, - Roll # 050-0755-1800-7);
 - 2. Vancouver Waldorf School Society – School. That portion of the land surrounding the building used for school purposes, described as Lot 4, Block 13, District Lot 2025, Plan LMP 47707, PID: 024-903-451, (2725 St. Christophers Rd, - Roll # 050-7477-0730-8);

3. St. Pius X Elementary School – School. That portion of the land surrounding the building used for school purposes, as shown in Schedule C, described as Lot 27 REM, District Lot 624, Plan 18740 Except Plan 18832, PID: 007-094-515, (1150 Mount Seymour Rd, - Roll # 110-1874-0265-5);
- i. land or improvements owned or held by an athletic or service club or association and used as a public park or recreation ground or for public athletic or recreational purposes:

Nil
 - j. land or improvements owned or held by a person or organization and operated as a licensed community care facility and registered assisted living residence under the *Community Care and Assisted Living Act*:
 1. North Shore Disability Resource Centre Association (North Shore Disability Resource Centre Foundation) – group home. Lot 384 of Lot A, District Lot 591, Plan 21605, PID: 009-881-492, (5793 Nancy Greene Way, registered in the name of the North Shore Disability Resource Centre Association - Roll # 022-2160-5070-7);
 2. North Shore Disability Resource Centre Association (North Shore Disability Resource Centre Foundation) – group home. Lot 11, District Lot 624, Plan 20976, PID: 005-123-721, (4060 Shone Road, registered in the name of the North Shore Disability Resource Centre Association - Roll # 110-2097-6100-8);
 3. North Shore Disability Resource Centre Association (North Shore Disability Resource Centre Foundation) – group home. Lot 13, Blocks 9A and 10A, District Lot 596, Plan 9666, PID: 009-600-531, (4338 Quinton Place, registered in the name of the North Shore Disability Resource Centre Association - Roll # 021-0265-4800-3);
 4. Parkgate Community Health Centre – community care facility. Lot H, except part subdivided by Plan LMP 6686, District Lot 622, Plan VAP 23160, 2nd Floor of 2 storey building situated on all of Lot 4, PID: 017-048-401, (3625 Banff Court, registered in the name of the Corporation of the District of North Vancouver and leased to the Vancouver Coastal Health Authority for the Parkgate Community Health Centre – Roll # 110-2316-0010-0);
 5. Community Living Society – group home. Lot 3, Block 38, District Lots 598 to 601, Plan 6659, PID: 010-826-777, (2985 Newmarket Drive, registered in the name of the Community Living Society - Roll # 030-0283-1000-4);
 6. Community Living Society – group home. Lot A (Reference Plan 7729) of Lot 3, Blocks 3 and 4, District Lot 595, Plan 6626, PID: 010-099-972, (4537

Capilano Road, registered in the name of the Community Living Society - Roll # 021-0252-4400-0);

7. Community Living Society – group home. That portion of Lot 22, Block 4, District Lots 600 and 601, Plan 7829, PID: 005-216-818, (3091 Paisley Road, registered in the name of the Community Living Society - Roll # 020-0301-1800-X);
8. Community Living Society – group home. Lot 19, Block 18, District Lot 2023, Plan 13229, PID: 008-698-015, (3660 Maginnis Avenue, registered in the name of the Community Living Society - Roll # 052-0732-7515-8);
9. Greater Vancouver Community Services Society – group home. Lot 1, Block B, District Lot 622, Plan 9895, PID: 009-430-172, (3403 Mount Seymour Parkway, registered in the name of the Greater Vancouver Community Services Society - Roll # 110-0408-9600-5);
10. Greater Vancouver Community Services Society – group home. Lot K, Block 15, District Lot 2088, Plan 15389, PID: 007-693-401, (1693 Coleman Street, registered in the name of the Greater Vancouver Community Services Society - Roll # 053-1538-9010-X);
11. North Shore Connexions Society – group home. Lot C, Blocks 27 and 28, District Lot 598, Plan 10643, PID: 009-328-769 (2490 Edgemont Boulevard, registered in the name of the North Shore Connexions Society - Roll # 030-0272-1100-2);
12. North Shore Connexions Society – group home. Lot A, Block 5, District Lot 596, Plan EPP 44352, PID: 029-480-469, (4410 Capilano Road, registered in the name of the North Shore Connexions Society – Roll # 021-3443-5200-5);
13. North Shore Connexions Society – group home. Lot 4, Block W, District Lot 2008, Plan 16546, PID: 007-439-806, (1240 Barlynn Crescent, registered in the name of North Shore Connexions Society - Roll # 050-1654-6030-X);
14. North Shore Connexions Society – group home. Lot 22, District Lot 2087, Plan 17649, PID: 007-264-445, (1904 Peters Road, registered in the name of the North Shore Connexions Society - Roll # 052-1764-9216-X);
15. Community Living Society – group home. Lot 1, East ½ of Block 1, North ½ of District Lot 2003, Plan 3503 PID: 004-756-568, (1075 Frederick Road, registered in the name of the Community Living Society - Roll # 051-0678-3210-5);

16. Community Living Society – group home. Lot 12, Block 13 and 14, District Lot 2087, Plan 1988, PID: 010-815-015, (1680 Ross Road, registered in the name of the Community Living Society - Roll # 060-0825-8600-4);
 17. Community Living Society – group home. Lot F, Block 0, District Lot 2026, Plan 9629, PID: 009-622-977, (3636 Norwood Avenue, registered in the name of the Community Living Society - Roll # 040-0762-8400-X);
 18. Turning Point Recovery Society – Residential addiction home. The leased portion of Amended Lot 2 (Reference Plan 2935) Block C, District Lots 598 to 601, Plan 6659, PID: 011-072-725, (2670 Lloyd Avenue, registered in the name of The Corporation of The District of North Vancouver and leased to the Turning Point Housing Society - Roll # 011-0294-2700-2);
- k. land or improvements for which a grant has been made, after March 31, 1974, under the *Housing Construction (Elderly Citizens) Act* before its repeal:
1. Kiwanis Seniors Citizens Homes Ltd. – seniors' home. Lot A, Block W, District Lot 2022, Plan 14661, PID: 007-756-925, (2555 Whiteley Court, registered in the name of Kiwanis Seniors Citizens Homes Ltd. - Roll # 050-1466-1000-8);
 2. Lowland Senior Citizens' Housing Society – seniors' care facility. Lot C, Block 35, District Lot 2022, Plan 17292, PID: 007-290-136 (1335 East 27th Street, registered in the name of the Lowland Senior Citizens' Housing Society - Roll # 070-1729-2020-5).

3. Effective Date

The effective date of this bylaw is January 1, 2016 to December 31, 2019.

READ a first time

READ a second time

READ a third time

NOTICE given in accordance with Section 227 of the *Community Charter* of the _____ and _____ day of _____, 2015.

ADOPTED

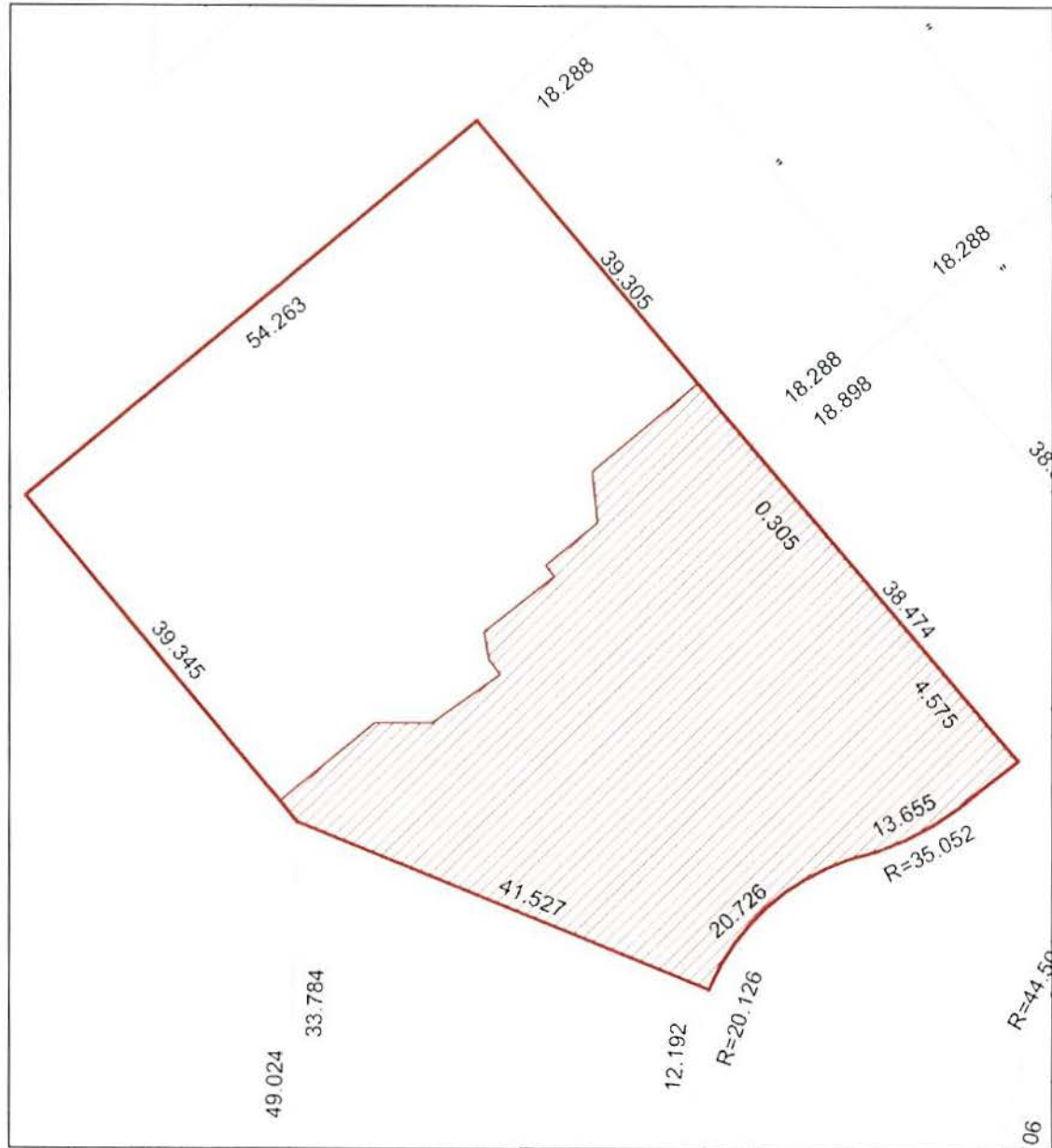
Mayor



Municipal Clerk

Certified a true copy

Municipal Clerk

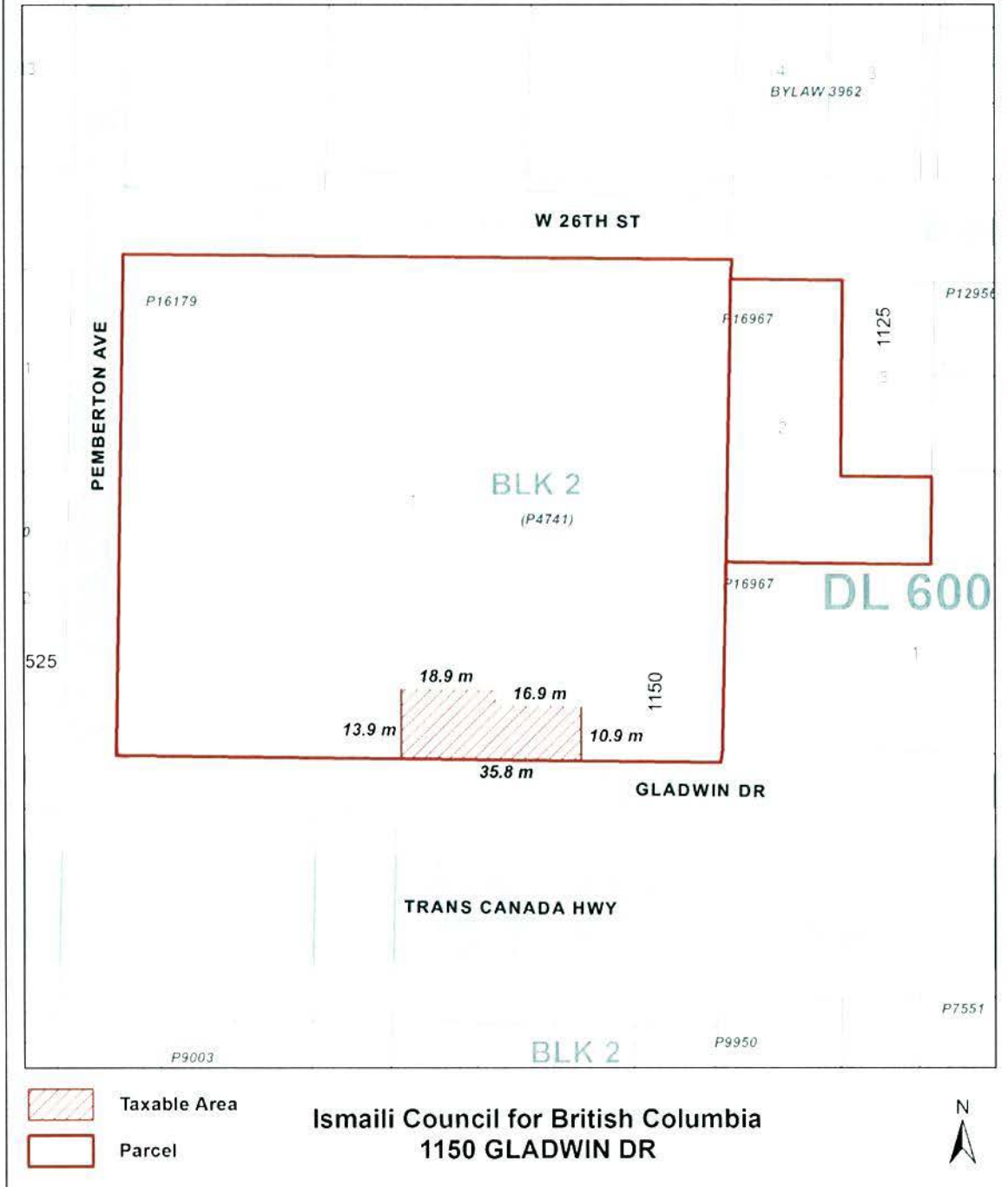
Schedule A to Bylaw 8130



-  Exemption Area
-  Parcel



Schedule B to Bylaw 8130



Schedule C to Bylaw 8130

St. Pius X Elementary School
1150 Mt. Seymour Road

Legend:
 Church Area (Yellow)
 School Area (Pink)
 Parcel (Red Outline)

Map Labels:
 MT SEYMOUR RD
 MT SEYMOUR PKWY
 BROCKTON CRES
 C₂ SCHOOL (59%)
 C₁ CHURCH (41%)
 BLK 4
 BLK 4 (P1950)
 P10949, P18740, P16474, P3259, BCS3800, P11736, P187, P1, 3809, 3807, 3805, 3804, 3802, 3800, 3801, 3768, 3772, 3776, 3782, 3720-3756, (LMP231060), 1150, 3822-3826



The Corporation of the District of North Vancouver

CORPORATE POLICY MANUAL

Section:	Finance	5
Sub-Section:	Permissive Tax Exemptions	1970
Title:	TAXATION EXEMPTIONS BY COUNCIL GUIDELINES	3

POLICY

The *Community Charter* provides that on or before October 31 in any year, Council may, by bylaw, exempt land and/or improvements from municipal property taxes. In addition to the *Community Charter* requirements, those organizations applying for exemption must comply with the guidelines set out in this policy.

REASON FOR POLICY

The Council recognizes that such organizations contribute to the well being of the citizens of the Municipality and to the improvement of their quality of life, and that exemption from taxation by Council may effectively promote enhanced community services.

AUTHORITY TO ACT

Retained by Council

PROCEDURECriteria for Taxation Exemption by Council

Exemptions provided for in Section 224 (General Authority for Permissive Tax Exemptions) and covered by these guidelines are at the discretion of Council. There is no obligation to give an exemption. Council may also consider partial exemptions of less than 100%.

A financial cap equal to 0.6% of the tax levy applies to Section 224 exemptions only and specifically exclude Section 225 (Partnering, heritage, riparian and other special exemption authority) or Section 226 (Revitalization tax exemptions). When the funding requested exceeds the financial cap of 0.6% of the tax levy, the Community Services Advisory Committee has authority to allocate funds to applicants (within the limits of the financial cap) in the best interests of the District and make its recommendation to council. Under this authority some applicants might receive 100% of a funding request while other applicants might receive less than 100%.

Council may impose restrictions on the use of the property and may require the applicant to enter into an operating agreement or other legal agreement as a condition of an exemption. (eg: a requirement that sports groups be open to the public on Saturdays).

Organizations applying for taxation exemptions must successfully meet each general criteria.

1.0 General Criteria

- 1.1 Exemptions are based on the Section 224 use of the property, not on the charitable status of the organization as a whole.
- 1.2 In the case of non-profit organizations seeking permissive tax exemption on private property, only private property that is entirely used for charitable, philanthropic will be considered for exemption (ie: no partial exemptions based on portions of property used for charitable or philanthropic).
- 1.3 The operations of the applicant on the property must be consistent with municipal policies, plans, bylaws, codes and regulations.
- 1.4 In the case of non-profit organizations seeking tax exemption, only property that is utilized to provide services for and/or to support to all District residents, without discrimination, will be considered.

- 1.5 PTEs will not be considered where Council believes that an exemption will result in the inappropriate downloading of responsibilities and costs of other levels of government to local taxpayers.
- 1.6 Organizations that disparage others are not eligible for a Permissive Tax Exemption.
- 1.7 Receipt of a Permissive Tax Exemption will be taken into consideration when organizations apply for other municipal grants.
- 1.8 Organizations must meet the guidelines of section 224 of the Community Charter;
- 1.9 Organizations must be non-profit and must provide needed:
 - direct social & community services to District residents; or
 - arts and cultural activities of demonstrable benefit to District residents and that can be reasonably considered to provide a unique extension of municipal arts and cultural services; or
 - recreational services to District residents that can reasonably be considered an extension of municipal recreational services,
- 1.10 Organizations must offer services primarily to the broader community of citizens of the District of North Vancouver, and justify the need for that service;

For the purposes of general provisions 1.9 and 1.10, in establishing need for direct social, community, cultural or recreational services, the Community Services Advisory Committee has the power to make a distinction between addressing "need" and providing "choice" and will recommend to Council only those applications that address need.
- 1.11 Organizations must show evidence of ongoing, active volunteer involvement;
- 1.12 Organizations must present proof of financial responsibility and accountability;
 - The organization must provide any financial information and supporting information requested and, at a minimum, provide the previous year's financial statements as per Section 7.1.
 - In assessing applications, the DNV will consider the ability of the organization to raise its own revenues.
- 1.13 Organizations must provide evidence of seeking funding from other sources, including exemptions from other levels of Government;

2.0 Applications

- 2.1 Application Form - The application form supplied by the municipality must be utilized by all applicants for tax exemption. The application form requires organizations to:
 - 2.1.1 declare under which subsection of section 224(2) of the *Community Charter* they are claiming the exemption;
 - 2.1.2 provide a full description of the organization, its purposes and programmes;
 - 2.1.3 provide all necessary documentation to support the status they claim; and
 - 2.1.4 provide financial statements in accordance with section 7 of this policy.
- 2.2 Completeness of Information Supplied - Unless all required information is supplied or a suitable explanation offered as to why this information cannot be supplied, the tax exemption application will not be considered.

2.3 Deadline - The deadline for applications in any year shall be set by the Community Services Advisory Committee and be strictly adhered to. The deadline must be on or before April 30th of the year preceding the year of tax exemption. Applications received after the deadline will only be considered if they meet the criteria under Section 2.4

2.4 Applications for Exemption Received after the Deadline – Subject to the provisions of the *Community Charter*, requests for exemption by Council which are received after the deadline will only be considered if they meet the following conditions:

2.4.1 The application complies with the tax exemption by Council guidelines as outlined in Section 1.0 of this policy;

2.4.2 The requirement for exemption was not reasonably foreseeable at the date of the deadline for exemptions for the current period;

2.4.3 Adequate justification is provided for not meeting the deadline for application for exemption for the current period.

2.4.4 A taxation exemption application form is completed.

Staff will review any application received after the deadline and provide recommendations to Council.

3.0 Review Process

3.1 Applications will be received by staff.

3.2 In the second year of council's mandate, the applications will be reviewed by the Community Services Advisory Committee, working with a staff liaison. A report and the necessary bylaw will be prepared for Council consideration by August 31st. Additional material, including completed applications, will be forwarded to Council only if specifically requested by Council.

3.3 Council approves a Permissive Tax Exemption bylaw once every three years in the second year of a Council's three year mandate. The bylaw is in effect for a three year period. The bylaw is supported by a full review of all applications.

3.4 New applications received in years one and three of a council mandate, will only be considered if there is room in the financial cap, if Council deems a service to be a District service or deems there to be a community "need".

3.5 Once Permissive Tax Exemption applications have been reviewed by the Community Services Advisory Committee and, it is confirmed that the total applications exceed the financial cap of .6% of the tax levy, the Community Services Advisory Committee will have the authority to allocate funds to applicants within the limits of the financial cap and make their recommendation to council. Staff will work with the Committee to establish allocation mechanisms.

4.0 Publication of Taxation Exemptions by Council Process and Criteria

4.1 The District Taxation Exemptions by Council Process and Guidelines will be publicized by posting a notice advising the Community of the Tax Exemption by Council process and criteria.

4.2 Taxation Exemptions by Council will be reported annually.

5.0 Council to Provide Notice of Permissive Tax Exemptions Prior to Adoption of Bylaw

5.1 Pursuant to Section 227 of the *Community Charter*, prior to adoption of a proposed bylaw to exempt property from taxation, Council is required to give notice of the bylaw. The notice must:

5.1.1 identify the property that would be subject to the bylaw,

5.1.2 describe the proposed exemption,

5.1.3 state the number of years that the exemption may be provided, and

5.1.4 provide an estimate of the amount of taxes that would be imposed on the property if it were not exempt, for the year in which the proposed bylaw is to take effect and the following 2 years.

6.0 Acknowledgement of Taxation Exemptions by Council

6.1 All recipients of tax exemptions from the District of North Vancouver are required to publicly acknowledge the exemption.

6.2 This information is to be communicated to all beneficiaries, either in the local newspaper or through a letter, as well as, if applicable, in a prominent location in their publication.

6.3 If such publication lists community and government organizations in North Vancouver, such a list should also include the Council of the District of North Vancouver.

7.0 Accountability

7.1 When applying for a taxation exemption by Council, or upon request, the applicant will supply an audited financial statement for the most recent fiscal year, or where audited financial statements are not available, the applicant will supply financial statements that have been verified as correct by two signing officers from the organization.

Approval Date:	May 6, 2002	Approved by:	Regular Council
1. Amendment Date:	September 10, 2007	Approved by:	Regular Council
2. Amendment Date:		Approved by:	
3. Amendment Date:		Approved by:	

Excerpt from Community Charter

General authority for permissive exemptions

224 (1) A council may, by bylaw in accordance with this section, exempt land or improvements, or both, referred to in subsection (2) or (3) from taxation under section 197 (1) (a) [*municipal property taxes*], to the extent, for the period and subject to the conditions provided in the bylaw.

(2) Tax exemptions may be provided under this section for the following:

- (a) land or improvements that
 - (i) are owned or held by a charitable, philanthropic or other not for profit corporation, and
 - (ii) the council considers are used for a purpose that is directly related to the purposes of the corporation;
- (b) land or improvements that
 - (i) are owned or held by a municipality, regional district or other local authority, and
 - (ii) the council considers are used for a purpose of the local authority;
- (c) land or improvements that the council considers would otherwise qualify for exemption under section 220 [*general statutory exemptions*] were it not for a secondary use;
- (d) the interest of a public authority, local authority or any other corporation or organization in land or improvements that are used or occupied by the corporation or organization if
 - (i) the land or improvements are owned by a public authority or local authority, and
 - (ii) the land or improvements are used by the corporation or organization for a purpose in relation to which an exemption under this Division or Division 6 of this Part would apply or could be provided if the land or improvements were owned by that corporation or organization;
- (e) the interest of a public authority, local authority or any other corporation or organization in land or improvements that are used or occupied by the corporation or organization if
 - (i) the land or improvements are owned by a person who is providing a municipal service under a partnering agreement,
 - (ii) an exemption under section 225 [*partnering and other special tax exemption authority*] would be available for the land or improvements in relation to the partnering agreement if they were used in relation to the service,
 - (iii) the partnering agreement expressly contemplates that the council may provide an exemption under this provision, and
 - (iv) the land or improvements are used by the corporation or organization for a purpose in relation to which an exemption under this Division or Division 6 of this Part would apply or could be provided if the land or improvements were owned by that corporation or organization;
- (f) in relation to property that is exempt under section 220 (1) (h) [*buildings for public worship*],
 - (i) an area of land surrounding the exempt building,
 - (ii) a hall that the council considers is necessary to the exempt building and the land on which the hall stands, and
 - (iii) an area of land surrounding a hall that is exempt under subparagraph (ii);

(g) land or improvements used or occupied by a religious organization, as tenant or licensee, for the purpose of public worship or for the purposes of a hall that the council considers is necessary to land or improvements so used or occupied;

(h) in relation to property that is exempt under section 220 (1) (i) *[seniors' homes]*, (j) *[hospitals]* or (l) *[private schools]*, any area of land surrounding the exempt building;

(i) land or improvements owned or held by an athletic or service club or association and used as a public park or recreation ground or for public athletic or recreational purposes;

(j) land or improvements owned or held by a person or organization and operated as a licensed community care facility or registered assisted living residence under the *Community Care and Assisted Living Act*;

(k) land or improvements for which a grant has been made, after March 31, 1974, under the *Housing Construction (Elderly Citizens) Act* before its repeal.

(3) The authority under subsection (2) (e) and (g) to (j) is not subject to section 25 (1) *[prohibition against assistance to business]*.

(4) Subject to subsection (5), a bylaw under this section

(a) must establish the term of the exemption, which may not be longer than 10 years,

(b) may only be adopted after notice of the proposed bylaw has been given in accordance with section 227 *[notice of permissive tax exemptions]*, and

(c) does not apply to taxation in a calendar year unless it comes into force on or before October 31 in the preceding year.

(5) Subsection (4) (a) and (b) does not apply in relation to exemptions under subsection (2) (f) and (h).

(6) If only a portion of a parcel of land is exempt under this section, the bylaw under this section must include a description of the land that is satisfactory to the assessment commissioner.

(7) A bylaw under this section ceases to apply to property, the use or ownership of which no longer conforms to the conditions necessary to qualify for exemption and, after this, the property is liable to taxation.

AGREEMENT

THIS AGREEMENT dated for reference the ____ day of _____, 2015

BETWEEN

CAPILANO TENNIS CLUB, having an address of P.O. Box #611, 718 - 333
Brooksbank Avenue, North Vancouver, British Columbia V7J 3V8

(the "Club")

AND

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER, having offices at
355 West Queens Road, North Vancouver, British Columbia V7N 4N5

(the "District")

WHEREAS:

- A. The Club is a non-profit society registered pursuant to the *Societies Act* (British Columbia) under Number S-0010158;
- B. The Club leases lands and premises located at 2500 Capilano Road, North Vancouver, legally described as PID: 019-056-206, Lot A Block 10 District Lot 607 Group 1 New Westminster District and PID: 011-348-569, Lots 15 and 16 Block 10 District Lots 601 and 607 Plan 4740 (collectively, the "Land"), all of which Land is used by the Club for non-profit purposes;
- C. Four tennis courts (the "Courts") are located on the Land; and
- D. The District may, in its sole discretion, in accordance with section 224 of the *Community Charter*, S.B.C. 2003, c.26 (the "*Charter*"), exempt the Land from property taxation under section 197(1)(a) of the *Charter*; and
- E. Section 224(1) of the *Charter* provides that an exemption may be provided subject to conditions,

THE PARTIES HEREBY AGREE THAT if and for so long as the District exempts the Land from property taxation as aforesaid pursuant to section 224 of the *Charter*, which

exemption will be in the sole discretion of the District's municipal council, the Club will fulfill the following conditions:

- 1) the Club will provide the general public (non-members of the Club) with access to the Courts in accordance with the following:
 - (a) each Court will be available for non-member public use at least 10 hours each week, and specifically, each Court will be available every week from 1 pm to 3 pm on Monday and Thursday, from 7 am to 9 am on Tuesday and Friday, and from 5 pm to 7 pm on Saturday (the "Non-Member Use Periods");
 - (b) the Club may move a Non-Member Use Period for one or more of the Courts from time to time in order to accommodate pre-planned Club activities, provided that notice of any such change will be posted on the Club's website at least one week in advance, and in any event, the aggregate Non-Member Use Periods for each Court will be not less than 10 hours per week;
 - (c) Non-Member Use Periods for each Court will be at least two hours in duration and will be provided at a variety of times on at least four different days over the course of each week;
 - (d) there will be no limitation on the number of times a non-member can use the Courts during Non-Member Use Periods;
 - (e) the Club may charge a reasonable user fee for public use of the Courts only if required by agreement between the Club and the Province of British Columbia, and then only in the amount required under such agreement;
 - (f) Club members may not use the Courts during Non-Member Use Periods unless invited and accompanied by a non-member, except if two of the four Courts are vacant during a Non-Member Use Period, members may use one of the vacant Courts until such time as it is required for use by a non-member, at which time the Club members will vacate the Court;
 - (g) Courts may be pre-booked by non-member groups for use during Non-Member Use Periods, provided that such groups book at least two weeks

in advance, but individuals may not pre-book use of the Courts. Pre-booked dates will be indicated in the Club calendar;

- (h) the Courts will be available to non-members during the Non-Member Use Periods on a first come, first served basis, unless pre-booked by a non-member group;
- (i) members and non-members will be subject to the same rules and regulations governing Court use, provided that such rules and regulations do not conflict with the terms of this Agreement; and
- (j) prior to entering the Courts, non-members will log their name and contact information in the Club's guest book and pay the user fee.

2) the Club will provide on the home page of its website, in bold print:

- (a) a statement that the Courts are available for non-member public access at certain times and the fee payable for public use;
- (b) an easily visible link to a list of the Non-Member Use Periods of hours; and
- (c) an easily visible link to instructions for booking or accessing the Courts and any other relevant information relating to such public use.

3) The Club will further:

- (a) advertise the availability of the Courts for non-member public use in the North Vancouver Recreation Commission program guide, and list the Non-Member Use Periods; and
- (b) publish the Non-Member Use Periods in the Club Calendar, which Club Calendar will be available to non-members as well as members.

In the event that the Club fails or ceases to fulfil the foregoing conditions, then the Land shall no longer be exempt from property taxes. Notwithstanding the foregoing, nothing herein or in any other agreement obligates the District to provide the Club with an exemption from property taxes now or at any other time, and Bylaw No. 8130 may be

repealed at any time, in the sole discretion of the District's municipal council. In the event that Bylaw No. 8130 is repealed, this Agreement will automatically terminate.

IN WITNESS WHEREOF the parties have executed this Agreement effective as of _____, 2015:

CAPILANO TENNIS CLUB by its)
authorized signatories:)
)
_____)
Name:)
)
_____)
Name:)
)
)

THE CORPORATION OF THE DISTRICT)
OF NORTH VANCOUVER by its)
authorized signatories:)
)
_____)
Mayor)
)
_____)
Municipal Clerk)
)

2016-2019 PERMISSIVE TAX EXEMPTIONS

Comm Charter Section - 224 (2)		APPLICANT	ADDRESS	FOLIO NUMBER	CLASS	TOTAL ASSESS- MENT	PERMISSIVE EXEMPT PORTION OF ASSESSMENT	TAX RATE (2015)	2015 MUNICIPAL TAXES EXEMPT PORTION	2016 MUNICIPAL TAXES EXEMPT PORTION *	2017 MUNICIPAL TAXES EXEMPT PORTION *	2018 MUNICIPAL TAXES EXEMPT PORTION *	2019 MUNICIPAL TAXES EXEMPT PORTION *	COMMUNITY CHARTER DESCRIPTION
(a)	1	North Shore Crisis Services Society	That portion of Lot 2, District Lot 2087, Plan LMP 24090, PID. 023-125-578	052-7240-9000-2	Res	2,673,000	1,362,000	2 37397	3,233	3,395	3,565	3,743	3,930	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	2	St. John Society (B.C. and Yukon)	106/107 - 223 Mountain Highway	090-6228-4007-X	Bus	946,000	946,000	8 27863	7,832	8,223	8,634	9,066	9,519	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	3	North Shore Disability Resource Centre Foundation	3158 Mountain Highway	050-5154-1027-6	Bus	221,900	221,900	8 27863	1,837	1,929	2,025	2,127	2,233	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	4	North Shore Disability Resource Centre Foundation	3140 Mountain Highway	050-5154-1028-4	Bus	1,026,000	1,026,000	8 27863	8,494	8,919	9,364	9,833	10,324	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	5	Canadian Mental Health Association	1573 Arborlynn Drive	070-0953-9100-2	Res	846,200	846,200	2 37397	2,009	2,109	2,215	2,325	2,442	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	6	Canadian Mental Health Association	1198 Harold Road	051-0721-8500-7	Res	753,900	753,900	2 37397	1,790	1,879	1,973	2,072	2,175	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	7	Change the World Foundation (Harvest Project)	1071 Roosevelt Crescent	010-1608-2000-6	Bus	7,017,000	1,843,000	8 27863	15,258	16,020	16,821	17,662	18,546	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	8	Hollyburn Family Services Society	3212 Mount Seymour Parkway	110-0395-3200-3	Res	787,200	787,200	2 37397	1,869	1,962	2,060	2,163	2,272	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	9	Hollyburn Family Services Society	3218 Mount Seymour Parkway	110-0395-3000-0	Res	853,900	853,900	2 37397	2,027	2,128	2,235	2,347	2,464	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	10	St. John Society (B.C. and Yukon)	108 - 223 Mountain Highway	090-6228-4008-8	Bus	285,000	285,000	8 27863	2,359	2,477	2,601	2,731	2,868	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
	11	WBT Wild Bird Trust of British Columbia	2649 Dollarton Highway	100-0139-7551-X	Bus	234,500	234,500	8 27863	1,941	2,038	2,140	2,247	2,360	s 224(2)(a) Charitable / Philanthropic / not for profit corp.
(b)	1	The Corporation of the District of West Vancouver	Parkland	020-0343-0400-2	Res	4,021,000	4,021,000	2 37397	9,546	10,023	10,524	11,050	11,603	s 224(2)(b) owned by municipality and used for local authority.
	2	The Corporation of the District of West Vancouver	Parkland	011-0469-5900-9	Res	1,598,800	1,598,800	2 37397	3,796	3,985	4,185	4,394	4,613	s 224(2)(b) owned by municipality and used for local authority.
	3	The Corporation of the District of West Vancouver	Parkland	011-0469-6100-3	Res	788,000	788,000	2 37397	1,871	1,964	2,062	2,166	2,274	s 224(2)(b) owned by municipality and used for local authority.
	4	Greater Vancouver Water District	Capilano River Regional Park	021-0346-0100-7	Rec	3,255,000	3,255,000	5 59349	18,207	19,117	20,073	21,077	22,130	s 224(2)(b) owned by regional district and used for the purposes of the local authority.
(c)	1	Deep Cove Parent Participation Preschool Society	1204 Caledonia Avenue	130-1698-1010-0	Bus	30,040,000	-	8 27863	-	-	-	-	-	s 224(2)(c) could qualify for a general statutory exemption (schools) were it not for a secondary use (day care)
					Res	165,200	165,200	2 37397	392	412	432	454	477	
	2	Highlands Out-of-School Care Society	3150 Colwood Drive	030-0275-9405-X	Bus	10,455,000	-	8 27863	-	-	-	-	-	s 224(2)(c) could qualify for a general statutory exemption (schools) were it not for a secondary use (day care)
					Res	66,100	66,100	2 37397	157	165	173	182	191	
	3	Novaco Day Care Centre Society	1370 Redwood Street	010-0127-6200-8	Bus	6,545,000	-	8 27863	-	-	-	-	-	s 224(2)(c) could qualify for a general statutory exemption (schools) were it not for a secondary use (day care)
					Res	841,100	841,100	2 37397	1,997	2,097	2,201	2,311	2,427	
	4	La Pre-Maternelle Francophone Trottin-Trotinette	380 West Kings Road	040-3000-2000-7	Bus	17,578,000	-	8 27863	-	-	-	-	-	s 224(2)(c) could qualify for a general statutory exemption (schools) were it not for a secondary use (day care)
					Res	358,000	358,000	2 37397	850	892	937	984	1,033	

2016-2019 PERMISSIVE TAX EXEMPTIONS														
Comm Charter Section - 224 (2)		APPLICANT	ADDRESS	FOLIO NUMBER	CLASS	TOTAL ASSESS- MENT	PERMISSIVE EXEMPT PORTION OF ASSESSMENT	TAX RATE (2015)	PROJECTED					COMMUNITY CHARTER DESCRIPTION
									2015 MUNICIPAL TAXES EXEMPT PORTION	2016 MUNICIPAL TAXES EXEMPT PORTION *	2017 MUNICIPAL TAXES EXEMPT PORTION *	2018 MUNICIPAL TAXES EXEMPT PORTION *	2019 MUNICIPAL TAXES EXEMPT PORTION *	
	5	North Shore Neighbourhood House	1230 West 20th Street	011-0166-2200-6	Bus	14,523,000	-	8.27863	-	-	-	-	-	s 224(2)(c) could qualify for a general statutory exemption (schools) were it not for a secondary use (day care)
					Res	146,700	146,700	2.37397	348	366	384	403	423	
	6	North Shore Neighbourhood House	1255 Eldon Road	020-0271-0710-8	Bus	17,874,000	-	8.27863	-	-	-	-	-	s 224(2)(c) could qualify for a general statutory exemption (schools) were it not for a secondary use (day care)
					Res	136,000	136,000	2.37397	323	339	356	374	392	
(d)	1	Deep Cove Cultural Society	4360 Gallant Avenue	130-2304-2005-2	Bus	1,881,000	1,881,000	8.27863	15,572	16,351	17,168	18,027	18,928	s 224(2)(d) land owned by a local authority
	2	North Vancouver Community Players	815 East 11th Street	080-0176-1300-0	Bus	1,233,700	1,233,700	8.27863	10,213	10,724	11,260	11,823	12,414	s 224(2)(d) land owned by a local authority
	3	RNB Dance & Theatre Arts Society	3355 Mountain Highway	050-2162-0020-2	Bus	1,998,000	1,998,000	8.27863	16,541	17,368	18,236	19,148	20,105	s 224(2)(d) land owned by a local authority
	4	Parkgate Community Services Society	949 Lytton Street	100-1523-1009-6	Bus	1,134,000	1,134,000	8.27863	9,388	9,857	10,350	10,868	11,411	s 224(2)(d) land owned by a local authority
	5	North Shore Neighbourhood House	3361 Mountain Highway	051-2162-0030-X	Res	684,200	684,200	2.37397	1,624	1,705	1,791	1,880	1,974	s 224(2)(d) land owned by a local authority
	6	Seymour Heights Parent Participation Preschool Association	800 Lytton Street	100-1523-1007-X	Res	300,700	300,700	2.37397	714	750	787	826	868	s 224(2)(d) land owned by a local authority
	7	Lynn Valley Parent Participation Preschool	3220 Mountain Highway	052-3077-0402-5	Res	328,000	328,000	2.37397	779	818	858	901	946	s 224(2)(d) land owned by a local authority
	8	Lynn Valley Services Society	940 Lynn Valley Road	050-7477-0700-6	Res	873,700	873,700	2.37397	2,074	2,178	2,287	2,401	2,521	s 224(2)(d) land owned by a local authority
	9	Delbrook Partnership for Quality Child Care Associaton	3111 Stanley Avenue	030-1948-9000-7	Bus	4,462,000	-	8.27863	-	-	-	-	-	s 224(2)(d) land owned by a local authority
					Res	251,000	251,000	2.37397	596	626	657	690	724	
	10	Deep Cove Rowing Club	2156 Banbury Road	132-0453-7420-1	Bus	517,000	517,000	8.27863	4,280	4,494	4,719	4,955	5,202	s 224(2)(d) land owned by a local authority
	11	Hollyburn Family Services Society	That portion of Lot A, Block 7, District Lot 193, Plan 12218, PID: 005-411-483	100-0101-2600-7	Res	1,049,000	1,049,000	2.37397	2,490	2,615	2,746	2,883	3,027	s 224(2)(d) land owned by a local authority
	12	Family Services of the North Shore	399 Seymour River Place	100-1648-6004-5	Bus	426,700	426,700	8.27863	3,532	3,709	3,895	4,089	4,294	s 224(2)(d) land owned by a local authority
	13	Capilano Tennis Club	2500 Capilano Road	011-0341-7010-3	Rec	297,000	297,000	5.59349	1,661	1,744	1,832	1,923	2,019	s 224(2)(d) land owned by a local authority
					Bus	691,000	691,000	8.27863	5,721	6,007	6,307	6,622	6,953	
(g)	1	Aga Khan Foundation Canada	1150 Gladwin Drive	011-1617-9000-3	Rec	8,680,000	8,680,000	5.59349	48,551	50,979	53,528	56,204	59,015	s 224(2)(g) used by a religious organization, as tenant or licensee, for the purpose of public worship
					Bus	446,000	-	8.27863	-	-	-	-	-	
(h)	1	Vancouver Waldorf School Society	2701 St. Christophers Road	050-0755-1800-7	Res	27,700	-	2.37397	-	-	-	-	-	s 224(2)(h) in relation to property that is exempt under section 220 (1) (i) [private schools], any area of land surrounding the exempt building
					Rec	653,000	653,000	5.59349	3,653	3,835	4,027	4,228	4,440	
					Bus	123,700	123,700	8.27863	1,024	1,075	1,129	1,185	1,245	

2016-2019 PERMISSIVE TAX EXEMPTIONS														COMMUNITY CHARTER DESCRIPTION
Comm Charter Section - 224 (2)		APPLICANT	ADDRESS	FOLIO NUMBER	CLASS	TOTAL ASSESS- MENT	PERMISSIVE EXEMPT PORTION OF ASSESSMENT	TAX RATE (2015)	2015 MUNICIPAL TAXES EXEMPT PORTION	2016 MUNICIPAL TAXES EXEMPT PORTION *	2017 MUNICIPAL TAXES EXEMPT PORTION *	2018 MUNICIPAL TAXES EXEMPT PORTION *	2019 MUNICIPAL TAXES EXEMPT PORTION *	
	2	Vancouver Waldorf School Society	2725 St. Christophers Road	050-7477-0730-8	Res	563,000	563,000	2.37397	1,337	1,403	1,474	1,547	1,625	s 224(2)(h) in relation to property that is exempt under section 220 (1) (i) [private schools], any area of land surrounding the exempt building.
					Rec	305,000	305,000	5.59349	1,706	1,791	1,881	1,975	2,074	
					Bus	1,546,000	748,000	8.27863	6,192	6,502	6,827	7,168	7,527	
	3	St. Pius X Elementary School	1150 Mount Seymour Road	110-1874-0265-5	Res	-	-	2.37397	-	-	-	-	-	s 224(2)(h) in relation to property that is exempt under section 220 (1) (i) [private schools], any area of land surrounding the exempt building.
					Bus	5,555,000	2,507,000	8.27863	20,755	15,511	16,286	17,100	17,956	
					Rec	-	-	5.59349	-	-	-	-	-	
(j)	1	North Shore Disability Resource Centre Association	5793 Nancy Greene Way	022-2160-5070-7	Res	1,114,000	1,114,000	2.37397	2,645	2,777	2,916	3,061	3,215	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	2	North Shore Disability Resource Centre Association	4060 Shone Road	110-2097-6100-8	Res	1,006,000	1,006,000	2.37397	2,388	2,508	2,633	2,765	2,903	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	3	North Shore Disability Resource Centre Association	4338 Quinton Place	021-0265-4800-3	Res	1,602,000	1,602,000	2.37397	3,803	3,993	4,193	4,403	4,623	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	4	Parkgate Community Health Centre	3625 Banff Court	110-2316-0010-0	Bus	16,380,000	2,458,000	8.27863	20,349	21,366	22,435	23,556	24,734	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	5	Community Living Society	2985 Newmarket Drive	030-0283-1000-4	Res	1,545,000	1,545,000	2.37397	3,668	3,851	4,044	4,246	4,458	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	6	Community Living Society	4537 Capilano Road	021-0252-4400-0	Res	935,500	935,500	2.37397	2,221	2,332	2,448	2,571	2,699	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	7	Community Living Society	3091 Paisley Road	020-0301-1800-X	Res	1,214,400	1,214,400	2.37397	2,883	3,027	3,178	3,337	3,504	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	8	Community Living Society	3660 Maginnis Avenue	052-0732-7515-8	Res	873,500	873,500	2.37397	2,074	2,177	2,286	2,401	2,521	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	9	Greater Vancouver Community Services Society	3403 Mount Seymour Parkway	110-0408-9600-5	Res	827,000	827,000	2.37397	1,963	2,061	2,165	2,273	2,386	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	10	Greater Vancouver Community Services Society	1693 Coleman Street	053-1538-9010-X	Res	882,000	882,000	2.37397	2,094	2,199	2,308	2,424	2,545	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	11	North Shore Connexions Society	2490 Edgemont Boulevard	030-0272-1100-2	Res	926,000	926,000	2.37397	2,198	2,308	2,424	2,545	2,672	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	12	North Shore Connexions Society	4410 Capilano Road	021-3443-5200-5	Res	504,000	504,000	2.37397	1,196	1,256	1,319	1,385	1,454	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	13	North Shore Connexions Society	1240 Barlynn Crescent	050-1654-6030-X	Res	1,033,000	1,033,000	2.37397	2,452	2,575	2,704	2,839	2,981	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	14	North Shore Connexions Society	1904 Peters Road	052-1764-9216-X	Res	980,000	980,000	2.37397	2,326	2,443	2,565	2,693	2,828	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	15	Community Living Society	1075 Frederick Road	051-0678-3210-5	Res	783,000	783,000	2.37397	1,859	1,952	2,049	2,152	2,259	s 224(2)(j) operated as licensed community care facility or registered assisted living residence

2016-2019 PERMISSIVE TAX EXEMPTIONS									PROJECTED					
Comm Charter Section - 224 (2)		APPLICANT	ADDRESS	FOLIO NUMBER	CLASS	TOTAL ASSESS- MENT	PERMISSIVE EXEMPT PORTION OF ASSESSMENT	TAX RATE (2015)	2015 MUNICIPAL TAXES EXEMPT PORTION	2016 MUNICIPAL TAXES EXEMPT PORTION *	2017 MUNICIPAL TAXES EXEMPT PORTION *	2018 MUNICIPAL TAXES EXEMPT PORTION *	2019 MUNICIPAL TAXES EXEMPT PORTION *	COMMUNITY CHARTER DESCRIPTION
	16	Community Living Society	1680 Ross Road	060-0825-8600-4	Res	880,600	880,600	2.37397	2,091	2,195	2,305	2,420	2,541	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	17	Community Living Society	3636 Norwood Avenue	040-0762-8400-X	Res	1,035,200	1,035,200	2.37397	2,458	2,580	2,709	2,845	2,987	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
	18	Turning Point Recovery Society	2670 Lloyd Avenue (leased portion)	011-0294-2700-2	Res	951,000	951,000	2.37397	2,258	2,371	2,489	2,614	2,744	s 224(2)(j) operated as licensed community care facility or registered assisted living residence
(k)	1	Kiwanis Seniors Citizens Homes Ltd.	2555 Whiteley Court	050-1466-1000-8	Res	32,253,000	32,253,000	2.37397	76,568	80,396	84,416	88,637	93,068	s 224(2)(k) grant was made after 1974 under the Housing Construction (Elderly Citizens) Act before its repeal
	2	Lowland Senior Citizens Housing Society	1335 East 27th Street	070-1729-2020-5	Res	9,399,000	9,399,000	2.37397	22,313	23,429	24,600	25,830	27,122	s 224(2)(k) grant was made after 1974 under the Housing Construction (Elderly Citizens) Act before its repeal
				Sub-Total		233,186,100	106,982,400		404,343	418,279	439,193	461,152	484,210	
		DENIED APPLICATIONS												
(i)	1	North Shore Winter Club (Curling Portion)	1325 East Keith Road	090-7535-4010-X	Bus	3,438,200	46,200	8.27863	382	402	422	443	465	s 224(2)(i) owned or held by athletic service club / association & used for public athletic/ recreational purposes
					Res	496,800	-	2.37397	-	-	-	-	-	
					Rec	1,133,000	425,000	5.59349	2,377	2,496	2,621	2,752	2,890	
				Sub-Total		5,068,000	471,200		2,760	2,898	3,043	3,195	3,354	
		NEW APPLICATIONS												
(d)	1	RNB Dance & Theatre Arts Society	151/155 1233 Lynn Valley Road	050-3161-9775-0	Bus	1,173,000	1,173,000	8.27863	9,711	10,196	10,706	11,242	11,804	s 224(2)(d) land owned by a local authority
				Sub-Total		1,173,000	1,173,000	8	9,711	10,196	10,706	11,242	11,804	
				Total PTE Requests reviewed by CSAC		239,427,100	108,626,600		416,814	431,373	452,941	475,589	499,368	
				TOTAL per recommendation		234,359,100	108,155,400		414,054	428,475	449,899	472,394	498,014	
		Data Source: 2015 Revised Assessment Roll; 2015 Municipal Tax Rates												

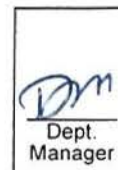
AGENDA INFORMATION

☐ Regular Meeting

Date: _____

☐ Committee of the Whole

Date: _____



The District of North Vancouver

REPORT TO COUNCIL

September 15, 2015

File: 05.1930/2015

AUTHOR: Cristina Rucci, Social Planner**SUBJECT:** Bylaw 8131: 2016 - 2019 Taxation Exemption Bylaw for Places of Public Worship**RECOMMENDATION:**

That:

1. "2016 – 2019 Taxation Exemptions for Places of Public Worship, Bylaw 8131, 2015" be now read a FIRST, SECOND and THIRD time.

REASON FOR REPORT:

In compliance with Section 224(2)(f) of the *Community Charter*, the necessary bylaw to provide permissive tax exemptions to Places of Public Worship has been prepared for Council's consideration.

SUMMARY:

In order to provide permissive tax exemptions Council may, on or before October 31st of each year, adopt a bylaw to exempt certain lands or improvements (or both) from municipal taxation, including property related to buildings for public worship. The bylaw is included as Attachment 1 of this report.

BACKGROUND:

A list of the proposed 2016-2019 permissive tax exemptions for Places of Public Worship and an estimate of the amount of taxes that would have applied on the property in the first year of the exemption and the following three years is attached for your information (Attachment 2).

EXISTING POLICY:*Community Charter*

Although the *Community Charter* provides for statutory exemptions under Section 220 (1)(h) for buildings set apart for public worship, and the land on which the building stands, Council has the authority, by bylaw, under Section 224(2)(f) of the *Charter* to grant permissive exemptions for:

- i. An area of land surrounding the exempt buildings,

SUBJECT: Bylaw 8131: 2016 - 2019 Taxation Exemption Bylaw for Places of Public Worship

September 15, 2015

Page 2

- ii. A hall that the council considers is necessary to the exempt building and the land on which the hall stands; and
- iii. An area of land surrounding a hall that is exempt under subparagraph (ii).

ANALYSIS:

Council may grant a permissive tax exemption for the land surrounding, as well as buildings related to the place of public worship, as long as the property has a general statutory exemption applied under the *Charter* Section 220 (1)(h). While Section 224(5) of the *Community Charter* states that the bylaw adopted by Council with regards to Places of Public Worship does not need to: (a) establish a term for the exemption, or (b) give notice of the proposed bylaw, the bylaw attached aligns to the same four-year time frame as set through Taxation Exemptions by Council Guidelines¹.

Timing/Approval Process:

Pursuant to provision of the *Community Charter*, If Council wishes to exempt the buildings and lands noted in this report, Council must adopt the Places of Public Worship Bylaw by October 31st of the current year.


Financial Impacts:

If Council were to approve the recommendations for exemptions for Places of Public Worship, the total 2015 exempt assessments would be \$1,418,200 and the related 2015 tax exemptions would be \$6,506.

Respectfully submitted,


Cristina Rucci,
Social Planner

Attachment 1: 2016-2019 Taxation Exemptions for Places of Public Worship
Attachment 2: Estimate of taxes for the proposed 2016-2019 permissive tax exemptions

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input checked="" type="checkbox"/> Finance  _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks _____	<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 _____	

¹ The Council policy was recently changed from a three year cycle to a four year cycle to align with the new four-year election cycle that was implemented by the Provincial Government in 2014. This change was approved by the Finance and Audit Standing Committee.

The Corporation of the District of North Vancouver**Bylaw 8131**

A bylaw to exempt from taxation certain places of public worship.

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

1. Citation

This bylaw may be cited as "2016 – 2019 Taxation Exemptions for Places of Public Worship Bylaw 8131, 2015".

2. Statutory Exemptions under Section 220(1)(h) of the *Community Charter*

2.1 The following property used pursuant to Section 220(1)(h) of the *Community Charter* (buildings used for public worship and the lands on which those buildings stand) is exempt from taxation imposed under the Annual Tax Rates Bylaw:

- a) Lot A, Block 13, District Lot 543, Plan 3766, PID: 012-216-526, Roll # 130-0152-8410-7 (Deep Cove Gospel Hall, 4544 Cove Cliff Road);
- b) Lot B, Block 59, District Lot 552, Plan 4680, PID: 011-417-803, Roll # 010-0173-2300-2 (North Vancouver Islamic Association, 1398 West 15th Street);
- c) Lot 2, Block 10, District Lot 594, Plan LMP 4072, PID: 017-754-551, Roll # 021-7407-2010-4 (Canyon Heights Christian Assembly, 4840 Capilano Road);
- d) Lot 2, Block N, District Lots 598 to 601, Plan 11457, PID: 009-062-335, Roll # 020-0294-4600-7 (St. Catherine's Anglican Church, 1058 Ridgewood Drive);
- e) Lot A, District Lot 600, Group 1, Plan EPP 41237, PID: 029-338-875 Roll # 020-3412-3700-0 (Highlands United Church, 3255 Edgemont Boulevard);
- f) Lot 1, Block 2, District Lot 600, Plan 16967, PID: 007-335-946, Roll # 011-1696-7000-7 (Gloria Dei Lutheran Church, 1110 Gladwin Drive);
- g) Lot 1, Block 11, District Lot 624, Plan 10725, PID: 009-395-857 Roll # 130-0158-7500-8 (The Bridge Community Church, 1384 Deep Cove Road);
- h) Lot 27 REM, District Lot 624, Plan 18740 Except Plan 18832, PID: 007-094-515, Roll # 110-1874-0265-5 (St. Pius X Church, 1150 Mt. Seymour Road);

- i) Lot A of Lot 11, District Lot 622, Plan 21681, PID: 010-530-061, Roll # 110-2168-1000-0 (Mount Seymour United Church, 1200 Parkgate Avenue);
- j) Lot 1, Blocks 18 and 19, District Lot 2022, Plan 14937, PID: 007-781-580, Roll # 070-1493-7000-8 (St. Stephen's Church, 1330 East 24th Street);
- k) Lot D, Block 34, District Lot 2022, Plan 8374, PID: 010-115-510, Roll # 070-0706-3000-3 (Lynn Valley Congregation of Jehovah's Witnesses, 2626 Mountain Highway);
- l) Lots A and B, Block 35, District Lot 2022, Plan 17292, PID: 007-290-110, Roll # 070-1729-2000-0 & PID: 007-290-128, Roll # 070-1729-2010-8 (Westlynn Baptist Church, 1341 East 27th Street);
- m) The North ½ of Block 45, District Lot 2022, Plan 1000, PID: 015-037-801, Roll # 070-0708-1300-0 (New Life Christian Centre Society, 2800 Mountain Highway);
- n) Lot 1, Block 54, District Lot 2022, Plan 20270, PID: 005-085-802, Roll # 051-2027-0000-3 (Lynn Valley Full Gospel Church, 1160 East 29th Street);
- o) Lot 1, Block 7, District Lot 2023, Plan 15925, PID: 007-605-331, Roll # 052-1592-5000-5 (St. Clement's Anglican Church, 3400 Institute Road);
- p) Lot 6, District Lot 2025, Plan 17012, PID: 007-332-874, Roll # 050-1701-2050-3 (The Church of Jesus Christ of Latter Day Saints, 941 Lynn Valley Road);
- q) Lot 1, Blocks 5 to 13, District Lot 2025, Plan 16313, PID: 007-511-221, Roll # 050-1631-3000-0 (Hillside Baptist Church, 870 Lynn Valley Road);
- r) Lot A (E.P. 6080) and Lot 5 Am. (E.P. 6080), Block 20, District Lot 2026, Plan 3837, PID: 012-122-785, Roll # 040-0768-8600-X & PID: 012-122-777, Roll # 040-0769-0500-4 (North Lonsdale United Church, 3380 Lonsdale Avenue);
- s) Lot 7 of Lot A, Block 23, District Lot 2026, Plan 2783, PID: 013-398-229, Roll # 040-0770-1800-1 (Kings Road Baptist Church, 131 East Kings Road);
- t) Lot 1 of Lot 4, Blocks 25 to 29, District Lot 2026, Plan 14209, PID: 007-894-376, Roll # 040-1420-9000-X (St. Martin's Anglican Church, 195 East Windsor Road); and,
- u) Lot A, Block 8, Westlynn Plan 17299, PID: 007-289-952, Roll # 070-1729-9000-9 (Mount Olivet Lutheran Church, 1700 Mountain Highway).

3. Permissive Exemptions under Section 224(2)(f)(i) of the *Community Charter*

3.1 The area of land surrounding the exempt building set apart for public worship, for all those properties outlined in Section 2 of this Bylaw, (excluding the area of land described below) are exempt from taxation imposed under the Annual Tax Rates Bylaw.

- a) Lot 27 REM, District Lot 624, Plan 18740 Except Plan 18832, PID: 007-094-515, Roll # 110-1874-0265-5 the portion marked A on the attached plan Schedule A and described as follows:

commencing at the southwest corner, thence east along the lot line for 14 metres, thence north along a line parallel to the west property line for 40 metres, thence west for 14 metres, along a line parallel to the south lot line south to and along the west lot line returning to the point of commencement, containing 560 m² (St. Pius X Church, 1150 Mt. Seymour Road);

- b) Lot 1, Blocks 18 and 19, District Lot 2022, Plan 14937, PID: 007-781-580, Roll # 070-1493-7000-8 the portion marked B (being the combined B1 and B2) on the attached plan Schedule B and described as follows:

commencing at the southeast corner, thence west along the south lot line for 50 metres, thence north along a line parallel to the east lot line for 37 metres, thence east along a line parallel to the south lot line for 16.5 metres, then north along a line parallel to the east lot line for approximately 20.7 metres to the southwest corner of Lot 2 in Plan 14937, thence following first to the east the lot lines returning to the point of commencement, containing 2545 m² (St. Stephen's Church, 1330 East 24th Street);

- c) Lot 1, Block 54, District Lot 2022, Plan 20270 the portion marked C on the attached plan Schedule C, PID: 005-085-802, Roll # 051-2027-0000-3 (Lynn Valley Full Gospel Church, 1160 East 29th Street); and,

- d) Lot B, Block 59, District Lot 552, Plan 4680, the portion marked D on the attached plan Schedule D, PID: 011-417-803, Roll # 010-0173-2300-2 (North Vancouver Islamic Association, 1398 West 15th Street).

4. Permissive Exemptions under section 224(2)(f)(ii) and (iii) of the *Community Charter*

4.1 In relation to property that is exempt under Section 220(1)(h), the following halls that the council considers are necessary to the exempt building and the land on which the halls stand, and the area of land surrounding the halls, are exempt from taxation imposed under the Annual Tax Rates Bylaw to the extent of 30% of the value of the lands and improvements for the property on the Assessment

Roll:

- a) the part of the portion of Lot 1, Blocks 18 and 19, District Lot 2022, Plan 14937, PID: 007-781-580, Roll # 070-1493-7000-8 marked B2 on the attached plan Schedule B that is described as follows:

commencing at a point on the south lot line 30 metres from the southeast corner thence north along a line parallel to the east lot line for 37 metres, thence west along a line parallel to the south lot line for 20 metres, thence south along a line parallel to the east lot line for 37 metres, thence east along the south lot line for 20 metres to the point of commencement, containing an area of 740 m² (1330 East 24th Street, and associated with St. Stephen's Church);

- b) the portion of Lot 27 REM, District Lot 624, Plan 18740 and Lot 27 REM, except Plan 18832 marked A on the attached Schedule A, PID: 007-094-515, Roll # 110-1874-0265-5 (1150 Mount Seymour Road, and associated with St. Pius X Church); and,
- c) Lot 3, Block 3 of Blocks 25 to 29, District Lot 2026, Plan 1303, PID: 014-684-381, Roll # 040-0771-6600-0 (St. Martin's Anglican Church, 3166 St. Georges Avenue).

5. Verification of use

The tax exemptions provided in sections 2, 3, and 4 are subject to the owners annually verifying to the Municipal Clerk that the property is used in accordance with section 220 of the Community Charter.

6. Schedules

Schedule A through D are attached and form part of this Bylaw.

7. Effective Date

The effective date of this bylaw is January 1, 2016 to December 31, 2019.

READ a first time

READ a second time

READ a third time

NOTICE given in accordance with Section 227 of the *Community Charter* on this the _____ and _____ day of _____, 2015.

ADOPTED

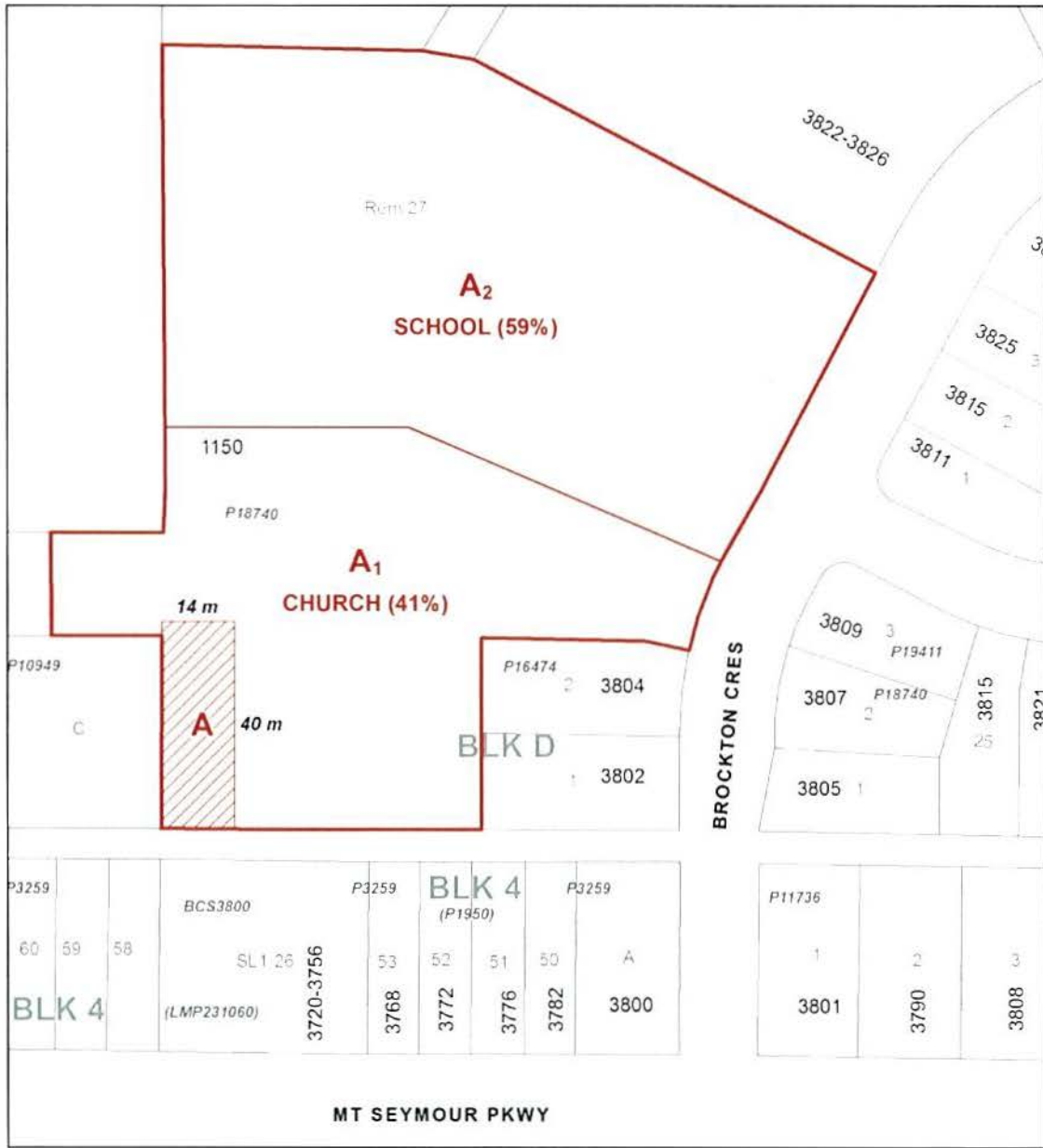
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8131

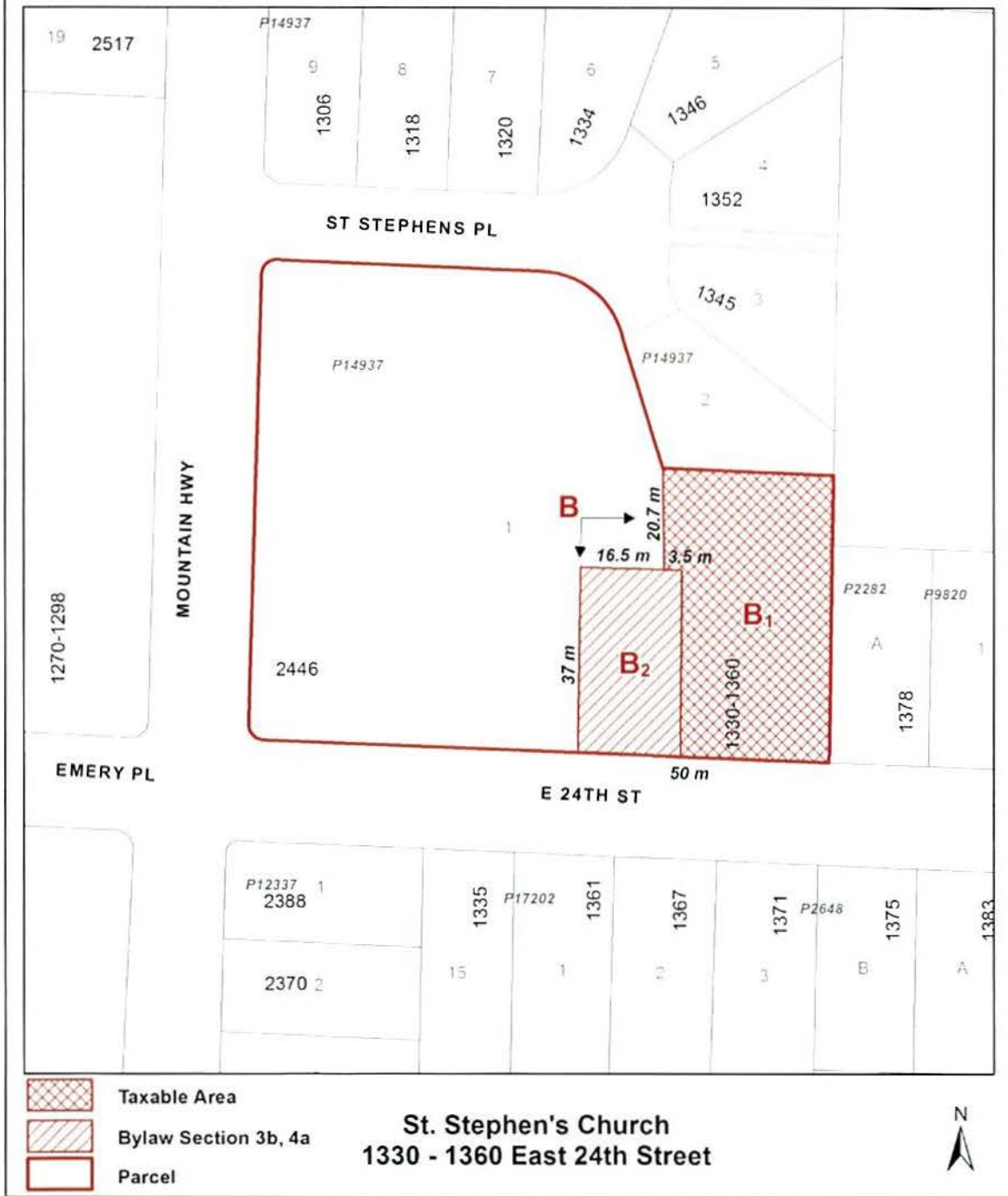


-  Bylaw Section 3a, 4b
-  Parcel

St. Pius X Church
1150 Mt. Seymour Road



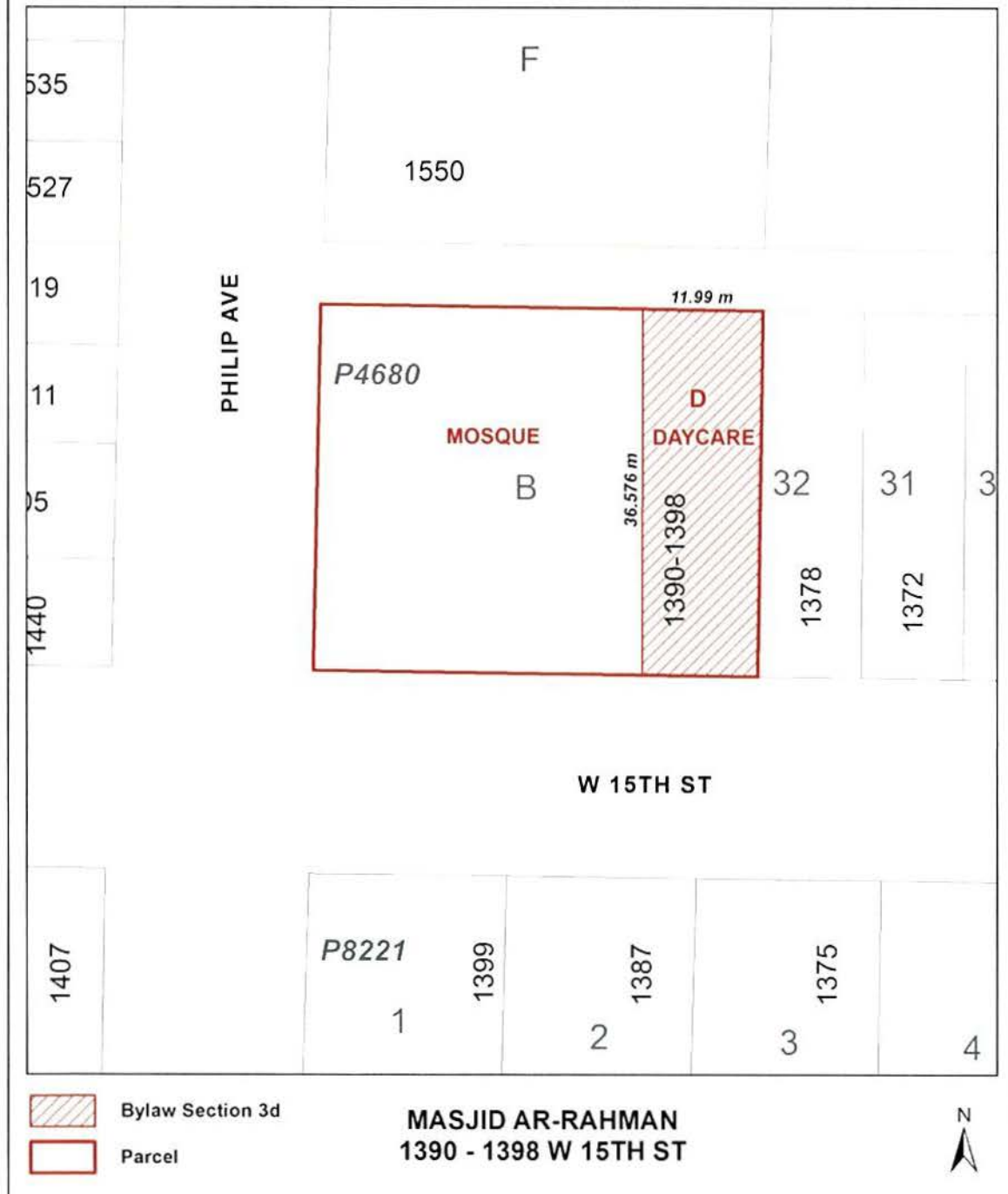
Schedule B to Bylaw 8131



Schedule C to Bylaw 8131

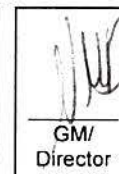
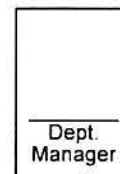


Schedule D to Bylaw 8131



2016-2019 PERMISSIVE TAX EXEMPTIONS - Place of Public Worship															
Comm Charter Section - 224(2)(f)		APPLICANT	ADDRESS	FOLIO NUMBER	CLASS	TOTAL ASSESSMENT	PERMISSIVE EXEMPT PORTION OF ASSESSMENT	TAX RATE (2015 Rates)	2015 MUNICIPAL TAXES EXEMPT PORTION	PROJECTED					COMMUNITY CHARTER DESCRIPTION
										2016 MUNICIPAL TAXES EXEMPT PORTION*	2017 MUNICIPAL TAXES EXEMPT PORTION*	2018 MUNICIPAL TAXES EXEMPT PORTION*	2019 MUNICIPAL TAXES EXEMPT PORTION*		
(ii) & (iii)	1	St Stephen's Church	1330 East 24th Street	070-1493-7000-8	Rec	1,602,000	869,000	5.59349	4,861	5,104	5,359	5,627	5,908	s 224(2)(f) church manse	
					Res	425,500	127,800	2.37397	303	319	334	351	369		
	2	St Pius X Church	1150 Mount Seymour Road	110-1874-0265-5	Rec	2,117,000	106,000	5.59349	593	7,802	8,193	8,602	9,032	s 224(2)(f) church manse	
					Bus	0	-	8.27863	-	-	-	-	-		
					Res	108,100	8,800	2.37397	21	-	-	-	-		
		Sub-Total Place of Public Worship PTE's				4,252,600	1,111,600		5,778	13,225	13,886	14,580	15,309		
		NEW APPLICATIONS													
	1	St Martin's Anglican Church	3166 St Georges Ave	040-0771-6600-0	Res	1,022,000	306,600	2.37397	728	764	802	843	885	s 224(2)(f) church manse	
					Sub-Total	1,022,000	306,600		728	764	802	843	885		
		TOTAL Place of Public Worship				5,274,600	1,418,200		6,506	13,989	14,689	15,423	16,194		
		Data Source: 2015 Revised Assessment Roll; 2015 Municipal Tax Rates													

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 14, 2015
File: 05.1940

AUTHOR: Elio Iorio, Manager Revenue and Taxation

SUBJECT: **Bylaw 8132, Permissive Tax Exemption, North Vancouver Museum & Archives**

RECOMMENDATION:

THAT "2016-2019 Taxation Exemption for North Vancouver Museum and Archives Warehouse Facility Bylaw 8132, 2015" is given FIRST, SECOND, and THIRD reading;

AND THAT the Clerk is directed to provide notice in accordance with s. 227 of the *Community Charter* prior to adoption.

REASON FOR REPORT:

Purpose of the Bylaw is to consider extending a permissive tax exemption for the taxation years 2016 to 2019 for the North Vancouver Museum and Archives (NVMA) leased warehouse facility located at 1480-1482 Columbia Street.

BACKGROUND:

The North Vancouver Museum and Archives operates two major public facilities which provide access to extensive collections of artefacts and archival documents that record and exhibit the North Shore's historical background. The facilities consist of the Community History Centre located at 3203 Institute Road which displays archival documents and the Presentation House Arts Centre which preserves artefacts and organizes exhibits located at 209 W. 4th Street.

A vital component to the operations of the NVMA is the storage and safekeeping of over 20,000 historical objects. A privately owned warehouse facility located at 1480-1482 Columbia Street is utilized as the principal collection storage facility as only a small portion of the vast artefacts can currently be exhibited at the Presentation House.

The lease agreement requires NVMA to reimburse the property owner for all property taxes payable for the occupied portions of the building. A permissive tax exemption has been granted since 2013 and has assisted in reducing operating expenditures of which the District contributes 50 per cent funding. The reduction in taxation expenditure to both municipalities has been redirected into funding additional community cultural activities through the NVMA.

SUBJECT: Bylaw 8132, Permissive Tax Exemption, North Vancouver Museum & Archives

September 14, 2015

Page 2

ANALYSIS:

The Museum and Archives provides cultural services on behalf of the District and the City of North Vancouver. These services are core funded and support the goals of enhancing the arts and cultural components within the community. The NVMA operating budget is funded equally by the District and the City of North Vancouver. In regarding the three facilities utilized in the cultural program, all are currently exempt from taxation. Both the Community History Centre and the Museum located in the Presentation House are owned respectively by the District and the City and therefore statutorily exempt from taxes. Extending a permissive tax exemption for the occupied portion of the warehouse facility is recommended to continue a standardized tax treatment across the entire program.

Timing/Approval Process:

Pursuant to provisions of the *Community Charter*, Council must adopt Permissive Tax Exemption Bylaws by October 31st of each year. Public notice must be provided in accordance with the Charter prior to adoption of the Permissive Tax Exemption Bylaw.

Financial Impacts:

Based upon a 2015 general assessment value of \$1,225,000, if Council approves a permissive tax exemption the municipal property taxes exempted would be \$10,141 and \$9,158 for other agency taxes, totalling \$19,299.

Respectfully submitted,



Elio Iorio
Manager, Revenue and Taxation

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 _____		

The Corporation of the District of North Vancouver

Bylaw 8132

A bylaw to exempt certain land and improvements from municipal taxation.

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

1. Citation

This bylaw may be cited as "2016-2019 Taxation Exemption for North Vancouver Museum and Archives Warehouse Facility Bylaw 8132, 2015".

2. Exemption under Section 224(2)(b) (i) and (ii) of the *Community Charter*

2.1 For the 2016 - 2019 calendar year the following land and improvements are exempt from taxation levied pursuant to Section 224(2)(b) (i) and (ii) of the *Community Charter*.

- a) VIAM Holdings Ltd. That portion of Lot C, Block 30, District Lot 204, Plan 1340 which is leased. PID: 013-942-611 Folio: 090-0110-1350-8 Civic: 1480 and 1482 Columbia Street.

3. Effective Date

The effective date of this bylaw is January 1, 2016 to December 31, 2019.

READ a first time

READ a second time

READ a third time

NOTICE given in accordance with Section 227 of the *Community Charter* on this the _____ and _____ day of _____, 2015.

ADOPTED


Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Sept 28, 2015</u>
<input type="checkbox"/> Committee of the Whole	Date: _____

 Dept. Manager	 GM/ Director	9.7  CAO
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The District of North Vancouver REPORT TO COUNCIL

September 18, 2015
File: 13.6680.20/005.000

AUTHOR: Suzy Lunn, Policy Planner

SUBJECT: Engagement Strategy for the Delbrook Lands - 600 West Queens Road

RECOMMENDATION:

THAT staff be directed to proceed with an engagement strategy for the Delbrook lands, as outlined in this report.

REASON FOR REPORT:

On July 20, 2015 Council passed a resolution:

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

This report is to provide an overview of the approach for the engagement strategy to determine the future for the Delbrook lands, which are owned by the District of North Vancouver.

SUMMARY:

In 2014 the District began construction of a new community recreation centre at 851 Queens Road to replace the ageing William Griffin and Delbrook Community Recreation Centres. When the new community recreation centre opens in 2016, all recreation programs will transfer from the existing Delbrook Community Recreation Centre to the new facility, two blocks away. The old Delbrook complex is structurally at the very end of its life and studies show that there is no value in seeking to repair or remediate those structures. As the recreation buildings will soon be vacated and demolished, the time has now come for the District and the community to decide the future of the Delbrook lands – the 4.35 acre parcel of District of North Vancouver owned land at 600 West Queens.

This report provides an overview of the proposed Delbrook lands engagement process. It is informed by feedback from Council at the regular meeting on July 20, 2015 to engage the community without preconceived ideas. The future of the lands will be explored through a meaningful, robust and inclusive neighbourhood and District-wide engagement process. This process will include two phases:

- Phase 1- Generate Ideas and Options
 - Listen and engage with the community to generate ideas for the Delbrook lands.

- Generate options based on the ideas.
- Phase 2- Deliberate on Options
 - Deliberate on options to identify a broadly supported preferred option for the Delbrook lands.

BACKGROUND:

The Delbrook lands are located at 600 West Queens Road. It is approximately 17,607m² (4.35 acres) in area and is currently designated as Institutional in the Official Community Plan and zoned as Public Assembly.

Capilano Community Services Society and its partner organizations currently occupy the bottom floor of the north building. Staff are currently exploring the potential for relocating this society into a temporary home at the Capilano United Church (recently acquired by the District), until their new home in the Capilano recreation centre is built.

A privately operated child care facility, Little Rascals, runs out of a separate building on this site, adjacent to Stanley Avenue. This operation has a ground lease which expires in 2023.

EXISTING POLICY:

Official Community Plan Bylaw 7900 (OCP)

In 2011 the District concluded a two-year community-wide public consultation which resulted in a new Official Community Plan (OCP). The OCP provides a policy framework on housing, density, transportation, infrastructure, environmental management, social well-being, climate action and more to guide municipal decision making and operations, and to steer the community towards a more sustainable future.

Strategic and action plans, (such as the Parks and Open Space Strategic Plan, the Transportation Plan, and the Public Assembly Land Strategy) completed as part of OCP Implementation, and other Corporate Plans (such as the Asset Management Plan and Financial Plan), provide a roadmap and timeline for how we will achieve the goals of the OCP. These Council approved plans and policies provide a framework for the future use of these lands.

Public Assembly Land Strategy

The Public Assembly (PA) Land Strategy provides principles and criteria to be used as a framework to evaluate proposed changes to PA lands. This framework supplements the evaluation that is already undertaken as part of a rezoning or OCP amendment. The criteria are not intended to prevent changes to PA lands from taking place, but to help ensure that any change is in the public interest and provides an overall benefit to the community.

ANALYSIS:

Community Engagement Goals and Overarching Principles

Council has directed staff to proceed with a meaningful, transparent and reliable engagement process that includes the local neighbourhood adjacent to the Delbrook lands, as well as the wider District community, to identify a broadly-supported future for the lands.

Guided by the community engagement principles established for the OCP review process, the District will:

- conduct an informed, open and respectful community engagement process that includes a variety of community perspectives and ensures a broad level of community participation.
- ensure that the engagement process includes representation from the District-wide community as well as residents in the nearby neighbourhood.
- ensure that the engagement process delivers useful information that will support Council in making decisions about the future of the Delbrook lands.

District staff has consulted with the Delbrook Community Association Executive on the engagement goals and objectives, and the general process (below) has been informed by their feedback.

Engagement Context

The engagement process will be conducted within the framework of the Official Community Plan and other District policies, operational strategies and management plans.

The discussion will also be shaped by consideration of the following:

- the location next to Mission Creek and the importance of streamside protection;
- the existing onsite child care operation that has a long-term ground lease;
- the poor condition of the existing recreation buildings;
- the compatibility of potential land uses with adjacent uses;
- the site topography; and
- the financial implications of any proposed site changes.

Engagement Process

The District is in process of selecting a qualified engagement and planning consulting team to lead the engagement process. While the consultant will offer further suggestions to refine the engagement process and tools it is anticipated that there will be two key phases of consultation, as outlined below.

Phase 1: Generate Ideas and Options

In this phase, the District and the consultant team will lead a process to gather input on the community's ideas for the future of the Delbrook lands by working with the local neighbourhood and the wider District community to:

- identify key issues and challenges for this lands;
- derive a set of key principles and criteria to guide decision making for the lands;
- identify potential opportunities, options and constraints for the future of the Delbrook lands; and
- identify tools for further community engagement.

This engagement is anticipated to occur through a collaborative face to face session with broad community representation. This type of engagement process offers helpful ways to work together cooperatively encourages, mutual understanding between diverse perspectives and leads to resilient outcomes. The District will work with the engagement consultant to include online community engagement.

Information harvested from the engagement will be used to generate potential options for the future of the Delbrook lands. These options will then be tested for transportation, economic, and engineering perspectives to ensure their feasibility.

Outcome: At the end of Phase 1, the District will have a summary report based on the information gathered and ideas generated at the engagement session, and a set of draft options or approaches for the future of the Delbrook lands which will be reviewed by the community in Phase 2.

Staff will provide a progress update to Council at the end of Phase 1.

Phase 2: Deliberate on Options

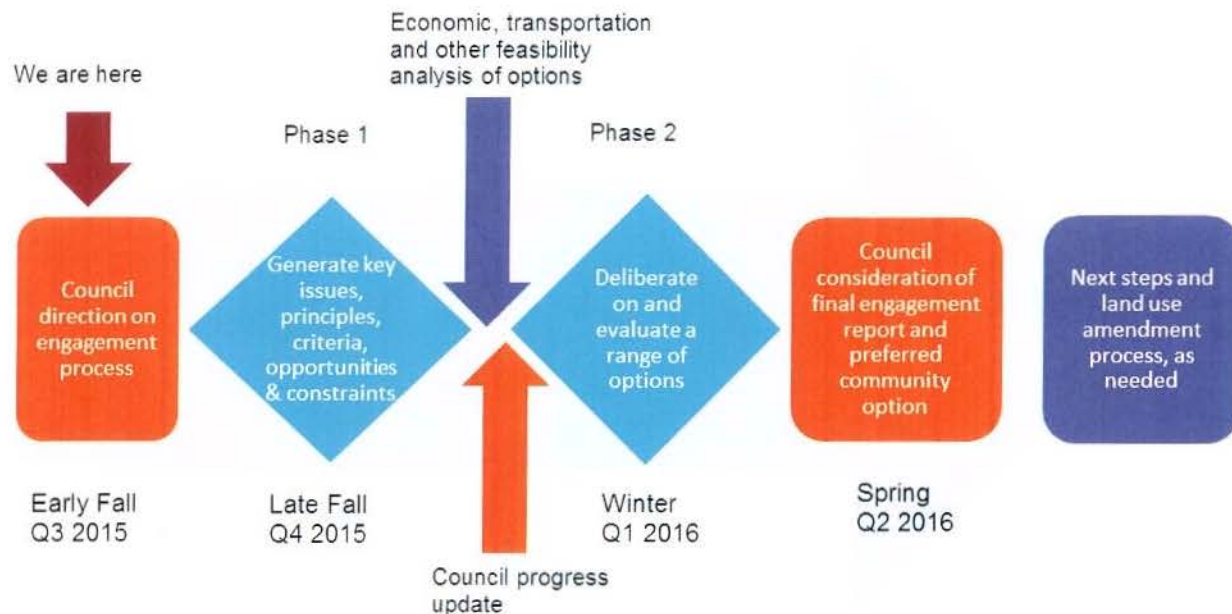
In this phase, the District and consultant team will conduct focussed, deliberative dialogue with the community to review the set of draft options for the future of the Delbrook lands that were derived in Phase 1. Participants will use the principles and criteria from the first engagement session to consider, reflect on and evaluate each option, and develop a broadly supported preferred option.

Outcome: A broadly supported preferred option for the future of the Delbrook lands.

Following completion of this second phase, a final report will be delivered to Council with the results of the engagement process, including the preferred community approach and staff recommendation for next steps.

TIMING/APPROVAL PROCESS:

The graphic below outlines the anticipated timeline of the Delbrook lands engagement process.



Concurrence:

The Communications Department has reviewed this report and is working in partnership with the Policy Planning on this project.

Financial Impacts:

The financial implications of various options for the future use of the Delbrook lands will be considered through the planning and engagement process.

Liability/Risk:

North Vancouver Recreation and Culture Commission services and programs are scheduled to move into the new Delbrook Community Recreation Centre (at 851 West Queens) in late 2016, and the Capilano Community Services Society is anticipated to find a new temporary home at the Capilano United Church. Once these services and programs are moved, the buildings on the old Delbrook lands will be empty. Vacant buildings can pose a liability for the District as they may be the target of vandalism. Planning for the future of the old Delbrook lands now is timely, and will enable us to have a strategy in place before the buildings are vacated.

Social Policy Implications:

Informed by Public Assembly Land Strategy, the Delbrook lands planning engagement process will consider: opportunities for an interim space for the Capilano Community Services Society and their partner organizations, if needed; retention of child care; and opportunities to enable some continued public use of the Delbrook lands.

Environmental Impact:

The planning and engagement process will consider opportunities to protect and enhance Mission Creek in accordance with the Streamside Protection Development Permit Area guidelines.

Conclusion:

As the recreation buildings at 600 West Queens will soon be vacated and demolished, the time has now come for the District and the community to decide the future of the Delbrook lands. This report provides an overview of Delbrook engagement strategy to determine a preferred approach identified by the community.

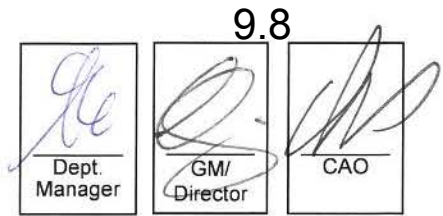
Respectfully submitted,



Suzy Lunn
Policy 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 _____
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<input type="checkbox"/> Facilities _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Human Resources _____	<input type="checkbox"/> Real Estate _____	

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



The District of North Vancouver REPORT TO COUNCIL

August 25, 2015
File: 3060/20-06.12

AUTHOR: Steve Ono, Manager Engineering Services / Deputy GM

SUBJECT: 1520 Barrow St. Release of Storm Sewer Security Deposit

RECOMMENDATION:

That Council instruct staff to release the security deposit and restrictive covenant on title to secure the commitments entered into regarding the alternate storm water management system installed by the owners of the property;

And That Council instruct staff to have the owners register a new restrictive covenant on title to secure the commitments entered into regarding the alternate storm water management system but without a security deposit

REASON FOR REPORT:

The owner's agent has requested return of the security deposit associated with the alternate storm water management system which the owners of the lot installed onsite in order to not connect to the municipal storm sewer system. Release of the security deposit would also require release of the associated covenant through a council motion. A modified covenant should then be registered defining the property owner's storm water management obligations, but without the requirement for a security deposit.

SUMMARY:

Staff recommend return of the security deposit and registration of a new covenant to secure performance of the alternate storm water management system installed by the owners for the reasons outlined in this report.

BACKGROUND:

The owner applied to rezone the site to allow for a liquor store on this lot which did not meet the minimum size required to allow the proposed liquor store use. The rezoning was adopted on June 24 2013 and a Development Permit allowing the liquor store was issued on the same date.

Through the rezoning application process, site development and servicing requirements were identified. Relevant constraints included potential flood hazard and proximity to a rail line between the site and Barrow Street where an existing District storm sewer is available.

The owner's original site servicing proposal included a drainage service connection to the existing storm sewer on Barrow Street across the CN rail tracks. CN rail requires that service connection pipes beneath their tracks be protected within a steel casing pipe, adding significant cost.

As an alternative, the owner proposed an on-site storm drainage infiltration system capable of accepting the 10 year and 100 year return storm in accordance with the District's criteria. Accordingly, they requested relaxation of the District requirement to connect to the District storm sewer.

EXISTING POLICY:

Article 9. of District of North Vancouver Sewer Bylaw 6656 requires all properties to be connected to the District's storm sewer system as follows:

Requirements to use the Storm Sewer System

9. Except as provided in this section all storm water, clear waste water and run-off from hard surfaces shall discharge into the storm sewer system. Alternative discharge is permitted in accordance with the current Building Regulations of British Columbia, upon acceptance of the Director where the following conditions apply:

- a) discharge by pumping would be required; or*
- b) the storm sewer system is located more than 50 metres horizontally from the nearest point of real property upon which is located the building served by the storm drainage system; and*
- c) the storm drainage system is connected to an approved existing, functioning, alternate discharge system.*

Where an alternate discharge has failed or is creating damage or a nuisance to adjoining properties, the discharge shall be connected into the nearest available storm sewer system, or,

failing the availability of a storm sewer system, an alternate system is acceptable if designed by a Professional Engineer and accepted by the District.

Article 7.5 of District of North Vancouver Development Servicing Bylaw 7388 requires owners of parcels being developed to provide storm drainage connections as follows:

STORM DRAINAGE SYSTEM

7.5 The Owner of a Parcel being Subdivided or Developed must satisfy the following:

- (a) provide the storm drainage Works and Services, including service connections, designed and constructed in accordance with the requirements and standards prescribed in Schedule D,*
- (b) except where the requirements of Schedule D and the Approving Officer or Chief Building Official require a drainage collection system to terminate in the ground, connect the drainage collection system required to be installed under this bylaw to the storm drainage collection system of the District in accordance with the standards prescribed in the Schedule D, and*
- (c) keep every storm drainage system separate from any sanitary sewer system.*

ANALYSIS:

While District Bylaws require that all storm drainage from properties discharge to the District storm sewer system, the Bylaws allow specific exceptions where discharge by pumping is required, or if the storm sewer system is more than 50m from the property. While this Development did not strictly meet the conditions for exception, staff sought to strike a reasonable balance between protecting broad public interest related to potential future drainage system failure, and the owner's interest to advance the project at reasonable cost. Hence, staff interpreted the intent of the Bylaws liberally to mean consideration of alternatives to connection to a District storm sewer system could be allowed where a connection is not reasonably available; the need to cross the CN Rail tracks at added cost was interpreted as an impediment to reasonable access to the storm sewer.

Accordingly, the District allowed the owner's proposed on-site drainage infiltration system. To protect the broad public interest, the District required that the on-site system be designed and certified by a qualified Professional Engineer, and to protect against possible failure of the on-site drainage system a deposit equal to the cost of connecting to the District storm sewer was provided by the owner. The original intention was to return the deposit if the system performs sufficiently for 5 years after installation.

The District required that a covenant be registered on title to the property as well to ensure awareness and ongoing maintenance of the alternate discharge system by future occupants/owners of the site.

Since there is a covenant registered on title to secure the performance of the on-site drainage infiltration system, and because the system performed satisfactorily during its first wet season this past winter, the owner has requested release of the security deposit. Staff consider this request reasonable and recommend release of the security deposit provided that a new restrictive covenant is registered on title to secure the performance of the on-site drainage infiltration system.

Timing/Approval Process:

The owner would like the security deposit released as soon as possible.

Concurrence:

This report has been reviewed by Engineering and Planning.

Financial Impacts:

The estimated cost to install a drainage service connection across the CN rail tracks within a casing pipe is \$58,000. A deposit has been collected from the owner as security for this cost and was to be returned to the owner upon 5 years of satisfactory performance of the on-site drainage infiltration system. The owner has asked that the deposit be released as soon as possible.

Liability/Risk:

Connection of on-site drainage systems to municipal storm sewers in urban settings is common practice. On-site drainage infiltration systems are not as common in urban settings, but may be a suitable alternative to a storm sewer connection if they are properly designed,

and maintained. If an alternative drainage infiltration system fails, there is a risk of property damage and nuisance caused by localised flooding.

Release of the security deposit will provide less protection to the District in case the on-site drainage infiltration system fails. However, a restrictive covenant securing the performance of the on-site drainage infiltration system should provide adequate protection.

Social Policy Implications:

n/a

Environmental Impact:

On-site infiltration of drainage waters may be beneficial for storm water quality, ground water recharge and reduction of peak drainage discharges.

Conclusion:

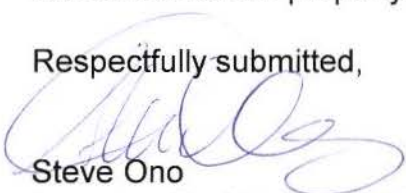
Release of the security deposit and registration of a new covenant securing performance of the on-site drainage infiltration system is intended as a compromise to protect the broad public interest while granting the owner's request for release of the deposit.

Options:

That Council instruct staff to release the security deposit and have the owner register a new restrictive covenant on title to secure the commitments entered into regarding the alternate storm water system installed by the owners of the property (staff recommendation); or

That Council instruct staff to retain the security deposit and restrictive covenant on title to secure the commitments entered into regarding the alternate storm water system installed by the owners of the property.

Respectfully submitted,



Steve Ono

Manager Engineering Services/Deputy GM

REVIEWED WITH:

- ☐ Sustainable Community Dev. _____
- ☐ Development Services _____
- ☐ Utilities _____
- ☐ Engineering Operations _____
- ☐ Parks _____
- ☐ Environment _____
- ☐ Facilities _____
- ☐ Human Resources _____

- ☐ Clerk's Office _____
- ☐ Communications _____
- ☐ Finance _____
- ☐ Fire Services _____
- ☐ ITS _____
- ☐ Solicitor _____
- ☐ GIS _____

- External Agencies:
- ☐ Library Board _____
 - ☐ NS Health _____
 - ☐ RCMP _____
 - ☐ Recreation Com. _____
 - ☐ Museum & Arch. _____
 - ☐ Other: _____